

'TOWARDS A LASTING PEACE'? THE NORTHERN IRELAND MULTI-PARTY AGREEMENT, REFERENDUM AND ASSEMBLY ELECTIONS OF 1998

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The agreement signed by the Irish and British governments and most of the political parties in Northern Ireland on 10 April 1998 (Good Friday) was a truly historic step. The agreement itself marks the most significant shift in party political positions since the partition of Ireland. This, coupled with the fact that the agreement is open-ended, and indeed under its provisions must develop beyond its existing provisions, means that an analysis of the evolution of party political attitudes during the development of the peace process is essential in order to understand the agreement's significance. This article gives a brief summary of the key provisions of the agreement, analyses the processes which led the different parties towards a position where agreement was possible and examines the referenda which ratified the agreement North and South and the election results to the new Northern Ireland Assembly - the public's first opportunities to pass judgement on the efforts of their politicians.

THE AGREEMENT

Some of the provisions of the agreement were relatively predictable and had been signalled in various public statements by the two governments, but other new elements were genuinely products of the dynamic created in the talks chaired by former US senator George Mitchell. (The full text of the agreement is widely available including on the internet at www.irish-times.com or cain.ulst.ac.uk.) The agreement has five key elements:

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constitutional changes; new institutions of government; an all-Ireland dimension; an equality agenda; and security provisions, decommissioning and the release of prisoners.

The parties endorsed the agreement between the British and Irish Governments to reform their constitutional expressions of sovereignty over Northern Ireland. They set out the broad principles of their new definitions of the constitutional position by asserting that they recognise that the position of Northern Ireland within the UK would not be changed without the consent of a majority of its people and also:

that it is for the people of the island of Ireland alone, by agreement between the two parts respectively and without external impediment, to exercise their right of self-determination on the basis of consent, freely and concurrently given, North and South, to bring about a united Ireland, if that is their wish, accepting that this right must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland.

The British Government agreed to introduce new Northern Ireland constitutional legislation to enshrine this position. The Irish Government agreed to call a referendum to seek to amend Articles 2 and 3 of the Irish Constitution which define the national territory (see Table 1 for details) and Article 29 to incorporate the British Irish Agreement and to allow the Government and Dáil to devolve powers to any institutions set up under that agreement. The effect of the referendum would, however, if passed, only become operative if the Government declared formally that the multi-party agreement was being implemented.

While these amendments to Articles 2 and 3 broadly met what had been a long-term unionist and British Government demand, they did not go as far as Ulster Unionist Party (UUP) leader David Trimble, and unionist commentators such as the Cadogan Group, had demanded. Proposals by the Irish Government, a Fianna Fáil-Labour coalition, in 1994 to amend Articles 2 and 3, to clarify that Irish unity would be sought by peaceful means only and by consent, if a settlement could be reached in the North, were rejected by David Trimble as 'worthless' (House of Commons, 14 July 1994, vol. 246, col. 1158). They were rejected in similar terms by the Cadogan Group (1995, p.46) and this position was reaffirmed in 1997 by UUP Forum member Peter Weir (Northern Ireland Forum, 7 Mar. 1997, vol. 31, p.44). It was argued that it is the aspiration for Irish unity and not simply the means by which it is pursued which is fundamentally at the heart of the conflict. Trimble wanted

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the Republic of Ireland and Northern nationalists to abandon all efforts at securing Irish unity and not just assert their support for 'consent' and peaceful means (House of Commons, 27 Oct. 1994, vol. 248, col. 1072). Clearly the amendments proposed by the Irish Government still retained a 'firm will' to achieve Irish unity.

Table 1
Amendments to Articles 2 & 3 of the Irish Constitution

Present Article 2

The national territory consists of the whole island of Ireland, its islands and the territorial seas.

Present Article 3

Pending the reunification of the national territory, and without prejudice to the right of the Parliament and Government established by this Constitution to exercise jurisdiction over the whole of that territory, the laws enacted by that Parliament shall have the like area and extent of application as the laws of Saorstát Éireann and the like extra-territorial effect

New Article 2

It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish nation. That is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland. Furthermore, the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage.

New Article 3

It is the firm will of the Irish nation, in harmony and friendship, to unite all the people who share the territory of the island of Ireland, in all the diversity of their identities and traditions, recognising that a united Ireland shall be brought about only by peaceful means with the consent of a majority of the people, democratically expressed, in both jurisdictions in the island. Until then, the laws enacted by the Parliament established by this Constitution shall have the like area and extent of application as the laws enacted by the Parliament that existed immediately before the coming into operation of this Constitution.

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Fianna Fáil, as the largest party in the Republic and because of its traditionally nationalist stance, was concerned to draft an amendment to Articles 2 and 3 which did not alienate its own support base, a section of which had spoken out against any dilution of the constitutional expression of sovereignty. The final form of the wording seemed to meet with general approval. Sinn Féin, while not happy with the new wording of Articles 2 and 3, recognised the very limited practical impact of the old Articles. The retention of a 'firm will' to bring about Irish unity and in particular the strengthening of the right to Irish citizenship of persons born in Northern Ireland, something previously only contained in ordinary legislation, also helped to limit opposition to the change. The changes were not welcomed by Sinn Féin, but on balance they saw enough in the overall agreement to allow them to accept these amendments.

The agreement provided for a new Assembly to be elected on 25 June, composed of 108 members - 6 elected by proportional representation using the Single Transferable Vote in each of the 18 Westminster constituencies. The Assembly would have 'full legislative and executive authority in respect of those matters currently within the responsibility of the six Northern Ireland Government Departments' with the possibility that other issues including security may be devolved later. On taking their seats elected members must designate themselves as 'unionist', 'nationalist' or 'other'. The Assembly will initially meet in a 'shadow' form without legislative or executive powers to resolve standing orders and working practices, and to make preparation for the North-South Ministerial Council. Key decisions throughout its existence must be made with cross-community support by either of the methods set out in Table 2. A minimum of 30 members can also insist on this procedure.

Table 2
Methods of measuring cross community support

Method 1	Method 2
a majority of members who have designated themselves nationalist and a majority who designate themselves unionist must support the measure for it to be passed (parallel consent)	a weighted majority of 60% of all members present and voting including at least 40% of each of the nationalist and unionist designations present and voting

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There will be an executive made up of the First Minister and Deputy First Minister and up to ten others. The First Minister and Deputy First Minister are elected by the process of parallel consent, while ministerial posts will be allocated to parties proportionally, on the basis of the number of Assembly seats held.

The North-South Council has been structurally modelled on the EU Council of Ministers, having twice yearly plenary sessions, and 'frequent' ordinary meetings with a sectoral format, with each side represented by the appropriate Minister. The Council must 'use best endeavours to reach agreement' and make 'determined efforts to overcome any disagreements'. Each side in the Council must be in a position to take decisions while remaining accountable to their own assembly/parliament. The North-South Council must agree a work programme covering at least 12 subject areas and set up at least six all-Ireland or cross border 'implementation bodies', before 31 October 1998.

To ensure that the North-South Council actually operates, and is not frustrated by unionist opposition, the Assembly and North South Council are declared to be 'mutually interdependent ... one cannot successfully function without the other'. Participation in the Council is declared to be 'one of the essential responsibilities' attaching to a ministerial post. In the event that a Minister will not attend, the First Minister and Deputy First Minister can appoint another person in their place.

There will also be a purely consultative British-Irish Council (BIC) made up of members of the Irish and British Governments, devolved institutions in Northern Ireland, Scotland and Wales and English regions if established, the Isle of Mann and the Channel Islands. While no party opposes this in principle it was also included to act as a fig leaf for the UUP to disguise the all-Ireland nature of the North-South body. The UUP had sought to have the North-South Council subservient to the BIC but were not successful in this.

The agreement spells out some quite specific measures in the area of equality including a Bill of Rights; a statutory obligation on public servants to carry out their functions with due regard to the promotion of equality; stronger fair employment legislation; and commitments to promote the Irish language, including making provision for the use of the Irish language in public life and to facilitate Irish language education in line with current provision for integrated education.

The issue of policing was clearly too difficult to resolve at the same time as institutional and constitutional questions. The RUC was by its nature at the

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heart of the conflict, being viewed as the primary defenders of the state by unionists and as a sectarian force by nationalists. As an institution it has a unionist and British ethos and is almost entirely made up of members of the unionist community. Its relations with the nationalist community have never been good and even moderate nationalists have refused places on the police authority and have refrained from advocating that nationalists should join the force. The unionist parties remain committed to the RUC in its present form. Sinn Féin insists on its disbandment and the SDLP on its substantial reform. The agreement simply sets out that a police service must be 'capable of attracting and sustaining support from the community as a whole' but there were no decisions on the future of the RUC. The parties agreed to set up an Independent Commission on Policing to report back by Summer 1999, which will have expert international representatives among its members.

There were no effective new provisions on decommissioning of illegal weapons. The parties reaffirmed their commitment to the 'total disarmament of all paramilitary organisations' and to work with the Independent International Commission on Decommissioning. There is however no clear agreement on what will happen if no actual decommissioning takes place, as the Assembly and executive begin to function.

Both Governments agreed to put in place legislation, before the end of June 1998, to allow for the release within a two year time-frame of all republican and loyalist prisoners affiliated to organisations which have established and maintained complete and unequivocal cease-fires (This has since been done.) The British Government also agreed to review their emergency legislation and reduce the size of the armed forces and the number of security installations in Northern Ireland

POLITICAL PARTY PERSPECTIVES

For all of the pro-agreement political parties and the two governments the fact that an agreement had been reached was welcome in itself. It is clear however that the parties have different perspectives on how it should develop, which is important in a relatively open-ended agreement such as this one. This is not unique to Northern Ireland: after all in the recent Scottish referendum, the Scottish National Party called for a Yes vote on the basis that the parliament would help the campaign for independence while Labour called for a Yes vote to save and strengthen the Union.

The fact that political stability was central to the Northern Ireland policies of the two governments did not prevent many disputes and near crises between

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them over the duration of negotiations, especially but not exclusively under the Conservative government. (See for example Mallie and McKittrick 1996 or O'Leary and McGarry 1996). The Irish Government was convinced that any agreement which excluded Sinn Féin was 'not worth a penny candle' (Fergus Finlay, adviser to then Irish Foreign Minister Dick Spring, **Irish Times** 26 April 1996). The behind-the-scenes involvement of the Irish Government in talks with Sinn Féin in the period 1987-94 marked a significant change of policy. Since at least 1973 successive Irish governments had sought to build a solution around the SDLP and the UUP, or most of it, in a power-sharing government, isolating more militant loyalism and the IRA. It was presumed that the popular support for such an initiative would allow the governments to isolate and defeat the IRA. The lack of success with this strategy led the Irish government in the late 1980s to look at the possibilities for an inclusive peace process, involving Sinn Féin and the loyalist paramilitaries, which sought to achieve cease-fires in advance of all-party negotiations. This change in perspective was greatly strengthened with the election of Albert Reynolds as leader of Fianna Fáil in 1992 (Mansergh 1996).

The British Conservative Government was clearly not convinced of this approach. Until the IRA cease-fire was announced in August 1994 the British government did not believe that it would happen. The British Government sought to prioritise restarting talks between the traditional constitutional parties excluding Sinn Féin. Their focus was on minimal internal reform and a strategy to contain and marginalise the IRA campaign. Even after the cease-fire the Conservative Government never became comfortable with the new Irish government approach and feared that bringing Sinn Féin into the talks process would reverse years of intensive efforts to isolate the Sinn Féin leadership. This view effectively precipitated the ending of the IRA cease-fire in February 1996. The new British Labour government elected in May 1997, while retaining some worries about the Irish government's approach, sought to actively engage with the process, becoming a driving force for the final agreement.

SDLP leader John Hume had been a major influence on both the shape of the final agreement and the process that led to it, and it is therefore not surprising that the SDLP gave it strong support. The decision by Hume to engage in a lengthy process of talks with Sinn Féin in 1988 was central to the origins of the peace process. Hume argued that a nationalist consensus, as sought by Sinn Féin during the 1987-88 SF-SDLP talks, was indeed possible, but that it could only take place in the context of an IRA cease-fire. These initial talks collapsed as the IRA did not see the need for a cease-fire at that time, and the

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collapse pushed the SDLP towards a new round of talks with the unionist parties and indeed a period of bitter attacks on Sinn Féin and the IRA. It was the clear lack of progress in those talks (Mallie and McKittrick 1996, p.153-4) which pushed Hume once again to seek to advance the political situation through talks with Sinn Féin.

Unlike the SDLP, the UUP abandoned previously held political positions to sign the agreement. Most of the current UUP leadership, including Trimble, had been active in the unionist opposition to the more modest Sunningdale Agreement (of 1973). Unionist opposition to Sunningdale had centred on the UUP's traditional opposition to power-sharing even with the SDLP and to the creation of a consultative Council of Ireland. Furthermore, in contrast to the current agreement, the Sunningdale Agreement, did not involve Sinn Féin, made no provisions for prisoner releases, had no significant commitments to an equality agenda and promised a security crackdown on the IRA.

The Good Friday agreement commits the two governments to maintaining the Union with Britain only for as long as that was the wish of a majority - a formal statement of what had been the position of the two governments and the SDLP for many years. The agreement also meant the return of a government and parliament to Northern Ireland, with David Trimble as its most likely First Minister. It also contained two paper victories for unionism. The Anglo-Irish Agreement of 1985, which unionists had resolutely opposed, was repealed and the Irish Government agreed to call a referendum seeking to amend Articles 2 and 3 of the Irish Constitution. Unionism however also had to face a number of previously unthinkable propositions - they would be forced to share power not only with the SDLP but also with Sinn Féin, facing even the possibility of Sinn Féin in government. They also had to agree to a cross-border body with a much stronger structural position and powers than under 'Sunningdale', the possibility of RUC reform, and equality measures which they had previously opposed.

Given the unpalatable nature of the package on offer from the perspective of many unionists, an explanation of the UUP's willingness to support this agreement has to look beyond the actual content of the deal and examine the strategic choices available to mainstream unionism. Unionism was faced with an Irish nationalist consensus that was growing and becoming increasingly politically united. In addition the leaders of Irish nationalism, including northern nationalists, had formed an effective alliance with a US administration and a reasonable working relationship with the British Labour Government which was likely to be in power for another eight or nine years. Northern nationalists now made up over 40% of the voting population,

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moderate unionism as represented by Alliance could mobilise at least 6%, the centrist Northern Ireland Women's' Coalition (NIWC) 1% and the loyalist paramilitaries 3%. Mainstream unionism, for the first time since Partition, was faced with the possibility that it could become a minority within Northern Ireland. Nationalists were still a long way from securing a majority for a united Ireland, but if nationalists were united they could clearly secure majority support in Northern Ireland in a referendum for far-reaching political change. The UUP leadership were quite explicit about this threat during the negotiations. Anthony Alcock argued that if the UUP walked out it was likely that a section of mainstream unionists would vote in a referendum to accept a peace deal which had been negotiated in their absence (Northern Ireland Forum, 3 Oct. 1997, vol. 45, p.10). The bottom line for the UUP leadership was that, however unhappy they were with key elements of the deal, any likely alternative was going to be much worse from a unionist perspective.

For Sinn Féin, the agreement also fell short of what had in the past been key demands. It clearly did not offer a united Ireland, it reaffirmed what republicans call the 'unionist veto' and contained no firm commitment to either disband or reform the RUC. In spite of this, Sinn Féin and their support base have been firm supporters of the deal. Part of the explanation is to be found in the roots of Sinn Féin's engagement with this peace process. As late as May 1987 Sinn Féin produced a policy document - **Scenario for Peace** - in which, in line with the traditional republican position, the Irish Government is seen to play no role of any significance in either bringing about a united Ireland or building its new government. The Irish Government was treated as a 'Vichy' like regime - effectively seeking to frustrate the republican movement's attempts to secure Irish unity and as irrelevant after the event as the Vichy regime was to building the new government in post-war France. In the following years Sinn Féin acknowledged publicly that the republican movement was not strong enough, on its own, to achieve a united Ireland and that therefore a 'broad front' of nationalist parties and organisations or a 'nationalist consensus' was required to achieve that goal (Adams 1988). **An Phoblacht** (the republican weekly newspaper) changed its editorial style. The pejorative term 'Free State' was no longer used to describe the Republic and its Government but more neutral terms like 'the South' or the '26 Counties' and the 'Dublin administration'. There followed a shift in attitudes to constitutional nationalism. The SDLP and the Irish Government (especially Fianna Fáil and to a lesser extent Labour) were now seen as potential political allies rather than as simple collaborators with British rule. In a new policy document **Towards a Lasting Peace** (1992),

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Sinn Féin placed the Irish Government, and the need for a nationalist consensus, at the heart of its political strategy - marking a reversal of previous perspectives.

The ending of the Cold War also created some pressure for change. Other conflicts with which the IRA had identified were coming to conclusions or developing peace settlements, in South Africa, Palestine and Central America (Cox 1997, pp.676 and 682). The IRA campaign was clearly in a position of stalemate. It could not be militarily defeated; neither could it militarily succeed. The election of Bill Clinton in November 1992, with the overwhelming support of Irish Americans, saw the emergence of the first US administration with an interventionist policy on Northern Ireland. This new international context created its own dynamic for change and helped persuade the IRA leadership that more progress could be made if they called a cease-fire.

Sinn Féin see this as a transitional agreement, part of the peace process, not its end point. While there are specific gains in the deal such as the North-South Council, the strengthening of fair employment legislation, support for Irish language schools and a debate on the future of the RUC, the detail is to some extent seen as less important than a clear commitment by the two governments to move away from the political and constitutional status quo.

Sinn Féin's strategy is influenced by the demographic situation, the rising nationalist vote - buoyed by expectations of change - by a rise in cultural nationalism and a sense of growing confidence in the nationalist community. Nationalist voters appear to be increasing in militancy as Sinn Féin have significantly reduced the gap between them and the SDLP. Sinn Féin recognised early on that a united Ireland was not going to be available at these talks and took the precaution of preparing their support base for the more limited objectives of the agreement. The position of the Sinn Féin leadership was that they did not have the political support to achieve Irish unity but they could achieve - in alliance with other nationalists, the Irish Government and the US - a much strengthened equality agenda and institutional links between North and South and could create a dynamic for further progressive change. The Sinn Féin leadership recognised the potential internal difficulties this relatively limited agenda might cause, and were very conscious of the disastrous consequences which a split in the IRA could bring, but they, like the UUP, were aware of the consequences of walking away, especially as their 'peace strategy' had seen their vote increase significantly. The commitment of republicanism to this argument is underlined by the calling of the second cease-fire in the full knowledge that a

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united Ireland would not be an outcome of the talks. Sinn Féin perceived the agreement as strengthening the position of the nationalist community and weakening unionism even if in some respects it fell short of what they had hoped to achieve.

The apparent shift in the stance of the loyalist parties - the Progressive Unionist Party (PUP), aligned with the paramilitary Ulster Volunteer Force (UVF) and the Ulster Democratic Party (UDP), aligned with the Ulster Defence Association (UDA) - has surprised most commentators. Initially the decision to call a loyalist cease-fire in October 1994 was at least partly a pragmatic response to the IRA cease-fire. Their self image was one of counter-terrorism and an extended IRA cessation removed this crucial definitional prop. The circumstances of the post-cessation period however altered the political experience of the loyalist political parties. Since the mid 1980s both major loyalist paramilitaries have been trying, without success, to follow Sinn Féin in building a strong political base in the context of an ongoing paramilitary campaign. Post cease-fire, the profile of the PUP and UDP increased, as they acted as conduits to the paramilitaries. The British Conservative Government also had a tactical need for the parties, as contacts with and concessions to Sinn Féin were easier to justify if they were seen as being mirrored by contacts with the PUP and UDP. Thus the first public contact by officials with Sinn Féin was preceded by a meeting with the UDP and PUP and the first ministerial meeting followed a similar pattern. This new profile, and the conditions created by the cease-fires, seemed to offer to the parties an opportunity to do what they had failed to do in the past - build political bases independent of mainstream (and middle class) unionism. As the peace process and cease-fire provided the opportunity for growth, seeking to attract support by adopting more hard line, anti-compromise rhetoric was unlikely to succeed, and therefore a shift to more moderate and reformist policies offered a line of development.

The loyalist parties, in spite of their attempts to create an independent base for themselves, remained ideologically linked to mainstream unionism. Right through the negotiations the PUP and UDP stuck firmly to the negotiation tactics adopted by the UUP. For example neither the PUP or UDP ever publicly met Sinn Féin, or broke with any of the policy positions adopted by the UUP other than on issues such as decommissioning and prisoners where they clearly had a strong agenda of their own. They were also firm supporters of the Orange Order in their physical opposition to the banning of the contentious parade through the nationalist Garvaghy Road at Drumcree. While tactically astute, their strategy does place strains on organisations with so little experience of open political activity. Already the UVF has lost some

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of its members to the breakaway Loyalist Volunteer Force (LVF) while rumours abound of splits in the UDA which, in spite of being the larger paramilitary group, has won more limited electoral support than the PUP.

The rejection of the deal by Ian Paisley's Democratic Unionist Party (DUP), the smaller UK Unionist Party (UKUP) and UUP dissidents was not surprising as they had been on the record over many years as opposing compromises and reform well short of what was in the Good Friday agreement. From Sunningdale to the present they have followed a relatively consistent position. All mainstream unionist elites have traditionally insisted that there is little point having a veto on the 'final handover' of sovereignty if they cannot prevent political decisions which change the character of the state or which move them towards a united Ireland. It is this strong linkage of equality issues and constitutional issues which makes it impossible for those unionists who reject the deal to see commitments on the question of sovereignty as being sufficient to persuade them to support internal reform. Reform is seen as undermining the state and paving the way for further change. This position was articulated by all the major unionist parties, including those who ultimately supported the agreement, as recently as 1997 (for example UUP response to the framework documents on the internet at www.uup.org and Alcock in Northern Ireland Forum 7 Feb. 1997, vol. 27, p.21)). It is the adherence of the unionists who oppose the agreement to traditional unionist positions that presents difficulties for David Trimble. He must convince unionists that either the commitments on sovereignty are more absolute now than they have been previously, a difficult task, or persuade unionists that they have little choice but to go down this route - a more accurate but politically difficult message to sell.

THE REFERENDUM CAMPAIGNS

The political parties, despite their different perspectives, finally came to agreement in the pressure-cooker atmosphere of the talks in Belfast. Last minute threats to the agreement led to US President Bill Clinton being woken at night to make personal appeals to some of the negotiators to make additional compromises. The agreement itself provided for referenda to be held in Ireland, North and South, on 22 May to ratify the agreement and to make the necessary changes to the Irish constitution.

The response in the Republic of Ireland to the agreement was very positive but there was some initial reluctance to change Articles 2 and 3 of the constitution. The emergence of potential opposition to the amendment of the

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articles was postponed because Sinn Féin had taken a decision to hold a special conference before making a final decision on the deal, and it appeared in the immediate aftermath that they might support the deal while opposing changes to the Irish constitution. The first opinion polls, before the Sinn Féin conference, showed a 61% Yes vote, 20% No and 19% undecided (**Irish Times** 16 April 1998). A poll published the day after the conference, carried out when it was clear that the Sinn Féin leadership was actively seeking a Yes vote, including support for the amendments to Articles 2 and 3, showed 72% Yes to 5% No and 23% undecided (**Irish Times** 14 May 1998). As the two parties representing almost all northern nationalists were united in calling for a Yes vote, any opposition to changing Articles 2 and 3 evaporated in the hope of a dynamic new political future.

The actual campaign lacked the impact of a normal referendum or election because of the widespread consensus in favour of a Yes vote. Only Fianna Fáil ran a high profile and expensive advertising campaign - clearly hoping that the positive response to the agreement would also boost their party support. They were right. The first opinion polls put Fianna Fáil leader Bertie Ahern's personal approval rating at 84% and Fianna Fáil party support at 57% - an all time record over 25 years of polling (**Irish Times** 16 April 1998). The outcome with a Yes vote of 94.4% reflected the consensus in the campaign.

In Northern Ireland there were in reality two separate referendum campaigns, one in the nationalist and one in the unionist community. Within the nationalist community, once the delegate conference had confirmed Sinn Féin's position, the campaign, like that in the South, reflected the deep and widespread support for the agreement. In contrast to this, within the unionist community there was a bitter campaign, beginning from the moment the agreement was finalised, with the 'No' lobby including not only those who had opposed the talks process - the DUP, UKUP and the LVF - but also elements of the UUP. Those unionists who supported the deal promoted it in a very generalised way, as a hope for peace, while presenting the opposition as being caught in the past and, in particular, lacking any credible alternative. Unionist opponents of the deal were, however, the ones to set the agenda for the public debate. They argued that aspects of the agreement were so detrimental to the unionist position that unionists should not support it even if it did in parts meet some unionist demands. It was further argued that if nationalist Ireland was overwhelmingly in support of the deal then it could not be one which strengthened the Union.

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The agreement to release republican and loyalist prisoners became the dominant issue in the early part of the campaign for the anti-agreement groups. In a bid to help the Sinn Féin leadership deal with potential internal dissent, the two governments agreed to transfer the longest serving IRA prisoners in jail in England (the Balcome Street Four) to the Republic of Ireland to serve out their sentences. The Irish government then almost immediately gave them temporary releases to attend the Sinn Féin conference where the decision on the agreement was being made. The prisoners received a rapturous reception when they entered the conference hall and the visual impact of convicted IRA members arm in arm with the Sinn Féin negotiators was used to good effect by the anti-agreement unionists.

In addition to the entire question of prisoner releases, the fact that the deal provided for the involvement of Sinn Féin in government, even if no IRA arms were decommissioned, was a major sticking point for unionists. This clearly struck a chord with the unionist support base who were well used to hearing their leaders speak of the dangers of allowing any nationalists, even the moderate SDLP, into government. The provisions for the decommissioning of paramilitary weapons were also attacked by unionist opponents of the agreement as vague and inadequate. Similarly the Commission on policing was seen as undermining the RUC and paving the way for its disbandment.

Although Unionist opponents of the deal also objected to the all-Ireland nature of the North-South Ministerial Council, the discussion on this was surprisingly low-key during the referendum in contrast to the intense debate during the negotiations. It was, perhaps, this previous debate which had in some ways prepared the unionist community for compromise on this issue. North-South bodies had been clearly part of the process (even if opposed by unionists) since at least the publication of the framework document agreed by the governments as a basis for negotiations in February 1995. There had however been no significant attempt to persuade the mainstream unionist base to support reform in other areas, or any indication that unionists would support the release of prisoners or consider a form of power-sharing which would include Sinn Féin. Until the very end the UUP opposed Sinn Féin's involvement in the process and never negotiated with them directly. The failure of the UUP to prepare their own supporters is probably due to the simple fact that they had not intended making these concessions. Up to the last night of negotiations they tried to avoid having any form of executive in the Assembly in a bid to avoid 'power-sharing'. It was only when the deadline was upon them, and they were faced with the option of signing the deal or walking out, that they finally took the difficult decisions. They therefore had

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little opportunity to prepare their support base for at least some of the concessions made.

The unionist anti-agreement campaign was the most dynamic, it set the agenda for debate to a large extent and also in the early days deliberately gave the impression of daily increases in support with a planned media campaign, which staggered the announcement of the opposition to the agreement of a majority of UUP MPs at Westminster, the Young Unionist Council, the Queens University Unionist Association, former UUP leader James Molyneaux and crucially the Orange Order. Trimble regained the initiative, or at least stemmed the tide of dissent, when he received the backing of 70% of the UUP executive members and similar support at the 800 strong Ulster Unionist Council. To this he could add the implicit and often explicit support of senior church figures, the major business organisations, and most of the local daily and weekly newspapers. The failure to persuade the Orange Order to support the deal, however, greatly strengthened the 'No' campaign and remained at least a potential threat to Trimble's position until polling day.

It became clear from the early opinion polls (e.g. **Irish Times** 16 April; **RTE** 27 April) that because of nationalists' overwhelming support for the deal, and the support of a section of moderate unionists, the referendum would certainly pass. The 'No' campaign therefore focused on the division within the unionist community - arguing that with a total No vote above 30% they would have won a majority of unionist voters and that, therefore, the deal would have no legitimacy. While this position was rejected by nationalists as it implied that their votes were of less significance than unionist votes (as No campaigners offered no corresponding veto over the nature of any political settlement to the nationalist community), it was effectively accepted by David Trimble when he said that a Yes vote of less than 70% would be insufficient to move forward. This gave the No side a target they could realistically hope to reach and gave their campaign momentum up to polling day. There was also a sense that the limited campaign for a Yes vote by the UUP leadership and the acceptance of a 70% threshold was being used tactically by Trimble to pressurise the British Government towards a more unionist perspective and to prevent further nationalist gains. It was a dangerous tactic, however, as the strength of the No campaign was threatening to undermine Trimble's position. Ultimately Trimble probably realised this and the latter half of the campaign saw a more assertive effort to boost the Yes vote.

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In Northern Ireland the Yes vote at 71% was sufficiently conclusive to weaken the rejectionist camp, but left them as an influential bloc within unionism, representing half of all mainstream unionists. An exit poll carried out by RTE (available on the internet at www.rte.ie/referendum/nipoll) gives some indication of the break down of voting patterns in Northern Ireland. It suggests that 99% of Catholics and 51% of Protestants voted Yes. It also suggests that 25% of UUP voters voted No - a sizeable body of dissent, and providing the basis for a significant split should any leading party figure decide to challenge Trimble's leadership. Somewhat ominously, in the light of their connections to the loyalist paramilitaries, 43% of UDP/PUP voters voted No.

THE ASSEMBLY ELECTIONS

With only four weeks between the results of the referendum and the election to the new Northern Ireland Assembly, the election campaign raised few new issues. Within the nationalist community, as there were no serious anti-agreement candidates, the poll became yet another party-political contest between the SDLP and Sinn Féin for the long-term support of the nationalist community. Sinn Féin argued that a vote for them would represent a stronger challenge to the status quo and would provide a greater degree of impetus for change. Sinn Féin's vote had increased from 10% in 1992 to 16% in the 1997 Westminster elections. They were also attracting a younger vote than the SDLP. The SDLP hoped to reverse the gains made by Sinn Féin in recent elections. Their canvassing strategy focused on the argument that, because of the divisions within unionism, the SDLP could become the largest party in Northern Ireland if some Sinn Féin voters switched to them, and in those circumstances they argued that John Hume rather than David Trimble would be First Minister. This was somewhat disingenuous because, while there was indeed some prospect of the SDLP outpolling the UUP in percentage terms (in fact they did so), there was no realistic prospect of the SDLP winning more seats because of the wider base of lower preference votes which the UUP was likely to attract.

The anti-agreement unionists used the same tactics and arguments as they had advanced in the referendum campaign to try and achieve a block large enough to veto decisions under the cross-community voting procedures. To do this they clearly needed to attract more votes than received by the anti-agreement parties, the DUP and the UKUP, in previous elections. To this end these parties, along with those within the UUP who opposed the agreement, formed a 'United Unionist' platform to seek to improve their capacity to

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attract dissident UUP voters and also to maximise transfers in the PRSTV election. There were also some very bitter election conventions within the UUP as pro- and anti-agreement UUP members sought to win the party nominations. David Trimble attempted to minimise the vote-gathering capabilities of the anti-agreement candidates by invoking party rules to prohibit the UUP Westminster MPs who opposed the agreement from standing in the Assembly election. This was fiercely contested by supporters of Jeffrey Donaldson MP but Trimble stood firm and prevented Donaldson from running. While Donaldson accepted this decision, other lesser-known figures from within the UUP who failed to secure official party backing stood as anti-agreement independent unionists.

The results were significant for a number of reasons. The UUP first-preference vote fell to its lowest level ever (21.2%). The SDLP just outpolled the UUP gaining 22% but the UUP received more transfers in the PRSTV system and so won 28 seats to the SDLP's 24. Sinn Féin got its highest ever vote at 17.7% (an increase of 75% since the start of the public phase of the peace process in 1992) and narrowed the gap with the SDLP to a mere 4.3%. SDLP support increased by 0.5% from their 1996 Forum elections. The Alliance Party fared poorly with only 6.5% and 6 seats and no prospect of an executive seat. The NIWC won 2 seats with only 1% of the overall vote due to high levels of lower preference votes (from SF and the PUP to help them defeat Alliance in South Belfast and from the SDLP to defeat the UUP and DUP in North Down). The PUP won two seats with 2.2% but the UDP with only 1.1% failed to win a seat, leaving one of the main loyalist paramilitaries with no political representation in the Assembly. In addition to this party support there were three anti-agreement unionists elected as independents. The combined nationalist first-preference vote was therefore 39.7%. The unionist anti-agreement parties (DUP and UKUP) polled 22.6%, compared to the UUP's 21.2% which also included voters for some opponents of the deal who had managed to secure party nominations. This gave the mainstream unionist parties a total first-preference vote of 43.8% - not a great deal more than the nationalist parties.

Table 3
Percentage first-preference votes received by each party in 1996 Forum and 1998 Assembly elections

Party	Forum 1996	Assembly 1998
UUP	24.17	21.23

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SDLP	21.37	21.99
DUP	18.8	18.03
SF	15.47	17.65
Alliance	6.54	6.5
UKUP	3.69	4.52
PUP	3.47	2.22
NIWC	1.03	1.61
UDP	2.22	1.07
Labour	0.85	0.34

In addition to analysing first preference votes, the PRSTV electoral system can also show how voters expressed their lower preferences, though there are technical difficulties in extracting all the potentially relevant information. (For a discussion of these difficulties see Richard Sinnott in **Irish Times** 29 June 1998 - available on the internet at www.irish-times.com.) The evidence that this presents for voter behaviour in Northern Ireland is tentative, as there are only 18 constituencies and therefore often very few examples of transfers between any two given parties.

The results do, however, reveal that Sinn Féin has the most loyal party voters with 87% of all their supporters transferring to another Sinn Féin candidate when one was available. 68% of Sinn Féin voters then transferred to the SDLP; however only 45% of SDLP voters returned the favour, and transferred to Sinn Féin candidates. Alliance voters, where they had a choice, on average went 36% to the UUP and 33% to the SDLP. There were simply no examples of terminal transfers from the UUP to the PUP or UDP or from the PUP to the UDP. Transfers from the UDP to the PUP were not as high as might have been expected, varying from 26% to 40%. PUP transfers to the UUP were reasonably high at 43%, and PUP transfers to Alliance varied between 8% to 20%. There was a wide distribution of the remainder of the PUP votes, mainly among the various anti-agreement candidates.

There was little evidence of cross-community transfers from pro-agreement UUP voters to the SDLP and vice versa. Voters mainly transferred within their own traditional blocs. There are only a few cases to look at, but even when Alliance was not available only 36% of UUP voters transferred to the SDLP and even this figure of 36% does not really give any real indication of the cross-community focus of UUP voters as it is greatly inflated by transfers

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from the UUP to the SDLP in nationalist constituencies where the object was to defeat Sinn Féin and not anti-agreement unionists. A majority of UUP voters preferred to transfer to anti-agreement unionists rather than the pro-agreement nationalist SDLP when that choice was available. In South Down only 12% of a UUP surplus went to the SDLP while nearly 75% went to anti-agreement unionists. In East Antrim, while the number of UUP voters willing to transfer to the SDLP when no UUP candidate remained was nearly 25%, the anti-agreement unionists still received the majority of the transfers. Many UUP voters failed even to distinguish between the SDLP and Sinn Féin. In Newry and Armagh and West Tyrone fewer than 40% of UUP voters transferred to the SDLP in their fight for the last seat with Sinn Féin.

Table 4
Number of seats won by each party

Party	Seats
UUP	28
SDLP	24
DUP	20
SF	18
Alliance	6
UKUP	5
PUP	2
NIWC	2
Ind. anti-agreement unionists	3

With 28 seats or 48.2% of the unionist bloc the anti-agreement unionists are somewhat short of the number needed to prevent decisions being taken. It has been widely reported that 30 seats would be sufficient for them to do so - marking a majority of declared unionists. This is not strictly true. First of all the Women's Coalition have indicated that though currently registered as 'other' they would redesignate themselves as 'unionist' if necessary, raising the 50% threshold to 31. Although the Alliance Party seemed reluctant to do this prior to the election, their leader John Alderdice resigned in the aftermath of the party's poor performance, and under a new leader and faced with a real threat they might also register as unionists raising the majority needed to 34.

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In any case decisions can also be made on a cross-community basis if there is a 60% Yes vote in the Assembly, including at least 40% of each community (Method 2 in Table 2), thus requiring the dissidents to get 35 votes at least and 52 if the NIWC and Alliance reregister. Practically however this could present difficulties for David Trimble if his support in the UUP was to decline so seriously.

Having elected David Trimble as First Minister and the SDLP's Seamus Mallon as Deputy First Minister, the Assembly adjourned until September. It is required to form an executive and set up the North-South Council before 31 October and must also deal with the political realities of prisoner releases, the likelihood that no decommissioning will have taken place and pressure for reform on the equality agenda, an agenda that is likely to be as problematic as achieving the initial agreement.

CONCLUSION

Clearly the long-term impact of the Good Friday agreement remains to be tested. After 30 years of armed conflict a permanent solution will take some time to build and acts of violence may continue for a time. Nonetheless for the first time, an agreement has been reached which has the support of the main republican and loyalist paramilitaries, the political representatives of almost the entire northern nationalist community, the largest unionist party and the two governments. It is also the first agreement to be ratified in referenda north and south in Ireland.

The content of the agreement itself also provides grounds for hope. For nationalists there is institutionalised power-sharing between the nationalist and unionist communities; there is the promise of far reaching measures to promote equality and parity of esteem; and a structure of governance linking north and south with an open ended and dynamic agenda. Mainstream unionism is clearly divided. A bare majority are pro-agreement, seeing the benefits of the cease-fires, a new Assembly and government and a commitment by nationalists to pursue Irish unity by peaceful means and to seek the consent of a majority in Northern Ireland for Irish unity. An almost equally large section of unionists is however unwilling to support an agreement which will result in power-sharing with the SDLP and Sinn Féin, the release of prisoners, far reaching internal reform and an institutionalised north-south link.

Unionism is clearly in a state of flux. Potentially for the first time mainstream unionist political elites are willing to ~~re~~define their relationship with the

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northern nationalist community and with the Republic of Ireland, and build a polity based on equality of citizenship and a growing relationship with the South. There are also danger signs within unionism. Almost half of all Protestants and a majority of mainstream unionists have rejected the deal. Prominent figures within the UUP and Orange Order are unreconciled to these new possibilities and see the agreement as fundamentally damaging to the unionist position. Even within pro-agreement unionism there are signs of unease. David Trimble only met Sinn Féin for the first time in September 1998. The UUP continues to insist that the RUC will not be disbanded or significantly reformed. The potential for a split in the UUP remains and such a split could create a movement representing a majority of unionists, committed to bringing down the agreement.

For the moment however the agreement stands. The peace process has delivered sustained IRA and loyalist cease-fires, has brought a political agreement and has created a dynamic for change to replace years of political stalemate. While there may well be difficulties, at least there is plenty to be optimistic about

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