

Power devolved to Northern Ireland Assembly

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More than 25 years of direct rule of Northern Ireland by the British government ended yesterday when the Queen gave her assent to the bill devolving power to the Northern Ireland Assembly.

This was followed by the government of the Irish Republic signing away any claim to the territory of Northern Ireland. Irish Taoiseach (Prime Minister) Bertie Ahern announced that his cabinet had given effect to the changes to Articles 2 and 3 of the constitution. Northern Ireland Secretary Peter Mandelson and the Irish Republic's Foreign Affairs Minister both signed the commencement orders for the new British-Irish Agreement. They formally exchanged documents notifying each side that all the requirements had been met for the devolution of powers to the new institutions.

Irish President Mary McAleese met the Queen at Buckingham Palace as a precursor to the first visit to the South by a British monarch since the island was partitioned in 1921.

The Irish Republican Army (IRA) were to issue a statement nominating their representative to the De Chastelain International Commission on the decommissioning of arms, thus bringing to an end the series of events setting devolution in motion this week. The appointee is expected to be either Padraic Wilson, former leader of the IRA prisoners in the Maze, or Brian Keenan from West Belfast, said to be one of the most senior figures in the IRA.

Wilson, aged 42, was released from the Maze earlier this year under the prisoner release scheme of the Northern Ireland Agreement. He had been serving a 24-year sentence since 1993, after being caught in possession of an under-car bomb in Belfast City Centre. He has already gone on record in favour of decommissioning, telling a *Financial Times* journalist

in June, "I think voluntary decommissioning would be a natural development of the peace process once we get a sense that the arrangements envisaged in the agreement are beginning to function."

Keenan, aged 58, was a founding member of the Provisional IRA and is reported to have held senior positions since the early 1970s. He has served two prison sentences in England.

Following the IRA's statement, the Assembly Executive would hold its first meeting. The new ruling committee was set up earlier this week, with Ministers being appointed from the Ulster Unionist Party (UUP), the Democratic Unionist Party (DUP), the Social Democratic and Labour Party (SDLP) and Sinn Fein. Sinn Fein nominated Martin McGuinness as Minister of Education. McGuinness is reported to be a former member of the IRA's ruling Army Council and one time chief-of-staff. The other Sinn Fein Minister is Bairbre de Brun, who accepted the portfolio of Health, Social Services and Public Safety.

Though described in the media as the "poisoned chalices" of the new government due to the extensive cuts that are anticipated in both areas, the Sinn Fein portfolios hold considerable power and command substantial budgets. Between them, the Sinn Fein Ministers will control more than half of the discretionary (i.e., non-security related) budget of the North.

While taking on the form of a government cabinet, the new administration has more the character of an unstable coalition. The two Ministers from Ian Paisley's DUP have declared that, while they will take their positions on the Executive, they will not attend any meetings with Sinn Fein members present. Not only does this mean that the DUP will miss full sessions of the Executive, including the opening one yesterday, but

they will be unable to participate in much of the work of the Executive involving collaboration between its members. Paisley has also said that his Ministers will not participate in the numerous cross-border bodies that are part of the devolution package. The DUP maintain that the implementation of policy in the North and the South is a matter for each jurisdiction acting separately.

Under the terms of the Agreement, Ministers will have "full executive authority in their respective areas", but are also required "to participate with colleagues in the preparation of a programme for government". The Good Friday Agreement also specifies that the Executive will seek to agree a programme for government on an annual basis. If the DUP fails to attend Executive meetings, it could be found to be in breach of the pledge of office.

The new body will bear little resemblance to its Westminster counterpart. In the British government, Ministers are subject to the discipline of "collective responsibility". This means that whatever their private views, Ministers must remain loyal to cabinet decisions once they are taken. Given the disparate character of the Northern Ireland Executive, such a structure would prove unworkable.

Behind the apparently loose political set-up—the "full executive authority" of Ministers—key decisions will be taken by a "weighted majority" vote in the Assembly. This means contentious matters need the vote of 60 percent of all Assembly members present in the chamber, including at least 40 percent of those present and registered as unionists and nationalists, respectively. Since the main pro-Agreement unionist Party, David Trimble's UUP, and the nationalist SDLP both account for over 40 percent of Assembly Members within their respective camps, they can therefore secure the passage of any legislation on which they jointly agree, thus sidelining the other parties.



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