

The Northern Ireland Assembly: A Parliament in a Challenging Political Climate

By Shaun McDaid



Overview

The Northern Ireland Assembly is the devolved legislature in Northern Ireland. The current Assembly was first constituted in 1998. This followed the Belfast/Good Friday Agreement (GFA), signed in April of that year.

Under the terms of that pact, a new devolved Assembly for Northern Ireland was created. The Agreement created a 108 seat Assembly. Members of the Legislative Assembly (MLAs) are elected using the Proportional Representation-Single Transferable Vote (PR-STV) system (the same electoral system as the Republic of Ireland).

There are 18 Assembly constituencies with 6 seats each. However, the size of the Assembly is set to be reduced to 96 members, following legislation introduced by the Westminster government. Assembly elections are held once every five years, following the decision of the UK government to introduce fixed, five year parliamentary terms. The next Assembly election will be held in 2016.

Because of the divisions in Northern Ireland society, MLAs must designate themselves as 'nationalist' (those favouring a united Ireland), 'unionist' (those

supporting union with the UK), or 'other'. Designation is meant to ensure that certain matters have widespread community support, not just the support of one group.

Historical background

The current Assembly is not Northern Ireland's first devolved legislature. Legislative devolution has a long history in the region. Between 1921 and 1972, the Parliament of Northern Ireland (a bicameral legislature) was in existence. During its lifetime, Northern Ireland was governed by a single party, the Ulster Unionist Party. It was prorogued by the British government in 1972, amidst a deteriorating security situation. This deterioration in security followed the outbreak of violent conflict in the region in 1968.

In 1973, a new form of devolution was restored to Northern Ireland. Following Assembly elections, an Executive was formed comprising both nationalist and unionist politicians. However, the first power-sharing Executive collapsed in May 1974, following a political strike organised by the Ulster Workers' Council. Loyalist paramilitary backing was crucial to the success of the strike. It was not until 1998 that power-sharing returned to the region.

The current Assembly, however, has not been in operation consistently since 1998. Between 1998 and 2007, it was suspended a total of four times (twice for only a 24 hour period). The longest suspension was between 14 October 2002 and 7 May 2007, as parties tried to reach agreement on matters such as decommissioning of paramilitary weapons and policing. The Irish Republican Army's decision to decommission its weapons in 2005, and the St Andrews Agreement of October 2006, paved the way for the restoration of devolution, and the formation of an Executive including both the Democratic Unionist Party and Sinn Féin.

Procedure and responsibilities

Following Assembly elections, an Executive is formed, which must comprise members of both nationalist and unionist parties. The Executive is commonly referred to as the 'power-sharing Executive' and the GFA has been classed as an example of a consociational settlement, whereby elites from opposing ethnic groups share power to regulate conflict.

A First Minister and Deputy First Minister are nominated directly by the two largest parties in the Assembly to oversee the work of the Executive. Almost all ministries are allocated using the D'Hondt (highest average) method, to ensure proportionality. The exception to this rule is the Justice ministry, which was allocated on the basis of a cross-community vote. The office is currently held by neither a nationalist nor a unionist.

The Assembly legislates on a wide range of matters including health, social protection, regional and social development, enterprise, education, culture, and the environment. The UK government retains control of matters such as taxation, the

Crown, foreign policy, and defence. Policing and justice powers were devolved to the Assembly in 2010. Previously, these matters had been the responsibility of the Secretary of State for Northern Ireland.

A number of committees scrutinise the work of individual departments or make policy recommendations on specific issues. Ad hoc committees, which are temporary, can be established where necessary. A Speaker (or Deputy Speaker) presides over the Assembly business, and represents the Assembly at official functions.

The Assembly is regulated by Standing Orders, including the rules regarding the type of questions that can be asked in the chamber. Standing Orders cannot be amended unless they have cross-community support.

The Executive co-operates with the government of the Republic of Ireland on matters of joint interest through a North-South Ministerial Council, and participates in a British-Irish Council, which comprises both legislatures on the island of Ireland, the UK Parliament, the devolved legislatures in the UK, and the legislatures of the Isle of Man and Channel Islands.

Petition of Concern

The divided nature of society in Northern Ireland means that some legislation is contested, particularly if it is believed to favour one community over another. Where at least 30 MLAs present a 'petition of concern' to the Speaker of the Assembly, the following conditions must be met. Any vote must not take place until at least 24 hours after the petition was presented to the speaker, and the resulting vote requires cross-community support. Examples of petitions of concern include those brought against an Irish Language Strategy in 2010, but they have also been tabled on matters such as same sex marriage.

Assembly composition

Statistics demonstrate that the Northern Ireland Assembly is overwhelmingly dominated by men and those over the age of 50. Women account for just 20 per cent of all MLAs, giving the Assembly the lowest percentage of female representatives in any UK legislature. A significant majority (60 per cent) of MLAs are over the age of 50. 35 per cent of MLAs, a plurality, are over the age of 60. Currently, only one sitting MLA comes from a minority ethnic background.

Politically, unionists hold a narrow majority, with 52 per cent of MLAs designating themselves as unionist. Nationalists account for 40 per cent of members, with 'others', primarily accounted for by the Alliance Party of Northern Ireland and Green Party MLAs, constituting the remainder.

Future challenges

Sectarian division, and the residual threat of political violence, continue in Northern Ireland despite the peace process. Indeed, it has been argued that the region is also affected by different kinds of 'culture wars', one connected to identity and rooted in the past conflict; the other focused on social issues, of the kind experienced in many other western societies.

Recent attempts to reach agreement on the sensitive issues relating to identity such as the display of flags and emblems, contentious parades, and the legacy of the past conflict (in a process chaired by US diplomats Dr Richard Haass and Professor Meghan O'Sullivan) have so far proven unsuccessful.

However, not all the current problems in Northern Ireland have their roots in identity politics. There are a number of other issues that the Assembly will have to grapple with in the years ahead. These include welfare reform: the Northern Ireland Assembly has yet to implement Westminster reforms in this area, which could threaten the block grant that the Assembly receives from the British Treasury.

MLAs will also continue to face calls for reforms in the areas of LGBT rights, reproductive rights (in line with other parts of the UK), and ensuring adequate protections for members of minority ethnic groups. However, past events suggest that progress on these issues is likely to be slow.

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Further reading

M. Adshead and J. Tonge (2009) *Politics in Ireland: Convergence and Divergence in a Two-Polity Island*. Basingstoke: Palgrave Macmillan.

P. Dixon (2008) *Northern Ireland: The Politics of War and Peace*. 2nd edition. Basingstoke: Palgrave Macmillan.

S. McDaid, A. Mycock, C. McGlynn, J. McAuley, C. Gormley-Heenan (2014) *The Northern Ireland 'Culture Wars' Symposium Report*.

R. Wilford (2000) 'Designing the Northern Ireland Assembly', *Parliamentary Affairs*, 53 (3), pp. 577-590.

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