THE GOOD FRIDAY AGREEMENT, THE CIVIC FORUM AND THE FATE OF DELIBERATIVE CONSOCIATIONALISM IN NORTHERN IRELAND

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Abstract

The 1998 Good Friday Agreement gave Northern Ireland the hope of peace and the prospect of democratic government, within a wider European framework of governance. Today, this Agreement is on life-support as Northern Ireland has become a central battlefield of the post-Brexit UK-EU conflict. This paper argues that the origin of the GFA's legitimacy erosion is rooted much earlier in time than Britain's exit from the European Union – namely in the failure of leading Northern Irish political parties and their respective state sponsors to fully implement the complex deliberative consociationalism architecture of the Agreement, centered around its innovative Civic Forum. After outlining in its introduction the Civic Forum's transformative Project, this paper discusses, in its three main sections, the Civic Forum's immanent Promise as the linchpin of the Agreement's deliberative consociational architecture, its actual practice during its brief existence as it engaged with its "constitutive outsides" – the Northern Ireland Assembly and the grass-roots civic society, and its preliminary post-mortem commenting on the causes and consequences of its institutional demise. In conclusion, this paper will sound a hopeful note by making an optimistic prediction – forecasting the eventual rebirth of complex deliberative consociationalism in Northern Ireland.

Keywords: Good Friday Agreement, Northern Ireland, Civic Forum, multi-level governance, European Union, consociationalism, tribune parties, citizens' assemblies

"The Civic Forum is a new space which regards itself – and not infrequently defines itself – as guarding against any collapse into the camps that the formally elected chamber more carelessly replicates in its version of democracy. Its commitment to inclusivity across camps is integral to its call to the future".
Vikki Bell (2004b: 414)

PROJECT: THE GFA'S CIVIC FORUM AS VANISHING MEDIATOR

On Saturday, 30 March 2019, forty-nine individuals representing a cross-section of Northern Ireland's population converged on the Clayton Hotel in Belfast. They had agreed to participate in a one-day citizens' assembly aiming to discuss the various political avenues leading to Irish unity in the post-Brexit era. To see how participants' attitudes towards the two main constitutional options for a future united Ireland might change as a result of a "thoughtful and considered process of learning and deliberation", an academic team led by Prof. Brendan O'Leary, Northern Ireland expert, facilitated this experiment (Garry et. al, 2020: 433). The results were startling. The questionnaires the participants completed at the start of the day showed a pronounced preference for the first alternative, the Devolved option - a united Ireland where the bargain struck between the key stakeholders of Northern Ireland, including the Republic of Ireland and the United Kingdom, as part of the 1998 Good Friday Agreement ('GFA') would remain intact, thus preserving a Northern Ireland Assembly ('the Assembly'), albeit under Irish sovereignty and within the European Union ('EU'). At the end of the day, participants' preference for the second alternative, the Integrated option - a united Ireland where Northern Ireland would be fully absorbed within the institutional structure of a unitary Irish State, had pulled even with the first option (Ibid.: 424).

The most pronounced shift in preference from the Devolved to the Integrated option occurred primarily among the assembly's Protestant participants, who justified their change of perspective as grounded in an enduring 'anti-politics' feeling and a pervasive sense of disenfranchisement. These were illustrated by three key conclusions they reached at the end of this citizen's assembly: first, the Devolved option would not represent a major change with existing arrangements and therefore would satisfy neither Nationalists nor Unionists; second, it would be confusing to retain different political systems in Belfast and Dublin to decide on similar policy matters; third and most importantly, preserving current power-sharing arrangements in Northern Ireland would not work, as the consociational governance model designed by the GFA over two decades ago had not worked in the past, was not working effectively now and would not work well in the future (Ibid.: 442-3).

This loss of faith of the Protestant members of the citizens' assembly in the legitimacy and effectiveness of a consociational system of governance in Northern Ireland stands in stark contrast with the statement made almost simultaneously by the father of consociationalism, Arend Lijphart. During a 2019 symposium on "The Importance of Consociationalism for Twenty-First Century Politics and Political Science", Lijphart confidently opined that "[c]onsociationalism is now the default option for divided societies" because it is "the best solution to ethnic conflict" (Boogards et al., 2019: 350). Such a marked discrepancy between average citizens' and expert elites' perspectives on the capacity of consociational arrangements of governance to bridge historic ethnic antagonisms in post-conflict societies and bring about peace, pluralism, participation and prosperity to all affected parties and communities deserves closer investigation.

This paper will inquire why complex consociational constitutional arrangements often fail to bridge the critical adoptability/sustainability divide: that is, to complete the critical transition from theoretical elaboration and acceptance as part of grand inter-communal negotiated bargains to actually successful and sustainable implementation and practice over the medium- to long-term. In doing so, it will focus on a particularly important variation of complex consociationalism, described by Ian O'Flynn (2010) as deliberative consociationalism, and examine its implementation within the context of Northern Ireland's GFA. This paper will demonstrate, through a close analysis of this specific case-study, that a legitimate, effective, resilient and sustainable deliberative consociational ecosystem governing a deeply divided society is "an immensely subtle institutional construction" (McGarry and O'Leary, 2004: 281) requiring all its constituent elements to be implemented and function in synchronicity. Consequently, it can ultimately attain its primary long-term objective of successful conflict resolution only by creating and embedding in the short term, and preserving and promoting in the medium term, a diarchic dialectical tension between all institutions composing both its conceptual organizational and immanent relational architecture.

To demonstrate this, our analysis will focus on a relatively neglected element of the GFA institutional constellation, namely its innovative Civic Forum. It will show how its participative potential as a "call to the future" (Bell, 2004b: 412) as well as a "vanishing mediator" (Balibar, 2004: 233) attempting to navigate the difficult passage from a sovereignty-centred to a multi-level governance ('MLG') system was degraded and ultimately destroyed by Northern Irish sectarian political parties and their respective ethno-guarantor states (Byrne, 2001: 330). These made common front in refusing to countenance the successful implementation of transformational change in the practice of democratic politics across the British Isles. Having referred in its introduction to the Civic Forum's transformative Project embedded at the very core of the GFA, this paper will proceed to discuss, in its three main sections, first the Civic Forum's immanent Promise as the linchpin of the GFA's deliberative consociational architecture, second its actual Practice during its all-to brief existence as it engaged with its "constitutive outsides" – the Northern Ireland Assembly and the

grass-roots civic society (Bell, 2004b: 580), and third its preliminary Post-mortem commenting on the causes and consequences of its untimely institutional demise. In its conclusion, this paper will sound a hopeful note by making an optimistic PPrediction – namely, the eventual rebirth of complex deliberative consociationalism in Northern Ireland as the more adoptable and sustainable alternative not only to the present post-Brexit status quo, but also to both the devolved and integrated united Ireland options briefly outlined above.

PROMISE: THE CIVIC FORUM'S IMMANENT POTENTIAL

The dynamics of consociationalist practices across diverse ecosystemic paradigms. Before diving into our Northern Ireland case study, it is important to map out the main features of consociationalism as a set of institutional designs particularly suited for bringing about stability, fairness and democracy to deeply divided societies (McGarry and O'Leary, 2009: 50ff). Lijphart (1977: 42) defines consociational democracy as a method of constitutional design aiming to make societies more thoroughly plural "at least initially" by explicitly recognizing segmental cleavages and turning them into "constructive elements of stable democracy". It aims to achieve this paramount objective by deploying two primary techniques of governance – executive power-sharing and group autonomy – as well as two secondary ones – proportional representation and minority vetoes (Lijphart, 2001: 39). Most importantly, Lijphart (1977) conceives of consociational institutions as dynamic models of governance for plural societies that adapt over time: they arise as a result of specific socio-political circumstances in order to address and resolve acute governance problems over the medium term and can evolve and even wither away over the long term when no longer appropriate to changing realities.

McGarry and O'Leary (2009: 23, 83) proceed to refine the concept of consociationalism by identifying three primary forms: corporate, liberal and complex consociationalism. O'Flynn (2010: 581) importantly adds a fourth category as a distinct subset of complex consociationalism – namely deliberative consociationalism. These forms of consociationalism progress or regress along two axes: an agency axis reaching from coercion and control to toleration, cooperation and reciprocity and encompassing forms of normative legitimation such as representative and participatory democracy; and a structural axis of functional change connecting the preservation of the institutional status quo with incremental and even transformational change (Fig. 1 below). The competing paradigms of the agency axis are those of Liberal Democracy and Deliberative Democracy, whilst those of the structural axis are those of state-centric sovereignty and of a post-Westphalian system of polycratic multi-level governance (Linklater, 1998) "that can place democracy within this emerging global-national-local paradigm" (McCall and Williamson, 2001: 368). As McGarry and O'Leary (2009) explain, liberal consociationalism represents a significant normative advance from corporate consociationalism's aims of sectarian hegemonic control and maintenance of the status quo towards inter-ethnic toleration and incremental change, whilst complex forms of consociationalism - those that include federal, confederal, and pluri-territorial techniques of constitutional design - improve on liberal consociationalism by empowering the emergence of genuine cross-sectarian cooperation and acceptance of long-term aims of transformational change.

Deliberative consociationalism, as elaborated by Ian O'Flynn, represents an important form of complex consociationalism that aims to answer corporate and liberal consociationalism's centripetal and transformative critics (Horowitz, 2001; Taylor, 2006) and to reach beyond the basic tenets of consociationalism itself - from a conception of democracy as the blunt power of the ballot box to one rooted in the rational triumph of the best argument, and from a notion of diversity as the recognition of various communities' ethnic differences to one attempting to structure "the terms of political engagement, first and foremost,

around a requirement of reciprocity" squarely focused on a larger, shared public interest (O'Flynn, 2010: 574-6). As a result, the relational practice of deliberative consociationalism is carried out through a variety of institutions characteristic not only of more restrictive types of consociationalism that necessarily represent actual facts on the ground and existing sectarian power relationships, but crucially also through creative, innovative, disruptive new institutions. Such institutions are designed specifically to advance the process of normative and structural transformation of governance practices from managing the current realities of deeply divided societies towards a long-term future where such divisions would be neither ignored nor erased, but rather bridged and held in productive dialectical tension (Fig. 1 below).

Balibar (2004) defines institutions endowed with such an immanent transformational potential as "vanishing mediators" , enabling "an imaginary of the new during the process of transformation of a society, as the old gradually fades away" (Isin, 2013: 17). Such an "externalization process" constantly integrates new relevant actors, arenas of action, influential allies, and activism resources into a complex relational ecosystem (Waterbury, 2017: 228ff) pointing towards a future model of governance that has "not yet" fully coalesced, but is perhaps still to "come" (Derrida, 1992: 76-78). The ultimate objective of such an institution of governance defined as a vanishing mediator, whose life-span is inherently transitional and finite, is utterly paradoxical: its ultimate success in bringing about the desired conflict resolution through social transformation inevitably results in its metamorphosis as a tool of governance into a new, yet-to-be defined participative practice of pluralism in the public interest, representing the successful mutation of the sovereign-centric governance paradigm into a post-Westphalian, polycratic multi-level governance paradigm. The struggle for the dynamic evolution of the normative conceptualisation and factual practice of any deliberative consociational ecosystem is therefore fought primarily around these institutions acting as vanishing mediators, whose untimely vanishing would inevitably result in triggering a process of regression from complex, deliberative

forms of consociationalism to statist forms of liberal consociationalism and even sectarian hegemonic versions of corporate consociationalism. Sovereignist elites aiming for exactly such a regression in order to safeguard their hold on political power by continuing to monopolise the allegiance of their ethno-culturally defined constituencies will therefore attempt to degrade and destroy these vanishing mediators. Polycratic leaders of civic society movements whose objective is the institutionalisation of deliberative consociationalism in a decentred, pluri-national multi-level system of governance will do their utmost to ensure the vanishing mediators' survival and success. Transitionalists favouring conceptually a lengthy process of slow, incremental change pointing towards future transformational change without however wishing to jeopardise in practice current elite power dynamics rooted in national identities, will tolerate vanishing mediators' continuing existence and activities but will attempt to limit their disruptive, transformative impact in the short- to medium-term.

Origins and mission of the GFA's Civic Forum. The nature and structure of the 1998 Good Friday Agreement has been the subject of numerous academic books and articles over the past two decades; it was expounded on with particular clarity by John McGarry and Brendan O'Leary (2004) in their influential volume entitled *The Northern Ireland Conflict*: Consociational Engagements. However, existing literature on the role of civic society stakeholders in the negotiation and implementation of the GFA in general and of the genesis and activities of the Civic Forum in particular is remarkably scant (Nolan and Wilson, 2015: 18). Sean Byrne (2001) mapped out consociational and civic society approaches to peacebuilding in Northern Ireland, whilst Bernadette Hayes and Ian McAllister (2012) addressed the issue of gender and consociational power-sharing. Vikki Bell (2004a; 2004b) discussed in two seminal articles the early experiences of the Civic Forum as a method of civic participation in the years following the adoption of the GFA. Lone Singstad Palshaugen (2005) focused on the connection between the Civic Forum and a transformed politics of recognition in Northern Ireland, where citizens and

communities would confer on each other "due recognition" going beyond mere toleration and creating deepening relations of respect and a sense of interdependence. Cathal McCall and Arthur Williamson (2011) attempted to draw key lessons on the role of the voluntary and community sector after the GFA, with a particular focus on the record of the Civic Forum, over a decade after its inauguration on 9 October 2000 (O'Leary, 2020, v. 3: 200). Finally, two research papers – one by Ray McCaffrey (2013) for the Northern Ireland Information Service and the other by Paul Nolan and Robin Wilson (2015) on behalf of the Joseph Rowntree Charitable Trust set out in detail the history of the Civic Forum and the lessons to be derived from its activities and eventual suspension, whilst situating it within the larger context of similar bodies in the UK and across the EU (McAffrey, 2013: 13ff).

Whereas it is generally acknowledged that SDLP leader John Hume played a leading role in the 1990s in the conceptual elaboration and practical negotiation of the GFA, the Civic Forum was not an integral part of his initial vision for how Northern Ireland should be governed. Both Bell (2004a: 566) and McCall and Williamson (2011: 373) acknowledge that the existence of the Civic Forum was secured by the small but influential Women's Coalition party as a way of engaging civil society to actively participate in the governance of Northern Ireland outside of the dominant Nationalist-Unionist political duopoly and to contribute in efforts to bring about transformative change beyond the entrenched sectarian divide (Bell, 2004b: 414). The GFA's text only briefly describes the Civic Forum as "a consultative mechanism on social, economic, and cultural issues" and delegates all decision-making regarding its membership, objectives, powers, resources and responsibilities to the First Minister and Deputy First Minister of the Northern Ireland Assembly. Its creation was inspired in part by the Republic of Ireland's National Economic and Social Forum, considered at the time to represent "a leading example of democratic innovation along participation and social partnership lines" (Ibid.: 374) that pursued a path of incremental change towards more decentred, grass roots, participatory forms of political action.

As a representative of the voluntary and civic communities of Northern Ireland —sectors that had acquired increasing relevance and influence prior to the negotiation of the GFA by championing "[a] new politics of participatory democracy and transformational conflict resolution that empowers the grass roots" (Byrne, 2001: 338) — the Civic Forum was unique among all other institutions and bodies set up by the GFA, such as the Assembly, but also the various trans-territorial North-South and East-West bodies, all of which remained resolutely state-centric, situated squarely within the ambit of the Sovereignty paradigm.

GFA Structure / GFA Agency		Functional Change	
		Incremental Change (Sovereignty Paradigm)	**Transformative Change** (MLG Paradigm)
Normative Legitimacy	Representative Legitimacy (Liberal Democracy)	Northern Ireland Assembly (U.K.)	North-South and East-West GFA Bodies (Trans-territorial)
	Participative Legitimacy (Deliberative Democracy)	National Economic and Social Forum (R. of Ireland)	Civic Forum (Trans-epistemic)

Fig 1. Conceptual organizational architecture of the 1998 Good Friday Agreement

Fig. 1 maps out these institutions in a matrix displaying the GFA's conceptual organizational architecture, structured along its two agency-structure axes. It shows how these organizations are shaped by the key variables of functional change - in tension between the Sovereignty and MLG paradigms, and of normative legitimacy - in tension between representative and participative legitimacy (McCall and Williamson, 2001: 366-7). It is the organic, decentred, and diverse overall nature of this constellation of institutions including elements of liberal consociationalism, federalism and confederalism, representative and deliberative democracy, as well as infra-state, state, and supra-state actors that invested the GFA with a unique immanent potential to develop and implement "a multimodal, multilevel contingency approach to peacebuilding and conflict settlement in Northern

Ireland" (Byrne, 2001: 327) and thus to heal its communities' and citizens' past wounds, deal with their present realities and work towards a vision for a better future shared by them all. The GFA represents, in the words of McGarry and O'Leary, "an immensely subtle institutional construction" (2004: 281) attempting to combine both consociational and civic society approaches by "not placing emphasis solely on elite bargaining to the exclusion of all else, but instead... seeking to resolve the Northern Ireland conflict at all levels and all points" (Byrne, 2001: 341). In particular, it takes on board centripetalist critiques of consociationalism (Horowitz, 2001) and adapts them to the specific context of Northern Ireland: it strives to build connections across identitarian divides without directly challenging them by favoring traditional cross-ethnic parties spanning the left-right political spectrum since such political organizations have historically failed to attract the votes and loyalty of local citizens.

The Civic Forum as a "Technology of Peace". The Civic Forum's immanent potential as a consultative institution resided not in a mission to compete for legitimacy with the elected Assembly as a *de facto* rival Second Chamber, but to complement its work by creating attention around key issues of critical concern to members of Northern Ireland's civic society such as the fight against poverty, the need for life-long learning, the edification of a peaceful, plural society and an emphasis on sustainable development. Singstad Paulshagen (2005: 150) best explained this role by contrasting the "parity of esteem" arising from vertical relationships between government and diverse communities, and the equally important "due recognition", deepening horizontal relations of respect and interdependence between citizens and communities across traditional sectarian divides. According to him, generating parity of esteem was consociationalism's primary aim and could best be accomplished by the Assembly; whilst contributing to the emergence of due recognition capable of breaking down entrenched divisions and creating a new political culture within a newly formed public space was a trust-generating task of deliberative democracy best suited for the Civic Forum (*Ibid.*: 154). Bell adopted a complementary approach when she

described the Civic Forum as both a "technology of Belonging" meant to give ordinary citizens the feeling that they could play an active part in the development of government policy (2004a: 571) and as a "technology of Peace" capable of voicing "a performative call to the future, a call for a new spirit" (2004b: 403) as part of a "new mode of governance that the Belfast Agreement 1998 and the Ireland Act 1988 sought to make possible" (Ibid: 422). What emerges from these two perspectives is a vision of the GFA's relational institutional architecture aiming to replace both the centralised, hierarchical, hegemonic Westminster Direct Rule of Northern Ireland and the controlling, coercive, Stormont Home Rule by a dominant, entrenched Protestant elite, with a multiplicity of actors interacting in a complementary manner across the three dimensions of space, time, and function. The GFA also aimed to empower Northern Ireland's civic society itself by institutionalizing its capacity to act in an unmediated manner upon existing political levers of government, as well as to directly influence and hold to account its elected representatives in the Assembly.

The GFA effectively grouped the spatial dimension of the emerging network of governance for the British Isles into three zones: the Irish Power Sphere, the British Power Sphere – which is subdivided into a Central Government area, a Regional Britain area, and a Northern Ireland area – and a Global Power Sphere. Second, it created a dynamic institutional structure that was not intended to remain rigid and static over time, but to change and evolve in alignment with the needs and objectives of the peoples of the British Isles, over the short, medium, and long term. Third, it did away with the binary inside/outside Sovereignty divide (Walker, 1993) by acknowledging the existence of six distinct functional political public spaces, each with its own actors and action hubs, within which actors could interact, cooperate, and learn from one another outside the hierarchical structures of the sovereign nation-state and its rigid lines of command and control. Thus, at the infra-national level we had, in Northern Ireland, eleven local councils that could cooperate directly with those county and city councils across the Irish border they shared common objectives and challenges with, without having to pass

through their respective national governments first, whilst still capable of enlisting the financial and institutional help of both the newly devolved Belfast assembly, and of the London and Dublin central governments.

At the infra-state level, it devolved significant powers and resources from Westminster to a Northern Ireland Assembly structured in accordance with consociational power-sharing principles between the province's two main communities. At the intra-national level, it established the Civic Forum as well as four new action hubs allowing actors from different spatial and functional levels to interact in a balanced system based on common concerns and objectives: the British–Irish Council, the British–Irish Intergovernmental Conference, the North–South Ministerial Council and the North–South Implementation Bodies, to which was added subsequently another key arena – the North-South Inter-Parliamentary Association. These three levels were joined by the classical inter-state level, where sovereign states such as Ireland, the UK, Canada and the USA evolved as ethno-guarantors, facilitators and mediators; a regional level with institutions such as the EU and NATO that played key roles in preserving and promoting peace, pluralism and prosperity not only across the Euro-Atlantic area, but also across the significant Irish Diaspora spread throughout the world; and finally the global level represented by the United Nations (UN), where important transnational epistemic communities in relevant fields such as minority rights, migrants and refugees protection, gender equality and sustainable development coordinated their strategies and actions both globally and locally (Galbreath and McEvoy, 2009). The Civic Forum was thus "not only part of the [Northern Ireland] Peace Agreement but also part of the United Kingdom's experiment in producing improved democratic structures" (Bell, 2004b: 416). Northern Ireland thus became, in the early years of the 21st century, "a testing ground for new concepts like social partnership and new modes of governance that push the boundaries of the model associated with the modern nation-state" (McCall and Williamson, 2001: 367).

This emergent innovative and transformative MLG system designed to function and to evolve across a three-dimensional arena structured by space, time, and function variables was constructed around one foundational pillar containing the system's three key actors, whose capacity to interact and perform their assigned tasks was critical to the survival of the entire enterprise. The first actor was an empowered, active Northern Ireland civic society having as main tasks to legitimate the new system and to provide it with continuous feedback on its performance. The second actor was a power-sharing, collaborative Northern Ireland Assembly whose assigned objectives were the judicious administration of the province through vertical interactions with levels of government both below and above it as well as through horizontal interactions with other UK levels of government similar to it, such as the Scottish Parliament and the Welsh Assembly. The third actor was a dynamic and effective Civic Forum whose objective was to directly involve the citizens of Northern Ireland in the coordination of all levels and spheres of governance and the supervision and guidance of the entire new system as it performed and changed over time, so as to ensure that its envisioning, performative, and evolutionary capacities were nurtured and developed in full alignment with the wishes and desires of the people of North Ireland in whose name this work of transformational change had been undertaken in the first place.

PRACTICE: THE CIVIC FORUM'S ACTUAL PERFORMANCE

The Civic Forum and its 'Constitutive Outsides'. The Civic Forum's task of defining its own role as a civic participation mechanism bridging the adoptability/sustainability gap between the ideal developed by the Women's Coalition party and sparingly spelled out in the GFA and its actual implementation proved to be difficult (Bell, 2004: 580). It had to fashion its mission and role as a 'consultative' assembly by mapping out its relationship with its two constitutive outsides making up the GFA's foundational institutional pillar – namely, the elected Assembly and the Northern Irish civic society at large.

The Civic Forum attempted to amplify and publicize civic society's diverse unheard voices in front of the Assembly, as well as attempting to be the Assembly's critical representative in front of civic society members and organizations. In doing so, it took on the arduous task of both acknowledging deep diversity in Northern Ireland and pushing to go beyond it, towards public interest issues cutting across entrenched sectarian divides (Singstand Paulshagen, 2005: 150).

It thus aimed to contribute to the emergence of a new political culture by acknowledging specificity through an exploration of Northern Ireland's full plurality, by authorizing viewpoints in an inclusive and future-oriented manner capable of 'performing peace', and by endorsing practices crossing departmental issues without getting entangled in overtly political controversies. The Civic Forum's ultimate objective was to be seen as an alternative to party politics (Bell, 2004b: 409) capable of institutionalising a deliberative, consensual, reasonable approach to issues based on lines of division other than nationalist and unionist (Singstand Paulshagen, 2005: 161-4). It aimed to both deal with existing divisions and have more transformative effects resulting not merely in more meaningful civic participation but in "a wider movement away from conflict" (Bell, 2004b: 412). For such a strategy to succeed in practice, the Civic Forum's members had to develop "a sense of achievement and enthusiasm for the task" arising out of "the confirmation that their work was being taken seriously on both sides, by the 'wider public' to whom they are trying to give voice and, more so, by the Assembly who were in position to make public policy innovations and changes" (Bell, 2004a: 576).

The Civic Forum's Aim to Reach Beyond Diversity. The First and Deputy First Ministers decided, upon the advice of a Civic Forum Study Group, that the Civic Forum would be composed of 60 non-elected individuals, drawn from ten sectors representing the voluntary, civic, and business sectors of Northern Ireland, some of which – at the insistence of the Democratic Unionist Party – opposed the GFA. These members were appointed on a voluntary basis for three years and were supported by a secretariat with

a budget of £370,000 per year – representing approximately one per cent of the Assembly's budget (Nolan and Wilson, 2015: 29). The Civic Forum's long-delayed initial meeting took place on 9. October 2000, but the Assembly finally agreed on its mandate four months later, on 6 February 2001 (Singstad Palshaugen, 2005: 155). Thereafter, it met in plenary format six times a year for a total of eleven sessions – half of the time in Belfast and half in selected locations across Northern Ireland, until 14 October 2002, when devolution was suspended (Noland and Wilson, 2015: 8).

The Forum's Chair, controlling its agenda, was appointed directly by the First and Deputy First Ministers and reported back to the Office of the First Minister and Deputy First Minister ('OFMDFM'). The Forum was organised into three Internal Issues Committees – General Purpose, Communications, and Key Issues – and five advisory groups: the key Programme for Government Group designed to assist it in fulfilling its official duty of providing advice to the Assembly, as well as four additional groups – Anti-poverty, Life-long learning, Peace building (renamed Towards a Plural Society), and Sustainable development. The Forum's members decided to avoid voting on issues and instead debate key topics to try to reach a consensus (Singstad Palshaugen, 2005: 156). Before devolution was suspended, it produced, in addition to responses to the devolved Programme for Government, two key advisory reports on Life-Long Learning and on Anti-Poverty Strategy that enjoyed the support of the main social partners. Nolan and Wilson (2015: 4) opine that "[t]he social issues which the Forum selected to address on its own behalf – including sectarianism, social exclusion and sustainable development – have proved enduring. This could be said to reflect a failure on the part of the Assembly and Executive to come up with effective solutions unaided". Singstad Palshaugen (2005: 164) claims that the Forum's main achievement before suspension was to attempt to institutionalise "an opportunity for debate and cooperation in the context of a wider diversity and based on lines of division other than nationalist and unionist". Bell (2004b: 419-420) notes, however, that Northern Ireland's citizens were "too little aware of its existence

to consider it a route to greater participation in governance" and therefore, that [t]he potential good of the Civic Forum... did not spread beyond its boundaries, so that its benefits tended to accrue predominantly to those who participated in it".

The Civic Forum's Five Key Challenges. From the inception of the Civic Forum, both academic observers and some of its designated members understood that if the Forum was to succeed, it had to be taken seriously by politicians and citizens alike. However, many elected Assembly members did not believe in the Forum's potential to bring about a more deliberative and cooperative style of governance to Northern Ireland. In fact, they actually felt threatened by the Forum's official mandate to critically exercise its consultative duties (Singstad Palshaugen, 2005: 158-9). In particular, Anti-Agreement unionists such as the DUP and its vocal leader, Ian Paisley, were hostile to the Civic Forum's very existence from the start, on the grounds that "people involved in decision-making processes should be accountable to an electorate" (McCall and Williamson, 2001: 375). Paisley regularly attacked the Forum in the media and variously referred to it in a derogatory manner as a "monster quango" (a quasi-autonomous non-governmental organization supported by public funds), "an unnecessary layer of bureaucracy" and "a waste of space and a waste of resources", warning that it would end up exercising "influence without accountability" (McCall and Williamson, 2001: 375-6; Bell, 2004b: 408).

Opposition to the Forum came, however, not only from DUP Assembly members, but also from other elected representatives on both sides of the sectarian divide, who resented the visibility and legitimacy accumulated by the voluntary and community sector since the introduction of direct rule, were determined to see their own political parties claw back the power and influence they had lost to said sector during this time (McCall and Williamson, 2001: 365), and were opposed to doing anything more than pay lip service to the Forum's activities, whilst deploying all means available to minimise its actual role and impact. First, the Assembly restricted the Forum's purpose to a strictly advisory function in response to proposed and actual decisions of the Assembly, whilst taking away from it all latitude of engaging in pro-active work or of addressing controversial political subjects, such as the 2001 Holy Cross school incident. Second, it ensured that, in the name of representativeness, anti-GFA members would be selected to participate in the Forum's activities and have the opportunity to disrupt its quest for concerted collaboration and consensus. Third, some Forum members came to believe that the Assembly would not allow the Forum to be "real" by exercising too much control from above, thus in effect managing it to fail by disempowering it (Bell, 2004a: 571-3). Fourth, the very limited budget allotted to the Forum – amounting to just one-hundredth of that of the Assembly — the minimal staff of its secretariat, and the appointment of a Chair accountable not to Forum members themselves but to the OFMDFM, all ensured that the Forum would not dispose of the administrative, financial, and leadership capacities necessary to publicly and effectively assert its relevance in the eyes of the electorate and to threaten in any way the Assembly's capacity to dominate Northern Ireland's political scene. Finally, and perhaps most consequentially for the long term, Forum members were well aware not only that, due to their own very limited advertising budget, they lacked the financial means to adequately publicise their projects and activities throughout the wider Northern Irish civic society, but also that their organisation's sponsoring department, the OFMDFM, was unable or unwilling to assist them in this endeavour and to promote their work. For the Civic Forum to truly become a legitimate and effective technology of Peace, its members "needed, in effect, to 'market' Peace. But they had no effective advertisement campaign" (Bell, 2004b: 420.) Consequently, as Bell (2004b: 417) accurately noted, Northern Ireland's political elite could rest secure in the knowledge that "[w]ith its powers and resources, the Civic Forum could never pose any real threat to the Assembly".

POST-MORTEM: THE CIVIC FORUM'S UNTIMELY DEMISE

Internal Limitations. By the time devolution collapsed in October 2002 and the Civic Forum was effectively mothballed, this fledgling institution faced two concurrent existential political crises – one internal to

its own workings, one coming from the outside. The internal political crisis was accurately described by McCall and Williamson (2001: 378) as the "representativeness versus effectiveness dilemma". The Forum was faced with two conflicting pressures as a democratic participative institution: the ethical requirement to allow 'unheard voices' to be heard by including them all within the Forum's membership, and the pragmatic requirement of ensuring that the most active and effective citizens of Northern Ireland's voluntary and community sector would be selected so as to effectively develop the practice of participative democracy. The definition of 'unheard voices' was itself in question: intuitively, it referred to underprivileged and socially excluded communities; but it could just as well refer to ignored political voices that did not fit into the dominant unionist – nationalist diarchy, or even to those who voted against the GFA and wanted to speak out in support of an entirely different vision for Northern Ireland than the one promoted by the GFA and its constellation of institutions. The members thus selected in the name of inclusivity ran the risk of being affected by the 'burden of representation' – that is, of being pigeonholed as the exclusive voices of the specific groups they were drawn from and of having their contributions evaluated purely from such a perspective – thus closing off the Forum's real openness to difference (Bell, 2004a: 574-9). McCall and Williamson (2001: 377) rightly point out that since "representativeness and inclusion appeared to be the goals of the First and Deputy First Ministers in deciding sectoral composition and subsequent nominations" to the Civic Forum, there was significant concern that such an approach to staffing the newly created deliberative body "may actually diminish the potential effectiveness of the Forum by sacrificing quality on the altar of representation". The fear was therefore voiced that "the Civic Forum could become a "tokenist" institution, incorporating as many of the socially excluded groups as possible without regard to the analytical and communication skills of individual members" (McCall and Williamson, 2001: 377) and therefore to their capacity to establish the Civic Forum as a legitimate and effective exponent of participative democracy in Northern Ireland, capable of fulfilling in practice its immanent potential as a technology of

Belonging and of Peace. Throughout its brief existence, the Civic Forum was unable to resolve this fundamental dilemma, damaging both its image as an inclusive institution and its reputation as a credible exponent of participative democracy in action, raising serious concerns about its inclusion as a governance institution within the GFA.

External Resistance. The Civic Forum's external political crisis had two key components that could accurately be described as the Ethnic outbidding gambit and the Enforcement abdication strategy. Although it is outside the purview of this paper to examine in detail the nature and consequences of these two processes, their combined impact on the implementation and working of the GFA in general and on the demise of the Civic Forum in particular requires us to outline them in broad brush strokes. Intra-group ethnic outbidding, where a party within the same ethnonational bloc undercuts the legitimacy of its in-group rivals by representing itself as the true defender of the group's position (Gormley-Heenan and MacGinty, 2008: 45), occurred in Northern Ireland on both sides of the sectarian divide. Over the course of a decade, from 1998 to 2007, the DUP was able to supplant the UUP as the most trusted Unionist party (Hayes, McAllister, and Dowds, 2005), whilst Sinn Féin overtook the SDLP as the party of choice of the Nationalist community (McGlinchey, 2019). Remarkably, both challenging parties were able to do so whilst simultaneously undergoing processes of modernization that allowed them to maintain hard-line, even intransigent positions on issues of identity and vital constitutional demands whilst moderating their stances on less salient resource-related matters (Mitchell, Evans and O'Leary, 2009) and even displaying a large measure of pragmatism regarding institutional arrangements (McGarry and O'Leary, 2009: 57). On the Unionist side, the DUP opposed the very existence of the Civic Forum from the very beginning. This was partly due to the DUP's strategy to undermine the credibility of UUP's leader and Assembly First Minister, David Trimble, who had spoken positively thereof "as part of a new 'inclusive democracy' important for the success of the [Good Friday] Agreement" (Bell, 2004a: 568). Both Sinn Féin and the DUP succeeded eventually in transforming

themselves into "ethnic tribune parties" capable of consolidating their respective communities' votes behind their banners to the largest extent possible (Mitchell, Evans and O'Leary, 2009: 402-3). This required that any Civic Forum attempts to transcend the sectarian divide through the deployment of deliberative democratic processes on matters of common concern to both sides be weakened and neutralized. This double ethnic outbidding gambit resulted in the undermining of the deliberative consociationalism model of the GFA and led to a steady regression towards statist, corporatist versions of consociationalism, enabling each tribune party to increasingly assert hegemonic control over its ethnic community.

The Enforcement abdication strategy was deployed by the ethno-guarantor states of both Unionists and Nationalists, respectively the UK and the Republic of Ireland, when they did not seek to enforce the clear provisions of the GFA despite the UUP's deliberate infringement of its provisions by deciding to "withdraw periodically from the process, until republicans made further moves in relation to decommissioning" (Hayes, McAllister, and Dowds, 2005: 150). On the contrary, the UK accepted the collapse of devolution, unilaterally suspended the GFA's institutions and proceeded to re-institute direct rule from London, in direct violation of the GFA and of the ensuing international treaty signed with Ireland, whilst the Republic of Ireland itself failed to formally challenge this British decision to brush aside its legally binding treaty obligations (McGarry and O'Leary, 2009: 35). In doing so, the two tribune parties of Northern Ireland and their respective ethno-guarantor states effectively hollowed out the MLG paradigm upon which was founded the GFA's deliberative consociational model and starkly re-asserted the primacy of the Sovereignty paradigm and its centralizing, hegemonic, statist ethos founded upon exclusivist ethno-national identities. As McGarry and O'Leary (2009: 35-36) explain, the UK in particular amply demonstrated through its willingness to unilaterally suspend the Assembly not only once, but on four occasions in total in order to help diffuse "UUP leader Trimble's difficulties with his party and the unionist public", that from the perspective of the British government,

"according to the doctrine of parliamentary sovereignty, every element of the Agreement – including the portions unionists strongly like – is revisable, and alterable, according to the will of the current or any future Westminster parliament". This demonstration of Britain's dismissive attitude towards the GFA and its network of institutions was reinforced by Ireland's tacit acquiescence to such actions. The combined effect of the two countries' attitudes regarding the implementation of the Agreement had a profound effect on the viability of the Civic Forum when devolution was eventually restored in Northern Ireland, in 2007.

Indefinite Suspension: *De Facto Corporate Consociationalism.* The catalyst to the Civic Forum's untimely demise was the collapse of devolution in October 2002 and the re-introduction of direct rule from Westminster by the British Government in blatant violation of its legally binding international treaty obligations, with little if any protest from the Republic of Ireland. When the devolved government returned, in 2007, the OFMDFM launched a new review of the role and future of the Civic Forum, taking "into account the changes in civic society during the intervening years and the wider concerns emerging from the Preparation for Government Committee debate".

As Nolan and Wilson (2015: 11) indicate, "[m]ore than 60 responses were made to the consultation, but the results of the review were never published". The final nails in the Civic Forum's coffin were struck in April and November 2013, when the SDLP proposed in debates in the Assembly that the Forum be reconstituted and when it proceeded to press this case at a meeting with the Joint Oireachtas Committee on the Implementation of the GFA in January 2014. "There was support for the idea from Sinn Féin and the Alliance Party, but in the face of implacable Unionist opposition it is accepted that the Forum is unlikely ever to return" (Nolan and Wilson, 2015: 11).

The demise of the Civic Forum as the GFA's "vanishing mediator", alone endowed with the immanent transformational potential to embody a technology of Belonging and Peace capable of going beyond

diversity without however suspending it and of re-creating a shared notion of public interest on issues of common concern not only to Nationalists and Unionists but to all communities and citizens of Northern Ireland, had a profound regressive effect on the very nature of the GFA. Paradoxically, it also rendered Northern Ireland potentially more stable in the short term, after the restoration of devolution in 2007 under the joint leadership of Sinn Féin and of the DUP (Shirlow, 2007). This is due to the fact that the diarchic dialectical tension between all institutions composing the GFA's conceptual organizational and immanent relational architecture as a deliberative consociational post-sovereign, multi-level system of governance has been, for all intents and purposes, ruthlessly dismantled by the statist actors who had the most to lose from the ultimate success of such a transformational agreement. As McGarry and O'Leary (2009: 26) correctly observed, "consociation was a necessary, but insufficient, requirement" for the long-term stability, sustainability and success of this "immensely subtle institutional construction" as originally designed, in 1998. The GFA exemplified a unique form of complex consociationalism, described by Ian O'Flynn (2010: 581) as deliberative consociationalism, capable of holding in creative tension, through its constellation of institutions, two types of normative legitimacy – consisting of both representative and deliberative democracy – as well as two types of structural change – incremental change embedded in the Sovereignty paradigm, and transformational change emerging out of the polycratic, Multi-level governance paradigm. The Civic Forum was the embodiment of this complex organic ecosystem – its most creative, innovative, and potentially transformative institution. This is why the two most successful ethnic tribune parties of Northern Ireland, Sinn Fein and the DUP, who both wished to entrench and preserve their increasingly hegemonic dominance over their respective communities, as well as their ethno-guarantor states, the UK and the Republic of Ireland, who each saw it in their national interest to forestall a paradigm shift from statist sovereignty to polycratic multi-level governance – the former in order to maintain its control over Northern Ireland, the latter in order to

speed up the process of Irish unification – all worked in tandem from the very birth of the GFA, in 1998, to degrade and destroy the Civic Forum as the GFA's institutional linchpin and thus to ensure that the immanent participative and transformative potential it represented would never come to fruition. What remains today of the GFA increasingly resembles the very same coercive corporate consociationalism mode of ethnic diversity management it originally sought to forever abolish, more than two decades ago.

PREDICTION: THE REBIRTH OF DELIBERATIVE CONSOCIATIONALISM IN NORTHERN IRELAND

Deep in the heart of Derry, history buffs who stroll along the seventeen-century unbroken wall still surrounding the old city can discover three identical public statues crafted in 1987 by famous British sculptor Anthony Gormley and placed at key locations along the wall's perimeter. The sculptures represent two generic human beings standing straight upright, back-to-back, arms widely outstretched in a cross-like position. Their double faces stare far ahead in opposite directions – one towards the walls and the city's past, the other towards the majestic river Foyle and its future – personified by the iconic Peace Bridge, connecting the unionist east bank with the largely nationalist west bank. Gormley wanted to portray with these rigid bodies forged in metal the city's two dominant ethnic communities, "turning away from each other but paradoxically joined as one body, separated by their religious, cultural and political differences, but united in their Christianity and their shared location" (Gormley, 1987). But those who have lived in Derry and befriended both unionist and nationalist locals know that this is no longer the case. Although tensions undoubtedly remain in hotspots such as the unionist tenements stretching along Fountain Street, or at particularly confrontational moments such as that of 8 May 2019 – a day of demonstrations and riots in the city's Creggan area that witnessed the senseless and tragic murder of young journalist Lyra McKee — the two communities have learned to live next to each other, to tolerate each other, and to comingle peacefully in the same

public spaces. The sculptures themselves, mired in opposing visions of past, present, and future best represent now Northern Ireland's dominant ethnic tribune parties, the DUP and Sinn Féin, who retain a shared vested interest in keeping alive the historic sectarian divide. This enables them to maintain hegemonic control over their respective communities in order to monopolise the political power that comes with being the main elected representatives of the Unionist and Nationalist electorates in the Stormont Assembly, to which devolved government was restored in January 2020, after its most recent, three-year suspension due to policy disagreements between these two political organizations.

With the restoration of devolved powers to the Assembly two years ago and new elections scheduled to be held by 5 May 2022 at the latest, the GFA seems to be back on track, and the consociational arrangements finally accepted by both the DUP and Sinn Féin appear to be alive and well. But as the conclusions of the citizens' assembly organised in Belfast's Clayton Hotel by Prof. O'Leary in March 2019 clearly demonstrated, such a superficial view does not represent the deep and pervasive anti-political feelings of disenfranchisement prevailing on the ground among both communities, but particularly among Protestants. The assembly's participants only confirmed what previous academic research already clearly indicated: this disenchantment of the civic society in general and of the unionist community in particular was primarily triggered not by the deliberative consociational system of governance originally brought to life in 1998 by the GFA, but rather by the unwillingness of both ethnic tribune parties and of their respective predecessors to work together in a fair and effective manner so as to make the GFA's institutions function as they were intended to, in the general, public interest. As Hayes, McAllister and Dowds (2005: 164) have demonstrated,

"the dysfunctional operation of the Assembly and Executive has been of more importance in eroding unionist consent than the precise nature of those institutional arrangements. The new political institutions, if they had been seen to have functioned in the manner of a consociational 'grand coalition', might therefore have generated popular support for the Agreement and helped to ameliorate communal conflict. Their failure to operate efficiently has been a major underlying cause of Protestant disillusionment".

Now that the UK has finally exited the European Union after four long years of acrimonious negotiations where the fate of Northern Ireland in a post-Brexit Europe played a key role in the often tense discussions between the British delegates and their EU counterparts, the multi-level governance paradigm and principle of deliberative democracy that constituted a vital and integral part of the deliberatively consociational GFA negotiated and adopted in 1998 is unlikely to be revived in the short term. Yet the final victory of the statist, sovereigntist paradigm should not be celebrated too early. In an article published in 2018 in *The Belfast Telegraph*, Malachi O'Doherty resuscitates the vision of an effective and legitimate Civic Forum, which in his view was left to wither and die by the big parties but remains capable of reconvening as "a consultative body that could dilute the factional ardour of the big parties - if given a chance" (O'Doherty, 2018). The Irish journalist accurately notes that "factional parties don't want their ardour diluted. We inherited from the agreement a standing deadlock between Sinn Fein and the DUP" who "are effectively in competition for the top job" following the changes wrought to the GFA by the October 2006 St. Andrews Accords whose provisions resulted in "voters being incentivised to support the biggest party in their community and dispense with the smaller ones" (O'Doherty, 2018). He goes on to accurately articulate one of the main conclusions of this paper – namely that "[p]erhaps the Civic Forum was never really sold to us. Its potential was never explained - let alone developed. And it was, even by prescription of the agreement, at the mercy of the First and deputy First Ministers, who would always have the power to squash it if they didn't like what it was doing" (O'Doherty, 2018). Yet O'Doherty remains optimistic about the future of Northern Ireland, despite the deep freeze of Britain's post-Brexit environment. In doing so, he represents perhaps the silent majority of the citizens of Northern Ireland who support neither the status quo of coercive corporate consociationalism enforced from London, nor a unitary Irish State – since both these outcomes would consecrate the triumph of the rigid and outdated sovereignty paradigm. Instead, O'Doherty looks with hopeful realism into the medium future, past the Brexit blues, to a time where deliberative consociationalism embedded in a multi-level system of governance might well make a

well-deserved comeback as the optimal pathway leading to a peaceful, prosperous, pluralist and participative future of all citizens and communities of North Ireland and, more generally, of the British Isles as a whole. It is a view this article wholeheartedly subscribes to and which merits to be quoted in full:

"We have a system of government which tends towards deadlock. It rewards contention. Parties that confront each other across the factional divide grow stronger, garner more votes for being awkward. It may be that this simple fact of political life here means that power-sharing has already come to an end. But, if it can be restored, it will have to be in some way protected against its own toxins, its own inherent tendency towards deadlock and breakdown. And the Civic Forum can contribute to that by calling the parties back to informed, rather than impassioned, debate" (O'Doherty, 2018).

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