Thresholds of state change: changing British state institutions and practices in Northern Ireland after Direct Rule.

Jennifer Todd

Jennifer.todd@ucd.ie

Introduction

A long process of state-institutional change underlay the eventual swift restructuration of Northern Ireland in the 2000s.This article shows that it took a threshold form. The argument abstracts from the drama of politics within Northern Ireland in order to highlight the intra-state processes that incentivised radical change in parties and paramilitaries there and to contribute to comparative analysis of state change in conflict situations.

The concept of a threshold is used in the social sciences to refer to a step or phase in a process of change, one that is difficult to pass but which, once passed, produces swift observable outcomes (Lustick, 1993, 43-46; Pierson, 2004, 83-86). Thresholds are likely to characterise state-change in conflict situations because the intensity of opposing interpretations, the embeddedness of state responses, the urgency of security imperatives and the determination of veto players tend to block incremental forms of change. Ian Lustick (1993, 2001) has argued that in cases of 'state contraction' a long slow process of overcoming internal 'ideological' and 'regime' (military) thresholds precedes a swift process of boundary-change. However there has been little elaboration of these ideas for other conflict situations. This article shows a process of state threshold-crossing which affected sequentially British orientations, prioritisations and policies in Northern Ireland. It uses new

evidence in the form of over 70 elite interviews with senior British and Irish politicians and officials who made, influenced and closely observed the process.

Threshold phenomena exhibit seemingly sudden change after a long period of stasis or failed attempts at change. British policy in Northern Ireland follows this pattern. In the first decade of direct rule (1972-82) there was a sequence of failed political initiatives, a focus on economic development and fair employment that by the mid 1980s was proven to have no impact on Catholic relative disadvantage, and a security strategy that increased Catholic and nationalist 'alienation' and polarised the communities without stopping the IRA (O'Leary and McGarry, 1996, chapter 5). From the later 1980s, effective fair employment and socio-economic policies were being put in place, and from the later 1990s a rapid process of restructuration transformed the character of social relations within Northern Ireland putting an end to the gross communal inequalities of the past (see Osborne and Shuttleworth, 2004 ; McCrudden et al, 2009; Ruane and Todd 2012).

A threshold model of British state change is of interest in three ways. First, it provides a new perspective on *how* the British state role and policies in Northern Ireland changed, identifying the mechanisms by which seemingly unbreachable limits of state action and constraints on state policy came to be seen as malleable, open to pragmatic change. At the same time, it shows the difficulty of the process and the contingency of change (or lack thereof) at key points.

Second, it is of direct relevance to comparative theories of conflict and settlement. It has been shown that horizontal inequalities in general, and state exclusion (of politicised minorities) in particular, are highly correlated with violent conflict (Stewart et al, 2008, Cederman et al, 2010, Cederman et al, 2011), and that moves towards 'inclusion' predispose to settlement (Brown et al, 2012). There are related debates on the relevant types of inclusion and the

relative importance of exogenous and endogenous actors in such change (Hoddie and Hartzell, 2007). This case sketches a model of threshold change where exogenous influence (not intervention) triggers increasing endogenous interest in and enthusiasm for the process, where recognition of 'exclusion' is itself a product of political change, and where the type of 'inclusion' which motivates settlement is highly dependent on the timing of change. It shows how seemingly immovable limits of state-ness can be made almost indefinitely malleable.

Third, the threshold model speaks to a pressing moral concern: 'If settlement was possible at all, why was it not possible sooner?' It shows that the Northern Ireland settlement was underpinned and stabilised by a longer slower process of state change. If it might have been accomplished sooner or better, it would always have been difficult to change entrenched understandings and habits of state-craft, to reprioritise the agenda, and to confront determined veto players.

The analysis that follows is informed by interviews conducted with British and Irish elites who were involved in intergovernmental negotiations and institution-building (see Appendix). Elites do not always know, recall, remember accurately or wish to reveal information about the past, and they do not have privileged insight into causal processes. However interviews remain one of the best sources for accessing the understandings, conceptual frameworks and perspectives of elites, permitting in-depth questioning, and allowing comparisons over time and between respondents. [1] The causal narrative that runs through the article is constructed by interpreting the interviews and other evidence in light of theoretical concepts of institutional change and threshold crossing, with the concepts in turn revised in light of the evidence. The resultant 'analytic narrative' is to be judged for its merits in incorporating the range of British and Irish perspectives, for its explanation of the phasing and process of change, and in comparison with alternative scholarly explanations of

the process (see Bates et al,1998, 10, 12). It shows only one strand of a complex process leading from conflict to settlement, but a crucially important one. [2]

Understanding state institutions in Northern Ireland: the theoretical approach

Research on the changing British role in Northern Ireland has emphasised its constitutional aspects (O'Duffy,2007; O'Leary, 2007), its ideational aspects (Aughey and Gormley Heenan, 2011), changes in alliances and ideology (Patterson 2001) changes in cognitive learning processes and representative forms (McGarry and O'Leary, 2004) the development of public policy (Cunningham, 2001) and the processes of Anglo-Irish negotiations (O'Kane, 2007). This article takes an historical institutionalist focus, understanding state institutions not in terms of formal rules but of embedded and enforced practices which vary with the wider power structure and institutional matrix, and the related popular and elite expectations and coordination practices.[3] Thus it is as concerned with the assumptions that frame political practices as it is with specific policies and formal institutional and constitutional rules. Such an approach is particularly appropriate in this case because (i) the matrix of state institutions is too unwieldy for top-down change in the constitutional/institutional rules to have the intended effects (ii) institutional practices and norms are so embedded that focus on individual actors' contingent choices, slips of attention and misjudgements is likely to miss the patterned constraints on choice, and (iii) the multitude of short-term policy initiatives mask important changes that are visible only in a longer term perspective.

The historical institutionalist approach was developed in the field of political-economy where transformative change is more often incremental than revolutionary (Streeck and Thelen, 2003, 4-9, 18-30). Incremental change is difficult in conflict situations: veto players are more determined, interpretations of events more polarised, axioms of state-practices and norms unquestioned, security concerns highlighted and the consequences of bad decisions are more

likely to be catastrophic for state and population. Recent research on Northern Ireland, for example, shows that reform was managed very cautiously, and for periods not at all, in part for security reasons (see Craig 2010; Patterson, 2011; Bew, Frampton and Gurruchaga, 2009). The mechanisms of incremental institutional change found in other fields occurred in Northern Ireland (Todd, 2011a, 845-53) but they failed of themselves to produce transformative change. Unless such change is to be imposed by rebel victory or international insistence it is likely to take a threshold form where considerable strategic effort is necessary to change interpretations and overcome veto players (Lustick, 1993, 43-6).

Ian Lustick (1993 37-46; 2001, 81-6) has argued that state contraction (withdrawal from a territory) takes a threshold form precisely because the process of state expansion involved steps that had 'ratchet-effects' that once taken become very difficult to undo. He posits two major obstacles to state-contraction - the first ideological (the 'ideological hegemony threshold') where the territorial shape of the nation is taken as unchangeable, and the second military (the 'regime threshold') where contraction threatens civil war. Withdrawal happens suddenly, but it depends on difficult and slow prior processes of ideological change and change in the intra-state power-balance. Lustick predicts a changing form of politics at each stage: slow and difficult change in the frame of understanding, achieved by strategic discursive action until the 'ideological hegemony threshold' is crossed; a changed form of political debate as withdrawal ceases to be unthinkable but now becomes impractical, risking civil war; change again when the 'regime threshold' is crossed and withdrawal becomes a pragmatic political matter of timing. In the only successful case he discusses (French disengagement from Algeria) passing these thresholds required a phased set of strategic interventions which first changed public and political assumptions and expectations, and secondly changed the politics of the army, eventually permitting De Gaulle directly to confront the generals and the OAS.

State change towards inclusion is more likely to meet institutional than military resistance. Following Steven Lukes' (1974) three dimensions of power, the obstacles to change are likely to include (i) cognitive and ideological assumptions, a political common-sense that precludes such change (the third dimension of power) (ii) modes of resource prioritisation and agenda setting, which may delay change indefinitely (the second dimension of power) (iii) vested interests and veto powers which must be overruled if change is to occur (the first dimension of power). A threshold of change corresponds to each dimension: a *recognition* threshold (parallel to Lustick's ideological hegemony threshold) where the necessity and possibility of state change is recognised; an *agenda* threshold, where change is prioritised and its form planned; an *implementation* threshold (parallel to Lustick's regime threshold) where veto-players are taken on. As each threshold is passed, the problems change as does the form of discourse. Thus one might expect: (i) a phasing of change in sharp bursts followed by slow incremental growth in resources (ii) a different paradigm of discourse characterising each phase of change (iii) a different set of political concerns characterising each phase, with previous constraints forgotten and new ones taking prominence (iv) an increasing degree of enthusiasm for change among the elite as it becomes seen first as possible, and secondly as practicable and (v) strategic choice-points, where the process could take one of several different directions. In the account that follows, interviews with respondents who worked in the British state and observed it at close quarters are used to identify changing paradigms, concerns, interests and choice-points.

The process of British state change.

Institutional exclusion by default: 1972-85

Nationalist and Catholic disadvantage in Northern Ireland continued after direct rule not from British intent but as a product of entrenched institutional structures and what Jim Bulpitt

(1983) called the 'habits of statecraft' that they produce. An analytic reconstruction of one early failed settlement initiative reveals the unintended impact of state structures and practices.

'Sunningdale', the first power sharing executive set in place in 1973-4, was proof-plain of British intent to include nationalists in any new form of devolved government: its planned Council of Ireland (without powers but with indefinitely wide remit) showed British willingness to encourage 'an Irish dimension'. It was unionist opposition and loyalist will, mobilised first by anti-power-sharing parties and second by a Protestant paramilitary led Ulster Workers Council (UWC) strike, that brought down the initiative (Patterson and Kaufmann, 2007, 161-7). Yet flawed judgements, inflexibility and inattention by all parties - including Prime Ministers Heath and Wilson - contributed to this (Kerr, 2006, 68-70 ; Bloomfield , 2007, 42-9 ; Craig 2010, 176-80). A reconstruction of the process shows how state structures and practices made this outcome likely.

There was, first, *a lack of sustained attention to or prioritisation of Northern Ireland.* Heath moved Whitelaw, the only minister who had achieved some understanding of and credibility in Northern Ireland, to another post just before the Sunningdale conference; he gave relatively low importance to the Sunningdale conference (O'Duffy (2007, 99-103) notes he saw it as a governmental initiative rather than an interstate one); against advice, he held a general election in February 1974 at a time which allowed the anti-power sharing unionists to mobilise. Wilson in turn failed to pay attention to the rapidly deteriorating political prospects after February 1974 (Craig, 2010, 176-80).

This lack of attention followed from the *routines of British political and territorial management* in Northern Ireland which worked with the existing populations rather than providing them with incentives to change their views. Wilson's inattention to the looming

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crisis has been much criticised (Craig, pp. 176-180) but his inaction was not unprecedented: no British Prime Minister made any attempt to change or channel popular views in Northern Ireland since its foundation. The effects in 1974 were disastrous: ordinary unionist supporters, who finally proved decisive in bringing down Sunningdale, were left to make up their own minds in a situation where expectations were formed by competing local elites not by strong state action. This was doubly disastrous because administration followed the British tradition of reliance on locally recruited (and here largely Protestant and unionist) officials in the civil service, judiciary and security forces, and thus was heavily dependent on unionist consent.

This in turn exacerbated security concerns and led to paralysis of action: an *unwillingness to confront unionist protest or to risk a 'war on two fronts'* (Bloomfield, 2007, 48) Writing of his decisions in May 1974, SOSNI Merlyn Rees (1985, 90) pointed out that the security forces could not take on 'a whole community'. The merits of this stance have been much debated (Craig, 2010, 178; Bloomfield, 2007, 48) , but it is clear that it unnecessarily immobilised the government which made no attempt to divide the middle unionists who did not like power-sharing from the political and paramilitary opponents who were organising against it (see Kerr, 2006, p. 69).

The failure of power-sharing merely confirmed elite assumptions that *the fault lay in Northern Ireland not in British practices of governance there.* After the strike, the Labour government set out to to reform Northern Ireland on the British model (McGarry and O'Leary, 2004, p. 202). The result was a closure to nationalist views and grievances, an inability to see their rationale, and a propensity to side with unionists rather than risk their opposition. There was indeed 'path dependence': it lay not primarily in stubborn nationalist aims (as McGrattan (2010) argues) but in the structural-institutional matrix which

predisposed successive British governments towards socio-political stasis and against the flexible, attentive and focussed action that alone could have led to an alternative outcome.[4]

Logically, only change in these institutionalised routines would permit a swift remedy of inequality and a tackling of conflict. Instead they were strengthened: the Northern Ireland parties were left to themselves in the 1975 Convention without incentives to reach agreement; stronger security measures were introduced with Ulsterisation (in effect Protestantisation) of the security forces. The sole effective channel for nationalist voice, the Irish government, was held at a distance: through the remainder of the 1970s intergovernmental contact was '*an elaborate, roundabout process'* via the embassies. [5] Attempts at reform continued - notably the Fair Employment Act (Northern Ireland) 1976 - but had little impact (Ruane and Todd, 1996, 161-164). Increasing nationalist anger was expressed in support for republican hunger-strikers and later electoral support for Sinn Féin, (Bew, 2007, 528-31).

Crossing the recognition threshold: the Anglo-Irish Agreement 1985 and its effects

The Anglo-Irish Agreement (AIA) of 1985 decisively changed the assumption that 'British rules' of territorial and political management were enough to ensure good governance. This was a crossing of the recognition threshold. Its import was quickly recognised by unionists (Todd 2011b) and the British this time stood firm against their protests. .

The process was beginning by 1979, and initial British-Irish meetings were held between Mrs Thatcher and Charles J. Haughey in 1980. There was no agreement about the scope of the process and it lost momentum after Irish criticism of British actions in the Falklands war. The effective impetus to change came from the Irish Coalition government, stung into urgent action by the republican electoral advance which they feared might lead to the destabilisation

of their state (Lillis, 2010, witness seminar, 11.12.2006). Gradually, and with party-political variation in emphasis (O'Donnell, 2007; McDermott 2012), Irish strategy refocused on British-Irish linkages but this time to press for radical institutional change in Northern Ireland.[6] By 1983, senior Irish officials defined the means to do this as '*Irish in, not Brits out*'.[7] Todd (2011a) has defined this as a 'wedging' strategy: the central Irish intuition was that by getting an Irish presence in the governance of Northern Ireland, however small, the logic of British policy making could incrementally be changed as far as joint authority (Lillis, 2010). In effect, it was believed that an Irish presence would change the problematic routines of British political and territorial management and thus lead to '*tectonic*' shifts in practices and policies of governance.

The British government was open to being convinced of the merits of a new collaborative strategy: their existing strategies were exhausted and 'rolling devolution' without an Irish dimension had '*run out of steam*', Mrs Thatcher badly wanted improvements in security, and a number of key politicians and senior officials were open to an interpretation of British sovereignty which could give an important role to the Irish government in Northern Ireland.[8] Senior British officials conceived of this within a long-term historical perspective which encompassed a very wide range of possible and legitimate relations between what Sir David Goodall (2010) has called the 'cousins' of Britain and Ireland (Similarly, for Sir Robert Armstrong (1993, 204-5) a strong consciousness of history coexisted with a determination not to be 'cowed' by it).

Mrs Thatcher was eventually convinced of the value of an institutionalised Irish presence in policy making.[9] The Anglo-Irish Agreement of 1985 set in place an Anglo-Irish Intergovernmental Conference (AIIGC) with the remit to discuss any matters relevant to the position of nationalists in Northern Ireland, with the two governments committed to 'determined efforts' to resolve any differences between them. It was serviced by a permanent

Secretariat based in Belfast (Hadden and Boyle, 1989). This time, widespread unionist opposition and protest failed to bring down the institutions.

The AIA has rightly been seen as an end to the unionist veto on change in Northern Ireland. But it was more than this. It symbolised a reorientation of the state, a change in the governing assumption that normal British practices of governance were appropriate in Northern Ireland, a recognition of the need to broaden policy options, a making more malleable the limits of state action. One British minister noted '*It put some things on the table clearly. I mean there had been some things which, even though we knew they had been talked about, were thought to be beyond ... the Pale. But I think Hillsborough managed to make them topics for polite conversation'.*[10] It was, however, a procedural reorientation, without a new agreed strategic direction and thus without the immediate impact on policy that the Irish had expected. Subsequent years highlighted the opposed priorities of each government.

Irish imperatives were clear. As one senior Coalition cabinet minister put it:

We were fighting from a long way back. We wanted to get the point of view of Irish Nationalists catered for in the north of Ireland education system, health system, court system, everything.[11]

Irish officials put in much effort to gather information and propose policies and practices that would - in their judgement - help end 'nationalist alienation'.[12] There were some significant reforms, the most important being the Fair Employment (Northern Ireland) Act of 1989. . In the fields of security and justice, however, where much of their effort was invested, there was little change. Precisely because Irish officials were now closer to the practice of policy making, they encountered numerous unanticipated veto-points in the British state as they attempted to move from broad principles of agreement to practical implementation. Senior judicial figures vetoed an Irish presence in the court system. Significant change in policing

practices was impossible to achieve, despite numerous meetings at all levels. In areas of security and justice, Irish officials reported *'no meeting of minds',* daily obstacles, and *'deep seated resentment against us'* in the civil service.[13] Senior Irish politicians used all available resources to press for change, but usually in vain.

...I made representations ... making phone calls to [the SOSNI]).. saying 'Look, what you are doing in west Belfast is absolutely unacceptable. You're not helping and I want you to ... accept my word that if you desist in this attitude ..... the attitude in the North will change and you will get the kind of calmness that you want and .. you'll get.. more cooperative nationalists on the ground as well then'. But he was a tough man to try to persuade.[14]

The atmosphere of *'shared frustration'* was attested by British respondents.[15] So too was a sense of the disconnect between security imperatives and the new socio-economic initiatives.[16] British politicians, however, took a different view of the causes of this mutual frustration. They emphasised their own initiatives at reform and the new linkages they had developed with local nationalists and Catholics.[17] They pointed out the new socio-economic initiatives, from 'making Belfast work' to the 1989 Fair Employment Act. They emphasised their overriding concern to regain unionist support, believing that the fact of the Agreement was defeat enough for unionists, without adding more substance to the symbolism.[18] They were irritated at what they saw as inappropriate and sometimes *'half-baked'* Irish proposals for reform.[19] Security issues were a particular bone of contention (Patterson, 2010 105-7).

Did the Irish respondents simply fail to understand the constraints that the British were working under, the need to reach out to unionists and to pursue effective security policies? Or did the British fail to understand that many nationalists could be won away from the IRA by changed on-the-ground security policies? Neither is the case. British and Irish strategic priorities differed. British 'caution' went far beyond the constraints defined by unionists and

security imperatives: these constraints were, after all, shared by subsequent British governments who took very different strategic choices. They show rather a robust political determination not to offer further movement at this time. In the judgement of some senior Conservatives, Mrs Thatcher's administration, at the highest political level, was unwilling to devote more time, resources and attention to Northern Ireland after the negotiation of the AIA.[20] The successful working of the AIIGC was not made a high political priority.[21] These respondents believed that in the absence of a political project, military and security interests dominated over the political process, with politically counterproductive results.[22] Mrs Thatcher, disillusioned with the lack of cross-border security progress, was unwilling to constrain the security forces within Northern Ireland: one British negotiator of the AIA reports that when he later suggested ways to reform security practices, Thatcher's response was '*I thought you were supposed to be on our side'*.[23]

The AIA made no impact on these different strategic priorities. It did, however, impact on British understandings and conceptual repertoires. By including political, not simply security, issues in the remit of the AIIGC, the AIA had introduced nationalist perspectives into policy deliberations for the first time. [24] The effect on policy was indirect. One Irish official described the '*sensitising'* effect of the new institutions which he argued worked by '*attrition'* since Irish officials could point out the bad effects of British security policies as*'. an everyday thing, and relentless.'*[25] Although the immediate policy impact was less than the Irish had hoped, the most important effect - from an explanatory viewpoint - was conceptual: it laid down a wide range of information, argument and policy repertoires for the future. In Mahoney's and Thelen's terms (2009, 18-21), it increased the 'discretion of interpretation' in the policy arena. This impact was multiplied in the wider public sphere: through the AIIGC, increasing numbers of nationalists were nominated onto public boards, and as the nationalist presence increased in public life, so the bounds of legitimate political discussion were

stretched, nationalist concepts and language entered public and media discussion and the public sphere was 'converted' to one much more open to nationalist argument.[26] In addition, the AIA gave a precedent for British Irish initiatives and coordination which, by the 1990s, was generalised over every strategic initiative in Northern Ireland. Thus the AIA set in motion incremental change which created new recessive meanings and policy repertoires, changed the legitimate considerations that could be introduced into policy discussion, loosened the salience of territorial boundaries, put nationalist grievances on the political and public agenda. The conceptual resources necessary to map a new agreed strategic direction of change were incrementally being forged. By the same token, it gave unionists and republicans very strong incentives to change their strategies (McGarry and O'Leary, 2004, 123-7; Todd, 2011b).

Crossing the agenda threshold: Re- prioritising and planning, 1991-5

For many British respondents, the real threshold of change was in the early 1990s and it involved both reprioritising and planning of change. British respondents from this period speak of a new direction of political will and attention: prime ministerial determination to achieve an inclusive settlement, and to devote the necessary resources to the process.[27] It was accepted that '*you have got to do it all at once, and you have got to have everybody there, those were what we saw as the key building blocks'.*[28] Individuals in the highest of positions - first of all Secretary of State for Northern Ireland, Peter Brooke, then Prime Minister John Major with a few close political allies and senior civil servants - were applying their political intellects and political resources to finding a way forward. This was new: until then, British attention to Northern Ireland was limited and intermittent. In the first half of the 1990s,

(Northern) Ireland came to occupy British political attention as it had not done since the Home Rule crises a century earlier.

The shift was beginning in 1989 with a series of speeches by SOSNI Peter Brooke, and it intensified after Prime Minister John Major decided that there was a real chance of peace. [29] The strategy was worked out in conjunction with the Irish government.[30] The first sets of British-Irish talks focussed on the constitutional and normative frame of future strategy and resulted in the Downing Street Declaration of 1993. It included a more explicit Irish acceptance of the 'consent' principle (that there could be no constitutional change without majority consent in Northern Ireland) than before. Meanwhile, the British refused to become persuaders for (Irish) unity. For these reasons, the document could be described by Michael Ancram, then a minister, to Dean Godson (2004, 115) as an 'Orange document in green language'. The British did, however, make the important commitment to 'encourage, facilitate and enable the achievement of... agreement...'.[31] In Irish parlance, they had become *'persuaders'* for agreement, a very significant change in the habits of political and territorial management, signalling a new willingness to restructure relations in Northern Ireland to create incentives for agreement. In the Frameworks Documents of 1995, the two governments agreed models of egalitarian representative institutions for a restructured Northern Ireland with extensive, 'dynamic' and expandable institutional linkages to the Irish state. The plans distanced Northern Ireland from the normal British practices of governance, sketching a new set of rules which could frame agreement (O'Leary, 1995).

Irish officials emphasise the continuing bottle-necks in the process of reform: institutional inertia and delaying tactics (*'the British art of drowning you in process')*, the opposition of powerful figures in the British establishment including key cabinet members in the Conservative administration in the 1990s, the continuing security emphasis.[32] But a new openness to change was evident: '*... we did insist on the Consent Principle. That's what we*

were prepared to put treasure in and soldiers to die and all the rest of it to defend the consent principle. But beyond that ... the constraints came from other players.'[33] Previous British concerns about policy 'read-over' from Northern Ireland to Great Britain, or about antagonising unionists by a reform programme, were now gone. The issues that the Irish pushed to have on the agenda in the 1980s - wholesale reform and restructuring - were by the mid 1990s integral to British political thinking.

What we were trying to do was, I think, two things. One was to manage the dimensions of the conflict downwards. A lot of that was ..the ... way that you handled security issues but also .... very important things were done about underlying social and economic issues. Trying to make it a smaller and less heated conflict. Then trying to find a political settlement to which you could attract the main players[34]

With the republican ceasefire in 1994, the new direction was confirmed and keeping up the 'momentum' of the peace process became a key aim for successive governments.

This was an institutional change of frame, a new official culture, that opened a whole set of new problems to be resolved. It was reflected in a new official discourse. If the makers of the AIA sensed that they were reshaping the historic British-Irish relationship, their successors in the 1990s took the changed relationship for granted. The recognition that Britain had 'no selfish strategic or economic interest' in Northern Ireland - seen as so important by republicans - was by the early 1990s no more than political common sense for the British respondents.[35] When questioned in a witness seminar (02.06.08) on their sense of the historical significance of the new institutions they helped create, senior British officials of the 1990s cheerfully noted that '*we are all historically innocent*'. What was once a matter of philosophical concern and historical sensitivity had become normalised, a frame for practical political action. The agenda threshold had been passed and new (planning and prioritising)

problems demanded and got attention. By 1995 the frame of what would be the Good Friday Agreement was sketched and Northern Ireland was high on British priorities.

Some British respondents believe that the AIA delayed the settlement process, alienating unionists without winning republicans: common sense, pragmatism, '*flexibility*', would have been enough to win the parties to negotiations. But without the AIA - or some other equivalent threshold crossing process - it is unclear how the change in British official common sense and the new favouring of flexibility would have come about. Conceptually, the AIA laid the groundwork for the subsequent turn by providing a new discretion in interpretation of events and new policy openness which permitted politicians of '*flexible*' disposition enough leeway to explore further options for negotiation and change. This '*flexibility*' was no doubt temperamental, as the individuals themselves believed, and no doubt encouraged by global trends. It also quickly became part of the institutional culture, encouraged by the new modes of thinking opened with the AIA. The AIA also facilitated the close encounters with like-thinking Irish counterparts that John Major, among others, has said were important in encouraging his action (Major, 1999, 440; 452-3). This occurred through the long AIIGC meetings attended by cabinet ministers and, at prime ministerial level, by convincing the incoming leadership of Fianna Fáil (the Irish governing party for most of the 1990s and 2000s) of the merits of an incremental approach (O'Donnell, 2007, 87-160). [36] Other routes to an equivalent end might have been possible, but only if they succeeded in creating conceptual resources, momentum and sustained attention that were not just lacking in the British system before 1985 but were not officially recognised as lacking.

Crossing the implementation threshold: 1998-2007

Many of the Irish officials saw the Good FridayAgreement of April 1998 as the major threshold after which institutional changes which had been blocked for years were swiftly

implemented. As is well known, provisions for institutional change were integral to the Agreement, with provisions on prisoners and policing, criminal justice and equality, constitutional matters as well as on new representative, cross-border and British-Irish institutions (McGarry and O'Leary, 2004, 260-293). The 1998 Northern Ireland Act in turn included a strengthening of the already strong equality provisions (McCrudden, 1999).

Where agreement was reached - on prisoners, equality, and later in November 1998 on North-South bodies - the British government moved fast to implement it. Difficult technical and legal problems of coordination - from the detailed legislation on equality to the devising of formulae for equivalent pensions for British and Irish employees in the cross-border institutions - were creatively resolved by officials on both sides. On issues where agreement was ambiguous (rights and parity of esteem) or required further reports (criminal justice, policing), British-Irish differences remained intermittently intense. Policing reform was particularly difficult because of the strength of feeling of the UUP and the government's desire to maintain David Trimble as its leader (Godson, 2004, 610-616).

The Irish side maintained its long term strategic focus - to ensure that nationalists would never again be institutionally disadvantaged - and reported very slow progress on all security and judicial reforms. One respondent spoke of '*months of guerilla warfare*' where British officials blocked all Irish demands, using their '*natural bureaucratic advantage*' and the Irish side had to continue to make its claims until it could get the attention of Prime Minister Blair, motivated still by the need to keep up the momentum of peace. Irish politicians and officials describe going to Blair, or to his Chief of Staff, Jonathan Powell, convincing them what needed to be done, and it being done.[37] Where Irish advice was ineffective, Irish diplomacy was put to work and US influence called into play, involving not public interventions but constant '*coaxing and cajoling*' through a range of informal routes. Demilitarisation, the taking down of British army installations, was very slow and there were

significant differences in Irish and British perspectives even after IRA decommissioning in 2005.

In the end, changes were made to Irish satisfaction if not to their dictation. Implementation was top-down and effective because Tony Blair's parliamentary strength, and his movement of the centre of Northern Ireland policy making to Downing Street allowed him to overrule the traditional institutions of governance in order to maintain settlement. But if Blair had the resources to tackle remaining veto players in the state, the task had become significantly easier by the 2000s. The Agreement lessened some unionist objections to change and delegitimated many British ones; military interests became less urgent as IRA decommissioning proceeded (2001-5) and other military priorities emerged in Iraq. Since 2007, with agreement from the new dominant parties (the Democratic Unionist Party and Sinn Féin), the institutions have stabilised.

The result has been transformative of British state practices in Northern Ireland: new institutions of government and policing, a radically reformed criminal justice system, a strong equality regime which has significantly reduced communal economic inequality, a transformed public culture, and change in governing assumptions about the legitimacy and realism of political demands and official judgements of what and who is 'helpful' or 'difficult'. State resources were used to restructure institutions within Northern Ireland and in the process to change British modes of political and territorial management: relations are now transparent, administration strongly rule-bound without administrative much less military dependence on either community. The task involved considerable 'persuasion' of parties and populations, and demanded full state attention for more than a decade. This was much more than a gradual 'learning process'. It was a change in the generative rules of governance, with implications beyond specific laws and institutions. It is barely imaginable that the changes towards 'inclusion' (of both nationalists *and* unionists) will be reversed, but

incremental change in their meaning, form and impact is likely to be the focus of continuing political struggle.

Conclusion

The restructuration process that remedied long-term nationalist and Catholic disadvantage and facilitated a stable settlement in Northern Ireland was slow to begin, unevenly phased, and finally quickly completed. This article uses new interview material to show the divergent British and Irish elite perspectives, while explaining the process not in 'British' terms of the personalities involved, nor in 'Irish' terms of the need to push the British to act, but in theoretically informed terms of institutional constraints and thresholds. The threshold-crossing explanation incorporates both British and Irish perspectives, it shows why particular 'flexible' policy styles became dominant and the ways in which Irish pressure affected the British policy-repertoire. It is complementary to much existing scholarship on Northern Ireland, providing a frame in which we can see aspects of change - ideational, constitutional or pragmatic - as forming phases of a longer process, which in turn gives incentives for the political parties to change their strategies, thus permitting settlement. It identifies three phases of threshold-crossing, each associated with a different type of politics.

- A crossing of the *Recognition Threshold* in the Anglo Irish Agreement of 1985, that broke with the assumption that normal British modes of political management were appropriate to Northern Ireland. The process took place through an official discourse that was historically-saturated. There followed unanticipated consequences, in the gradual creation of alternative repertoires of policy-deliberation and the construction of an institutional field that favoured 'flexible' policy styles. It did not bring a shared British-Irish strategy and policy change was significant but uneven. In Northern Ireland, however, the effect on party strategies was indeed tectonic.

- The passing of the *Agenda Threshold* took place in 1991-3 as full British attention and prioritisation was given to Northern Ireland affairs, concurrent with hopes that a settlement might be in view. There followed a concerted British-Irish planning process, with a change in official British political culture, which had now incorporated the resources and repertoires built up in the previous period and was increasingly focussed on practical problems of institutional design. In parallel, negotiations that would finally lead to settlement began.

- The *Implementation Threshold* was passed sequentially between 1998-2006. Tony Blair had the political resources to take on veto players in the state, whose interests were in any case moderated by settlement and IRA decommissioning. Official discourse was pragmatic and non-ideological. The result is political stabilisation in Northern Ireland.

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The process was cumulative, building on past achievements even while changing strategic direction. Each new step was dependent on - although not fully determined by - the resources developed at the previous stage. As the obstacles to a full restructuration of Northern Ireland were sequentially tackled, change became more possible and more radical. What once seemed immovable limits of the state became malleable, and there emerged a constituency within the state willing to take forward a process of change.

The comparative interest of the analysis lies, first, in showing how state change away from exclusion took place not gradually and incrementally, nor in one top-down process -whether imposed by government, rebels or international agencies - but through thresholds. Change in state assumptions, policy repertoires and prioritisations gradually laid foundations for a new strategic agenda, strengthened the resources for change and weakened veto players, allowing an effective and quick burst of reform and restructuring. Although initially triggered by

outside influence - the Irish state - the process was carried forward by the British state elite whose interest increased as the process progressed. The comparative interest lies, second, in the contingent determinants and changing criteria of exclusion and inclusion. In this case, exclusion was by default, a product of multiple actors working for functional rather than ethnic interests, its recognition was itself a political achievement, and what counted as inclusion changed as the process developed. It lies, third, in the highly malleable limits of the state. In this case, the British state did not act as a classic nation-state with fixed and unmoveable boundaries and a strong national interest. The 'limits' of the state were historically contingent practices, routinised expectations, vested interests and veto points which were too unwieldy for top-down change alone, but which proved highly malleable through the longer threshold crossing process. Whether this is a particular feature of the British state or more generally true is a question beyond the scope of this article.

The threshold model shows, finally, that the changes did not come quickly or easily. The swift restructuration of the 2000s was prepared for by a long process where recognition and agenda thresholds were crossed and veto players weakened. If the process might have been done differently and better, it might never have been done at all.

APPENDIX ; DATA SET AND METHOD

The data set used in this article comprises interviews with over 80 officials and politicians (from Britain, Ireland, Northern Ireland and the USA) involved in British Irish negotiations from 1973-2010, with an additional six day-long witness seminars - where between 4 and 8 respondents who had participated in major set-piece British-Irish negotiations discussed their understandings and the processes that were involved with a number of academic questioners. These witness seminars involved the participation of another 40 respondents. The interviews

and witness seminars were conducted by 5 interviewers (including the author) between 2005 and 2011, funded by the Irish Research Council for the Humanities and Social Sciences. Our respondents included over thirty members of the British state elite, over forty members of the Irish state elite, and included four ex-prime ministers (three Irish and one British), many senior cabinet ministers including four secretaries of state for Northern Ireland, Cabinet Secretaries and senior officials in the Northern Ireland Office, Foreign Office, Departments of the Taoiseach, Foreign Affairs and Justice. Some of the same respondents have been interviewed by others. However this is a larger data base and encompasses a greater range of views. Some of the respondents had written memoirs or commentaries on events which we used as starting points for further discussion.

Interviews were semi-structured: interview questions covered the main periods when the respondent worked on Anglo-Irish relations and probed specific issues known to be contentious. Questions were decided in team discussion prior to the interview, with interviewer discretion to follow leads in the interview. Interviews and witness seminars are transcribed (except in the very few cases where the respondent wished for the tapes rather than a transcription to be lodged in the archive) and most have been corrected by the respondents. They are deposited in the John Whyte Archive at University College Dublin and are still under embargo. Phrases italicised in quotation should therefore be seen as close paraphrases (put in quotations to capture accurately the tone of response) and are not attributed. The transcripts - beginning with the witness seminars - will progressively be opened to researchers.

This article is based on the author's reading of all of the interviews with British and Irish state actors. Coding was manual, and repeated as analysis threw up more questions. As this article took shape, three research assistants trawled the interviews for references to change

and obstacles to change, what was easy and what was difficult to change: this served as a check on the author's interpretation.

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[1] In this study, dangers of misinformation were minimised by interviewing over 70 respondents, where one view can be checked against another, by providing respondents with embargoes, by conducting witness seminars, where one-time adversaries and negotiating partners respond to each other's interpretations, and to which key participants brought and referred to their personal notes of the time.

[2] For the multi-levelled processes involved in reaching settlement, see Cox et al, 2006; Jung et al, 2005; Maney et al, 2006; Ruane and Todd, 2007.

[3] Hall and Thelen (2009, 9) define institutions as 'regularised practices with rule-like qualities'. On the need to contextualise specific institutions in the wider matrix and in terms of actor assumptions, see Streeck and Thelen (2005), pp. 9-16; Hall and Thelen (2009), 27-8.

[4] Even had the state tackled the strike early, problematic habits of governance and inattention would have remained, although there would have been ample opportunities to tackle them As Bloomfield (2007. 47-8) argues, if the executive had lasted until the next regional election it would have provided a model for later use, and left a very different balance of political forces.

[5] Anglo-Irish relations in the later 1970s were described variously as '*amazingly distant ... I hardly remember seeing the Irish at all in that period*', as consisting of British '*dressings down*' of the Irish for security lapses, and as '*poisonous*'. Witness seminar 07.09.2005. Interviews, 17.10.2008, 8.07.2010, 16.01.2009. Long-serving British and Irish officials note the qualitative shift in intergovernmental relations from the distance of the 1970s to the intimacy of the 1990s. By the end of the 1970s, alternative paths were being discussed and circulated in private memos within the British civil service and the need to re-involve the Irish state was being mooted - see footnote 10 below - but movement was slow and easily shaken off course until after 1985.

[6] Interview 16.01.2009, and witness seminars, 07.09.2005 and 11.12.2006..

[7] Witness seminar, 11.12.2006. See also Lillis, 2010.

[8] Interviews, 26.05.2010, 18.06. 2009; 18.05.2010. Witness seminar 11.12.2006.. Bew, Gibbon and Patterson, 212-7; Goodall, 2010)

[9] There were twists and turns in the negotiations, discussed in FitzGerald (1991) Armstrong (1993); Thatcher (1993); Howe (1994) Lillis (2010); Goodall (2010), witness seminar 11.12.2006.

[10] Interview, 7.05.2010. The minister refers to the earlier internal civil service discussions (see footnote 6 above) but alternative strategies only passed onto the policy agenda (*'the table'*) after the Anglo-Irish Agreement (*'Hillsborough'*).

[11] Interview, 1.11.2007. Dail answers by Peter Barry, the Irish Minister for Foreign Affairs, ((30 April, 4 June and 23 October 1986) show his strong public emphasis on such a reform process.

[12] All Irish policy proposals and British responses to them were logged by the Irish and will presumably become available when the state archives are opened after 2015.

[13] Interviews with Irish officials, 16.01.2009; 19.09.2008; 3.12.2008; 8.01.2009; 9.02.2009; 23.09.2010. That this response was unanimous, despite differences of outlook, temperament and style between the officials, was significant.

[14] Interview, 1.11.2007.

[15] Witness seminar, 02.06.08

[16] Interview, 7.07.2010..

[17] Interviews 9.06.2010; 7.07.2010.

[18] Interviews 27.11.08, 18.06.09 .

[19] Interviews, 27.11.08; 9.06.2010

[20] Inter views with senior British actors, 18.06.2009; 7.05.2010; 21.09.2010; 25.07.2011

[21] Interview, 18.06.2009;

[22] Interviews, 18.06.09; 29.09.2010; 8.07.2010.

[23] Witness seminar, 11.12.2006   .

[24] Interview 17.10.2008; see also 16.01.2009, 7.05.2010

[25] Interview 8.01.2009, see also 3.12.2008

[26] Discussions in the AIIGC were relayed to the public through Dáil and Parliamentary questions and speeches, and reported in the main newspapers in both parts of the island. Given the low veto power and high interpretative discretion in the media-dominated public sphere, it was, on Mahoney's and Thelen's (2009, 21) explanatory typology, particularly open to such 'conversion'.

[27] Witness seminar 02.06.2008; Interviews 7.07.2010; 21.09.2010; 29.09.2010; 25.07.2011.Powell,2008, 310.

[28] Witness seminar, 02.06.2008.

[29] Conventionally, the peace process is said to have begun with a message from the IRA stating that the conflict was over and asking for British help to bring it to an end. The provenance of this message and the sequence of interaction have been questioned, but the key point is that there was enough back-channel information that it was reasonable for the Prime Minister to believe that republicans might want peace.

[30] Northern Ireland politicians were kept in discussion and out of decision-making.
[31] Downing Street Declaration, 15 December, 1993, para 3

[32] Interviews, 23.09.2010, 19.09.2008; 15.07.2010

[33] Interview 21.09.2010. It should be noted that the Irish government had long *de facto* accepted the consent principle, although they only formally ratified it after the constitutional referendum which followed the GFA in May 1998.

[34] Interview, 25.07.2011. Some individuals from the late 1980s shared this view (interview 7.,07.2010) but it only became dominant in government in the 1990s.

[35] Interviews 7.07.2010; 7.05.2010; 18.06.2009; 29.09.2010,

[36] See also Interviews, 18.06.09; 29.09.2010.

[37] Interview, 16.01.09. 19.09.2008. There is a still-untold story of British-Irish conflicts after the GFA, only slowly converging into a shared approach that finally gained agreement at St Andrews in 2006. .