

## Relationship between Assembly and Executive - Academic Reflections 2014

### KEY:

RW: Professor Rick Wilford

(MUSIC)

RW: The Assembly is a legislative body which is elected every five years, as it will be the case, by the Northern Ireland electorate. It enjoys authority to scrutinise the Executive which is drawn from within the Assembly and comprises 12 ministers\* plus two junior minister. Formally, that's the Executive. And members of the Executive are nominated from within the Assembly by a Nominating Officer from each of the eligible parties - eligible that is to nominate a minister. As I said earlier on, I think the relationship between them should be a critical partnership one, so that, as the Executive proposes, the Assembly disposes, rather than merely rubber stamps. That's why the relationship should be properly a critical one, whether it's in relation to legislative proposals, policy proposals, any outcomes from inquiries the committee has undertaken for instance, and the implications they may have for either, or both, policy and legislation. And the Assembly is there as a body to monitor, scrutinise the Executive and its actions.

Now, they are obviously closely related just as any Executive is to the relevant parliament or Assembly. It's the same pattern of drawing the Executive from say, the Dáil in order to compose the Irish government, or from Westminster to compose the UK wide government. It's the same essential process. The difference, I think, here is that because our politics is still steeped in "either/or ism", the level of control which is exerted by party leaders over party members, now party members not least represented by the Executive and ordinary, if you will, party members in the Assembly, is much tighter and much closer.

And Cathy said earlier on about the extent to which our parties are whipped, and it is an incredibly strong whipping system that we have here in Northern Ireland. And that reduces the scope for autonomy that can be exercised by members because they're fearful of, for example, impairing any ambitions they might have to climb up the greasy pole and be promoted to say, a junior minister level or indeed a committee Chair, and those are in the gifts of the Nominating Officers. And that's essentially a behavioural issue. I think I said this earlier on, it's how people interpret the role of being a member.

But anyway the Assembly has a legislative role, it has a scrutinising role, it has an advisory role, particularly expressed through the committee system in respect of each of the departments. It's the opportunity for free and open debate on issues which don't perhaps, have a party line associated with them, maybe some of them moral issues. Although quite frankly we see, actually today, the Same Sex Marriage proposals, equal marriage proposals, which are being debated in the Chamber today here on the Hill. That's going to be frustrated because one of the parties, the DUP, has made a Petition of Concern, which in effect, renders it a non-debate. It's a signal that they're not going to support the motion in favour of same sex marriage in Northern Ireland. Now that frustrates, not only the affected community within the wider population, that this is not going to get a fair hearing because the odds are weighted against them.

It demonstrates the extent to which, one party has the strength of numbers to actually frustrate free and open debate. And to debate an issue in other contexts would probably be subject to a free vote rather than, in effect, what it has now become, which is a whipped vote by moving a Petition of Concern to frustrate the proposition that Northern Ireland should become like Scotland, Wales and England in legislating for equal marriage among people of the same sex whether they're female or male. They haven't fully internalised the role of being a parliamentarian here and that is because our politics are still primarily structured by where you stand in relation to the constitutional issue.

That just, I think, well contaminates is probably too strong a word, but it structures the way in which we think about politics. It creates a divisiveness which sometimes can be very difficult to transcend and I think we've got too many examples of that. So the Assembly should be more self-confident. Members in the Assembly should be more self-confident in terms of their relationship with their Executive, even if it means upsetting a minister drawn from their own party. They shouldn't be afraid of that. They should put their role as being a sounding board.

Lloyd George once said of the House of Commons that it's meant to be sounding board of the nation - to reflect opinion within the wider United Kingdom. Here, all too often, the Assembly becomes an echo chamber of what's going on outside on the streets and it shouldn't be like that. It should be more of a sounding board, so you have reasoned, informed debate rather than the kind of debate which is structured by the current condition of inter-communal politics on the street. Now this Assembly, post 2011, and indeed post 2007, has been much less charged as a chamber than was the case between 1999 and 2002, when it was like a bear pit.

It isn't like that anymore and, then, everybody was aware that that Assembly wasn't, and that Executive wasn't, going to succeed or survive. Now is a much more stable condition. So it's matured but I don't think the behaviour of ordinary members has matured to the point where they can say, "I'm primarily a parliamentarian, when I step inside the chamber, when I step inside more particularly the committee rooms." That's where the role becomes much more, I think, significant and that's where the relationship between the Assembly and the Executive should be properly focussed. And it is, as I said earlier, a critical relationship - friendly critic but nevertheless a critic of the Executive - that's what's important - and the extent to which to exert that primary function, I think, of what a legislature is meant to be.

(MUSIC)

\* Please note that the number of Ministers changed following the reduction in the number of departments from 12 to 9, following the 2016 election.