

“The Consociational Model and Question Time in the Northern Ireland Assembly: Policy Issues, Procedural Reforms, and Executive Accountability, 2007-2011”

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ABSTRACT

Little is known about comparative innovations in question time procedure in Northern Ireland. This research provides an exploratory analysis of 1,999 oral questions to the First Minister and Deputy First Minister, and 31,664 questions posed to other ministers in the four legislative sessions from 2007-2011. The theoretical framework focuses on how the practice of parliamentary questions reflects the consociational model of governance taking shape in the Stormont Assembly. The study accentuates a decline in the number of questions posed to the dual executive and other ministers over time—a dynamic that represents a purposeful effort on the part of the Assembly to decrease the amount of questions through procedural reform, with the objective of obtaining more substantive answers. The findings also show that parliamentary questions on economic issues increased, but community issues remained a dominant policy concern across time. Finally, the analysis shows substantive responses were the norm among both the First Minister and Deputy First Minister. Responses by ministers with portfolio were more variable.

The Northern Ireland executive has attracted extensive interest amongst scholars. Much of the focus has centred on the British, Irish, and American governments' attempts at devising a consociational structure of governance capable of reigning in decades of sectarian conflict, and the frequent collapse of power-sharing arrangements from the Sunningdale Agreement of 1973 until the Good Friday Agreement was reached in 1998 (see Cunningham 1991; O'Leary 1997; Tonge 2000). Power-sharing in the executive has since proceeded largely by fits and starts (Ruane and Todd 2001), with the first agreement between the Democratic Unionist Party (DUP) and Sinn Féin crumbling over a spy scandal in 2002 involving alleged links between the latter and the Irish Republican Army. Devolution was restored in 2007, but nearly disintegrated in 2010 over policing and justice matters.

Notwithstanding much normative debate about whether the power-sharing executive is viable in Northern Ireland, there is a glaring absence of empirical research on executive-legislative relations, and in particular, the accountability of the First Minister, Deputy First Minister, and other ministers to the legislative assembly (Stormont). 'Question time' in the Northern Ireland Assembly is of paramount importance in this regard due to the design of the dual executive, and has thus far been overlooked in the contemporary literature. As the Committee on Procedures (2009) notes, "MLAs [Members of the Legislative Assembly] view the right to ask questions as a vital way in which to hold Ministers to account, challenge policy decisions and to obtain information." Yet little is known about the operation of question time in the Assembly, comparative innovations in procedure, or the policy nature of questions and substance of responses.

This study provides an empirical assessment of the consociational model in practice as measured through parliamentary questions in Northern Ireland. The examination focuses on

1,999 oral questions to the First Minister and Deputy First Minister and 31,664 questions posed to other ministers in the four legislative sessions from 2007-2011.<sup>1</sup> The analysis highlights five essential patterns with respect to question time. First, there is significant variation in the number of questions posed by each party. Second, there are considerable differences in the policy focus of questions by party. Third, while community issues dominated questions to all ministers, parties centred attention more intensely on economic issues from 2008-2011 as the global financial crisis took shape. Fourth, the analysis stresses the importance of procedural changes in the Stormont Assembly aimed at enabling ministers to provide greater substance in answer. Reforms in 2009 that limited the number of questions posed to ministers led to a decline in queries in latter sessions. Finally, analysis of responses by the executive accents a relatively high level of detail provided by the First Minister and Deputy First Minister. Responses by ministers with portfolio were more variable, with a greater frequency of refusals to answer questions on the basis of confidentiality or the putative lack of data.

The analysis proceeds in three stages. The next section discusses normative arguments about the importance of question time for executive accountability and highlights briefly comparative differences in the structure of question time in Stormont vis-à-vis other parliamentary systems in light of Northern Ireland's consociational governing arrangements. The second section presents a detailed analysis of questions posed by MLAs from 2007-2011. The concluding section reprises the findings in the context of differences in question time procedure in the Stormont Assembly vis-à-vis calls for reforms in other systems.

### **Question Time: Theory, Comparative Practices, and Consociationalism**

Question time or question period represents a fundamental component of democratic accountability that is crucial in parliamentary systems. In theory and in practice, opposition

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<sup>1</sup> Data for previous sessions are unavailable apart from the transitional Assembly (2006-2007).

parties and individual members are able to hold the cabinet responsible for its policies and actions by posing questions to, and scrutinising the head of Government in an open forum. As such, question time is vital in the maintenance of confidence in the Government by the legislature. Analysing question time has much to convey about individual members' behaviour and the role of the legislature, particularly in newly evolving institutions such as the Northern Ireland Assembly.

In parliamentary settings question time plays a central role in ministerial accountability. Nearly every legislative system provides for question time (Franklin and Norton 1993). Yet as Martin (2011, 259) posits:

Despite the centrality of PQs [parliamentary questions] to the life of parliament, the content and nature of questions posed by parliamentarians in most legislatures remains relatively obscure, leaving the specifics of the questions parliamentarians ask and their reasons for asking open to conjecture. More generally, the value and specific usefulness of the institution of questioning to modern-day parliaments is contentious.

The critical distinction in parliamentary questions is between the oral and written variety. Oral questions are more controlled than written queries given the scarcity of time in plenary sessions (Rozenberg and Martin 2011, 396). Oral questions also tend to involve far more political theatre and garner much more media attention (Norton 1993). As Saalfeld (2000) notes, oral questions from members are a tool both for accountability and institutional learning. Spontaneous oral questions may circumscribe bureaucrats' involvement answers and involve less delegation away from the minister (Salmond 2011). Members act as gatekeepers, while ministers show their policy acumen by answering questions 'off the cuff.'

An increasing number of scholars has begun to assess question time in single- and cross-national analyses, including the European Union, to gauge levels of legislative activity and oversight of the executive (Conley 2011; Elgie and Stapleton 2006; Franklin & Norton 1993;

Proksch and Slapin 2010; Rasch 1994; Russo and Wiberg 2010; Wiberg 1995; Wiberg and Koura 1994). As Rozenberg and Martin (2011, 394) contend, “Generally speaking, PQs [parliamentary questions] can be analysed on the basis of their shape, use, and impact.” Yet a unified, coherent theoretical or empirical framework for the analysis of question time nevertheless remains undeveloped or under-developed in the literature at either the national or supranational levels (Rozenberg and Martin 2011; Proksch and Slapin 2010).

Questions serve a variety of functions. As Wiberg and Koura (1994, 30-31) argue, question time enables members of the legislature to request information and explanations, press for policy action, gain personal attention, test the mettle of ministers’ policy knowledge, bring attention to the government’s problems and alleged faults, and, *inter alia*, rally opposition members. Ambitious and less experienced members may pose questions most frequently as a means not only to gather information but also to draw attention to their legislative activity (Bailer 2011). Questions may also provide a means to express constituency concerns (Russo 2011; Saalfeld 2011). There is some evidence to suggest that opposition parties’ questions reflect the public’s issue priorities among particularised or ‘partisan’ constituencies (Penner, Blidook, and Saroka 2006). On the other hand, members may tend not to query ministers of their own party—leaving that task instead to the opposition (Dandoy 2011). Regardless, posing questions may be an important tool for the electorate to evaluate the efficacy of an individual member of parliament (Wiberg 1994).

Others are skeptical about the fruits of question period in holding the executive accountable. Cole (1999, 86-87) contends that ministers are often able to deflect embarrassing questions, are under no obligation to provide a satisfactory or useful answer, and may refer the questioner to a previous answer. From a rather cynical vantage point, Rogers and Walters (2004,

283) suggest that the perfect executive response is “short, it’s absolutely true and it tells you nothing that you didn’t know already.” Further, as Pyper (1996, 56) notes, ministers may simply argue that the information requested is not available or too costly to obtain. The result, Cole (n.d., 4) argues, is that “oral questions are often handled by supplying very bland statements of policy...” Others have argued that parliamentary questioning is ineffective for oversight and in decline in traditional Westminster systems such as the United Kingdom and Canada (Baldwin 2004; Burnham, Jones and Elgie 1995; Crimmins and Nesbitt-Larking 1996; Dunleavy, Jones and O’Leary 1990; Dunleavy et al. 1993).

One of the paramount issues that has not received adequate attention involves the procedural mechanisms of question time, which vary considerably from one country to another and complicate cross-national comparison (Chester and Bowring 1962; Franklin and Norton 1993; Rozenberg and Martin 2011). “There are procedures,” Russo and Wiberg (2010, 216) argue, “that share the English translation, even though they possess different characteristics which make them incomparable.” Rules matter in the ability of members of the legislature to table oral questions. As Rasch (2011, 391) notes for the Norwegian *Storting* “open versus restricted access is a crucial distinction when it comes to parliamentary questioning.” Scholars must be acutely aware that institutional rules carry significant weight in the operational dynamics of question time, and changes to procedures can affect not only the number of questions but the substance of replies. Procedural mechanisms, combined with the unique consociational nature of the executive in Northern Ireland, furnish an important example of the impact of differences vis-à-vis traditional Westminster parliamentary systems.

### *The Consociational Model and Question Time in Northern Ireland*

The consociational design of the executive in Northern Ireland is what sets the Stormont Assembly apart from its more traditional Westminster-style parliamentary systems in Australia, Canada, and the United Kingdom, as well as the Irish Republic. Power-sharing in the executive explicitly reflects sectarian cleavages in Northern Ireland. The First Minister and Deputy First Minister are co-equals, jointly elected by the Assembly, and the only two individuals for whom a leadership positions depend upon a vote in the Assembly. The Ministerial code mandates the nationalist and unionist parties share power “not as a result of any pre- or post-election negotiations, but rather because they are obliged by law to share power with each other” (McGrath 2005, 109). Ministerial portfolios are allocated on the basis of *party representation* in the legislature according to the d’Hondt formula. In reality this means that all parties—the nationalist and unionist communities as well as the non-aligned Alliance Party—have held at least one portfolio since 2007. Neither the First Minister nor the Deputy First Minister has the ability to dismiss ministers for any reason. That power resides with the Assembly.

In Stormont the First Minister and Deputy First Minister answer questions for a half an hour on Mondays, followed by questions to ministers (one-half hour on Mondays and one hour on Tuesdays) during legislative sittings. With respect to the First Minister and Deputy First Minister, answers are rotated sequentially *between the two executives*: MLAs have no choice as to whether the First or Deputy First Minister answers the query. All ministers have two minutes to give their answers. MLAs submit questions no later than the Friday before question period—in effect, at least a day in advance in order for civil servants to research queries and coordinate oral responses.<sup>2</sup> Although critics suggest that this time lag results in an ‘overstaged’ event, the objective is to allow the executive adequate opportunity to provide full answers. The Speaker

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<sup>2</sup> Written questions must be submitted two weeks in advance.



determines which questions are to be asked through random computer selection. Members chosen may ask one supplementary question, after which they are recognised at the Speaker's discretion. In reality supplementary questions are typically 'weighted' by party size in the Assembly.<sup>3</sup> There is a provision under Standing Order 20(A) for 'urgent' oral questions. In this case MLAs must submit the question before 10:30 a.m. the day of question time and the minister must be given a minimum of four hours notice. The time for taking urgent oral questions is entirely at the discretion of the Speaker.

The executive diarchy, and the fact that the broader executive is comprised of members of all parties who hold one or more portfolios, distinguishes the modalities of question time in the Northern Ireland Assembly from its counterparts elsewhere. In most systems question period entails the Speaker calling upon leaders of the opposition. In Northern Ireland there is no 'official opposition.' Further, the First Minister and Deputy Minister are held *by standing order* to answer questions as fully as possible, whereas in other systems the prime minister may typically deflect questions to other ministers. These artifacts of the consociational structure of the Assembly deviate rather considerably from practices in other Westminster-style systems.

The provision for urgent oral questions, however, does resemble standard operating procedure in the Republic and other legislatures. In the Dáil Éireann on Tuesdays, Wednesdays and Thursdays the opposition leader has two minutes to ask a question of the Taoiseach, and the latter has to limit his reply to three minutes.<sup>4</sup> Members must submit questions in advance no later than 10 a.m. on the day of question time, and the Ceann Comhairle (Speaker) selects four issues for topical debate (Standing Order 27(b), modified July 2011). The Leader in Opposition

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<sup>3</sup> Personal communication with Mr. Robin Swann, MLA (UUP, Ballymena), 21 December 2011.

<sup>4</sup> As of July 2011 modifications to Standing Order 27(e) allow the Tánaiste to respond to questions on Thursdays.

has one minute to ask a supplementary question and the Taoiseach one minute to make a final response. Under Standing Order 27(b) questioning of the Taoiseach cannot exceed 21 minutes. The Taoiseach may also ask other ministers to reply to the query at his discretion.

The Northern Ireland practice has attempted to balance the objective of substantive responses with spontaneity. Not all systems require members to submit questions in advance. In Canada and Australia questions are *not* put to the prime minister beforehand. In these latter cases the Speaker typically begins the session by recognising leaders of the opposition in order of party size to make their enquiries, and thereafter alternates between members of the governing party and the opposition parties. In Canada it has become standard for parties to provide the Speaker with a list of members wishing to pose questions, though the Speaker retains much latitude in recognising legislators in the course of debate.

The Northern Ireland Assembly has recently undertaken several innovations. Two significant changes occurred in 2009. The first was the expansion of question time to include Tuesdays so that ministers had more time to answer queries. The second was the modification to Standing Order 20(5) in June 2009 to reduce the number of submitted questions to be answered by ministers to a total of 15. The objective of both changes was to afford the executive a greater opportunity to give substantive replies.

The brief review of the procedures in the Northern Ireland Assembly leads to several testable hypotheses in order to theorise about dynamics in question time in a consociational setting. First, changes to question time should have led to the diminution of the number of questions put to the executive. The changes were targeted at making the First and Deputy First Ministers, as well as other ministers, *more* accountable by limiting the total number of questions and laying the groundwork for more substantive debate time. Second, given the absence of an

‘official opposition’ in Stormont, community issues should be a dominant policy concern across time and across parties, with the economy playing a greater role following the 2008 global financial crisis. Third, members of parties should be less likely to pose questions to ministers of their own party. Fourth, major- and minor-designated parties may put more questions to opposition ministers with portfolio of *their own community*, as parties compete essentially for the same political space.

Other issues remain outstanding. There is an element of self-selection in question time given that members must submit enquiries in advance. So which parties ask the most questions? Are the larger parties indeed advantaged in supplementaries, and minor designated parties disadvantaged overall? And what is the policy substance of the questions asked? The next section takes these matters to task with an empirical analysis of the four legislative sessions from 2007-2011.

### **Analysis**

Let us begin with an examination of the number of questions posed to the First Minister and Deputy First Minister by session. Figure 1 shows the raw total number of questions posed. The greatest number of questions was asked in the first and second sessions (2007-2008, 2008-2009), immediately after devolution was restored. By contrast, following the June 2009 procedural changes to question time, the 2009-2010 and 2010-2011 sessions witnessed a steady drop, with the number of questions in the latter session about three-fifths that of the 2007-2008 session.

[Figures 1 and 2]

Figure 2 presents a standardised measure by dividing the number of questions by the total number of question time sitting days. As such, the data provide the ‘average’ number of

questions asked per question time by session. The data place into sharp relief the impact of procedural reforms. In the first two sessions (2007-2008, 2008-2009) the average number of questions was 18 and 15, respectively. The mean number of questions posed dropped significantly to approximately six and eight in the following two sessions, respectively. While these data do not speak to the substance of responses given by the First Minister and Deputy First Minister (see below), they do testify to the effect of a deliberate attempt to limit the total number of questions the executive had to field.

Figure 3 shows the percent of questions asked by party for the combined sessions. The largest party in the Assembly, the DUP, posed just over a quarter of all questions. A more precise review of the minutes of question time reveals that many of these were, in fact, ‘friendly supplementaries’ posed to the First Minister. Both the UUP and SDLP asked more questions than the second largest party, Sinn Féin. Together the UUP and SDLP asked about two-fifths of all questions. As will become clear momentarily, each party’s policy focus was rather different. Sinn Féin asked only a slightly higher proportion of questions compared to the Alliance Party, which had just seven members from 2007-2011 but played a significant role in demanding information on community relations from the executive.

[Figure 3]

Questions were categorised by the author by policy area according to the following schema. The nine groupings include: 1) the economy, budget, and finance; 2) equality issues; 3) matters pertaining to devolution; 4) inter-community relations; 5) social policy; 6) intergovernmental relations and international affairs; 7) policing and justice matters; 8) local planning; and, 9) general government and questions about the functioning of the executive. These nature of questions to the dual executive often traverse several ministerial portfolios at a

time. Examples of equality issues include debates about the Single Equality Bill and racial discrimination, while social policy comprises such issues as education and social inclusion. Community relations consists of those questions pertaining to such matters as the redevelopment of former military sites (e.g., Long Kesh/Maze Prison), parades, official displays of flags, victims' rights, and programmes such as community relations councils and the Good Relations strategy. Examples of intergovernmental relations include issues concerning the North-South Ministerial Council, the British-Irish Council, and liaison with the United Kingdom and European Union governments.

Questions (and by extension, responses) are often more or less detailed. Supplementary questions tend to be shorter. For example, supplementaries may include asking “the Office of the First Minister and Deputy First Minister to confirm that economic development is a key priority for the Executive Committee” (Assembly Debates, 25 September 2007). Other questions are often much more specific, convey constituency concerns, and request a high level of detail in the response. For example, a query might comprise asking “the Office of the First Minister and Deputy First Minister to detail the backlog of planning appeals at the end of August 2007, in (i) the Moyle District Council area; (ii) the Ballymena Borough Council area; and (iii) the Ballymoney Borough Council area; and to detail the number and percentage of these appeals that were successful in the 2006/07 year” (Assembly Debates, 25 September 2007). Indeed, specific constituency concerns comprise approximately one-third of all questions posed to the First/Deputy First Minister.

[Figure 4]

Figure 4 shows the percentage of questions asked by policy area in the four combined legislative sessions. Consistent with expectations, a plurality of questions dealt with community

relations. Community relations questions were most prevalent in the first session from 2007-2008 as the new assembly undertook its work, and tailed off steadily as time progressed to about a sixth of all questions by 2010-2011. All told, social policy, general government, and the economy comprised more than half of all questions posed, with social policy and general government questions distributed rather evenly across sessions. Questions about the economy augmented steadily following the 2008 worldwide financial crisis, reaching fully a quarter of all questions posed by the 2010-2011 session. About a fifth of questions *in toto* were focused on intergovernmental relations, equality issues, planning, devolution and policing/justice issues. The critical question becomes how much variation there is by party and policy area. Which party is asking what?

[Table 1]

Table 1 displays a crosstab of questions by party and policy area to facilitate an understanding of question time dynamics. Of the five major parties, Sinn Féin asked the most questions on social policy, followed by the Alliance Party. More than a quarter of Sinn Féin's questions to the executive constituted issues such as child poverty, disadvantaged communities, women's issues, and child care. Approximately one-fifth of the Alliance Party's questions focused on matters such as the environment and sustainable development, the role the executive envisioned for the Department of Social Development, individuals with disabilities, and anti-poverty programmes.

Far and away, the Alliance Party asked the most questions on community relations. Over one-third of the party's queries to the executive featured the leitmotiv of social cohesion. MLA Mr. Trevor Lunn was the most active, repeatedly pushing the First Minister and Deputy First Minister to answer questions about 'A Shared Future: First Triennial Action Plan' and 'The Cost

of Division – a Shared Future Strategy’ in the draft programme of government. Further, Lunn frequently emphasised questions about the status of ethnic minorities, the delay and progress in the government’s publication of a ‘Cohesion, Sharing and Integration Strategy’ in the 2008-2009 session, and redevelopment of the Long Kesh/Maze Prison site.

The DUP’s questions on community relations had a decidedly different tone at times. Many focused on the costs associated with the victims and survivors programme and the redevelopment of the Long Kesh/Maze site. The Victims and Survivors Disqualification Bill also became a major point of contention between the nationalist and unionist blocs in the Assembly when the DUP attempted to change the definition of a ‘victim’ to exclude “any person convicted of an offence in connection with any conflict-related incident and those who had been members of proscribed organizations.” Other questions were frequently ‘supplementaries’ aimed at deflecting Alliance Party criticisms relative to the ‘Cohesion, Sharing and Integration Strategy’ and community relations councils.

The UUP and SDLP were most active in holding the executive to account on general government issues. More than 30 percent of the UUP and 21 percent of the SDLP’s questions, respectively, targeted matters surrounding the functioning of the executive. The issues do not necessarily have a consistent theme. They include appointments, the government’s legislative programme, delays in answers to previous questions, inclusivity in a four-party coalition, surveys on the perception of the executive, difficulties in cross-party consultation in the executive and other matters such as the civil service and the government’s handling of the water crisis caused by burst pipes in 2010. Nevertheless the data suggest to a large degree that the two minor-designated nationalist and unionist parties often assumed the role of the ‘loyal opposition’ with questions designed to query the executive on important issues of responsibility.

There is relative equanimity amongst the five parties in questions posed on matters of equality, the economy, and intergovernmental relations. Most of the questions on equality concerned the Single Equality Bill under consideration by the executive, in addition to a host of questions about gender, sexual orientation, and disabled individuals. Overall, roughly a fifth of questions posed by all parties dealt with the economy. The combined session data, however, mask a significant upturn in questions following the financial crisis in 2008. The economy constituted one-sixth or less of all questions in the 2007-2008 session followed by a gradual increase across the subsequent three sessions. Economic issues relating to the executive's handling of the budget and revenue issues in 2010-2011 rose to approximately a third of all questions posed by Sinn Féin and the DUP. About one quarter to one-fifth of the questions asked by the UUP, SDLP and Alliance focused on revenue, budget review, fuel price stabilisation, and the Strategic Support Fund. Finally, with the exception of the Alliance Party, about a tenth of all questions posed to the executive involved intergovernmental relations and international affairs. Many of the routine questions pertained to the North-West Gateway Initiative with the Republic of Ireland, the British-Irish Council, and meetings between the executive and leaders of the United Kingdom, the Republic, and the United States. In the 2009-2010, however, the DUP and UUP became highly critical of the North-South Ministerial Council, which dominated this category of questions. Unionists contended that the Council, which met only three times from 2007-2009, was not worth the cost of £40 million. They tabled legislation to "consider whether the North-South Ministerial Council is of any value to the people of Northern Ireland," which was ultimately halted by a petition of concern that required cross-community support to pass the bill (McAdam 2009).



Devolution, policing, and planning issues formed only about five percent of all questions and were not an integral part of any of the parties' question strategy. Specific questions regarding potential devolution of further functions from the United Kingdom government were rare, and most regarded outstanding issues from the St. Andrews Agreement of 2006. Surprisingly, police and justice matters constituted very few of any party's questions despite these issues' nearly toppling the executive in the 2010-2011 session. Finally, planning issues were most prevalent amongst the DUP. Most of the questions pertained to local autonomy generally, and to appeals to the Planning Commission in particular.

### ***Questions to Other Ministers***

Table 2 shows the number of questions posed to ministers with portfolio by party affiliation. Overall, in terms of the policy focus of questions, the most questions (21.7% of the total) were posed to the UUP Minister for Health, Social Services, and Public Safety Michael McGimpsey. Questions to the Ministers for Regional Development, Social Development, and Education comprised 43.2 percent of the total. Questions were distributed relatively evenly across the other ministries.

[Table 2]

These data furnish a means to test the hypothesis that major- and minor-designated parties were most likely to query ministers belonging to parties in their own community for political gain (e.g., DUP members asking more questions of the UUP minister and vice-versa). Indeed, there is some evidence of this dynamic in amongst the unionist parties. One benchmark is the percentage of seats held by the parties in relation to the number of questions they posed. The DUP held 30 percent of seats from 2007-2010. DUP members queried the UUP ministers of Employment and Learning and Health, Social Services, and Public Safety 44 percent and 54

percent of time, respectively, compared to all other parties. Moreover, the DUP quizzed the Minister for Justice, held by Alliance Party MLA David Ford more than half the time after the creation of the portfolio in 2009. There is little common thread to the questions, though many related to policing and prison policies. The UUP, however, did *not* query DUP ministers much more than the proportion of seats the party held in the Assembly (16.7%) across categories. Similarly, the SDLP held about one-sixth of the seats in the Assembly, and queried Sinn Féin ministers in a proportionate fashion. The exception was Regional Development, with the SDLP posing nearly a quarter of the questions (see below).

As with questions asked of the First Minister and Deputy First Minister, the data underscore the importance of local constituency issues on a cross-community basis for questions posed to ministers with portfolio. Questions to the Minister for Health, Social Services, and Public Safety UUP MLA Michael McGimpsey were the most numerous, followed by questions to Sinn Féin Minister of Regional Development Conor Murphy. Questions to McGimpsey by the DUP often comprised local issues concerning health care expenditures and programmes. Similarly, SDLP and DUP questions to Murphy often pertained to local infrastructure projects, including road improvements. All told, in these two policy areas constituency matters played a significant role in ministerial questions.

### ***Ministerial Responses: Substantive or Circumscribed?***

An objective evaluation of the substance of responses to questions posed by MLAs is an admittedly difficult task, with little guidance from the extant literature or a baseline model to follow. One problem is the inability to control for the relative complexity of a question. Some questions are short and poignant; others call for more detailed explanations. Nonetheless, one means of assessing the comparative substance of responses is to count the number of words in a

ministerial response. Another is to consider how frequently ministers refer the questioner to prior documents, refuse to answer a question, or if the First Minister/Deputy First Minister refers the questioner to another minister. Given the large number of questions in the data set (1,999) for the First/Deputy First Ministers and 31,664 for all ministers with portfolio), a random sample of responses was generated to facilitate the examination.<sup>5</sup> Two hundred and six random responses by the First/Deputy First Minister and 316 random responses by each minister with portfolio were analysed. The results are reported in Table 3.

[Table 3]

One sentence in a response averages about 15 words. Table 3 shows that amongst responses by the First Minister/Deputy First Minister, the mean length of responses was 118 words or approximately eight sentences, with a rather large standard deviation. The median of 86 is a more telling measure. Half of all responses ranged from a single sentence to about seven sentences, with the other half ranging from seven to highly detailed responses of 20 sentences or more. Figure 7 shows a slightly bi-modal distribution compared to the standard normal curve: responses were either less detailed (under 100 words) or very detailed in nature (200+ words), according to the nature of the query.

[Figure 7]

Only in rare cases did the First Minister/Deputy First Minister refuse to answer a question. Only four times (1.9% of the time) did the executive cite confidentiality as a reason for refusing a question. Similarly, the executive referred questioners to previous answers only four times. In no case did the First Minister/Deputy First Minister refer the questioner to another minister.

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<sup>5</sup> These data represent 1% of the total number of questions in the data set.

Table 3 enables a comparison of the responses by the First Minister/Deputy First Minister to other ministers with portfolio. On balance, there is much more variation in the relative substance of responses by ministers with portfolio. The average number of sentences is similar to the First/Deputy First Minister at about five. The median is 83, underscoring that half of the responses were six to 35 sentences long and rather detailed. The data in Figure 8 comport well to the standard normal curve.

[Figure 8]

On two accounts the shorter answers are nonetheless somewhat misleading in the case of ministers with portfolio. On the one hand, 20.9 percent of all responses included reference to a detailed table, report, or data provided to the questioner. In no case did a minister refer the questioner to another minister or to the First/Deputy First Minister. On the other hand 19 percent of all responses were *refused*. In a majority of these latter cases the minister cited ‘disproportionate cost’ as a reason for the rebuff of the question. In other cases pending legal matters, ‘sensitive’ market information, or the absence of data by electoral constituency was specified by the minister as a justification. The fact that a fifth of all questions were rebuffed clearly leads some MLAs to consternation, particularly when asking questions pertaining to their constituency concerns. The lack of an acceptable response may compel them to pursue information by other means, especially by making written requests for information or seeking information through the committee process.<sup>6</sup>

An examination of the random responses across time does *not* show that the decline in questions noted earlier necessarily led to longer responses in the 2009-2011 sessions. Rather, the nature of the questions asked and other elements of the structure of question time in Stormont

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<sup>6</sup> Personal communication with Mr. John Fullerton, Policy Officer to Ms. Jo-Ann Dobson (UUP), 5 January 2012.

appear to enable ministers to furnish lengthy and detailed responses where appropriate. There is much evidence that the First/Deputy First Minister do so frequently. Ministers with portfolio, however, are most likely to refuse answers. But there is little doubt that in the Northern Ireland case the two minute response time—combined with the mandate that questions be submitted in advance—enables the executive to provide generally more substantive answers to oral questions compared to other systems like Canada where there is a 30 second response rule (Chong 2008).

### **Reprise and Considerations: Question Time in Northern Ireland and Beyond**

The preceding synopsis of question time points to a healthy balance in the number of questions posed by parties and asked by policy area in the bid to keep the First Minister and Deputy First Minister accountable to the Northern Ireland Assembly. No single issue has dominated question time. Rather, there is ample diversity in the types of enquiries members have made across party lines. The minor parties—the UUP, SDLP, and Alliance—have not been shut out of the process, but to the contrary have been able to bring their policy issues before the executive on a regular basis. The UUP and SDLP took a particular interest in pressing the issue of the functioning of the executive. There is some evidence that these two parties, alongside the Alliance Party, have assumed a type of role consistent with the ‘loyal opposition’ in traditional Westminster systems vis-à-vis the DUP and Sinn Féin.

The analysis also accentuates the potential danger of treating the diminution in the number of questions asked over time as a product of a decline in executive responsibility. Procedural reform undertaken in 2009 had a palpable effect in reducing the overall number of questions in the 30 minute time slot allotted to the First Minister and Deputy First Minister to answer enquiries. There is no evidence, however, that this reform has led to better, more substantive replies. Clearly ministers have some degree of latitude in citing reasons not to

answer queries. But the data elucidate that in the lion's share of cases responses were appropriately detailed and thorough.

Calls for reform elsewhere place into sharp relief the acute differences between the Stormont Assembly question time procedure and its homologues. Reform efforts in Australia, Canada, and the United Kingdom, for example, have targeted the 'raucous' nature and partisan overtones of question period. One concern is the "cut and thrust between the parties as each side seeks to make points and expose weaknesses" that yields drama and spectacle that may be offputting to observers (Australian Collaboration 2011, 1). Recently Speaker John Bercow in the United Kingdom House of Commons derided the lack of civility in question period and argued that the quota of six questions for the opposition leader needed to be reduced (Mulholland 2010). Another complaint pertains to the length of both questions and answers. In Australia the Liberal Party (2010) has advocated limiting ministerial responses to four minutes and ensuring 'relevance' in questions to render more precise answers. In none of these scenarios is there a guarantee that reforms aimed at the particularities of each system will yield responses that are more substantively grounded and detailed.

Dynamics of question time in Stormont are *clearly different* from the Assembly's counterparts in Canberra, Ottawa, and London. Notwithstanding the unique composition of the dual executive, the Northern Ireland Assembly has attempted to privilege substance over impulsiveness. The fact that ministers have ample time to prepare oral answers is a case in point. The two-minute limit on responses seeks a balance between the shorter response time in Canada and an unlimited response time in Australia. And any observer who juxtaposes the gruff proceedings of question period in Australia, Canada and United Kingdom to those in Northern Ireland is surely pleasantly surprised at the generally high level of decorum and civility even in

light of frequently pointed enquiries. Question time in the Stormont Assembly lacks the drama and intrigue elsewhere. Some MLAs themselves charge that “Question Time in the Assembly had sometimes been less exciting than it should be...,” but the unique formation of the executive diarchy “means that it is not always possible to recreate the Question Time atmosphere associated with government/opposition in other legislatures” (Committee on Procedures 2009). As McCaffrey and Maguinness (2011, 1) note, “the Northern Ireland Assembly is the only legislature in the UK where the Standing Orders (19.5A) address the content of Ministerial replies by stating that a question must be answered as clearly and as fully as possible.” On balance, this research accentuates the degree to which the executive has complied with this mandate.

There remain many critiques of question time in the Northern Ireland case. As Cole (n.d.) contends, ministers can and do argue that answering a question is ‘not in the public interest.’ The Speaker has no mechanism by which he can force a minister to answer a question, nor does he possess criteria by which to judge the veracity or completeness of a reply. In the final analysis there are, in fact, few normative criteria to evaluate what actually constitutes a satisfactory answer. Supportive questions may be asked solely for the purpose of allowing the executive to make an official statement and the limitation of supplementary questions to just one allows any reasonable minister to handle criticism adequately.

Notwithstanding such valid critiques, this study of question time elucidates one element in the evolving nature of the singular consociational arrangement in Northern Ireland. After years of sectarian conflict and violence, successful efforts at elite accommodation and channeling conflict through formal institutional procedures such as question time represent a key step in solidifying the power-sharing structure of governance that scholars have argued could

stabilise the troubled statelet (see Lijphart 1969; 1975; 2004). How reforms to question time can improve the development of democratic institutions taking shape in the six counties of Ulster is surely a matter for further analysis and debate. How much other legislative systems can learn from the Northern Ireland experiment is equally critical.



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Table 1

## Questions to the First Minister and Deputy First Minister by Party and Policy 2007-20011, Combined Sessions

<b>Party</b>	<b>Economy</b>	<b>Equality</b>	<b>Devolution</b>	<b>Community Relations</b>	<b>Social Policy</b>	<b>Intergov't Relations</b>	<b>Policing</b>	<b>Planning</b>	<b>General Gov't</b>	<b>Total N</b>
<b>Sinn Féin</b>	59 (19.4%)	33 (10.9%)	6 (2.0%)	55 (18.1%)	88 (28.9%)	29 (9.6%)	3 (1.0%)	5 (1.7%)	26 (8.6%)	304
<b>SDLP</b>	67 (17.0%)	32 (8.1%)	7 (1.8%)	77 (19.5%)	69 (17.5%)	48 (12.2%)	6 (1.5%)	4 (1.0%)	85 (21.5%)	395
<b>DUP</b>	97 (17.3%)	53 (9.3%)	6 (1.1%)	134 (24.0%)	86 (15.4%)	63 (11.3%)	4 (.7%)	32 (5.8%)	84 (15.1%)	559
<b>UUP</b>	87 (19.3%)	21 (4.7%)	9 (2.0%)	76 (16.9%)	54 (12.0%)	52 (11.6%)	10 (2.2%)	6 (1.3%)	135 (30.0%)	450
<b>Alliance</b>	47 (16.2%)	31 (10.7%)	1 (.3%)	105 (36.1%)	60 (20.6%)	18 (6.2%)	3 (1.0%)	2 (.7%)	24 (8.3%)	291
<b>Total</b>	357	170	29	447	357	210	26	49	354	1,999

Row percentages may not equal 100% due to rounding.

Table 2  
Oral Questions to Ministers by Party Affiliation, 2007-2011 (Combined Sessions)

Party	Employment/ Learning (UUP)	Regional Dev. (SF)	Social Dev. (SDLP)	Agriculture and Rural Dev. (SF)	Culture, Arts, Leisure (DUP)	Education (SF)	Enterprise, Trade, Investment (DUP)	Finance & Personnel (DUP)	Health, Social Services, Public Safety (UUP)	Justice (ALL)*	Environment (DUP)
<b>Sinn Féin</b>	355 (20.2%)	572 (12.2%)	1,140 (28.0%)	251 (11.3%)	366 (20.1%)	568 (11.5%)	531 (25.3%)	251 (12.0%)	1,263 (18.3%)	111 (12.6%)	634 (19.7%)
<b>SDLP</b>	328 (18.7%)	1,120 (23.9%)	376 (9.2%)	408 (18.3%)	298 (16.3%)	863 (17.5%)	463 (22.1%)	538 (25.7%)	1,225 (17.8%)	181 (20.5%)	710 (22.0%)
<b>DUP</b>	774 (44.1%)	2,037 (43.5%)	1,985 (48.7%)	953 (42.8%)	715 (39.2%)	2,345 (47.5%)	608 (29.0%)	666 (31.9%)	3,745 (54.4%)	493 (55.8%)	1,185 (36.8%)
<b>UUP</b>	181 (10.3%)	771 (16.5%)	397 (9.7%)	512 (23.0%)	324 (17.8%)	850 (17.2%)	362 (17.3%)	456 (21.8%)	363 (5.3%)	84 (9.5%)	481 (14.9%)
<b>Alliance</b>	117 (6.7%)	181 (3.9%)	174 (4.3%)	102 (4.6%)	120 (6.6%)	307 (6.2%)	133 (6.3%)	179 (8.6%)	288 (4.2%)	14 (1.6%)	210 (6.5%)
<b>Total</b>	<i>1,755</i>	<i>4,681</i>	<i>4,072</i>	<i>2,226</i>	<i>1,823</i>	<i>4,933</i>	<i>2,097</i>	<i>2,090</i>	<i>6,884</i>	<i>883</i>	<i>3,220</i>

\*Office created 12 April 2010. Row percentages may not equal 100% due to rounding.

Table 3  
 Number of Words Per Response, First Minister/Deputy First Minister  
 and Ministers with Portfolio

	<i>Mean</i>	<i>Std. Dev</i>	<i>Median</i>	<i>Minimum</i>	<i>Maximum</i>
First Minister/ Deputy First Minister	118	92	86	11	427
Ministers with Portfolio	106	87	83	6	521

Figure 1  
 Total Number of Oral Questions Posed to the First Minister and Deputy First Minister,  
 2007-2011 Sessions

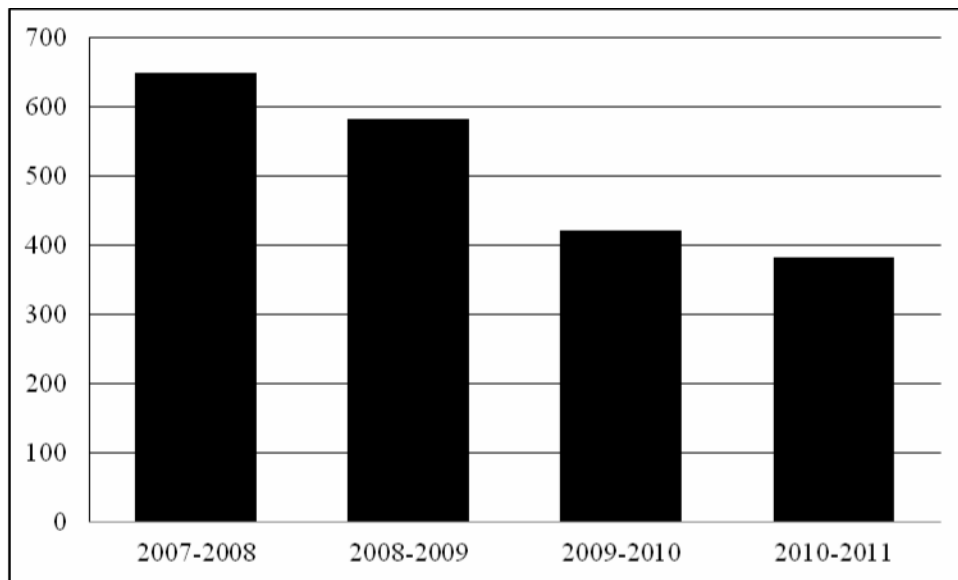
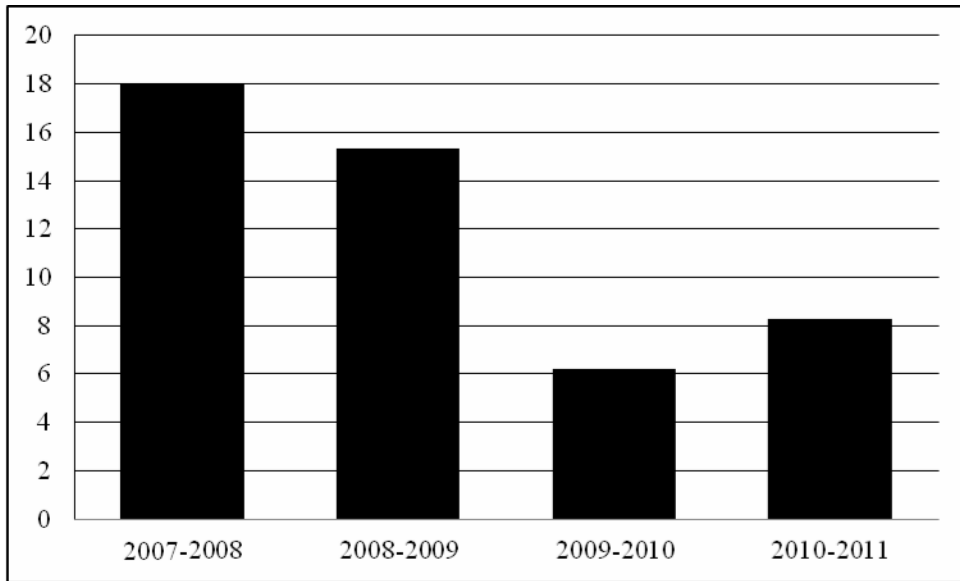


Figure 2  
Standardised Number of Oral Questions Posed to the First Minister and Deputy First Minister,  
2011-2011 Sessions\*



\* Number of total questions divided by number of question periods per session.  
Data show the average number of questions per sitting day.



Figure 3  
 Percent Questions Posed to the First Minister and Deputy First Minister by Party,  
 2007-2011, Combined Sessions

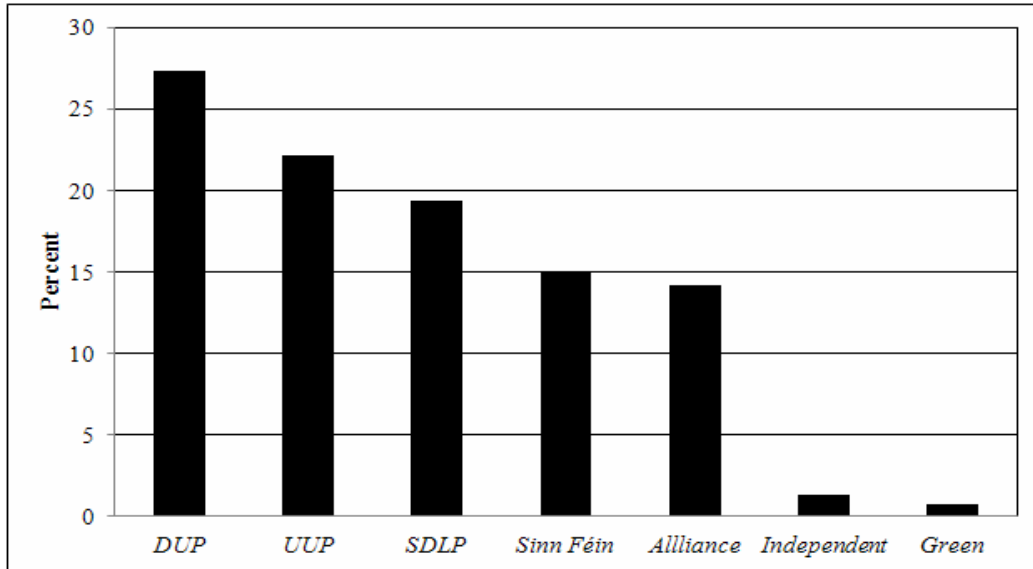


Figure 4  
 Percent Questions Posed to the First Minister and Deputy First Minister by Policy Area  
 2007-2011, Combined Sessions

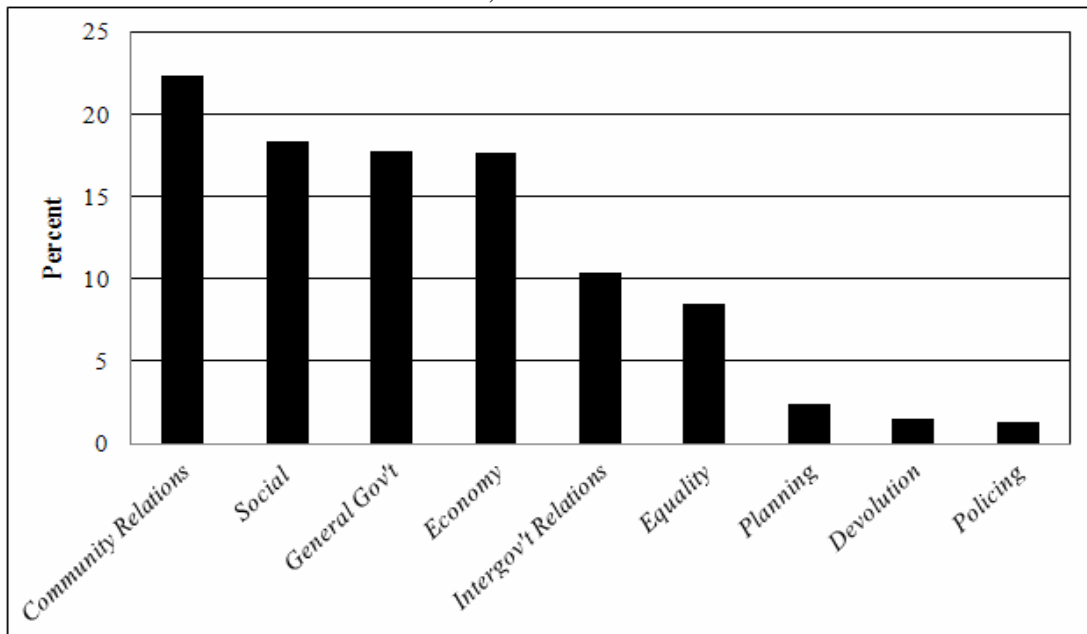


Figure 5  
Total Number of Oral Questions Posed to All Other First Ministers,  
2007-2011 Sessions

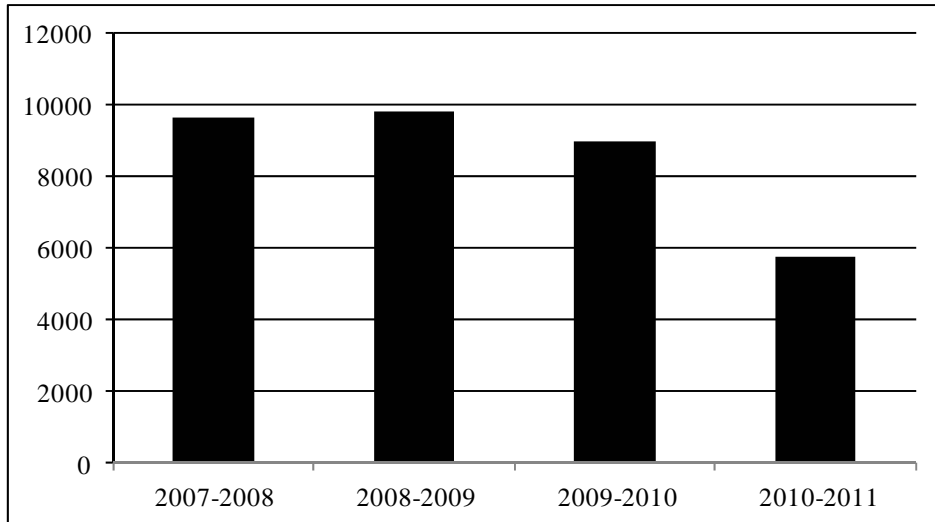
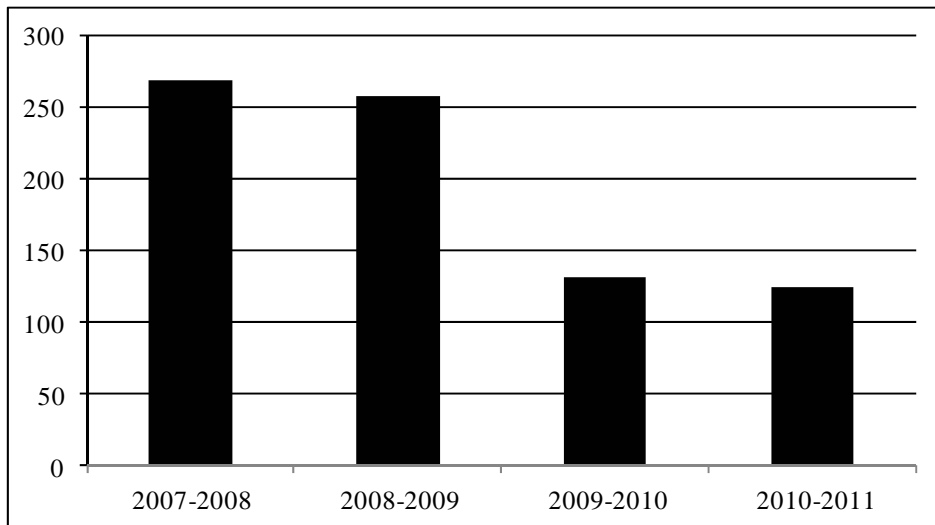


Figure 6  
Standardised Number of Oral Questions Posed to All Other Ministers,  
2011-2011 Sessions\*



\* Number of total questions divided by number of question periods per session. Data show the average number of questions per sitting day.

Figure 7  
 Number of Words Per Response, First Minister and Deputy First Minister,  
 2007-2011

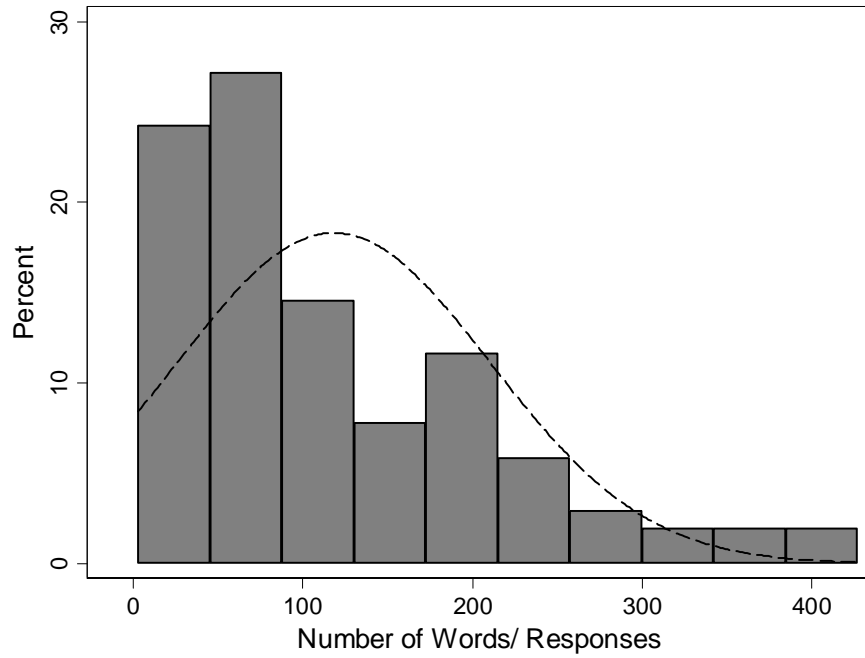


Figure 8  
 Number of Words Per Response, Ministers with Portfolio,  
 2007-2011

