Austerity and Recovery in Ireland: Europe's Poster Child and the Great Recession
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Political Reform
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Abstract and Keywords
Austerity has had significant political consequences for Ireland as shown, first, in the dramatic election of the Fine Gael/Labour Coalition in 2011 and, most recently, in the 2016 election that saw both parties lose significant support and ushered in an uncertain political outcome. Throughout this period there has been an unprecedented interest in political reform. This chapter sets this in context. The principal finding is that while there were political reforms between 2011 and 2016 they were, to a large degree, ‘distractive’ rather than ‘constructive’—resulting in little real change to how politics operates in Ireland. There was, however, one significant innovation—in the form of the Irish Constitutional Convention.

Keywords: austerity, election, Irish Constitutional Convention, Fine Gael/Labour Coalition, political reform

Introduction
Austerity has had more than economic implications for Ireland: there have been significant political consequences too, as shown, first, in the dramatic election of the Fine Gael/Labour Coalition in 2011 and, most recently, in the 2016 election that saw both parties lose significant support and
ushered in an uncertain political outcome. Throughout this period there has been an unprecedented interest in political reform. The purpose of this chapter is to set this in context. The principal finding is that while political reform has indeed occurred, many of the actual reforms that have taken place have been to a large degree ‘distractive’ rather than ‘constructive’—that is, in many instances they haven’t amount to much real change to how politics operates in Ireland. There was, however, one significant innovation—in the form of the Irish Constitutional Convention—that is attracting international interest.

The chapter is arranged in four parts. It starts with a brief outline of the extent of democratic transformation that has been visited on most of the world’s established democracies, a transformation that until recently appears to have largely passed Ireland by. We then review the context of the 2011 election, which was to see political reform come to the top of the political agenda. The next section, ‘Political Reforms in Ireland 2011–16’, examines the reforms that were implemented by the Fine Gael/Labour government between 2011 and 2016, a large portion of which have done little to change how politics operates. In the section ‘Ireland as a Trailblazer: The Irish Constitutional Convention, 2012–14’, the focus shifts from content to method in the form of the Irish Constitutional Convention, a deliberative ‘mini-public’ method of discussing constitutional reform. We conclude with a discussion of the 2016 general election and its ramifications for the state of Irish democracy.

(p.161) Democratic Transformation

Democracies are transforming before our very eyes (Cain, Dalton, and Scarrow 2003; Saward 2010). In most of Europe’s established democracies the experience for today’s citizens is very different from that of previous generations. Consider these examples:

<table>
<thead>
<tr>
<th>Table 9.1. Institutional reforms in Europe: 1990-2010 (number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
</tr>
<tr>
<td>Decentralization</td>
</tr>
<tr>
<td>Electoral Reform</td>
</tr>
<tr>
<td></td>
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<tr>
<td>--------------------------------</td>
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<tr>
<td>Public Subsidies</td>
</tr>
<tr>
<td>Parliament Reform</td>
</tr>
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<td>Suffrage Access</td>
</tr>
<tr>
<td>Direct Election</td>
</tr>
<tr>
<td>Direct Democracy</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

Source: Bedock, Mair, and Wilson 2012: Figure 1.

- Austria’s decision in 2008 to reduce the voting age to 16;
- Belgium’s long road to federalization;
- Finland’s 2000 reforms to reduce the power of the presidency;
- Reforms in France (2008) and the Netherlands (2004) introducing the right for citizens to petition for referenda;
- Italy’s various stages of electoral reform;
- The ongoing devolution agenda in the UK.

The most comprehensive evidence of these institutional reforms is provided by Bedock, Mair, and Wilson (2012), who examined the trends across seven main dimensions of institutional reform in eighteen established European democracies over a twenty-year period from 1990 to 2010. Summary indicators are provided in Table 9.1, showing a total of 173 reforms across the period, 51 of which were deemed ‘substantial’—defined as: ‘significantly alter[ing] the balance of power and/or the nature of the relationship between parties…citizens and elites’ (Bedock, Mair, and Wilson 2012: 9). As they note, this amounts to an average of 9.5 reforms (3 of them substantial) per country. The evidence is emphatic: ‘institutional reform is far from a rare occurrence and indeed occurs quite frequently’ (Bedock, Mair, and Wilson 2012: 17).

Ireland has not been entirely immune from these pressures for change—or so it may appear. There have been many referendums to change the Constitution—thirty-nine to date, putting Ireland in third position (behind (p.162) Switzerland and Italy) for the regularity of referendums in Europe.¹ And there have been no shortage of weighty constitutional reviews proposing all manner of constitutional and institutional...

It would seem that the Irish experience fits the wider European picture of reform. But does it? The fact is that none of the worthy Irish constitutional reviews actually resulted in constitutional change: the proverbial ‘dusty shelf’ became their final resting place. And only a minority of the referendums to date have made changes to how Ireland’s political institutions operate; instead, most focus has been on moral issues such as abortion and divorce (and most recently marriage equality), on treaty reforms to meet Irish obligations as an European Union (EU) member state, or on changes relating to the Northern Ireland agenda. The list of institutional reforms resulting from national referendums is pretty short, amounting to the following:

- The failed electoral reform referendums of 1959 and 1968;
- Reducing the voting age to 18 (1972);
- Seanad votes for graduates from all Irish universities (passed in 1979 but to date never implemented);
- Votes for (certain) non-citizens (1984);

The fact is that, for the past ninety years or so, unlike most of its European counterparts, the picture Ireland has presented is one of relatively little reform: the original 1937 Constitution drafted by Éamon de Valera has stood the test of time, its fundamentals for the most part remaining unaltered. Indeed, it is somewhat ironic to note just how steadfastly the ‘Westminster tradition’ remains unaltered on this side of the Irish sea despite some pretty fundamental institutional reforms in the UK over the past twenty years or so (e.g. Hazell et al. 2001): Brian Farrell’s (1988) description of the Irish political system as ‘more British than the British themselves’ was never more true.

Earthquakes and Revolutions?
In the wake of the Great Recession, starting in 2008, and the economic havoc it wreaked on Ireland, all this looked set to change. The stage was seemingly set (p.163) with the outcome of the 2011 general election, which, in comparative terms, was one of the most dramatic ever witnessed: only two other elections (the Italian election of 1994 and the Dutch election of 2002) surpassed it in terms of inter-party volatility in established democracies (Mair 2011).

Whatever way one looks at it, the Irish general election of 2011 appeared exceptional. The various accounts of it competed to find the most appropriate metaphor: ‘watershed moment’, ‘perfect storm’, or ‘electoral earthquake’ (Gallagher and Marsh 2011; though for more recent treatment of this election, see Marsh, Farrell, and McElroy forthcoming). The most notable outcome of the election was the collapse of Fianna Fáil, one of the world’s most enduring and successful parties. In comparative terms, Fianna Fáil’s defeat was among the largest experienced by a major party in the history of parliamentary democracy. Fianna Fáil—in government between 1997 and 2011 and widely blamed for Ireland’s economic collapse—went from being the largest party in the state (a position it had held since 1932) to being a bit player in Irish political life; it had never received so few seats (12 per cent in the lower house) or such a small vote share (17.4 per cent) as in 2011.

Fine Gael and Labour were swept to power on a promise to radically overhaul politics in Ireland. Their 2011 Programme for Government spoke breathlessly of a ‘democratic revolution’. The potential for real political reform looked good. There was a strong sense that politics needed to change in the light of the country’s economic collapse. To that end, an agenda for radical political reform was pushed by all the parties bar none in their election manifestos (Suiter and Farrell 2011), and this coincided with a clamour from wider civil society groups for change. The newly elected government was in the envious position of holding the largest majority in the history of the state, elected with a mandate for radical reform, and faced by a divided and somewhat cowed (at least then) opposition. There was every reason to expect a large-scale overhaul of the political system: the circumstances could not have been more perfect.
Political Reforms in Ireland 2011–16

Before examining the Irish case we need to clarify terms: in particular, what do we mean by ‘political reform’? In its essence this is a change to a political institution (or practice) that is intended to make it operate differently. There are two dimensions to this (see Renwick and Pilet 2014 for more): the size (or extent) of the reform and the mechanism of reform. In terms of size we have, at one extreme, major reforms that have the potential of changing how politics in this area operates, of producing a ‘cultural’ shift in behaviour. A prominent example of this would be the process of federalizing the Belgian system since (p.164) the 1970s. Minor reforms, by contrast, generally involve small changes to an existing institution that may have little if any tangible impact (e.g. a small reduction in the size of a parliament). As we might expect, there are likely to be reforms that lie somewhere between these two extremes. There is also the potential that a series of small coterminous reforms may be ‘bundled’ together in such a way that, in combination, they could have major impact (Bedock 2014).

A second dimension of variation in reforms is over the mechanisms of (or approaches to) reform, which again range between two extremes (Renwick and Pilet 2014). On the one hand, we have constructive approaches to reform that are genuinely and unambiguously aimed at improving the operation of the democratic system; in this instance, the general consensus among the reforms’ observers would be that these are reforms aimed at resolving an identified problem (e.g. the introduction of gender quotas to bring more women into politics). By contrast, distractive reforms are changes that are intended to distract public attention, usually by making reforms that do not (and were not intended to) actually change how things operate. Much like a parent may seek to distract a child’s attention by jangling a set of keys, governments are adept at raising red herrings so as to avoid making changes that could affect their hold over power (e.g. shortening parliamentary summer vacations). A variant of the distractive approach is to push a populist agenda that may satisfy public anger without actually changing how politics operates (e.g. reducing politicians’ pay).
So what was it that needed to be fixed in Ireland? Views on the precise details always differ, but what is apparent from a review of the posts on the Political Studies Association of Ireland’s ‘Irish Politics Forum’ blog (<http://www.politicalreform.ie>) around the time of the 2011 election is that there was a large degree of consensus on the part of the academic community that reforms were needed most of all to address two major problems in Irish politics: a highly centralized system of government and a serious lack in openness and transparency. In combination these were seen to have contributed to the clear failings in the Irish political system in the lead up to the economic crash (more generally, see Hardiman 2012; Farrell 2015a).

The lack of openness and transparency manifested itself in weak freedom-of-information (FOI) legislation, lack of protection to whistle-blowers, and no regulation of lobbyists. When combined with poor regulation of party finance, Ireland had all the ingredients for a political system open to abuse: images of certain ‘Galway tents’ spring to mind. In its turn, the excessive centralization of Irish Government is seen to have a number of features, but most prominent among these are the weakness of the Dáil vis-à-vis government, the fact that TDs (MPs) are distracted from their legislative scrutiny roles due to their (p.165) zealous focus on constituency concerns (Farrell et al. 2016a), and a weak system of local government.

There is no disputing the fact that a lot of reforms were implemented between 2011 and 2016: Figure 9.1 summarizes the main ones (though this is certainly not the full list). Clearly many of these were relatively minor and fall on the ‘distractive’ end of the scale. But there was a grouping of reforms which—if ‘bundled’ together (à la Bedock)—are potentially system changing: gender quotas (which opens up access to politics), the pre-legislative stage (which gives a

**Figure 9.1.** Irish political reforms, 2011-

*Source:* Compiled by author
greater role to Oireachtas committees in scrutinizing draft legislation), and the reforms relating to open government (FOI, whistle-blowers, and register of lobbyists).

For the purposes of this chapter, if we focus on the two key concerns identified—open government and overly centralized government—the reform record of the 2011–16 Fine Gael/Labour Coalition Government was, at best, pretty mixed. On the one hand, there was undoubted progress on the open government agenda, in large part driven by Brendan Howlin as Minister for Public Expenditure and Reform. After a long process of consultation—its longevity at one point sparking concerns over the government’s seriousness of intent—the relevant legislation appeared in a series of steps, the first of which was the passing of the Protected Disclosures Act in July 2014, introducing statutory protection for whistle-blowers. While a welcome move, the extent to which this legislation has been matched by a cultural shift in the (p.166) senior echelons of the public service has yet to be seen. Major public and political controversy over the treatment of whistle-blowers in the Garda (the Irish police force) suggests that much remains to be done in this area.

Within a few months of the passing of the whistle-blowing legislation, the government passed a new Freedom of Information Act that reversed the serious watering down of FOI by the Fianna Fáil–Progressive Democrat Coalition in 2003. The third main plank of the open government regime was the Regulation of Lobbying Act in early 2015, a core feature of which is the creation of a register of lobbyists. Whereas it could be said of FOI and whistle-blowing legislation that Ireland is playing catch up with its European counterparts, the register of lobbyists places Ireland somewhat more at the vanguard (Chari, Hogan, and Murphy 2010). Overall, these three pieces of legislation place Ireland on a par with open government trends in other European democracies (Cain, Dalton, and Scarrow 2003), with the government’s intent in this regard buttressed by its active engagement, since July 2014, in the international Open Government Partnership programme (<http://www.opengovpartnership.org>) that is operating in over sixty countries around the world.
One additional plank of the open government agenda was a tightening up of regulatory controls relating to party finance—in this instance a reform introduced by Phil Hogan in 2012 when he was the Minister for the Environment. A series of damning findings in costly judicial tribunals investigating Irish party finance raised serious concerns over political corruption in high places (Byrne 2012a), prompting the newly elected government to pass fresh legislation that, in principle, was designed to plug serious gaps in the regulation of party funding. But whatever the government’s intent, many problems remain, to the extent that its most recent annual report, as in every annual report that preceded it, the Standards in Public Office Commission (SIPO)—the body responsible for monitoring party finance—called for greater clarity in party accounts:4 many of the details of the income and expenditure of Irish parties remain unknown and unmonitored.

If the news on the open government agenda is generally good, the same cannot be said for reforms relating to reducing the excessive centralization of Irish Government. For all the rhetoric around Oireachtas reform, the situation remains that Ireland has one of the weakest parliaments in Europe. The bulk of the reforms implemented—for example, relating to Dáil hours, ministerial pay, and numbers of committees—were more cosmetic than substantial, more key-jangling distractive (or populist) than the constructive reforms needed to address the imbalance between executive and legislature that characterizes politics in Ireland. The singular exception to this has been the introduction of (p.167) a ‘pre-legislative’ stage in the scrutiny of legislation, giving parliamentarians greater scope to persuade the Minister to take on board suggestions for amendment. This is a reform that has long been called for (e.g. MacCarthaigh and Manning 2010) and already it is making a difference in giving parliamentary committees greater influence over the fine-tuning of draft legislation.

In addition, there were some last-minute changes—passed in the dying days of the Dáil session—that were to presage a fresh round of Dáil reforms in the subsequent parliament elected in early 2016. The government held a vote to change parliamentary standing orders to make two key changes, namely: that the next Ceann Comhairle (Speaker) of the Dáil will be elected by secret ballot (modelled on the procedure used in the UK House of Commons), and that committee chair
positions should be allocated proportionally using the d’Hondt formula (similar to the process used in the European Parliament). Both of these changes wrest power from the Taoiseach and the governing parties. The precise reason for these late reforms is unclear, but it is speculated that one factor may have been a desire on the part of the Fine Gael Party to pre-empt moves by others to wrong-foot them on this agenda in the lead up to the election.\(^5\)

In general, then, the 2011–16 Fine Gael/Labour Coalition Government did produce some reforms, but were they enough? Certainly one feature that stood out was the government’s proclivity to pat its own back with annual statements on progress in implementing its Programme for Government.\(^6\) But once we drill down into what actually changed, things were not as impressive as they may seem. Apart from the pre-legislative stage and the last-minute changes relating to the Ceann Comhairle and the committee chairs, little was done to address the serious power imbalance between government and parliament: Irish political power remains as highly centralized at the top as it has always been (Döring 2002; MacCarthaigh 2005).

In short, a large portion of the reforms was towards the distractive end of the scale (Figure 9.1). In some instances, the reform process was started so late that there was little chance of it being concluded before the end of the government’s term of office: a prominent example of this was the move to establish an electoral commission. This form of election management body, which is common to most democracies (Massicotte, Blais, and Yoshinaka 2004), is something that successive Irish Governments have promised, but never delivered (Farrell 2015b). All this was supposed to change with the election of the Fine Gael/Labour Government, but nothing transpired until after the Irish Constitutional Convention (discussed in the next section of this (p.168) chapter) recommended that an electoral commission should be established, thus putting it back on the political agenda. But by the time the government got around to addressing this it was in the closing months of the government’s term, meaning that the issue never got any further than the preliminary phase of a parliamentary report. In short, the government quite deliberately ran out the clock on this reform.
Another feature that stands out about the government’s reform agenda was the distinct lack of joined-up thinking, as manifested in a number of respects: the fact that some ministers (most notable among them Brendan Howlin) were more proactive on the reform agenda than others; reforms that moved in differing directions (e.g. a supposed agenda of decentralizing government coinciding with efforts to kill off one of the houses of the legislature) or haven’t done what they say on the tin (a local government reform agenda whose ambition to bring local government closer to the people actually resulted in a drastic reduction in the number of councillors); or inexplicable differences in the routes taken to progress reforms (a good example being the insistence of the government to call a referendum on Seanad abolition without allowing any prior consultation, very different from the intense consultation on its open government agenda).

The 2011–16 government’s record on introducing substantial reforms to Irish politics was, at best, mixed. But in one important respect there was an undoubted innovation over the creation of a new type of citizen-oriented forum to discuss a series of reform measures: this was the Irish Constitutional Convention.

Ireland as a Trailblazer: The Irish Constitutional Convention, 2012–14

In late 2012, the Irish Government took the long-anticipated step of establishing the Irish Constitutional Convention (<http://www.constitution.ie>), whose first formal session was held on the weekend of 26–27 January 2013. Internationally there have been plenty of examples over the years of the involvement of citizens in debates over constitutional reform, whether by giving them a voice in referendums or public initiatives, or by allowing them to run for election as members of a convention (a recent example being Iceland’s constitutional council of 2011). Ireland’s Constitutional Convention also included citizens as members, but it is the nature of how these citizens were selected to participate and how the process was run that is of particular interest. There are a small but growing number of cases in which governments have opted to follow ‘deliberative principles’, selecting citizens at random (p.169) rather than by election and managing the discussions along deliberative lines (Farrell 2014).
Irish policymakers were influenced by the citizens’ assemblies on electoral reform in the Canadian provinces of British Columbia (2004) and Ontario (2007), and the Dutch citizen’s forum (BürgerForum) of 2006 (Fournier et al. 2011). In all these cases the citizen members were selected at random rather than running for election, and deliberation was the modus operandi. This is constitutional reform by ‘mini-public’.

The Irish Constitutional Convention emerged out of a compromise between Fine Gael and Labour, both of which had included in their 2011 election manifestos proposals for establishing citizen-oriented forums to discuss possible constitutional reforms in a number of areas. In Fine Gael’s case the proposal was specific: for a British Columbia-style citizens’ assembly to consider electoral reform. Labour’s plan was more ambitious: it proposed the establishment of a Constitutional Convention (made up of equal proportions of politicians, experts, and ordinary citizens) to consider a root and branch review of the Irish Constitution.

In forming the coalition government, the parties sought to marry their sometimes quite disparate manifesto promises, resulting in the promise to establish a Constitutional Convention to examine eight specific issues:

- Reduction of the presidential term of office to five years;
- Reduction of the voting age to 17;
- Review of the Dáil electoral system;
- Irish citizens’ right to vote at Irish embassies in presidential elections;
- Provisions for marriage equality;
- Amendment to the existing clause in the Irish Constitution on the role of women in the home and encouraging greater participation of women in public life;
- Increasing the participation of women in politics; and
- Removal of the offence of blasphemy from the Constitution.

This somewhat eclectic mix of items, from the relatively mundane issue of the length of office of the Irish President to the potentially explosive issue of marriage equality, merely reflected the decision of the inter-party negotiators to ‘park’
certain matters in their respective election manifestos that were unlikely to be resolved easily during their febrile and intense negotiations. They were up against the (largely media-driven) clock to conclude the negotiations and establish a government, so what better way to deal with these matters then wrap them all together and give them to the Constitutional Convention to consider.

Table 9.2. Assessing the ICC in terms of outcomes
<table>
<thead>
<tr>
<th>Topic</th>
<th>ICC Output</th>
<th>Government Reaction</th>
<th>Action?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Reduction of Presidential Term</td>
<td>Three recommendations</td>
<td>Government accepted two; rejected one</td>
<td>Referendum defeated May 2015</td>
</tr>
<tr>
<td>2. Reduce Voting Age</td>
<td>One recommendation</td>
<td>Government accepted this</td>
<td>Referendum was promised for 2015; now ‘deferred’</td>
</tr>
<tr>
<td>3. Role of Women in Home/Public Life</td>
<td>Two recommendations</td>
<td>Ministerial task force to investigate further</td>
<td>Task force ‘in progress’</td>
</tr>
<tr>
<td>4. Increasing Women’s Participation in Politics</td>
<td>Three recommendations</td>
<td>Ministerial task force to investigate further</td>
<td>Task force ‘in progress’</td>
</tr>
<tr>
<td>5. Marriage Equality</td>
<td>Two recommendations</td>
<td>Government agreed to referendum and to supporting legislation</td>
<td>Referendum passed (May 2015) and legislation passed</td>
</tr>
<tr>
<td>6. Electoral System</td>
<td>Ten recommendations</td>
<td>Government promised to establish an electoral commission and to task it with addressing four of the other recommendations; remaining five recommendations rejected</td>
<td>Oireachtas Committee on the Environment published a report (January 2016) supporting electoral commission establishment</td>
</tr>
<tr>
<td>7. Votes for Emigrants/ N. Ireland Residents in</td>
<td>One recommendation</td>
<td>To be investigated further</td>
<td>Still in progress</td>
</tr>
<tr>
<td>Topic</td>
<td>ICC Output</td>
<td>Government Reaction</td>
<td>Action?</td>
</tr>
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<tr>
<td>Presidential Elections</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>8. Blasphemy</td>
<td>Two recommendations</td>
<td>Government has agreed to principle of referendum, but no date set</td>
<td>No action taken</td>
</tr>
<tr>
<td>9. Dáil Reform</td>
<td>Thirteen recommendations</td>
<td>Government accepted three; rejected two; and gave ambiguous responses to the rest</td>
<td>Standing order changes were made relating to the three accepted recommendations</td>
</tr>
<tr>
<td>10. Economic, Social and Cultural Rights</td>
<td>Two recommendations</td>
<td>To be investigated further</td>
<td>Still in progress</td>
</tr>
</tbody>
</table>


It was to take a further eighteen months before the Constitutional Convention was finally established—at the end of 2012—with its work programme starting in early 2013. It was given a small budget and a deadline of one year to [p. 170](#) conclude its work. Chaired by Tom Arnold (the former chief executive of the development charity Concern), the other ninety-nine members of the convention consisted of sixty-six citizens and thirty-three elected legislators. Whereas the parties could determine by themselves how to select their members (with the parties’ allocations proportionate to their representation in parliament), the citizen members were selected at random by a survey company, which had the brief of ensuring that the membership was a fair reflection of the population in terms of gender, age, region, education, and socioeconomic status.
Analysis of the process of discussion and deliberation of the convention reveals a high degree of success (Suiter et al. 2016), but how might we judge the convention in terms of its outcomes?

A core criticism of the convention from the outset was its agenda, which was seen, at the same time, as too limited and overly crowded (e.g. Byrne 2012b). More to the point, specific matters of constitutional reform that were also on the government political reform agenda (e.g. children’s rights, or abolition of the upper house of parliament) were not included on the list of items. While the latter is undoubtedly true—speaking once again to the lack of joined-up thinking on the reform agenda discussed in the previous section, ‘Political Reforms in Ireland 2011–16’—the former complaint over the constrained agenda was in large part dissipated by the inventiveness with which convention members interpreted their agenda. As Table 9.2 shows, the agenda of eight specified topics was to ultimately result in no less than forty-one separate recommendations for reform.

But for all that effort, ultimately it was up to the government to determine how it would respond to these recommendations, and it proved slow to do so—responding to the final reports on the eve of the 2016 election. In the end, the government formally accepted just seven of the recommendations—the most prominent of which was the strong endorsement by the convention of a proposed referendum on marriage equality. It was the furore around the convention endorsement that forced the hand of a socially conservative Taoiseach (Collins 2015), and the strong degree of cross-party support engendered by having representatives of all the parties in the membership, that ensured that this referendum question was asked and that it received all party backing. (p.171) (p.172) In both of those senses the convention proved decisive. And, in one other respect, the convention was also to prove important: that was over the decision of voters to vote in favour on polling day. Multivariate analysis of survey data gathered in an opinion poll directly after the referendum shows a statistically significant association between knowledge of the convention and the decision to vote Yes (Elkink et al. 2015).

But the significance of the Irish Constitutional Convention is less over the reforms it may or may not manage to get through the political system. The bigger point is the very fact that it
was established, how it was designed, and how it operated. Apart from Canadian provincial and the Dutch cases, this is a world first as a mini-public form of Constitutional Convention. And, in the light of the marriage referendum result, it is certainly the first time in the world that a process of deliberation involving at its heart a random selection of ordinary citizens has resulted in actual constitutional change. For this at least the government deserves some plaudits.

Conclusion
The coalition government elected in 2011 was presented with an historically unprecedented opportunity to introduce real and sustained reforms to how politics operates in Ireland. It was elected with the largest majority in the history of the state, on an agenda of large-scale political reform, facing a divided opposition (that nevertheless included parties that also favoured reform), and with a strong mood in the country that politics needed to change. The government appeared to rise to the challenge, promising a ‘democratic revolution’. Its much-trumpeted Programme for Government set out an ambitious agenda for change and renewal. The Irish people were told that:

[N]ew ways, new approaches and new thinking will form the constant backdrop to the coalition’s style of governance. In all the major areas of public life this determination to modernise, renew and transform our country will be evident over time as our shared programme is implemented. … [T]here is a clear need for our political system to embrace change, share the burden and lead by example. Every section of our society is facing hardship. Our political system, if it is to regain credibility and relevance, must change too.  

As we have seen throughout this chapter, in some important areas progress was made, notably on the implementation of the ‘open government’ agenda, the introduction of gender quotas, and some facets of the parliamentary reform programme. The establishment of the Irish Constitutional Convention (p.173) was also a bold move—even if the subsequent follow through was far less bold. These are undoubted examples of constructive reforms, the intent behind them being to improve how politics and the political system operate in Ireland.
But after that the list starts to look rather threadbare. As a result of five years of government reforms Ireland now has a Dáil that sits for slightly longer hours (but does little more with that time than it did before). It has ministers using private chauffeurs instead of state cars to ferry themselves around (yet the state still picks up the tab for the chauffeurs). Ireland has seen a cut in politicians’ pay, a slight reduction in their number in the Dáil, a large reduction in their number at local level, and a failed attempt to kill off one of the houses of parliament that would have reduced their number still more. What all these examples—and more—share in common is that they are distracting attention from the true reforms that are needed, and that had been promised. Ireland continues to have one of the weakest parliaments and one of the least accountable systems of government among Europe’s established democracies. The weaknesses that were inherent in the Irish political system in the lead up to the economic crisis remain to this day. Given the unprecedented circumstances the government found itself in, this is especially regrettable. In its Programme for Government, the coalition could not have been clearer in expressing the view that if the political system ‘is to regain credibility and relevance, [it] must change too’. The fact that it did not may well have been one of the factors behind the coalition’s poor electoral performance in 2016.

As we have seen (in the section entitled ‘Earthquakes and Revolutions?’), the 2011 general election proved costly for the Fianna Fáil/Green Coalition Government, but the outcome was only to be expected given the economic crisis that was unfolding at that time and the clear finger of blame that could be pointed at the outgoing administration. But there was reason to believe that things would be different in 2016.

Throughout 2011–16, one of the conundrums that puzzled outside observers of the Irish scene was the lack of social unrest, the reluctant yet stoical willingness of Irish citizens to take the hard medicine of austerity that was a core requirement of the EU/International Monetary Fund (IMF) bailout programme, and the cross-party consensus among all the established parties over the need to implement the austerity programme (even if there were differences over the details). Ireland was to become the poster child for austerity: the Taoiseach was lauded from Berlin to Davos for his leadership in steering his country out of its economic mess.
With all the main economic indicators falling nicely into place (economic growth, declining unemployment, bumper tax receipts, debt starting to fall back towards sustainable territory) there seemed good reason for the government to expect a strong performance in the election. Certainly the poll trends were good for Fine Gael; the party was in striking distance of its 2011 vote and the momentum was in the right direction. For Labour, the polls were more worrisome, but the government parties expected that voters would flock back to them as polling day drew near.

The predictions proved very wrong: both parties lost heavily—with Fine Gael’s vote plummeting by 10 percentage points to just over 25 per cent (barely 1 percentage point more than a resurgent Fianna Fáil), and Labour barely managing to hold enough seats to remain politically relevant. What is apparent is that the government badly misjudged the political mood. They (most particularly Fine Gael) fought a campaign focused on tax cuts that left them open to criticism by economic commentators that they were damaging their brand as prudent managers of the economy. The proposal was also out of step with public opinion. An exit poll for the national broadcaster, Radio Telefís Éireann (RTÉ), revealed that voters attached more importance to greater expenditure on social services than to tax cuts.

The outcome of the election was political stalemate: the two established parties that have long dominated Irish politics—Fine Gael (with 25 per cent of the vote) and Fianna Fáil (24 per cent)—remain the largest parties in the Dáil, but neither has enough to form a government without the other and neither want to form a coalition together. The forces ranged against them—the largest of them Sinn Féin (at just under 14 per cent)—are too divided and in any event have insufficient seats to form a government. The outcome, after an unprecedentedly long period of inter-party negotiations, was the creation of a minority Fine Gael government including some independent TDs as members and reliant on the support of Fianna Fáil for votes on ‘supply and confidence’ matters. The expectation (at the time of writing) is that this government is unlikely to last long.

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References

Bibliography references:


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Notes:
These were receptions held during the annual Galway race meetings by Fianna Fáil and reputedly attended by major builders and developers.


As an illustration, see <http://www.taoiseach.gov.ie/eng/Work_Of_The_Department/Programme_for_Government/>.

As Alan Shatter (who, as Minister for Justice, had formally announced to the Dáil the government’s decision to accept the convention’s recommendation) observed in a radio interview: ‘The constitutional convention, which produced a recommendation that all parties in the Oireachtas supported, which took—if I could put it this way—the party politics out of this, meant that we had a conversation about the real human dilemmas of individuals affected by our laws. I think that was the key to the outcome of the referendum’ (interview on RTÉ, Morning Ireland, 25 May 2015). Similarly, the Minister for Foreign Affairs, Charlie Flanagan, was of the view that the referendum campaign would have been ‘much more divisive’ but for the convention (quoted in Mullally 2014: 243).