

**ETHNIC CONFLICT AND ITS RESOLUTION: THE NEW  
NORTHERN IRELAND MODEL**

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## ABSTRACT

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### **ETHNIC CONFLICT AND ITS RESOLUTION: THE NEW NORTHERN IRELAND MODEL**

The agreement reached between the British and Irish governments and the Northern Irish political parties in April 1998 was a complex and subtle political document that built on experience in other societies and that itself has some capacity to serve as a model for others. This paper begins by examining the nature of the problem that the new settlement is designed to resolve, commenting briefly on the extent to which it shares common features with other cases of ethnic conflict. It proceeds by describing the contours of the process by which a successful accommodation was arrived at, and concludes with an analysis of the central features of the settlement. In addition to their three-part constitutional core, these included wide-ranging compromises in the areas of equality and citizenship, rights, reform of policing and of the criminal justice system, prisoner release, and demilitarisation and decommissioning of paramilitary weapons.

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## BIOGRAPHICAL INFORMATION

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**John Coakley** is lecturer in politics at University College Dublin and director of the Institute for British-Irish Studies, and former secretary general of the International Political Science Association (1994-2000). His publications include *The social origins of nationalist movements* (editor, Sage, 1992); *The territorial management of ethnic conflict* (editor, Frank Cass, 1993); and *Politics in the Republic of Ireland* (co-editor, 3rd ed., Routledge, 1999).



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# ETHNIC CONFLICT AND ITS RESOLUTION: THE NEW NORTHERN IRELAND MODEL

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## 1. INTRODUCTION

The closing weeks of the twentieth century witnessed a remarkable set of developments in one of the world's long-standing arenas of ethnic conflict, Northern Ireland. After 27 years of direct rule from London, devolved institutions of government were restored, but in a form that would have been scarcely recognisable in the early 1970s. The government that went out of existence in 1972 had been made up almost entirely of unionists (representing the province's Protestant population).<sup>1</sup> The new administration was made up of an equal number of nationalists (representing the Catholic population) and unionists. Furthermore, the new nationalist ministers included two members of the republican movement whose paramilitary arm, the IRA, had fought a long battle against British rule that ended only in 1994. To complete the picture, a complex set of institutions linking Northern Ireland with the Republic of Ireland and drawing together the various components of the British Isles was put in place.

All of this was part of a comprehensive package of constitutional and political compromises agreed on 10 April 1998, in an extraordinarily complex pact between parties and governments known as the "Good Friday" or Belfast agreement. It took more than a year and half for the details of implementation of the agreement to be hammered out, and even then the new political institutions were less than secure. They came into effect in December 1999, were suspended on 11 February 2000 and restored again on 30 May 2000. Notwithstanding the potential instability of the new institutions, it is clear that the set of principles on which they are based is likely to constitute a reference point for the foreseeable future.<sup>2</sup>

Whatever the immediate political outcome, then, the Northern Ireland case is of particular interest from a comparative perspective, given the pressing need for the identification of structures that may lead towards the accommodation of sharply conflicting ethnic loyalties. It is worth exploring the significance of developments in this case further, and in doing so three broad sets of questions need to be tackled.

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<sup>1</sup> The only exceptions were a pro-union member of the Northern Ireland Labour Party appointed in 1944, another member of the same party in 1971, and a pro-union Catholic, also appointed in 1971 (Birrell and Murie 1980: 33-34).

<sup>2</sup> For a directory-style background to the conflict in Northern Ireland, see Elliott and Flackes 1999; the 1998 agreement is discussed in greater detail in Wilford 2001 and Wilson 2001.

- First, what is the *nature of the problem* that the new settlement is designed to resolve? To what extent does it share common features with other cases of ethnic conflict?
- Second, what are the *contours of the process* by which a successful accommodation was arrived at? Do these imply lessons for other instances of ethnic conflict?
- Third, what are the *central features of the settlement* that has secured such apparently widespread acceptance? To what extent do they amount to a model that could be transposed to other contexts of ethnic conflict?

The following sections examine these questions in turn.

## 2. THE NATURE OF THE NORTHERN IRELAND CONFLICT

As in all instances of ethnic conflict, the definition of the Northern Ireland “problem” lies in the eye of the beholder. For Northern Ireland Protestants, it has been seen for long as an issue of self-determination: the predominantly British population of Northern Ireland, part of the United Kingdom, has been subjected to a double threat, from an annexation-bent Republic of Ireland to the south and from the Republic’s fifth column, Northern Ireland’s Catholic minority. For Northern Ireland Catholics, it has also been seen as an issue of self-determination: the people of all of Ireland had opted in the 1920s to assert their independence of the United Kingdom, but a Protestant minority concentrated in Ulster, the most northerly of Ireland’s four provinces, had, with British assistance, opted out and established their own gerrymandered enclave, incorporating within this reluctant Catholics who were deprived of both national and civil rights (for a range of interpretations, see Alcock 1994; McGarry and O’Leary 1995; O’Leary and McGarry 1996; Ruane and Todd 1996; Whyte 1990).

This oversimplified summary of the perspectives of the two communities must be modified by noting the wide range of variants on these within the communities themselves and also on the part of the two major external actors—the Republic of Ireland and Great Britain. Before considering these perspectives further, however, it is appropriate to examine three background factors: the historical roots of the conflict, the balance of political forces within Northern Ireland, and the interaction between demographic and political cultural factors that has altered the character of the relationship between the communities.

### ***The genesis of the conflict***

In some respects, the seeds of the Northern Ireland conflict may be traced back to the Norman invasion of Ireland in the twelfth century, which led to the island’s incorporation in a loose political entity dominated by the Kings of England. From the late sixteenth century the links binding Ireland to England were tightened, as nominal English rule was superseded by the reality of decisive political control. Successive Irish rebellions and the limited success of experiments in what would later elsewhere be called indirect rule led to a more aggressive policy designed to se-



cure political and military gains: that of colonisation. Throughout Ireland Gaelic chiefs were replaced by a new English or anglicised nobility, and ambitious “plantation” schemes, most successful in the northern province of Ulster, led to the settlement of large numbers of English and Scottish colonists. The fact that the new arrivals were overwhelmingly Protestant while most of the natives remained Catholic resulted in a very visible coincidence between ethnic background and religion.

The new Protestant ruling class survived two major challenges from the Catholic Irish in the seventeenth century, and its self-confidence was reflected in the enthusiasm with which it protected the autonomous Irish institutions—which had survived in Dublin since medieval times—against interference from London. The most important of these, the Irish parliament, was, however, abolished in 1800, when a new, more centralised state, the United Kingdom of Great Britain and Ireland, came into existence.

The processes of social change and political modernisation in the nineteenth century led to fractures in the apparently stable system established in 1800. An Irish Catholic movement, initially (in the 1820s) seeking to redress abuses in the area of civil rights, was replaced (in the 1840s) by a series of movements demanding national rights. From the 1880s onwards, these were transformed into a mass movement for Irish autonomy, fuelled by agrarian and other social grievances and led by an electorally all-powerful Irish Nationalist Party. The response of the British (or at least of British Liberal governments) was to prepare for the inevitable: concession of autonomy for Ireland. But the proposed reintroduction of autonomous Irish institutions ran up against forceful opposition. The British Tory establishment was outraged, and imperialist sentiment argued strongly against a concession that might jeopardise British rule elsewhere in the Empire. Irish Protestant opinion was also deeply hostile, and began to organise politically to oppose Irish autonomy. This movement was at its most forceful in the North East (or East Ulster), where Protestant settlement in the seventeenth century had been most intense. There, the Ulster Unionist Party managed to secure the support of the great bulk of the Protestant population behind its political programme, and this was supported in its final stages by a large paramilitary force, the Ulster Volunteers, committed to opposing Irish autonomy, if necessary by force.

For many years, the outcome of the clash between these positions was stalemate. It was only in 1914 that the principle of Irish autonomy was translated into formal existence, and even then its implementation was deferred due to the outbreak of war and Irish Protestant opposition. The failure of the Irish Nationalist Party to deliver autonomy after a 40-year struggle allowed an opening to more radical forces. A new militant nationalist movement, Sinn Féin (which means literally “we ourselves”, implying a policy of self-reliance), replaced the Nationalist Party as the voice of the Catholic Irish at the general election of 1918. Following a campaign of civil disobedience and a guerrilla war in 1919-21 waged by Sinn Féin’s military wing, the Irish Republican Army (IRA), the British agreed to a much more substantial measure of autonomy. A new state, the Irish Free State, came into existence in 1922 as a separate member of the British Commonwealth.

While Sinn Féin was unhappy with the new arrangement because of the continuing links between the Irish Free State and Great Britain, it was also concerned with a second issue: the partition of Ireland. Even before the Irish Free State had come into existence, the British had created a predominantly Protestant enclave, Northern Ireland, and given it autonomy within the United Kingdom. Northern Ireland included Ireland's four predominantly Protestant counties, but it also extended over two predominantly Catholic counties that had large Protestant populations. The outcome was a new state of Northern Ireland that had a population of approximately one and half million, of whom two thirds were Protestant and one third was Catholic.

Subsequent decades were to see constitutional evolution in the South and stability in the North. The Irish Free State began to dismantle its links with the UK, and in 1937 adopted a new constitution that dropped all reference to the King and the Commonwealth and that included a statement that its "national territory" covered the whole island of Ireland. Finally, in 1949 it departed from the Commonwealth and became the Republic of Ireland, further weakening links with Northern Ireland. In the meantime, Northern Ireland, though formally part of the United Kingdom, enjoyed the trappings of an autonomous state. But in the devolved parliamentary institutions in Belfast, the Ulster Unionist Party had a permanent majority over the Nationalist Party (which had survived in Northern Ireland and acted as the voice of the Catholic minority). The Northern Ireland government was entirely dominated by the Unionist Party, and the police were overwhelmingly Protestant.

### ***The transformation of the party system***

It is conceivable that the 1921-22 settlement might have endured, since lines drawn on a political map, even if initially artificial, can come over the generations to acquire a real social significance. However, Catholic grievances within Northern Ireland were sustained and, indeed, aggravated by the policies and measures pursued by Protestants to maintain their hegemony. These included discriminatory practices in employment and in public sector housing allocation, biased provisions for local elections, a powerful paramilitary police force backed up by an all-Protestant police reserve, and stringent public order legislation (Whyte, 1983).

Ironically, when the civil conflict began in 1968, Catholic demands focused modestly on civil rights; at the time, the national question was seen by large numbers of Catholics as a lost cause (Rose, 1971: 213-4). The civil rights campaign of 1968-69 resulted in dramatic formal concessions by the Northern Ireland government, many of them brought about by increased British government intervention. But it also had other consequences: to Catholics it demonstrated the vulnerability of the state, while to many Protestants it showed the ubiquity of the Catholic threat. The ultimate result was a regrouping of forces on the two sides.

On the Catholic side, the old Nationalist Party was seriously challenged by political developments. It had traditionally stood for Irish unity as a single central issue (see Phoenix 1994). By 1970 it was clear that in this it had utterly failed, and it was replaced by an outgrowth of the civil rights movement, the Social Democratic and La-

bour Party (SDLP). The new party's name was significant. Matching the spirit of the times, it projected itself as a left-leaning party that could appeal to both communities (see McAllister 1977: 55-65). In reality, its support was confined overwhelmingly to the Catholic community; but its position on the question that most divided the two communities was far removed from that of the old Nationalist Party. Instead of simply opposing partition and demanding a united Ireland, it has stood since its early days for two characteristic principles that imply acceptance of partition at least in the short and medium terms: a new form of government for Northern Ireland that would require the sharing of power by the two communities, and recognition of the Irish identity of the Catholic minority by provision of an institutionalised "Irish dimension" that would link Northern Ireland with the Republic of Ireland. The compatibility of these objectives with British and Irish government stances, together with the international influence of the party leader since 1979, John Hume, placed the SDLP in a highly influential position in determining the shape of the future Northern Ireland.

The SDLP enjoyed a near-monopoly of the Catholic vote in its first decade of existence, but it then faced a more militant challenge within its own community. Although the radical movement of the beginning of the twentieth century, Sinn Féin and its paramilitary ally the IRA, had been substantially absorbed by the new state in the South (indeed, they formed the core of the southern political system), more uncompromising elements had remained so committed to the ideal of a united Irish republic that they rejected the northern and southern states alike.<sup>3</sup> Enjoying little popular support, this rather marginal fundamentalist Sinn Féin movement began a move to the left in the 1960s while simultaneously sidelining the strategy of armed confrontation with the British. Sinn Féin and the IRA were thus unprepared for the outbreak of inter-communal strife in Northern Ireland after 1968, and led to a division in the movement. By the beginning of 1970 both the political and the paramilitary organisations had split, and the long campaign of violence waged by the secessionist "Provisional IRA" was about to begin (the "Official" IRA eventually withered away). The IRA campaign against the British security forces intensified in the mid-1970s and continued through the 1980s, but resulted essentially in a military stalemate: by the early 1990s it was clear that the British could not defeat the IRA, but also that the IRA could not force the British to withdraw from Northern Ireland. The IRA's political wing, Sinn Féin (led by Gerry Adams since 1983), acquired increased prominence in the 1980s and began to challenge the SDLP's position of electoral dominance within the Catholic community.<sup>4</sup> It was typically able to win ap-

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<sup>3</sup> In 1922 the movement split, its more moderate wing going on to form the first government in the South (now represented by Fine Gael, the state's second largest party); the more radical wing rejected the political settlement, resulting in a civil war in 1922-23. The radicals in turn split once more in 1926, with a pragmatic majority establishing a new party, Fianna Fáil, that is now the largest in the state. The militants retained control of the organisation and the name Sinn Féin, but were electorally insignificant.

<sup>4</sup>The "Official" Sinn Féin party changed its name to Sinn Féin The Workers' Party in 1977 and became simply the Workers' Party in 1982. "Provisional" Sinn Féin is now known as "Sinn Féin"; see O'Brien 1995.

proximately 40% of the nationalist vote in the last two decades of the twentieth century.

On the Protestant side, the Ulster Unionist Party had become the party of government in 1921 and retained this position without interruption for more than 50 years. However, following the outbreak of civil unrest in 1968 it became increasingly clear to the British that the Unionist government was incapable of containing the conflict, and the whole edifice of devolved government for Northern Ireland was ended in 1972. The Prime Minister of Northern Ireland was replaced by a British cabinet minister, the Secretary of State for Northern Ireland; the Northern Ireland ministers were replaced by a smaller number of British junior ministers; and the Northern Ireland parliament came to an end. The erosion of Protestant power that culminated in this collapse placed huge strains on the Unionist Party, as individuals and factions began to abandon it and to move either to more moderate or to more radical alternatives. Nevertheless, the party itself survived as the largest political bloc within the Protestant community and its leader (since 1995, David Trimble) has for long been seen as the principal voice of that community.

The most significant challenge to the official Unionist Party has come from those who allege that it has aggravated the problem by meeting Catholic demands with compromise rather than commitment to traditional unionist principles. By far the most powerful opposition from within the Protestant community has been articulated by Rev Ian Paisley, a clergyman strongly opposed to any form of “surrender” to Catholic demands. Paisley’s Democratic Unionist Party, founded in 1971, had by the mid-1970s become a serious electoral challenge to the Ulster Unionist Party. In addition, mimicking IRA tactics, two Protestant paramilitary groups, the Ulster Volunteer Force (UVF, founded 1966) and the Ulster Defence Association (UDA, founded 1971) began a campaign of counter-terror in the 1970s and also later entered the electoral arena, though with little of the success of their rivals on the other side of the ethnic divide.

**Table 1. Party strength in Northern Ireland elections, 1921-98\***

Party	1921	1965	1973	1982	1998
Sinn Féin	11.5	.	.	10.1	17.6
SDLP	.	.	22.1	18.8	22.0
other nationalist	11.5	21.2	3.2	0.3	.
centre and others	.	9.6	12.8	12.3	12.8
Ulster Unionist	76.9	69.2	29.3	29.7	21.3
Democratic Unionist	.	.	10.8	23.0	18.1
other unionist	.	.	21.9	5.8	8.2

\*share of seats in elections to the House of Commons, 1921 and 1965; share of first preference votes in elections to the Assembly, 1973-98

The relative strength of the Northern Ireland parties is illustrated in table 1 for selected elections: those to the first and last “normal” elections to the Northern Ireland House of Commons, and to three domestic assemblies that have been created

since the collapse of the old system of government. The 1965 result is typical of election results under the old regime—a carve-up between an overwhelmingly dominant Unionist Party and a small Nationalist Party. The 1982 result ushered in the typical pattern of the last two decades of the twentieth century, with intense intra-bloc competition between two large parties on either side, and a weak and declining centre represented mainly by the biconfessional Alliance Party.

### ***Demographic and political cultural change***

One of the most striking features of Northern Ireland's recent electoral history, to be observed also in table 1, is the steady increase in the combined nationalist vote. In the elections of the 1970s, this was 25.8 per cent, and it climbed to 31.3 per cent in the 1980s (Mitchell 1999: 102). By the 1990s the corresponding figure was 38.3%. Two factors appear to account for this: a marked increase in the Catholic share of the population, and an increased capacity on the part of the two main nationalist parties to mobilise the Catholic electorate.

For decades, the proportion of Catholics in the population hovered around the 35 per cent mark (34.8 in 1901, 33.5 in 1926, 34.9 per cent in 1961). It was known, however, that the rate of natural increase of the Catholic population was significantly greater than the Protestant rate, a circumstance which, other things being equal, would have led eventually to a Catholic majority. But other things were not equal: a lower position in the social hierarchy and an unfavourable political position were associated with a relatively high emigration rate on the part of Catholics. In more recent decades, this position has been changing. Although it is more difficult to interpret census data because of the large proportion withholding information on religious affiliation, it appears that the proportion of Catholics has risen from about 37 per cent in 1971 to 42 per cent in 1991. Furthermore, this increase has been very visible, as the religious composition of local districts has changed steadily. It is predicted that even the capital of Northern Ireland, the city of Belfast, in which Catholics were once a small minority, will shortly have a Catholic majority. The composition of the school-going population is a pointer to the future: by 1991, 53 per cent of those aged less than 16 were Catholics.

Linked to the consolidation of the Catholic demographic position has been a noticeable flexing of Catholic political muscle. By the late 1990s, the willingness of Catholics to vote for one or other of the two nationalist parties was apparently much greater than it had been at the beginning of the 1970s. At the same time, the opposite trend was true of the Protestant electorate. There have been signs of a growing disenchantment with the mainstream unionist parties on the part of many middle-class Protestant voters, reflected in an unwillingness to turn out on election day. Ironically, then, although much of the evidence is impressionistic, it appears that precisely as alienated radical nationalists have been mobilised into conventional forms of electoral politics, moderate unionists have been detaching themselves from their traditional party.

The meaning of this pattern of electoral behaviour needs to be interpreted carefully. Survey evidence has shown consistently that Protestants are close to unanimity in

their support for maintenance of the union with Great Britain: in five surveys over the period 1989-94, 92 per cent on average favoured this option, as opposed to 5 per cent supporting a united Ireland. Catholic opinion is much more divided: the same data show support for a united Ireland at an average of 55 per cent, with 32 per cent preferring to maintain the union (calculated from Breen and Devine 1999: 61). On the other hand, survey evidence for approximately the same period shows a hardening in negative Catholic attitudes towards the state of Northern Ireland, while Protestant support for the state intensified (Hayes and McAllister 1999: 36). This polarisation is likely to have been a further factor in reinforcing sectarian voting patterns, and to have contributed to the erosion of the already weak centre.

There has been another side to this new pattern of Catholic mobilisation. It appears that the articulation of the nationalist programme has become more flexible. Analysis of recent statements, speeches and other public utterances of SDLP leader John Hume and leading members of Sinn Féin and the IRA suggests that Hume's political programme is now expressed in terms that qualify notions of self-determination and nationalism by those of inclusiveness and transnationalism, and that Sinn Féin and the IRA have proceeded some distance down this path. By abandoning the hard rhetoric of traditional nationalism, they have created a space (however narrow) for a compromise settlement with the other community (Todd 1999).

### ***The perspectives of the major actors***

Let us conclude this review of the nature of the Northern Ireland problem by looking at the differing perspectives of the major actors or groups of actors. How may we identify these? We may oversimplify by assuming that four different interests are present: the two communities in Northern Ireland, the Republic of Ireland, and Great Britain. Each of these entities of course may be further subdivided (for example, three principal political parties in Great Britain and in the Republic of Ireland—not to mention different national groups within the former—and two within each of the communities of Northern Ireland, as well as the cross-community “centre”). Indeed, even at this more refined level, we encounter a great range of intra-group variation. The perspective traditionally associated with Irish nationalism may, for example, be found in pristine form in sections of the British Labour Party, notwithstanding more recent changes under the Blair leadership; and traditional unionist (or, at least, pro-partition) values have been discovered and in part embraced by sections of southern Irish opinion. The following discussion necessarily focuses, then, on the broad picture of the modal position within each of the four groups, leaving alternative perspectives aside. Different parties' views changed over time, and no one group was monolithic in its interpretation of the problem or in its prescription of the solution.

**The British.** Traditional British policy on Northern Ireland was an extension of its policy on Ireland as a whole. At the beginning of the twentieth century, this rested on a commitment to the view that Ireland was part of the United Kingdom, and that it must be retained, at whatever cost. Preservation of the integrity of the United Kingdom was seen as essential to the maintenance of empire. Defence of the un-

ion in time became a particular preoccupation of the Conservative Party, which eventually changed its name to "Conservative and Unionist Party" to reflect this concern. Notwithstanding differences of emphasis between the parties, the policy of maximising British control over or at least influence in Ireland was a position shared by all. But the attractiveness of imperialist ideology diminished steadily in the twentieth century; unionists' unwise exploitation of majoritarian values during the original period of devolved government (1921-72) began to embarrass the British; Northern Ireland increasingly became an economic and security burden; and the value of one million unionists in Northern Ireland began to be outweighed by the prospects of good relations with three and a half million nationalists in the Republic, especially since the latter possessed an independent international voice. The outcome of the interplay between these two tendencies was a steady movement away from the commitment to unionism: in 1973 the British government indicated its willingness to facilitate Irish unity should the people of Northern Ireland so wish, and in 1993 an agreed British-Irish statement marked a further stage on the road to British neutrality by incorporating a not implausible statement that Britain had "no selfish strategic or economic interest" in Northern Ireland.

**The Southern Irish.** The traditional perspective of the southern Irish was shared after 1922 by all political parties, and written into the constitution in 1937: the island of Ireland was the home of the Irish people; it was the appropriate decision making unit; and no minority had the right to opt out. Northern Ireland was therefore illegitimate, a violation of the principle of the right of national self-determination; Britain had created this problem, and it was up to Britain to resolve it. This position continues to be articulated in the South (and among many northern nationalists), but in the course of the 1970s it began to be heard less frequently. It was challenged and in large measure replaced by acceptance of the position that Northern Ireland is a separate decision-making unit, which should have the right to determine its own future. Two features of this alternative perspective are worthy of note. First, it derived from a recognition of the separate identity of northern unionists, and implied acceptance of their right to self-determination. Second, it increasingly implied dismissal of the complaints of northern nationalists, who, in a frequently harshly expressed view, were seen not as part of the Irish majority but as an irreconcilable Northern Irish minority who refused to accept conventional principles of democracy. This development is not altogether surprising. Three quarters of a century of partition have left an indelible mark, serving not only to distance northern Protestants further from the South but also to differentiate northern Catholics from their southern counterparts.<sup>5</sup>

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<sup>5</sup>For example, an eve-of-millennium poll showed that while 96 per cent of those expressing a view in the Republic would like a united Ireland "at some stage in the future", the proportions prepared to pay specific political and economic costs varied widely: of those expressing an opinion, 71 per cent were prepared to see northern Unionists participating in an Irish government, but only 45 per cent were prepared to abandon the traditional policy of military neutrality by joining NATO, 30 per cent would be prepared to see Ireland rejoin the Commonwealth and a mere 10 per cent would be prepared to pay higher taxation; *Irish Independent*, 21 December 1999.

**The Northern Irish nationalists.** While the perspectives of northern nationalists have also changed fundamentally over the past century, the direction of change has been rather different from that in the South. In the 1920s, when an inter-state boundary commission was considering the location of the border, the view was widely shared that a plebiscite on the matter was unnecessary: the views of the inhabitants could be inferred from the results of the 1911 population census. This implied a perfect correlation between religion and political attitudes: Protestants would vote to remain in Northern Ireland, while Catholics would opt for the Irish Free State. Electoral and other data give us no reason to doubt the accuracy of this interpretation. Fifty years later, however, the position had changed considerably. By the late 1960s it was clear that many Catholics were prepared to accept a union that they might not love but that had brought material advance, especially by contrast with the poorer south (Rose 1971: 218-46). The civil rights movement indeed derived from acceptance of this reality, and of the need to bring about fundamental reform of the state, a view pursued vigorously by the new SDLP. Although the other major nationalist party, Sinn Féin, continued for long to adhere to traditional rhetoric, it is clear that many of its members have also come to recognise the fact that the programme of Irish unity is obstructed not only by a passionate commitment to the constitutional status quo by northern Protestants, but also by a more lukewarm but nonetheless politically significant acceptance of this status quo by the southern Irish (and, indeed, by many northern Catholics).

**The Northern Irish unionists.** If southern and northern nationalists have changed perspective in the direction of increasing acceptance of partition, northern unionists have, if anything, developed a more intense commitment to partition over the years since 1921. This is not to say that their attitude to the union has remained unchanged, or that unionists are unanimous in their view as to how it might best be protected. Survey and other evidence suggests that many Protestants are deeply suspicious of British intentions, and that they are increasingly disposed to rely on their own resources to protect their interests. Furthermore, the unexpected tension between two potential priorities—support for the union, and opposition to Irish nationalism—has been reflected over the past two decades in vacillation within the two main unionist parties between support for complete integration with the United Kingdom and support for autonomous institutions in Belfast. Hostility to the South has, however, remained a more consistent value, and stereotyped images (in which the southern Irish were depicted as priest-ridden and economically backward) have tended to survive rather longer than the reality that they might at one time have reflected. Such attitudes have been seriously challenged by the economic and social changes that have taken place in the Republic in recent decades and especially in the 1990s. But northern Protestant perceptions of the South continue to be mediated by the prism of ethnic difference that itself constitutes the most profound reality, resulting in uneven consciousness of the extent to which southern society has changed—but also, for many, indifference as to whether it has changed or not.

From a comparative perspective, while we must take the uniqueness of all situations of ethnic conflict for granted, there are three obvious bases of comparison between Northern Ireland and other cases. First, it is true that Northern Ireland bears



some resemblance to other instances of domestic or self-contained ethnic conflict (where the main groups are confined within the boundaries of a particular state, even if they may have external allies). There are thus similarities with the position in Belgium and Sri Lanka. However, in an important sense the Northern Ireland case is one of a disputed boundary. It thus invites comparison with the Åland Islands within Finland or the South Tyrol within Italy. Finally, but this by no means concludes the list, it contains elements of a tension between a metropolitan power and its former colony. Parallels may thus be found also in Africa, Asia and elsewhere.

### **3. THE PATH TOWARDS AGREEMENT**

In describing the process that led to a measure of political convergence between the groups described above and that resulted ultimately in the agreement reached in April 1998, we need to consider two sets of background factors. The first was the constitutional context and the set of political expectations that had been generated by earlier attempts to arrive at a settlement. The second was the labyrinthine set of negotiations between the various parties with an interest in the issue.

#### ***The legacy of constitutional experimentation***

The pursuit of a new constitutional structure for Northern Ireland began as soon as the dust had settled following the collapse of the old system of 1921-72. By the end of 1972 the British government had made it clear that new institutions would be different in two respects from those which had just perished, and while subsequent governments have varied in the weight they attached to these two principles, neither has since been abandoned (see Birrell and Murie 1980).

First, the old system had followed the classic lines of the majoritarian “Westminster model”: the Northern Ireland House of Commons was elected by means of the plurality system in single member districts (producing a chamber three quarters of whose members were unionists), and the Government of Northern Ireland (consisting exclusively of unionists) was answerable to this. The British made it clear that any new government would have to be based on the principle of power-sharing between the two communities, and it also quickly came to be taken for granted that any new parliament or assembly would be elected by proportional representation.

Second, the old system had been aggressively hostile to the Republic of Ireland (which reciprocated this distaste; see Kennedy 2000). Even the most obvious and the most sensible forms of cooperation were politically controversial, and Unionist governments typically avoided contact with the “enemy” to the south. In this respect, too, the British made it clear that there would have to be radical change: future structures would have to make provision for formal cooperation with the Republic in recognition of the Irish identity of a large minority of the Northern population.

It will be noted that these principles fell far short of traditional nationalist demands for the ending of partition and the establishment of a united Irish republic; indeed, the British made clear their commitment to maintaining partition for as long as a

majority in Northern Ireland wished it, and this is another principle from which subsequent British governments never publicly deviated. However, it will be clear that this overall position was close to that of the SDLP and, while Irish governments for long continued to beat the traditional anti-partition drum with some vigour, in the worlds of diplomacy and political negotiation they had moved much closer to the British position. The constitutional experimentation of the post-1972 period progressed through four major initiatives that display a neat symmetry: at either end are the two most ambitious attempts to embed the two principles of power sharing and the Irish dimension in a broader package, the Sunningdale agreement of 1973 and the Good Friday agreement of 1998. In between were two others that focused on one dimension and largely ignored the other: the “rolling devolution” scheme of 1982 (which ignored the Irish dimension) and the Anglo-Irish Agreement of 1985 (which bypassed the issue of devolution). Before turning to the 1998 agreement in the later part of this paper, we will examine the other three experiments in outline.<sup>6</sup>

**The Sunningdale agreement, 1973.** In a literal sense, the Sunningdale agreement was not an attempt at a comprehensive settlement: the agreement itself merely added a new dimension and inter-governmental authority to a scheme many of whose details had already been decided. The basic framework was laid out in a British policy document in March 1973. Following on from this, a Northern Ireland Assembly was elected by proportional representation in June 1973. As required by new British legislation, a government representing parties from both communities was agreed (this was a coalition of the Unionist Party, the SDLP and the Alliance Party). In negotiations between the leaders of these parties and the British and Irish governments in Sunningdale, England, in December 1973, it was further agreed that a Council of Ireland would be established with a view to managing policy areas where North and South had a common interest. This would consist of a 60-member consultative assembly comprising 30 southern parliamentarians and 30 members of the new Northern Ireland Assembly, and a 14-member Council of Ministers comprising an equal number of ministers from the governments of Northern Ireland and the Republic. These institutions were to be serviced by a permanent secretariat, which would be based in a fixed location. The possible establishment of an all-Ireland court and of alternative mechanisms for tackling security issues on an all-island basis were raised. In a major departure from traditional policy, the government of the Republic formally acknowledged the principle that Irish unity could only come about by the consent of a majority in Northern Ireland.

Although the new Northern Ireland government came into operation in January 1974, it was beset by difficulties from the outset, and it lasted only a little over five months. The Council of Ireland never came into existence. The failure of this experiment was due to a number of factors, including deep divisions within the Unionist Party, whose organisation was eventually taken over by opponents of the new settlement; a very successful political strike largely engineered by Protestant para-

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<sup>6</sup>This discussion ignores certain other less ambitious initiatives, including the constitutional convention of 1975-76, an elected body designed to give Northern Ireland politicians a chance to come to an agreement themselves.

militaries; lukewarm support for the agreement from the new British Labour government, following the February 1974 general election; and a continuing military campaign by a dissatisfied IRA.

**The “rolling devolution” scheme, 1982.** The second major initiative was an open-ended attempt to devolve power to Northern Ireland, setting aside the Irish dimension. A new assembly was elected in 1982. Initially, it was to consist essentially of a debating chamber, but the British government proposed to devolve further powers to it provided these were approved by a majority of at least 70 per cent of members of the assembly. This was designed to ensure that responsibility for any policy area would be devolved only if there existed cross-community support.

Although the assembly survived until 1986, its life was turbulent and unhappy. Boycotted on principle by Sinn Féin and on strategic grounds by the SDLP, even many Protestants disliked it: the Unionist Party absented itself for much of the life of the assembly, and when it did participate its contribution was half-hearted. The Democratic Unionist Party and the Alliance Party were the only significant parties committed to the assembly, but since their combined strength amounted to only 40 per cent of the assembly’s membership that body’s long-term prospects were obviously poor (see O’Leary, Elliott and Wilford 1988).

**The Anglo-Irish agreement, 1985.** One factor that hastened the end of the assembly was the fact that another initiative, this time giving priority to the Irish dimension, had begun to undermine it. This was an agreement signed by the British and Irish prime ministers in November 1985 followed protracted negotiations. Structurally, the institutions established by the agreement bore little resemblance to those of 1973. Instead of a North-South assembly, the idea of an Anglo-Irish inter-parliamentary body was kick-started (this idea had originated some time before the agreement). Instead of a North-South council of ministers, there was to be an Anglo-Irish Intergovernmental Conference, jointly chaired by the Irish Minister for Foreign Affairs and the Secretary of State for Northern Ireland. Although there was no provision for all-Ireland judicial or security institutions, there was to be a permanent secretariat, staffed jointly by Irish and British civil servants. Significantly, the jurisdiction of the new institutions was directed mainly (but not exclusively) at internal affairs in Northern Ireland, in effect giving the southern government (and, through them, though rather indirectly, northern nationalists) a significant voice in Northern Ireland’s domestic administration.

A further factor that distinguished the third initiative from the two earlier ones was its relative success. Detested and stridently opposed by unionists and unloved by Sinn Féin, it nevertheless managed to survive and to help to redress some Catholic grievances, especially in the area of relations with the security forces. It may indeed have won a less obvious battle, by forcing unionists to the negotiating table in an attempt to arrive at a settlement that would supersede it. The reality was that this arrangement allowed the Irish government a voice in the internal affairs of the United Kingdom, and provided the nationalist community in Northern Ireland with a formal guarantor of its position (see Aughey 1989). The fact that many unionists learned the lesson that the best way to fight Dublin is to talk to it was one of the

most striking consequences of the 1985 agreement, whose demise under the 1998 agreement was arguably the supreme testimony of its success.

### ***The negotiation process***

In addition to building upon (or, in some respects, reacting against) the provisions of earlier constitutional experiments, the 1998 agreement was also the outcome of an unusually complex negotiating process. The basic character of the agreement flowed from large-scale horse trading between the major actors, whose perspectives have already been sketched. Three features of the process leading to the agreement are of particular interest: the inclusive character of participation, the significance of informal discourse and the degree of reliance on an external mediator.

**Participants in the negotiations.** The substantive span of the talks that led to the 1998 agreement was exceptionally broad, and the range of participants was much more comprehensive than in the case of any of the earlier efforts at a settlement. In 1973, talks had taken place initially between the Northern Ireland parties, or a selection of them, and these had later been joined by the British and Irish governments. Groups with formal paramilitary associations were entirely excluded. In 1975 the British government summoned a specially elected constitutional convention, with a view to offering a mechanism for negotiation between Northern Ireland's parties, and it also sponsored a round-table conference of all "constitutional" parties in 1980. Though confined to parties that did not have a paramilitary wing, these initiatives proved fruitless. Further talks in 1991-92 in Belfast, Dublin and London, though inconclusive, were of greater significance, since they brought together British and Irish ministers and Northern Irish parties in negotiating directly on the central issues that divided them.

Inter-governmental negotiations proved much more likely to result in agreement than inter-party negotiations, as the evidence of the Anglo-Irish agreement of 1985 suggests. But governments did not confine their dialogues to each other. The British government engaged in discussions with the IRA in 1974 and again from 1990 onwards, even at a time when the IRA's military campaign was in progress. The Irish government entered into inconclusive negotiations with the Unionist Party in the early 1990s. But the most fruitful initial talks turned out to be those within the broad nationalist camp: first, beginning fitfully in 1988, SDLP leader John Hume engaged in dialogue with Sinn Féin with a view to devising an agreed peaceful nationalist strategy that could replace Sinn Féin's support for violence, and the Irish government made persistent efforts to offer Sinn Féin a prominent voice in inter-party talks if it abandoned its military strategy. The "Downing Street Declaration" of 1993, in which the British and Irish governments stated their commitment to an open-ended negotiating agenda that would include all significant political interests not pursuing violence, was a crucial step in this process. Following further gestures by the British and Irish governments, the IRA finally declared a cease-fire in August 1994. This was followed by a cease-fire by the main loyalist paramilitary groups some weeks later (for the peace process, see Hennessey 2000 and De Bréadún 2001).

The talks that followed went through three phases.

- The *Forum for Peace and Reconciliation* (1994-6) was an initiative of the Irish government designed overtly to facilitate dialogue between all parties, including unionists, but it played a valuable role in promoting contact between Sinn Féin, the parties in the Republic of Ireland and two other parties from Northern Ireland, the SDLP and the Alliance Party (neither of the two main unionist parties attended).
- The *Northern Ireland Forum* (1996-98) was an initiative of the British government designed overtly to facilitate dialogue between the Northern parties, but it was also a gesture towards the unionists (since it could be construed as representing movement towards devolution without an Irish dimension). The Forum was boycotted by the nationalist parties, but the results of the elections to it served to identify the parties and groupings that would be involved in the formal negotiating process.
- The *inter-party talks* (1996-98) began parallel to meetings of the Forum. Initially they involved all significant parties other than Sinn Féin, which the British government (dependent on Unionist votes in the House of Commons) insisted on excluding on the grounds that the IRA had not begun to disarm. On the advent of the British Labour Party to power with a large majority in 1997, however, the position changed. Sinn Féin was invited to join the talks, whereupon the Democratic Unionist Party left. Intensive discussions between the remaining parties and the two governments resulted in agreement on 10 April 1998.

**Informal diplomacy.** For many years, exchanges between parties had taken the form of megaphone diplomacy, and this was a characteristic also of the early 1990s: parties engaged in dialogue in the form of press statements, declarations of preconditions, and ultimatums. Given the bitter interpersonal relationships that had inevitably developed between individuals attributed with responsibility for atrocities against the other community or with abuse of their political positions, this was not surprising. On the other hand, these attitudes would certainly not be conducive to the attainment of a comprehensive agreement in a delicate and sensitive area.

In this context, informal meetings at a range of levels were invaluable. At the level of local politics, politicians from opposing parties were presented with opportunities for social contact, even if these were sometimes availed of hesitantly or not at all. The Forum for Peace and Reconciliation acted as an invaluable mechanism for the rehabilitation of Sinn Féin, which had been demonised by other parties and reacted with predictable defiance. A conscious effort was also made to expose mutually antagonistic party elites to the experience of peace making in other divided societies—and to each other's company—in a series of workshops that brought Northern Irish leaders to venues abroad. The evidence suggests that this approach enjoyed a good deal of success in breaking down barriers and building trust (Arthur 1999).

**External mediation.** One of the central features of the talks process was the role given to external mediators removed from involvement with either side in Northern

Ireland: the talks were chaired by former US senator George Mitchell, nominated by President Clinton, and co-chaired by former Finnish prime minister Harry Holkeri and Canadian General John de Chastelain. The efforts of this team to steer the talks to a positive conclusion appear to have been central to the success of the process, and they were aided by active support from the White House, including personal intervention by President Clinton.

Indeed, the skill of Senator Mitchell was underscored when, more than a year after the agreement had been reached, he was invited back to face the almost impossible task of persuading the parties to proceed with implementing the agreement. Notwithstanding the earlier failure of the British and Irish prime ministers to secure implementation of the deal in more favourable circumstances, Mitchell succeeded. Other external actors also played a major role. In an effort to undercut the significance of the decommissioning issue, the IRA agreed to open some of their arms dumps to inspection by two well-known international figures, Cyril Ramaphosa of the African National Congress and Martti Ahtisaari, former President of Finland. Two visits to Northern Ireland by these men contributed to an easing of tensions, though without resolving the issue in the long term.

The path towards peace in Northern Ireland thus appears to echo similar processes elsewhere. To the extent that an armed force was prepared to settle for negotiation and compromise assisted by external (mainly US) mediation, it resembles the Middle East peace process. The similarities with the ending of the old regime in South Africa are also rather striking. Indeed, advisors and other assistance from South Africa were important ingredients in the Northern Ireland peace process. There is evidence that this process, in turn, has had at least passing effect elsewhere, most notably in the Basque Country.

#### **4. THE PROVISIONS OF THE AGREEMENT**

The 1998 Belfast agreement represents an ambitious attempt to address comprehensively the two main dimensions that had preoccupied politicians and policy makers during the 1970s and the 1980s, while adding a third, which began to be raised increasingly in the 1980s and the 1990s. These dimensions were eventually labelled strands one, two and three, and may be defined as follows:

- strand 1: the central problem of relations between two communities in Northern Ireland, which flared up at again at the end of the 1960s and which shows few signs of losing its intensity;
- strand 2: the lesser problem of relations between North and South, once of great concern to the South, but now of central importance mainly to northern nationalists (and, in consequence of this, to northern unionists);
- strand 3: the issue of relations between Ireland and Great Britain (largely resolved at the international level by constitutional changes in 1936, the constitution of 1937, the Anglo-Irish agreements of 1938 and Ireland's secession from the British

Commonwealth in 1949, and at the level of sentiment as a consequence of declining irredentist commitment in the South).

The agreement proposed structural solutions in each of these areas, all of them in the context of acceptance of the geopolitical status quo. Northern Ireland would remain in the United Kingdom for as long as a majority there wished, and the Republic's constitutional claim to Northern Ireland would be dropped; but provisions for Irish unity by consent of the two parts of the island were put in place. In addition, the agreement addressed a range of practical questions; and it sidelined certain other contentious issues by either deferring decisions or referring these matters to other bodies. Although we will now look at these matters in turn, it should be emphasised that the agreement was an integrated package. All of the parties were required to accept all parts of the package and, whatever their reservations, all except the Democratic Unionist Party and another small unionist group did so.

### ***Strand 1: devolved government for Northern Ireland***

The central feature of the agreement was the provision that powers over a wide range of matters be devolved to new, autonomous institutions (essentially, these covered the kinds of areas that in federal states remain under the control of the component units of the federation, such as education, economic development and social welfare; but control over security was retained by the British government). The institutions that would oversee these areas were as follows.

- **a 108-member legislative assembly** elected by proportional representation but with certain provisions that differentiate it sharply from parliaments in the Westminster model: all members of the assembly are required to designate themselves as “unionist”, “nationalist” or “other”, and in a number of the most politically sensitive areas the assembly is obliged to make its decisions “on a cross-community basis”, defined as enjoying support *either* by a majority of the assembly plus majorities within the unionist and nationalist blocs *or* by a 60 per cent majority of the assembly plus support from at least 40 per cent of the members of these two blocs
- **a dual prime ministerial position**, comprising a First Minister and a Deputy First Minister elected on a cross community basis (thus ensuring, in effect, that one post will go to each of the two communities)
- **an executive comprising up to 10 ministers**, made up in a most unusual way: ministerial posts are allocated to parties in a manner similar to that in which the d'Hondt electoral system allocates parliamentary seats in a particular constituency: the largest party is given the first seat, and subsequent seats are allocated following the conventional d'Hondt formula, each party selecting its preferred ministry as its turn arrives
- **a committee system** made up of committees corresponding to the government departments and reflecting party strength in the assembly, their chairs and deputy chairs selected in accordance with the d'Hondt formula.

This system opens the settlement to obvious dangers. Although the executive or government operates under the presidency of the First Minister or the Deputy First Minister, these individuals have little prime ministerial authority: they can neither hire nor fire ministers, nor even match them to particular posts. Furthermore, the system automatically allocates ministerial posts even to parties that are fundamentally at odds with the basic principles of the new system, provided these agree to function within bounds set by a necessarily general pledge of office and code of conduct.

The new assembly was duly elected in June 1998, giving a dominant position to four parties, as indicated in table 1. It proceeded quickly to adopt standing orders and to elect dual first ministers (David Trimble of the Unionist Party as First Minister and Seamus Mallon of the SDLP as Deputy First Minister). It became clear that of the 10 ministerial posts the Unionist Party and the SDLP would get three each and Sinn Féin and the Democratic Unionists two each. One obvious problem was that the Democratic Unionists were profoundly opposed to the agreement but intended nevertheless to take up their posts. A more intractable problem lay in the reluctance even of the mainstream Unionist Party to enter office alongside Sinn Féin, and the argument was raised that the executive could not be formed until the IRA had begun to “decommission” its weapons. This resulted in a stalemate that was broken only in November 1999, when agreement on the formation of the executive was finally reached in the context of an IRA statement that promised progress but was general in character.

### ***Strand 2: links between Northern Ireland and the Republic of Ireland***

Strand two of the new agreement may be seen as a rather original marriage of developments implicit in the Sunningdale agreement of 1973 and the Anglo-Irish agreement of 1985. Its most visible expression was a new North/South Ministerial Council, smaller in scale than the Council of Ministers proposed in 1973 but not necessarily less effective. In its plenary form, this includes the Irish prime minister and the Northern Ireland First Minister and Deputy First Minister as its core. The work of the council is serviced by a standing secretariat. Policy administration is carried out by “implementation bodies”, consisting either of existing bodies, bodies made up of mergers of existing bodies, or new bodies. In an important departure from the 1973 model, there is no provision for a parliamentary tier, though this is to be “considered” by the Irish parliament and the Northern Ireland Assembly.

Agreement on fleshing out the bones of the Irish dimension proved surprisingly easy, and had already been achieved by the end of 1998 (though the institutions themselves did not come into existence until the end of 1999). The agreement had left the detail of the areas to be covered by the North-South bodies to be discussed further, but specified that as part of its work programme, the North/South Council would “identify and agree at least six matters in each of two categories: ones where “existing bodies would be the appropriate mechanisms for co-operation in each separate jurisdiction”, and ones where the co-operation would take place through “agreed implementation bodies on a cross-border or all-island level”. The former category covered transport, agriculture, education, health, environment and tourism



The latter led to agreement to set up six all-Ireland bodies, covering inland waterways, food safety, trade and business development, special EU programmes, language (Irish and Ulster Scots) and aquaculture and marine matters.

To the extent that committed nationalists might have hoped that these bodies would constitute the embryo of a future Irish state, they must have been disappointed. Six bodies were finally agreed on, and these were duly constituted in December 1999. The limited scope of the policy arena that they cover is immediately obvious. Six other areas were identified as appropriate for formal cooperation between North and South (as opposed to the creation of unitary bodies to supervise them).

### ***Strand 3: links between Ireland and Great Britain***

Provision was also made in the agreement for two types of institution with a wider geographical scope which, though bearing similar names, would be sharply different in terms of their functioning. In some respects, the attention devoted to this level was intended to compensate unionists for their concessions on strand 2: maintaining the political integrity of the British Isles had been a classical unionist concern since the late nineteenth century, though it is to be assumed that Northern Ireland unionists were more concerned with maintaining partition than with encouraging positive relations between Dublin and London.

- a **British-Irish Council** would link the administrations of eight territories of very uneven status for purposes of policy co-ordination on matters of common interest: two sovereign states (the Republic of Ireland and the United Kingdom); three devolved administrations within the United Kingdom (Scotland, Wales and Northern Ireland); and three adjacent autonomous crown territories (the Isle of Man and the Channel Islands of Jersey and Guernsey)
- a **British-Irish Intergovernmental Conference** would link the two sovereign governments and would assume responsibility for the areas covered by the 1985 Anglo-Irish agreement, whose institutions it replaced. This body would thus have very real powers in respect of the internal, non-devolved affairs of Northern Ireland (including security matters and the areas of rights, justice, prisons and policing). Unlike its predecessor established in 1985, it also contains representatives of the northern parties, and thus of unionism, since there is provision for participation in its affairs by “relevant” members of the new Northern Ireland executive.

Progress on implementing these institutions was slow, since they depended on the formation of a government in Northern Ireland, but initial meetings eventually took place in December 1999. These permitted a modest level of work to proceed at administrative level, and paved the way for future business meetings at political level.

### ***The agreement as a package***

Given the remarkable success of the agreement in attracting the support (passive, if not active) of a wide range of parties of greatly varying political hues, it must be

asked how its basic shape can be apparently acceptable to so many conflicting interests. Part of the answer must lie in its complexity and in its creative ambiguity, though agreement on some of the matters on which the document is unclear was essentially postponed rather than resolved.

In case the features mentioned above were insufficiently complex, the agreement also extended to other areas where one or other of the communities had particular concerns. These fell into three categories, and we may identify four issues within each category: commitments designed to reassure the two communities by recognising their long-term aspirations, efforts to resolve certain long-standing matters of contention, and measures intended to assist the healing process within two communities scarred by three decades of violence and tension.

The two governments sought to reassure the two communities essentially by guaranteeing the union for the present but providing a mechanism for ending it in the future, if so desired, and by redefining the character of the union to make it more palatable to Catholics.

- **protection of the status of Northern Ireland:** the agreement formally acknowledged that a majority of the population of Northern Ireland wished to remain in the United Kingdom, and the two governments pledged to respect this; the government of the Republic agreed to hold a referendum to drop its constitutional claim on Northern Ireland
- **provision of a mechanism for ending partition:** on the other hand, the agreement also sought to assure nationalists by acknowledging that should a majority within Northern Ireland ever move to support Irish unity the British government would seek to implement this, and would also hold a referendum to ascertain public opinion on this issue as necessary
- **promotion of inter-communal equality:** the governments acknowledged the divided nature of Northern Irish society and committed themselves to respecting the equality of the two cultures, including their traditions and symbols, whatever the overall territorial arrangements
- **provision of dual citizenship rights:** as a practical illustration of formal equality, the two governments agreed that Northern Ireland residents could opt for either British or Irish citizenship, again regardless of the overall territorial arrangements

The agreement also addressed four issues that were of particular (but not exclusive) concern to the Catholic community by providing for the establishment of bodies that would provide blueprints for future policy. This was of particular value in the case of the first area, that of policing—potentially one of the most contentious issues of all in divided societies.

- **commission on policing:** since 1921, the Northern Ireland police force had been overwhelmingly Protestant in composition and unionist in its political sympathies; notwithstanding reforms in the 1970s, these perspectives continued to colour the

image of the force and to create a gap between it and the Catholic community (see McGarry and O'Leary 1999). The agreement promised that an independent commission on policing would be established to recommend on the nature of a police force that would be acceptable to the two communities. Chaired by former Hong Kong governor and current EU commissioner Chris Patten, the commission reported in September 1999, recommending fundamental reform and renaming of the police force.

- **commission on human rights:** given Northern Ireland's history of civil rights controversies, it was agreed that a commission would be established to promote human rights in the province and to draw up a code to supplement the European Convention on Human Rights by taking account of the special circumstances of Northern Ireland.
- **review of criminal justice system:** in the course of the civil unrest, measures designed to facilitate the conviction of those accused of terrorist crimes had been incorporated in the legal system, whose political colouring was, in any case, predominantly unionist. The governments agreed to review this system and to replace it by one likely to be more generally acceptable to the two communities.
- **promotion of equal development on economic, social and cultural issues:** the British government also pledged to push forward with measures designed to promote the economic and social development of the province in an even-handed way, and to address the marginalisation of subordinate cultures, most notably the Irish language, an issue of particular concern to Catholics.

Finally, there were four areas in which an effort was made to address difficulties that arose specifically from the decades of civil unrest.

- **release of prisoners:** since the major paramilitary organisations had been on cease-fire since 1994 (broken temporarily in 1996 in the case of the IRA), the British government agreed to an accelerated programme of early release of prisoners, a measure designed not just to deal with an outstanding issue but also to win support for the agreement among the prisoners' families and communities.
- **reconciliation and victims of violence:** on the other hand, the release of prisoners would be deeply hurtful to their many victims, already suffering from the effects of their actions; it was agreed that structures would be established in an effort to assist victims of the violence.
- **decommissioning of paramilitary weapons:** the parties to the agreement pledged themselves to work in good faith with an independent commission on decommissioning, with a view to removing all paramilitary weapons. The problem was that the IRA could argue that it was not a party to the agreement, and Sinn Féin argued that it was committed only to work towards achieving decommissioning; it was not required to be successful in this work. For unionists, however, decommissioning was seen as an integral part of the agreement, and stalemate on this issue resulted in deferral of implementation of the agreement for a year and a

half. Although the military and security significance of this issue is slight, it came to acquire crucial political importance for symbolic reasons.

- **reduction in security force presence:** from Sinn Féin's perspective, there was also a need for the removal of legally-held weapons, ideally in the form of withdrawal of the security forces. The British government indeed agreed to a reduction in the security force presence, but implementation of this commitment was delayed by the continuing threat from breakaway, fringe paramilitary groups such as the Loyalist Volunteer Force on one side and the "Real IRA" on the other.

Agreement in principle to this complex package was forthcoming at simultaneous referenda in the two parts of Ireland in May 1998. In Northern Ireland, 71 per cent voted for the package; in the Republic 94 per cent voted for the set of constitutional reforms that had been prepared to give effect to the agreement.

The shape of the agreement immediately invites comparison with classical consociationalism, especially of the variety we have seen in Belgium. The provisions for weighted voting, power sharing and proportionality indeed derive from central features of consociationalism. The requirement that parliamentarians identify the community with which they are affiliated points to the kind of segmentation that is associated with consociational government. In an unusual departure from this, however, individuals may also opt out and declare themselves "other" (rather than "unionist" or "nationalist"), an optimistic gesture designed to permit the development of a middle, cross-community ground. What distinguishes the 1998 Northern Ireland agreement from simple consociationalism, however, is the elaborate superstructure that has been created over Northern Ireland, in the form of links with the Republic of Ireland and a wider set of links between Ireland and Great Britain. It is, perhaps, this complexity and the subtlety of the language in which so much of it is expressed that constitute the distinguishing features of the Northern Ireland model and that make it so worthy of sustained comparative analysis.

## 5. CONCLUSION

This paper has addressed three broad questions about the 1998 agreement in Northern Ireland; it is appropriate in conclusion to return to these and to examine the significance of the what may be described as the new Northern Ireland model.

The first issue is the *nature of the problem* that the Northern Ireland settlement is designed to resolve. The dominant feature, shared with many other contexts of ethnic conflict, is the coexistence of two spatially overlapping, highly politically mobilised ethnic communities. But three other features add to the intractability of the Northern Ireland problem. First, the two communities are fairly evenly matched in terms of available domestic political resources (though rather less evenly in the case of economic and military resources); but the demographic advantage is in the process of passing from one community to the other. Second, each community is prepared to resort to unconventional forms of political action, up to and including the use of violence, to achieve its objectives, a disposition that may well derive from

the post-colonial character of the relationship between the two communities. Third, there are two powerful external actors—their relationship also bearing important marks of a post-colonial one—that have varied over time in the extent to which their interventions in Northern Ireland have been conducive to domestic compromise.

The second issue is the *shape of the process* by which the agreement was reached. As in the case of other conflicts, war weariness was a significant factor, but there were also important global structural factors. The end of the cold war permitted the United States to break ranks with its traditional ally, Britain, on the Irish question, and to present itself as an honest broker. The process of European integration placed great pressure on the Irish and British governments to bring to this question the same willingness to compromise as was to be found in other areas, and it permitted the Northern Ireland problem to be redefined as an exceptionally intractable transfrontier problem. These external factors facilitated the introduction of outside mediators in vigorous efforts to break long-standing domestic log-jams.

Finally, what about the *character of the settlement* itself? It may well be the case that complex problems require complex solutions, though we should not take this for granted. In the Northern Ireland case, the complexity of the agreement is remarkable, and has been illustrated at some length in this paper. It is constitutionally innovative to a high degree, with its elaborate provision for multiple tiers of institutions. It is politically remarkable in similar measure, with the extremely broad span of institutional and policy domains that it covers and the inclusiveness of the set of parties that agreed to it. Given the pains taken in hammering out this package and commitment to its broad principles on the part of the British and Irish governments, it is likely that the 1998 agreement will continue to structure political development in Northern Ireland for the foreseeable future—even if the actual institutions that have been established falter or collapse in the short or medium terms. Given the degree of peace (however tense) with which it has been associated, it is likely to be an object of considerable study elsewhere as public leaders struggle to adapt ingredients from it to problems in their own societies.

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