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Northern Ireland Case Study

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Towards the end of the dramatic month of January 2010, when I began working on this paper, the political institutions created by the Good Friday and St Andrews Agreements were hanging by a thread. The negotiations among the parties were at a difficult stage and it seemed possible that the British and Irish governments might have to put forward their own plan in the expectation that the parties would acquiesce in its implementation, as they had done in the case of the St Andrews Agreement of October 2006. But if that ploy failed, resignations and new elections seemed likely to follow. However, just a week later on 5 February, a deal had been done between the parties, proof of the old adage that a week is a long time in politics (*Agreement at Hillsborough Castle*). Excited reporters described the deal as completing the peace process with the devolution of policing and justice powers characterised as the last piece in the jigsaw (Murray Brown 2010).

But the roadmap to better times is not quite as straightforward as it appears. The deal sets out a timetable for the achievement of its objectives in a number of areas. As regards the main issue in dispute, the plan is that the required cross-community vote in the Northern Ireland Assembly to authorise the transfer of policing and justice powers will take place on 9 March, with the devolution of the powers following on 12 April. But there is plenty of scope for disagreement among the parties over other matters addressed in the deal, most obviously, the complicated but also somewhat vague commitments on the subject of parading. A possible snag in this context is that a working group is supposed to report agreed proposals for tackling the parades issue ahead of the March vote. But even if the parades issue is defused there is no

guarantee that the relationship among the parties will improve to the point that the reputation of the power-sharing Executive as dysfunctional will be fundamentally transformed.

The issue of the devolution of justice and policing powers was unfinished business from the St Andrews Agreement. In terms of its timetable this was supposed to happen by May 2008. The Democratic Unionist Party (DUP) was successful in delaying matters as long as they were able to argue credibly, firstly, that there were financial arrangements that needed to be put in place if the devolution of these powers were not to cause budgetary difficulties and, secondly, that public confidence in local control of security was lacking. But these reasons for delay lost most of their force during the course of 2009. The British government agreed in October 2009 to a generous financial package to support the transfer of powers and public confidence in local control of security forces soared in the wake of Martin McGuinness's strong stand against dissident Republicans following the deaths of two soldiers and a policeman in March 2009. In fact, the primary obstacle to a deal has ceased to be about the arrangements for the devolution of justice and policing powers as such. The tangential issue of parading, especially the DUP's demand that the Parades Commission be abolished as a quid pro quo for the party's agreeing to set a date for the devolution of justice and policing powers, became the principal bone of contention between the parties during the negotiations in January 2010.

At the time of the re-establishment of the devolved government in May 2007, it had appeared that the devolution of justice and policing powers was the last issue that might capsize institutions accepted by all of Northern Ireland's significant political parties and thereby prevent the development of normal or at least routine politics. It is now evident that this was an illusion. Thus, it is by no means certain that the deal achieved on 5 February will lead to a much better working relationship between the DUP and Sinn Féin and without such a change, it seems

probable that the devolved government will continue to be ineffective in a number of areas, including education. Other problems are looming. The DUP faces an electoral challenge from a new anti-Agreement party, the Traditional Unionist Voice, which emerged as a major force as a consequence of the success of its leader, Jim Allister, in the elections for the European Parliament in June 2009. Peter Robinson's grip on the leadership of the DUP remains in question as a result of the scandal involving his wife, Iris, despite his resumption of the position of First Minister.

Gerry Adams's continuing leadership of Sinn Féin is also in doubt as a result of questions that have arisen about his conduct in relation to child abuse allegations involving his brother. The dissident Republicans constitute a security threat. The prospect of a change of government in the United Kingdom this summer presents another element of uncertainty, especially in the light of Conservative party's interventions in Northern Ireland politics that will complicate if not undermine the role of a Conservative government as a conflict manager. These political difficulties are occurring against the background of economic recession as a consequence of the global downturn, which had an especially severe impact on the economy of the Republic of Ireland, with spill-over effects on Northern Ireland.

When Ian Paisley took office as First Minister, with Martin McGuinness as Deputy First Minister in 2007, it had seemed possible the conclusion of the Northern Ireland peace process was within reach and the time might soon arrive when there would no longer be any need for the British and Irish governments to continue to play the role of conflict managers. If nothing else, the recent crisis in Northern Ireland has shown that the peace process is not concluded and that Anglo-Irish co-operation to underwrite political stability in Northern Ireland remains important. But, just as significantly, it once again underlines that the interpretation of the political

settlement in Northern Ireland as a triumph of political accommodation achieved under the mechanism of consociationalism is an inadequate reading of what has happened.

This is not to argue that the political institutions at the heart of the settlement are not consociational. However, they are not the product of political accommodation between political elites within Northern Ireland. What might be argued is that in Northern Ireland's case political accommodation may eventually follow the effective functioning of consociational institutions. The signs of that at the present time remain mixed. But to understand what Northern Ireland has in common with other deeply divided societies in which devices such as power-sharing have been employed to address inter-communal strife, the context of the Northern Ireland problem requires some explanation.

Context

The creation of Northern Ireland as a separate political entity within the United Kingdom dates back to the 1920 Government of Ireland Act. This unilaterally partitioned the island of Ireland. However, the partition of Ireland on the basis of a division of six and 26 counties had been foreshadowed by the negotiations that had taken place during the First World War between the British government, Unionists, and representatives of the Irish Parliamentary Party, which favoured Home Rule. In this context, Home Rule meant the devolution of power to a parliament in Dublin. The Government of Ireland Act established a parliament in Belfast to rule over the six counties of Northern Ireland. King George V opened the parliament in Northern Ireland in June 1921. After its location in 1932, this parliament became known as Stormont. The Government of Ireland Act also provided for the establishment of a devolved parliament for the Southern 26 counties. Further, the legislation provided for a Council of Ireland to consider matters of mutual

concern between the two parts of Ireland. However, due to the radicalisation of opinion among Catholics during the course of the war that was reflected in the triumph of Sinn Féin candidates across Ireland in the general election of 1918, the provisions of the Act were a dead letter as far as the Southern counties were concerned. Violent conflict between British security forces and Irish nationalists culminated in negotiations that resulted in a treaty between the British government and Irish nationalists establishing the Irish Free State.

Civil war between supporters and opponents of the treaty ensued in which the pro-treaty forces emerged victorious. A common misunderstanding is that the civil war was fought over the issue of partition. In fact, partition was already a *fait accompli* by the time of the treaty and opponents of the treaty were more exercised over the issue of sovereignty of the new state than over partition. A further factor reducing the salience of partition during the civil war was the treaty's provision for the establishment of a Boundary Commission to determine what the border between Northern Ireland and the new entity should be. That raised nationalist expectations that areas contiguous to the border with the Irish Free State that had nationalist majorities would be transferred to Southern rule.

In the event, these expectations were disappointed. The chairman of the Boundary Commission, Justice Richard Feetham, employed the argument of economic viability to propose only very modest changes on both sides of the existing boundary. So unsatisfactory were these proposals from a Southern perspective that the Irish government quickly agreed with the Northern Ireland government that the Commission's recommendations should be set aside in favour of the *status quo*. Unionists commonly refer to this agreement of 1925 as representing Southern acceptance of partition. They argue that the 1937 constitution that was enacted by de

Valera dishonoured this Southern commitment to accept the border through laying claim to Northern Ireland in Articles 2 and 3 of its provisions.

The question of partition remains at the heart of the conflict in Northern Ireland. Unionists wish Northern Ireland to remain part of the United Kingdom, while nationalists wish to see the (eventual) dissolution of Northern Ireland as a political entity and the creation of a united Ireland. What gives added force to this political division is its coincidence with the sectarian divide between Protestants and Catholics. Virtually all Protestants are Unionists and most Catholics are nationalists. (In a 1990 survey of over 2,000 respondents in Northern Ireland, not a single individual describing him- or herself as a Protestant supported a nationalist party, while there was a solitary Catholic supporter of the more moderate of the two main Unionist parties.) The primacy of the Unionist/nationalist divide means that all proposals for the governance of Northern Ireland tend to be viewed first and foremost from the perspective of whether they seem likely advance or retard the possibility of a united Ireland.

A difficulty for Unionists and for that matter for the British government is how partition tends to be viewed in the rest of the world. There is widespread sympathy for the view that Ireland should be a single political entity, as is also the case, for example, in relation to Cyprus. A further difficulty is that even if the principle of partition is accepted on the basis that Catholics and Protestants had different national identities (Irish and British respectively), it is hard to justify the particular border that was imposed on Ireland. On the basis of a provincial opt-out, the whole of Ulster and its nine counties should have been excluded from the Southern entity, while an opt-out on a county-by-county basis would have resulted in a four-county Northern Ireland. At the same time, it is important to recognise that the controversial implementation of partition did not create the sectarian divisions in the north-east of Ireland. In particular, Belfast

was the site of sectarian riots at regular intervals through the course of the 19th century (Boyd 1987).

At the time of partition, Protestants outnumbered Catholics by roughly two to one within the borders of Northern Ireland. From a Unionist perspective, maintaining Protestant unity appeared to represent the safest way of ensuring the continuance of the union with the rest of the United Kingdom and this was the strategy adopted by successive Unionist governments from 1921 until the early 1960s. The consequence was a further reinforcement of the divisions between Protestants and Catholics. During the period, 1921-63, the Unionist government defeated a succession of violent challenges to its rule by the Irish Republican Army (IRA). It did so with local security forces. Another factor also helped to keep the Irish Question out of British politics. It was a constitutional convention that anything within the remit of the parliament in Northern Ireland should not be discussed in the House of Commons at Westminster. Consequently, issues of discrimination against Catholics and the like did not get an airing in London. The people of Northern Ireland elected 12 representatives to the House of Commons but throughout the first forty years of Northern Ireland's existence these for the most part formed a barely noticed addition to the Conservative benches and had little impact on national politics.

Change came in the 1960s with a reformist government in Northern Ireland that led to political divisions among Protestants and that raised, but failed to satisfy, Catholic expectations. The result was increasing Catholic mobilisation behind a civil rights movement pressing for an end to discrimination in imitation of the civil rights movement in the United States. A Protestant backlash and violent clashes on the streets followed. This culminated in the onset of what is known in Northern Ireland as the troubles, the term used to describe a prolonged period of violent disturbances. The troubles are generally dated from 5 October 1968 and clashes in the

city of Londonderry/Derry between civil rights demonstrators and the police after the banning of the demonstration by the Stormont Minister of Home Affairs. It is worth emphasising that this violent breakdown of the political system preceded the deployment of British troops in aid of the civil power. This followed in August 1969. It also preceded the formation of what was to become the main Republican paramilitary organisation in Northern Ireland, the Provisional IRA. This was formed in December 1969. The main Loyalist paramilitary organisation, the Ulster Defence Association (UDA), was formed in September 1971.

The 1970s were the most violent years of the troubles. In the early years of the troubles, the British government sought to limit its involvement to reform of the security forces and to maintain the Unionist government while pressing it to introduce reforms. This approach failed. It led to a radicalisation of Catholics who were fearful that after the limited reforms, the situation in Northern Ireland would disappear from the international limelight and they would be left to face continuing Unionist domination of the political system. Following further violence in response to the introduction of internment without trial in August 1971, the British government introduced direct rule from London in March 1972. Ironically, in the light of the current difficulties over the devolution of justice and policing powers, it was the Unionist government's resistance to the transfer of responsibility for security to Westminster that precipitated this step.

Direct rule paved the way for a major political initiative by the British government to reshape government in Northern Ireland. This culminated in the Sunningdale Agreement of December 1973. It led to the establishment of a power-sharing government in Northern Ireland, which took office in January 1974. The experiment in power-sharing lasted only five months. The Executive was brought down by a general strike by Protestant workers. The Protestant community was especially angered by the Sunningdale Agreement's provision for the

establishment of a Council of Ireland. This was widely represented by opponents of the deal as a slippery slope to a united Ireland. The collapse was caused by the resignation of the Executive's Unionist members, who were responding to clear indications that the Protestant community rejected power-sharing, feared the Council of Ireland and preferred the alternative of direct rule from London. A prolonged period of direct rule followed.

A crisis in the prisons in the early 1980s further polarised opinion. It also led to the intervention of Sinn Féin, the political wing of the Provisional IRA, in electoral politics. The British government's response to the rise of Sinn Féin was to seek to address Catholic alienation through involving the Irish government on a consultative basis in the governance of Northern Ireland. To the fury of Unionists, in November 1985 the British government signed the Anglo-Irish Agreement with the government of the Republic of Ireland that enshrined the basis of co-operation with the Republic in an international agreement. Protests on the streets of Northern Ireland failed to bring about the demise of the Anglo-Irish Agreement. This forced Unionists to contemplate negotiations to secure its removal and helped to create the basis for talks among the constitutional parties in the early 1990s.

The talks among the constitutional parties (i.e. those parties without paramilitary connections) failed to reach agreement, but, nonetheless, provided impetus for a broader peace process. By 1992 there were signs that the Republican movement was seeking an alternative to continuance of the Provisional IRA's 'long war'. Talks between the leader of the SDLP, John Hume, and the President of Sinn Féin, Gerry Adams, prompted the British and Irish governments to issue a joint declaration in December 1993. This promised that if the Provisional IRA brought its campaign of violence permanently to an end, the way would be opened for Sinn Féin participation in negotiations on a new political dispensation for Northern Ireland. The response

from the Republican movement was to seek further clarification of the two governments' declaration, but finally at the end of August 1994 the Provisional IRA announced an indefinite cessation. This was followed by a ceasefire by the principal Loyalist paramilitary organisations in October 1994.

However, the paramilitary ceasefires did not lead immediately to negotiations among the parties. Indeed, the delay was a factor in the Provisional IRA's abandonment of its ceasefire in February 1996. Elections for the purpose of establishing the parties to the negotiations were held at the end of May 1996. Despite the end of the IRA ceasefire, Sinn Féin fared well in the elections to the Forum, as it was termed, though the party remained excluded from the negotiations. However, in Sinn Féin's absence, negotiations among the remaining parties made little headway. Following the election of new governments in both the UK and in the Republic of Ireland, there was a resumption of the IRA ceasefire in July 1997. This paved the way to negotiations among the parties, including Sinn Féin, but excluding two Unionist parties that left the talks on Sinn Féin's entry into the process. Ultimately, these talks led to the achievement of the Belfast Agreement – also commonly referred to as the Good Friday Agreement (GFA) – on 10 April 1998.

The GFA was endorsed by large majorities in referenda in Northern Ireland and the Republic of Ireland. However, the size of 'Yes' vote in Northern Ireland of over 70 per cent of those voting tended to mask the fact that whereas Catholics had voted almost unanimously for the Agreement, Protestants were evenly divided between 'Yes' and 'No'. This became evident in the voting for the Northern Ireland Assembly in June, when pro-Agreement Unionists achieved only a narrow victory over anti-Agreement Unionists. The picture was complicated by the fact that the anti-Agreement forces contained within their ranks a number of members of the

Ulster Unionist Party (UUP), the leading pro-Agreement party. Henceforth, these anti-Agreement members of the UUP waged a relentless campaign against the pro-Agreement leader of the party, David Trimble.

Disagreement over the interpretation of the Agreement in relation to the decommissioning of paramilitary weapons proved an obstacle to the implementation of the GFA. A devolved power-sharing government eventually came into existence in December 1999, but lasted only to February 2000 after the IRA failed to begin decommissioning. After an IRA initiative to allow inspection of some of its arms dumps, the devolved government was re-established in June 2000, but the issue of decommissioning continued to cast a shadow over its existence. However, it was other activities by the IRA and not the issue of decommissioning as such that brought the power-sharing experiment to an end in October 2002. Thus, after allegations of spying by the IRA on government, the Secretary of State suspended the institutions ahead of expected Unionist resignations from the Executive over the spying scandal. By this time, there had been two acts of decommissioning by the IRA.

A third act of decommissioning accompanied a major effort to re-establish devolution in October 2003. The breakdown of the choreographed steps towards restoration of the power-sharing Executive helped to ensure the victory of the two radical parties on either side of the sectarian divide in the Northern Ireland Assembly elections of November 2003. But the efforts of the two governments to revive the functioning of the GFA continued. In December 2004 they narrowly failed to secure the acceptance of the DUP and Sinn Féin for their proposals. That initiative was followed by a profound crisis in the peace process as a result of a bank robbery later that month and a murder following an argument in a bar. There were accusations of the involvement of the Provisional IRA in both events. But, paradoxically, the crisis gave impetus to

the peace process by ending the procrastination of the leaders of the Republican movement over the issue of decommissioning. After the complete decommissioning of IRA weapons in September 2005, as well as efforts by the Republican movement to distance its members from criminal activities, the path was cleared for the two governments to put pressure on the Unionists to agree once more to power-sharing.

This culminated in the St Andrews Agreement of 13 October 2006. The description of the document as an agreement was somewhat misleading insofar as it implied that the DUP and Sinn Féin had signed up to its terms. In truth, it was not a deal but a set of proposals put forward by the two governments with a timetable for implementation. But it was carefully calculated to secure the acquiescence of the two parties and would not have survived if it had been repudiated by either of them. However, the parties were by no means irrevocably committed to follow the two governments' wishes. In fact, modifications were made to the terms to benefit the two radical parties, including the provision that the largest party in the Assembly would be able to nominate the First Minister, regardless of whether the party was in the largest designation. What is more, it was only on 26 March 2007, the last possible date for preventing the collapse of the whole process that the DUP finally committed itself to a specific date for power-sharing with Sinn Féin. Crucially, this was after the holding of elections to the Northern Ireland Assembly. Thus, the first election in which the DUP could be described as a pro-Agreement party was the European elections of 2009. It was also the first European Parliament election since 1979 (and the holding of the first direct elections to the European Parliament) that the DUP candidate did not head the poll in Northern Ireland (see Table 1).

Table 1: European Parliament elections, main parties' percentage of first preferences, 1979 - 2009

Party	2009	2004	1999	1994	1989	1984	1979
SF	26.0	26.3	17.3	9.9	9.1	13.3	
DUP	18.2	32.0	28.4	29.2	29.9	33.6	29.8
UUP	17.1+	16.6	17.6	23.8	22.2	21.5	21.9
SDLP	16.2	15.9	28.1	28.9	25.5	22.1	24.6
TUV	13.7						
Alliance	5.5	(6.6)*	2.1	4.1	5.2	5.0	6.8

DUP = Democratic Unionist Party

UUP = Ulster Unionist Party

SDLP = Social Democratic and Labour Party

TUV = Traditional Unionist Voice

*Independent supported by Alliance and other small parties

+The UUP candidate stood in this election under the banner of Ulster Conservative and Unionist New Force (UCUNF)

Source: Nicholas Whyte 2009

The DUP candidate from 1979 to 1999 was Ian Paisley. He topped the poll on each occasion. In that period, one DUP candidate, one SDLP candidate and one UUP candidate were elected. In 2004, the SDLP failed to win a seat and Sinn Féin won a seat for the first time. The same parties won seats in 2009 as in 2004. Northern Ireland is treated as one constituency in European Parliament elections and elects three MEPs on the basis of the single transferable vote (STV) system. In some of the elections Alliance was outpolled by another party (or parties), but none received above 7 per cent of the vote. One of the best supported of the independent candidates was Bernadette McAliskey who secured 5.9 per cent of first preferences in 1979. Her performance, which was linked to the campaign of Republican prisoners for special category status, was a factor in Sinn Féin's decision to contest elections in Northern Ireland.

Actors

Northern Ireland is commonly described as a deeply divided society. Indeed, the sharpness of its divisions makes it an exemplar of the category. Emphasising the depth of its divisions, Donald Horowitz has described Northern Ireland as a severely divided society (Horowitz 2001). There

remains more room for argument about the nature of the province's divisions. In the academic literature it is most commonly described as an ethno-national cleavage, reflecting, in part, the influence of the writings of McGarry and O'Leary on Northern Ireland (for example, McGarry and O'Leary 1995). But there are some difficulties with such a description since while it is the case now that Protestants and Unionists commonly identify themselves as British (itself an overarching category that includes, for example, the English, Scots, Welsh and Cornish) and Catholics and nationalists commonly identify themselves as Irish, this is a relatively recent development. Political fashion has followed academic usage, with Loyalist murals, in particular, asserting that nationality is at the heart of the Northern Ireland conflict. However, before the start of the troubles in the late 1960s, it was perfectly possible to assert that one was Irish, Protestant and a Unionist, just as there is no contradiction in someone today asserting that he or she is both Scottish and a Unionist. The process whereby being Irish has become synonymous with being a nationalist committed to the ideal of a united Ireland has been a gradual one. Alongside the rise of British-ness as more than simply a political commitment to the preservation of Northern Ireland as part of the United Kingdom, the notion of the Celts as an overarching ethnic identity, bringing together the Irish, Scots, Welsh, Cornish and Bretons has lost any political force.

However, objections can also be made to the straightforward description of the conflict in Northern Ireland as a sectarian one. The most obvious is that the conflict has little to do with the different religious beliefs of Protestants and Catholics. The even simpler description of the conflict as a communal one has the virtue that it transverses different time periods. It also gets to the heart of the matter, the existence of a deterrence relationship between two communities in the north-east of Ireland that predated partition. Analysing the failure of efforts to achieve

normalisation of relations between Protestants and Catholics in Ulster in the 1850s, Frank Wright wrote the following: ‘once violence became more reciprocal and less one sided, people were in danger of finding their identity determined by those whose violence they feared most’ (Wright 1996: 242). And the separation of the communities in Northern Ireland remains underpinned by the fear of the violence of the other side. While the peace process has greatly reduced the level of inter-communal violence, there have continued to be sufficient episodes of such violence to ensure that the threat of violence between has far from disappeared as a factor in people’s identities or behaviour, including their assumptions about what places constitute safe areas. Twenty years ago, John Whyte presciently wrote that if the political parties by some miracle achieved an accommodation on the constitutional question, security issues were likely to loom large as a problem in the normalisation of relations in the society (John Whyte 1990). It is striking that it has been security issues that have caused most of the difficulties in the peace process, including the question of paramilitary disarmament, policing, criminality and parades.

There is a small minority of people living in Northern Ireland who do not consider themselves to be part of either of the province’s two communities, but at the same time there has been a process of absorption into the two communities of immigrants who have not been either Protestants or Catholics in a religious sense. There are also some mixed residential areas in generally the most affluent parts of the province in which attachment to either of the two communities is slight, providing some space for political parties that cross the main communal faultline. The most important of these for the last 40 years has been the Alliance Party. However, as the figures for Assembly elections given in Table 2 below underline, most of the electorate have voted either for one of the Unionist parties or for one of the nationalist parties, with political competition taking place within each community and not between them. Further,

the trend since the GFA has been towards the radical or extreme end of the spectrum in both communities. It might be argued that the aim of voters has been to achieve a better deal for their community rather than to overthrow the basis of co-operation across the divide and also that the radical parties have moderated their positions to appeal to voters supporting their rivals. However, that paints a somewhat rosy picture of a more complex reality in which the pressure on the parties to be accommodating has come from above rather than below.

Table 2: Assembly elections of 2007, 2003 and 1998 – results for five main parties in terms of percentage of first preference votes and seats*

Party	% vote 07	Seats 07	% vote 03	Seats 03	% vote 98	Seats 98
DUP	30.1	36	25.71	30	18.01	20
Sinn Féin	26.2	28	23.52	24	17.63	18
UUP	14.9	18	22.68	27	21.25	28
SDLP	15.2	16	16.99	18	21.96	24
APNI	5.2	7	3.67	6	6.50	6

DUP = Democratic Unionist Party
 UUP = Ulster Unionist Party
 SDLP = Social Democratic and Labour Party
 APNI = Alliance Party of Northern Ireland

*Elections to the Northern Ireland Assembly took place in 18 six-member constituencies, with MLAs elected on the basis of the single transferable vote system of proportional representation.

Source: Nicholas Whyte 2009.

In this context, the role played by the two governments has been hugely significant. Indeed, in retrospect, the turning point in the Northern Ireland conflict was the Anglo-Irish Agreement of November 1985 that institutionalised co-operation over Northern Ireland between the British and Irish governments. It paved the way to their joint promotion of the peace process in the 1990s. The fact that the two governments have sung from the same hymn sheet, as the saying goes, has been an important factor ever since in limiting the options of the internal parties.

But a downside of what might be called the two governments' coercive diplomacy has been a lack of commitment by the Unionist parties in Northern Ireland to the principles of deals they have accepted on the basis that rejection would have left them in a worse position. (It might be argued that Britain joined the European Communities for similarly negative reasons of the lack of an alternative, the enduring legacy of which has been persistent Euroscepticism.)

A further reason why the role of the two governments has been so important is that there is more to the issue of Northern Ireland than the province's internal divisions. To that extent, the deeply divided societies framework is an inadequate basis for the analysis of the Northern Ireland case. It has a significant external dimension that stems from Northern Ireland's lack of international legitimacy as a political entity. The problematic nature of Northern Ireland's status as conditionally part of the United Kingdom explains why successive British governments have been more or less compelled to seek the support of the Irish government in their efforts to address the conflict. In short, underpinning the Irish dimension has been British acceptance of the proposition that a settlement without such an element would be unlikely to secure the support of the international community.

External mediators

In view of Northern Ireland's position as part of the United Kingdom, it seems questionable to treat the British government as an external mediator since it is ultimately the sovereign authority. The close working relationship with the Irish government makes it difficult to separate its role from that of the British government. That leaves the governments of the United States and of South Africa as the most obvious examples of external mediators in the context of the Northern Ireland peace process. President Clinton and former Senator George Mitchell both played an

important role in the negotiations that resulted in the GFA (Mitchell 1999). However, it should be stressed that American involvement generally enjoyed the support of both the British and Irish governments, particularly after the changes of government in Britain and the Republic in 1997. What was dubbed the Mitchell draft in the negotiations on the GFA was the handiwork of the two governments to the extent that they made it clear to him what could and could not be changed (O’Kane 2007). But if Mitchell’s role in the GFA has been overstated, the importance of his review of the GFA in 1999 has been undervalued.

Another instance in which American influence was exaggerated was in relation to the declaration of the first IRA ceasefire. It stemmed in part from the media’s misinterpretation of Sinn Féin’s rejection of the joint declaration of December 1993 as ruling out a ceasefire, with the result that an American delegation to the party was mistakenly credited with changing the minds of the leadership. Nonetheless, Sinn Féin leaders clearly placed considerable weight on American support in the negotiations on the GFA and subsequently on its implementation. A feature of American involvement in the peace process has been its consistency under three Presidents. It was the one aspect of Clinton’s foreign policy that George W. Bush did not seek to change. The South African government has also played a useful role in assisting the peace process. The prestige of the African National Congress was used by Sinn Féin leaders to help sell the GFA to the rank and file and most particularly to imprisoned members of the IRA. And South African mediation was even more significant in the crisis in 2000 when the institutions were suspended as a result of the failure of the IRA to embark upon decommissioning following Trimble’s agreement the previous year to devolution. The Republican movement recovered from this debacle by agreeing to international inspection of a number of its arms dumps as a

confidence-building measure. The South African role in this initiative was underscored by the choice of the ANC's Cyril Ramaphosa as one of the inspectors.

Process structure

The Northern Irish peace process was launched by the joint declaration of the British and Irish governments in December 1993 and then underwritten by the announcement of both Republican and Loyalist paramilitary ceasefires in 1994. It owed much to the spirit of the times.

Particularly important were the examples of the South African transition culminating in the inauguration of Nelson Mandela as President of a non-racial South Africa and the Oslo peace process in the Middle East underscored by the handshake between Rabin and Arafat on the lawn of the White House. If violent conflicts as intractable as those in South Africa and Israel/Palestine could be resolved through negotiations, surely, so the argument went, the politicians in Britain and Ireland had a duty to initiate negotiations on the Irish Question. Also important to the peace process in Northern Ireland was the ending of the Cold War, as it was to many other regional conflicts in the world that were resolved during the 1990s.

This was despite the fact that unlike, for example, the conflicts in Africa and the Middle East, Northern Ireland had not become an arena of super-power rivalries. This was because an assumption of the Provisional IRA – and a justification for its strategy of a ‘long war’ – was the belief that the British government was determined to maintain a presence in Ireland for strategic and economic reasons. The end of the Cold War made it possible both for the British government to declare that it had no selfish strategic or economic interest in Northern Ireland and for this to be accepted by the Republican movement. The priority given by the British government to sustaining the paramilitary ceasefires on both sides of the sectarian divide dictated

an inclusive approach to negotiations at the outset of the peace process. This was most evident in the extraordinary lengths the government went to in devising rules for the election of the Northern Ireland Forum in 1996 that would secure the success of small Loyalist political parties linked to the major Loyalist paramilitary organisations.

In the process that followed, the British and Irish governments played the leading role at all the critical stages of the negotiations. This was the case leading up to the GFA and in the subsequent crises over its implementation, then in the putting together of the St Andrews Agreement and most recently in the crisis over its implementation. While ideas that originated from the parties in Northern Ireland were certainly included in the settlement, progress was rarely achieved in the absence of the presence of the two governments. The single significant exception to this were the negotiations that took place in terms of George Mitchell's review of the operation of the GFA in 1999 that persuaded Trimble to agree to devolution in advance of IRA decommissioning. Nonetheless, the process structure is most accurately described as management by the two governments.

Settlement design

The Northern Ireland political settlement is embodied in two documents, the Good Friday Agreement of April 1998 (or to give its formal name, the Belfast Agreement) and the St Andrews Agreement of October 2006. The Agreement at Hillsborough Castle of February 2009 might now be added to the earlier documents. However, much the most important of these documents is the GFA and that is reflected in a jocular description of the St Andrews Agreement as 'the Good Friday Agreement in a kilt' (Wilford 2008). But note also needs to be taken of the legislation implementing these agreements. Thus, in the case of the St Andrews Agreement the

legislation introduced a new rule of very considerable political importance. It provided (though in a curiously roundabout manner) that the largest party in the Assembly would nominate the First Minister, regardless of whether the party belonged to the largest designation in the Assembly or not. This means that there might be a Sinn Féin First Minister if the Unionist vote is divided among three parties.

Two principles have underpinned the design of Northern Ireland's political institutions, proportionality and parallel consent. The first is reflected in the use of the d'Hondt mechanism for the choice of ministers in the Executive. There are 10 ministers in addition to the First Minister and the Deputy First Minister, who jointly occupy the Office of First Minister and Deputy First Minister (OFMDFM). The parties nominate to their choice of ministries in sequence according to their strength in the Assembly. However, this procedure will not apply to the initial choice of a Justice Minister which will be on the basis of a cross-community vote. The second principle is embodied in the concept that important decisions of the devolved government should be acceptable to a majority of both communities as far as that is practicable, a notion that has underpinned the British government's approach to the governance of Northern Ireland since the early 1970s. The system of designation of members of the Northern Ireland Assembly as Unionist, nationalist or other provides the basis for the operationalisation of parallel consent, though this is qualified slightly by the availability of an alternative procedure employing a weighted majority of 60 per cent of members of the Assembly present and voting (and requiring the support of at least 40 per cent of members in both the Unionist and nationalist designations). Further, important decisions include matters that may be deemed such by at least 30 members of the Assembly.

The devolved institutions form one strand of a three-stranded settlement. The Irish dimension is enshrined in the settlement in the form of a North-South Ministerial Council overseeing functional co-operation between Northern Ireland and the Republic of Ireland in a number of areas. This aspect of the settlement was once highly controversial because of the interpretation of such co-operation as facilitating progress towards a united Ireland, but it has hitherto not been a major source of disagreement among the parties and is no longer the centre of political attention. An innovative aspect of the GFA was its establishment of East-West co-operation among the different governments across Britain and Ireland along the lines of the Nordic Council. Its merit was that it was acceptable to nationalists while it helped to reassure Unionists that the effect of the GFA would not be to distance them further from the rest of the United Kingdom.

Evaluation

There is a fundamental flaw in interpretations of the Northern Ireland peace process that treat consociationalism as providing the foundation of the process. Thus, the focus of the writings of McGarry and O'Leary has been on the consociational nature of the settlement, most notably in the volume edited by Rupert Taylor (Taylor 2009). The weakness of this approach is simply this. Consociational institutions have functioned for a fraction of the period of the peace process and have rarely done so effectively for any significant period of time or in the absence of threats from one of parties participating in them to bring them down. A more realistic view is that Northern Ireland's consociational institutions are the product of its peace process and, more particularly, of conflict management by the two governments that initiated and have sustained the peace process.

If Northern Ireland's settlement is best viewed through the prism of conflict management, this does not necessarily mean that what has been achieved in Northern Ireland has little relevance to the resolution of other conflicts or is insignificant. It has most relevance to conflicts taking place within particular regions, such as the long-running conflict in Kashmir. However, it might be argued that the increased propensity of the Western powers to involve themselves in the internal governance of at least nominally independent states has widened the number of situations to which mechanisms of the Northern Ireland peace process might be applied. Indeed, the point might be made that the consociational model is particularly attractive to external parties seeking to influence political developments, since its institutionalisation of differences facilitates the management of these sorts of conflicts by external parties. And consociationalism can be regarded as a particularly potent tool of external conflict management. It is a somewhat ironic outcome for a system of government devised originally to embody the politics of accommodation in small states seeking to preserve their independence.

Note

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