

Is Northern Ireland a “Model” for Conflict Resolution?

James Hughes

**Professor of Comparative Politics
Department of Government
London School of Economics and Political Science**

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What was the Northern Ireland conflict about? How one frames the answer to this question will determine what solutions one prescribes for the conflict. The deep divisions of Northern Ireland’s society are paralleled in the antagonisms and differences of approach within the academic community over how the conflict should be understood, and on the merits of the recent agreements to resolve it. Broadly, the schism within the academy hinges on whether one positively or negatively evaluates the value of consociationalism as a conflict regulation mechanism. Among the ranks of the most robust defenders of the Belfast Agreement are also the most persistent advocates of consociationalism for Northern Ireland, and equally the most fervent opponents of the Agreement are the most trenchant critics of consociationalism.

Among the most persistent advocates of consociationalism for Northern Ireland are John McGarry and Brendan O’Leary, who locate their analysis of the conflict within Lijphart’s paradigm of “deeply divided societies”, though with some significant modifications. Whereas Lijphart problematised the accommodation of confessional and linguistic “segmental” cleavages in states where politics was rather conventionally concerned with power and resource allocation between such groups, McGarry and O’Leary have connected consociational theory more firmly to theories of ethnonationalism and conflict.¹

Many of the critics of McGarry and O’Leary are simply unsettled by the philosophy underpinning consociationalism, which they tend to frame as a “group” differentiated approach to power-sharing in fundamental breach with liberal forms of democracy. Others, the overwhelming majority of the intellectual discontents, contend that consociationalism is reproducing systemic sectarianism. Rather than overcoming the causes and legacies of the troubles, it is argued, the consociational institutions embed and reinforce them by entrenching the conflict entrepreneurs in government. That the peace process was inclusive, drawing in the political extremes of both sides to cooperate within a consociational framework, is a feature of the Northern Ireland settlement that particularly rankles with liberal cosmopolitans. The peace is perceived by them as having been won by the extremists, and the “bad guys” have been

¹ They have recently broadened their perspective to include recommending consociationalism for other places where politics is primarily centred on ethnonational challenges to the existence of the state such as Iraq and Kurdistan. See Brendan O’Leary and John McGarry eds *The Future of Kurdistan in Iraq*, Philadelphia: University of Pennsylvania Press, 2006.

rewarded with power. This critique, labelled as the “social transformation” or “integrationist” approach by McGarry and O’Leary, places the social structure of systemic sectarianism in Northern Ireland at the core of its understanding of the “root cause” of the conflict. It also frames the competing ethno-nationalisms as a form of false consciousness, contingently mobilised and ensuing from the drift to violent conflict in the 1960s. In effect, the approach is conditioned by an ideological or normative preference for a class divide over essentialist ethnonational and sectarian divides.² McGarry and O’Leary, in contrast, pivot their whole approach on the thesis that historically grounded and competing variants of Irish-British ethno-nationalisms, not religious identity, have been the key driver in the conflict. Other structural features and epiphenomena of the conflict, they suggest, such as sectarianism, and by implication segregation, have derived from the ethnonational “root cause”.

What McGarry and O’Leary share with the “integrationist” approach is a focus on the role of elites and institutions. For McGarry and O’Leary, the Agreement is analysed as an elite pact (with local, regional, and international constituents) that has engineered an institutional fix to end the conflict. For the integrationists, it is the wrong kind of elite deal and a mis-engineered fix. The debate between both approaches, in essence, turns on whether the deal is viewed as a progressive outcome or not. Fundamentally, the critiques of McGarry and O’Leary hinge on the idea that the consociational outcome offers no vision of the “good life”, in sum it is a nightmarish dead-end of sectarian politics. The shared focus on elites and institutions, however, only addresses one level of the conflict, though obviously it is a critical one. There are other levels.

Here, I aim to bring some of these other levels into the frame. In particular, these approaches tend to objectify society. Society is the object, the seemingly inactive canvass, on which elite politics and the institutional fix is overlain. Both approaches decouple their defence from a contextualisation of consociationalism, assuming that the forms and structures of the deeply divided society in Northern Ireland are inherently self-evident, and, importantly, that the societal divisions are somehow predetermined and set. The nature of the societal divisions, and how they are reflected in socio-economic structures and everyday realities, is fundamental to the debate about the “root cause” of the conflict, and therefore fundamental to evaluating the outcome of the conflict. Social processes are dynamic. The nature of the deeply divided society in Northern Ireland is in flux, and new social factors, such as new immigrants, are in play. Consequently, we cannot evaluate the Agreement without taking account of this social dynamism.

There are three interwoven strands to the analysis that follows. Firstly, I want to shift the focus from the new governing institutions and bring society back into our discussions. For the argument that the Belfast Agreement of 1998 is the Sunningdale Agreement of 1973 redux, suggests that the nature of the social divisions are static. Is the divided society in Northern Ireland fixed or in flux? Secondly, by analysing social dynamism we may be better positioned to evaluate some of the elite discourse and mindsets about the outcome of the peace process. In particular, there is a swelling

² See for example the chapters by Rupert Taylor ‘The Injustice of a Consociational Solution to the Northern Ireland Problem’ and Robin Wilson ‘From Consociationalism to Interculturalism’ in Rupert Taylor ed, *Consociational Theory. McGarry and O’Leary and the Northern Ireland Conflict*, Routledge 2009.

elite discourse around the notion that Northern Ireland is a “model” of conflict resolution – but what kind of “model” is it? The elite discourse shares many of the same obsessions as those in academia with technocratic fixes to social disequilibrium and violent conflict, and the objectification of society in Northern Ireland. Thirdly, I aim to demonstrate that the objectification discourse and mindset is a current that permeates not only academia, political and managerial-administrative elites, but also those parts of civil society engaged in peacebuilding and reconciliation.

The Parallel Communities of Consociational Society

McGarry and O’Leary observe that consociationalism is a political toolkit for “managing diversity”, and for making “democracies with multiple peoples” work.³ But does not the kind of diversity matter for conflict and its outcome? If consociationalism is most appropriate for states with “multiple peoples”, what does that imply for society in Northern Ireland? In one of their few references to society McGarry and O’Leary offer a “two nations” perspective on the conflict, declaring that Northern Ireland is a “bi-national place, a sub-set of the category of pluri-national places, which have more than one mobilized national community.” In such places, they affirm, “national identities are politically salient”, “durable”, and are testable by examining the nature of party competition and civil society.⁴ The question, however, is not simply does the nature of party competition and the organisation of civil society reflect nationalist ideological, ethnic, and/or religious social cleavages, but also how are those cleavages socially structured? It is surely more plausible to view ethnonational and religious cleavages as mutually reinforcing and compounding.

The Belfast Agreement is seen as historic precisely because it is presented, and indeed its implementation was organised so, in a manner to bring to a conclusion not just the thirty years conflict in Northern Ireland, but also the deeper historical ethnonational conflict between British and Irish identities. The political rhetoric of the elites about the Agreements reveals that they perceive the outcome as a kind of “end of history”, where nationalist antagonisms have been transcended. Although the Belfast Agreement itself recognised that changing society was a critical element of stabilisation, its content in this area was rhetorical. The declaration of support at the beginning of the Agreement laid out a commitment to “the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of the human rights of all.” The section on reconciliation and victims of violence stated more specifically: “An essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education and mixed housing.”⁵ But what accounts for this lack of concern with social transformation?

We could interpret the Agreement in a positivist frame by understanding it as a sequenced, two-stage solution to the conflict: achieve elite accommodation first, and society will follow (though the erosion of the parallel living of the two communities

³ McGarry and O’Leary: 3-4.

⁴ Ibid.

⁵ *The Agreement. Agreement reached in the multi-party negotiations* (10 April 1998): 18 <http://cain.ulst.ac.uk/events/peace/docs/agreement.htm> hereafter referred to as the Belfast Agreement.

was seen as a much longer term project). Whereas the minutiae of the governing institutions, security arrangements, and the relationships between the UK and Ireland were detailed, no such policy specifications were made for societal transformation. This kind of elitist institutionalist approach is intrinsic to the core thinking underlying consociationalism. For Lijphart, “accommodation” was a value that was to be understood first and foremost as a “spirit of accommodation” between the elites involved in making the consociational institutions work.⁶

However, we can examine the challenge of social transformation in a segregated society along several key dimensions: housing, education, public service provision, culture, and employment, among others. There is a general recognition that the two key pillars of the parallel communities – housing and education – are durable features of Northern Ireland’s divided society. The “Harbison Report” of 2002 (i.e. post-Agreement) on the state of community relations observed that there is “little evidence of significant increases in shared education or housing”.⁷ The segregated living of parallel communities translates into multiple domains of segregation: relationships and marriage, work, culture, use of public services and facilities (including welfare, health, and leisure), use of public transport, employment, shopping, and even develops its own psychological frame with regard to mental mapping, “ownership” and movement within space, and calculations about the desirability and risk of contact.

Let us explore one of the key dimensions – housing segregation – as a means of illustrating some of the bigger questions about cause and effect in the conflict. Segregation implies a strong emotive content to social values but it may be driven by many factors, including cultural distance and mutual repulsion, racism, and most obviously in a conflict zone, by fear, anxiety, risk and insecurity. It is seen as a negative social phenomenon that embeds and reinforces mutual ignorance, which in turn both may consolidate the support of hardliners and conflict entrepreneurs, and also be manipulated by such groups. Leading scholars of spatial segregation in Northern Ireland such as Shirlow have argued that the phenomenon is impelled by a political logic to mobilize fear through “propaganda conditioning” and thereby create ethno-religious “enclosures”.⁸ In a segregated society “psychological barriers are reinforced by physical boundaries”.⁹ Both official statistics and independent academic research reveal a high degree of territorial segregation in the housing of the two main religious groups since the start of the troubles.

The weakness of the historical data makes it difficult to ascertain just how far back the antecedents of housing sectarianism stretch. Key studies have suggested that segregation along ethnic and religious lines originated in the Ulster Plantation in the early seventeenth century. Towns in Ulster, as in the rest of Ireland, were largely garrisons and administrative centres, and the native Irish were usually segregated to areas outside the walls in the ubiquitous “Irishtowns” – a nomenclature that is preserved in many towns and cities. Certainly, there is evidence of ethnic and

⁶ Lijphart reference

⁷ Harbison Report: 4.

⁸ P. Shirlow, “Ethnocentrism and the Reproduction of Fear in Belfast”, *Capital and Class*, 80 (2003): 77-93 at 77.

⁹ Joanne Hughes, Andrea Campbell, Miles Hewstone and Ed Cairns, “Segregation in Northern Ireland. Implications for Community Relations Policy” *Policy Studies* 28, 1 (2007): 35-53 at 46.

religious segregation in the pattern of urbanization that developed as a result of the development of the linen and shipbuilding industries. Census data provides firm evidence that by 1911 41 per cent of Catholics and 62 per cent of Protestants were living in segregated areas. According to influential studies by Boal, segregation increased in periodic surges between 1911 and 1969, and the trend seems to have been driven by a ratchet effect from episodes of interethnic violence in the early 1920s, in 1935, and in the period from 1969.¹⁰

Housing is one of the principal pillars of the “integrationist” argument that the conflict is driven by materialist grievances, but this interpretation overlooks the ethnonational politics of housing policy under Unionism. Discrimination in the allocation of public housing was, of course, one of the main causes of the formation of the Northern Ireland Civil Rights Movement. Housing discrimination was not simply about gerrymandering local political control, but was part of a more systemic ethnonational hegemony exercised by Unionists.¹¹ The “ethnic cleansing” violence of the early troubles (1969-71) consolidated the segregation of the working class of the two communities.¹² The interfaces between these communities in north, west and east Belfast were subsequently hardened with security fences. The Northern Ireland Housing Executive (NIHE) was established as a state agency to take the political heat out of the contentious issue of public sector housing allocation. For security considerations it reinforced the segregation of public housing by preserving the highly polarized territorial ethno-religious divide established in the early 1970s. An indication of the hardening of housing segregation, and of working class views about it, is that the number of security interface fences has increased since the Belfast Agreement was signed.

The richest data on housing segregation is collected by NIHE and by the late 1990s its data reveals that of a housing stock of some 132,000 units, 42 per cent are in Protestant only estates, 30 per cent are Catholic, and 29 per cent are classified as “integrated”. Murtagh has shown that there is a strong correlation between districts which are stable in their religious demography, low rates of violence during the conflict, and higher levels of NIHE classified “integrated” housing.¹³ These estates tend to be located in peripheral areas outside the main conurbations. However, we should treat the claims of housing “integration” with caution. NIHE classifies “integrated” estates as those with just a minimum of 10 per cent Protestant or Catholic. Most studies of bipolarized societies recognize that a much larger figure from each community is a reliable indicator of residential mixing. When Shirlow and Murtagh

¹⁰ F. Boal “Segregating and Mixing: Space and Residence in Belfast”, in F. Boal, and J. Douglas (eds) *Integration and Division. Geographical Perspectives on the Northern Ireland Problem*. London: Academic Press Inc. Ltd., 1982: 253. See also F. Boal “From Undivided Cities to Undivided Cities: Assimilation to Ethnic Cleansing”, *Housing Studies* 14 (5): 585-600.

¹¹ Housing data shows that there is a strong correlation between a systemic pattern of under-investment in housing stock and the areas west of the river Ban, which are mainly nationalist and Catholic, irrespective of whether political control was at stake or not.

¹² It is estimated that the ethnic cleansing in the Belfast area alone between August 1969 and February 1973 affected between 8,000 families (minimum) and approximately 15,000 families (maximum), or roughly between 6.6% and 11.8% of the population of the Belfast Urban area. See J. Darby and G. Morris *Intimidation in Housing*. Belfast: The Northern Ireland Community Relations Commission, 1974: summary page c.

¹³ Brendan Murtagh “Integrated Social Housing in Northern Ireland” *Housing Studies* 16, 6 (2001): 771-789 at 777-780.

attempted to measure segregation and mixing in Belfast they found that just 10.7 per cent of catholics and 7 per cent of protestants live in areas that are between 41-60 percent protestant or catholic – a more accurate and realistic assessment of the level of mixing.¹⁴ Model “integrated” public housing estates are only now being developed by NIHE but these involve only a few schemes of a few dozen houses each in rural areas largely unscathed by the violence, and where arguably people are already reconciled.¹⁵

While there is a tendency, even on the Left, for “integrationists” to focus on sectarianism, there is an apparent shift towards a new form of social or class segregation in big cities such as Belfast. Observation suggests that there has been significant growth in “elite spaces” and middle class “gated communities”. There is much anecdotal evidence of the so-called “Greening of BT9”, that is to say the demographic shift of young, professional catholics with consumerist lifestyles fed by the post-conflict economic growth into traditionally protestant leafier middle and lower middle class areas of South and East Belfast. The early studies of housing and conflict in Belfast by Boal surmised that the middle class areas of South Belfast showed less evidence of sectarianism precisely because they were “mixed”. There may be a false correlation with “mixing” as one can just as easily assume that the values are class-based, even allowing for the fact that middle class members are traditionally more astute at disguising their intolerance and articulating “pluralism”. Research focuses on working class segregated communities, however, rather than the so-called “mixed” middle class areas. The latest research in this field finds that catholics are more amenable to “mixing” and have more nuanced attitudes on politics and religion, whereas the demonisation of the “other” is more salient among protestants, and the difference in values may be related to perceptions of winners and losers from the political accommodation.¹⁶ Social policy experts talk of a “twin speed” society. Although unemployment is low relative to the UK, the economic growth is in new sectors such as IT and services, which require education and skills that the traditional working class lack. Job growth is also in areas well outside the working class districts. Consequently, the ghettoisation and social destabilisation of the working class is a major concern, while segregation reinforces the territorial electoral power of the two ethnoreligious “blocs”. The main studies of housing segregation conclude that any social transformation of this reality is a long way into the future.¹⁷

One factor of social dynamism in Northern Ireland that may contribute to a social transformation sooner rather than later is new migration. The 2001 Census identified that there was a total of 26,659 people living in Northern Ireland who were born outside the United Kingdom and the Republic of Ireland, while a total of 14,279 people identified as belonging to a minority ethnic community. The number of new migrants is steadily growing, particularly from the so-called A8 countries (the new EU member states of central and eastern Europe). The current wave of migration is a

¹⁴ Peter Shirlow and Brendan Murtagh, *Belfast. Segregation, Violence and the City*, London, Pluto Press, 2006: 59-60.

¹⁵ For example, a partnership between the Ulidia Housing Association and NIHE led to the building of the first “mixed” housing development under the Shared Future agenda at Carran Crescent in Enniskillen.

¹⁶ Hughes et al (2007): 46.

¹⁷ See notes 10, 11, 13 above.

new trend for several reasons: its speed and scale, the fact that the A8 migrants have no prior connection with the UK or Ireland, and the fact that many are nominally catholic (especially the Poles and Lithuanians). The scale of this new migration may also be underestimated. If within the near future the migrants form 3 -5 per cent of the population, it would be at a level where local politics could not be unaffected. Furthermore, the scale of migration is of a level where it is already a significant social factor in employment, housing, education and religion.¹⁸

The Managerial Challenge to Consociationalism

The core thinking underlying much of the political rhetoric about the peace process can be interpreted as follows: we have devised the technocratic fix to this problem, so let's move on to "normality", which means a focus on the managerial (and economic) aspects of governing. The analysis of housing presented above provides some insight into the scale of the challenge facing any attempt at rapid social transformation. Perhaps this explains the lack of social content in the peace process. However, there was a dynamic tension within British policymaking between the consociational and "integrationist" approaches in the immediate aftermath of the Agreement. In particular, when the Agreement stalled the British promoted a much more ideologically "integrationist" outlook in public policy agendas and began to challenge key pillars of segregation. The managerial and technocratic mindset and the objectification of society was prominent in this policy approach. It did not constitute simply a rational-technical perspective on the conflict, however, but was also used to challenge the philosophical foundation of the consociational settlement.

The managerialist challenge has evolved under two main guises. The first developed in the period 1999-2005 and entailed a more open ideological challenge. Beginning with the publication of the consultation exercise on "community relations" in 1999, which led to the "Harbison Report" of 2002, and including the policy ethos underlying the Trimble and Mallon draft programme for government of 2000, it culminated with the UK government's "A Shared Future" consultation and policy of 2003-05.¹⁹ This policy focus on transcending the community divide coincided with the period from 2000-05 when the consociational political institutions were in disarray and in crisis. It was during this period of British direct rule that "integrationists" pushed their agenda forward.

¹⁸ Neil Jarman, "Changing Patterns and Future Planning: Migration and Northern Ireland", Belfast: Institute for Conflict Research, Working paper 1 (December 2005): 1-17.

¹⁹ See *Consultation Document on Funding for the Voluntary and Community Sector*, Department for Social Development, April 2000 http://www.dsdni.gov.uk/harbison_report.pdf; *Review of Community Relations Policy, Report of the Review Team January 2002*: 30 (hereafter referred to as the Harbison Report) <http://www.asharedfutureni.gov.uk/harbisonreport.pdf>; Northern Ireland Executive, Draft Programme for Government 2000 <http://www.ireland.com/newspaper/special/2000/niprogramme.pdf>; *A Shared Future – Policy and Strategic Framework for Good Relations in Northern Ireland*, January 2003 http://www.asharedfutureni.gov.uk/2003_consultation_paper.pdf; *A Shared Future Policy and Strategic Framework for Good Relations in Northern Ireland*, March 2005 <http://www.asharedfutureni.gov.uk/policy-strategic.pdf>

Harbison, a former academic specialist on social policy turned consummate senior civil servant, presented a stark policy choice for future policy: “separate development” or “co-existence” versus a “a cohesive but pluralist society”. The former, he determined, was “inherently unstable, undesirable, inefficient and not an outcome implied or desired in the Programme for Government.” He advocated “promoting inter-dependence” and he offered two key proposals to move ahead on social transformation: firstly to incentivise infrastructures “to promote better relations within and between communities”; and secondly, to change the policy idiom, abandoning the very language of “community relations” (which was seen by respondents, according to Harbison, as “tarnished, outdated and divisive”) in favour of the more neutral, and essentially more liberal, term “good relations”, which had been employed in the Northern Ireland Act 1998.²⁰

The liberal idiom is also evident in the culmination of the integrationist policy drive in the UK government’s *Shared Future: Policy and Strategic Framework for Good Relations in NI (2005)*, published while the institutions established by the Belfast Agreement were still suspended. The stated philosophy of the policy was overtly liberal, but also reflected a colonialist discourse on the conflict as an “Irish problem”: “The **underlying difficulty is a culture of intolerance**, which we will need to remedy if we are to make Northern Ireland a more ‘normal’ society.”²¹ [emphasis in the original]. This is a classic expression of the British “White Man’s Burden” *mission civilisatrice* for Ireland: if only we can inculcate civilized values, we will have a “normal” society. The stated policy goal was “a shared society defined by a culture of tolerance: a normal, civic society, in which all individuals are considered as equals, where differences are resolved through dialogue in the public sphere and where all individuals are treated impartially. A society where there is equity, respect for diversity and recognition of our interdependence.”²²

Inherent in the consociational thesis is the principle that a divided society must bear certain running “costs of duplication” in order to sustain stability and avert conflict. The “integrationist” policy drive of 2000-05, however, was not only couched as a moral critique of the divided society but also concealed a powerful New Labour “economic imperative” to budgetary discipline and rationalization through an attack on the diseconomies of the divided society: “Parallel living and the provision of parallel services are unsustainable both morally and economically... Policy that simply adapts to, but does not alter these challenges, results in inefficient resource allocations. These are not sustainable in the medium to long-term.”²³ The segregation issue featured prominently in the policy debates about the diseconomies of division or more colloquially the “costs of the troubles”.

²⁰ Harbison Report: 8, 41-2, 49. Under section 75 (2) of the Northern Ireland Act 1998 public authorities had a statutory duty to promote equality and “good relations” between persons of different religious belief, political opinion or racial group. “Good Relations” plans are now proliferating among public bodies. A leading community relations professional in Northern Ireland told the author that the formulation “good relations” originated in Whitehall not locally, and was seen as a more inclusive term: author’s interview, December 2007.

²¹ A Shared Future: 8.

²² Ibid.: 10.

²³ Harbison had also framed his recommendations for a policy change in terms of the “costs of duplication”, see Harbison Report: 42.

The managerial attack on the economic irrationality of the divided society was evident, for example, in the so-called “Costs of the Divide” report by Deloitte, commissioned under direct rule in 2005, but not published until April 2007. It estimated that the “upper limit” of the costs of community segregation in terms of security, public services, education, and housing amounted to about £1.5 billion annually, though only about £600 million could be directly estimated with any accuracy.²⁴ The key annual costs are: £504 million extra policing costs; £24 million added to the housing bill; £10 million extra in education; £13 million for community relations; £7 million on support for victims; about £50 million in tourism losses; plus an estimated loss of some 27,600 jobs over 17 years. It works out at under £1000 per person in Northern Ireland per year.

British leaders were pragmatic about this normative challenge to the Agreement, however, since the “Shared Future” policy document was very quickly overtaken by the St Andrew’s Agreement in 2007. The St. Andrews Agreement resulted in the blunting of the managerialist challenge to the consociationalist accommodation. The new power-sharing DUP-Sinn Féin led administration appears to be complicit in a “culture of silence” about the sectarian divide. In annex b of the St Andrew’s Agreement, the British government promised to promote “the advancement of human rights, equality and mutual respect”, but when one examines the content of its proposals the focus is on victims, security arrangements, and language rights.²⁵ The British government has simply taken much of the liberal normative attack on segregation and the neo-liberal concerns about diseconomies off its agenda. Even accessing the Deloitte report through official channels is difficult. The policy push on a “Shared Future” has been “parked”.

The Northern Ireland “Model”: Process or Outcome?

The politicians have presented the Northern Ireland conflict as a “model” of conflict resolution. But what kind of “model” do they have in mind, and what precisely are the exchange elements?

President Bill Clinton, at a time when he was deeply engaged in negotiations in the Middle East conflict, was one of the first to point to the international demonstration effects of agreement in Northern Ireland. Clinton stressed the symbolic importance of the fact that the parties to one of the world’s most protracted conflicts had reached a settlement: “And let me tell you, you cannot imagine the impact of the Good Friday Agreement in Northern Ireland on troubled regions of the world - in Africa and the Middle East, in Latin America and, of course, in the Balkans, where the United States has been heavily involved in my time. Peace continues to be challenged all around the world. It is more important than ever to say: but look what they did in Northern Ireland and look what they are doing in Northern Ireland.”²⁶ Political leaders,

²⁴ Deloitte. *Research into the Financial Cost of the Northern Ireland Divide*, April 2007: 27

<http://www.allianceparty.org/resources/index/External>

²⁵ See The St Andrew’s Agreement (October 2007) annex b

http://www.standrewsagreement.org/annex_b.htm

²⁶ President Bill Clinton, speech at the Odyssey Arena, Belfast, 13 December 2000

<http://cain.ulst.ac.uk/events/peace/docs/bc131200.htm>

however, have shied away from explicit endorsements of consociation as a conflict resolution instrument.

Rather, than attest to the value of the negotiated outcome they have emphasised the importance of the process of mediation itself (the “peace process”, “dialogue”, “talking with terrorists” etc). Former Secretary of State for Northern Ireland Peter Hain, for example, in a speech to RIIA in London in June 2007 promoting Northern Ireland as a “model” of conflict resolution identified four main components: personalities matter, the aligning of international influence, the political framework, and dialogue. Whereas, according to Hain, the “detailed structures are secondary to a basic political will to agree”, developing dialogue in the peace process was “arguably ... its ultimate objective.” For Hain, Northern Ireland offered lessons for conflicts as diverse as Iraq, Sri Lanka, Basque Country, Kashmir and Western Sahara.²⁷

A key British negotiator and Blair advisor, Jonathan Powell, has also recently argued that the importance of the Northern Ireland agreement lies in the way that engaging and “talking to terrorists” moved them from violence to democratic politics. Controversially, he posited that a similar process of engagement is required with Al Qa’ida.²⁸ Former Secretary of State for Northern Ireland, Paul Murphy, was engaged in mediation by the Sri Lankan, British and Norwegian Governments. As part of the mediation exercise Martin McGuinness visited Sri Lanka in January and June 2006. McGuinness also co-chaired with former South African government minister, Roelf Meyer, mediation talks between Iraqi groups held in Finland in September 2007.

As a consequence of the success in Northern Ireland the Irish government has placed conflict resolution and mediation at the core of its stated foreign policy objectives through its Conflict Resolution Initiative. Drawing on the experience of Northern Ireland the Irish government aims to become a “world leader” in UN mediation efforts, and has begun to establish a number of special roving ambassadors to crisis regions.²⁹ Former Finnish president Martti Ahtisaari has promoted consociational-type power-sharing arrangements in practice as a means of conflict resolution and inter-ethnic reconciliation in Kosovo. Yet, his public speeches on peace-making are overwhelmingly concerned with the “professional mediation process” rather than the institutional and other ingredients of settling conflicts.³⁰

²⁷ Peter Hain “Peace-making in Northern Ireland; A Model for Conflict Resolution”, RIIA Chatham House speech of 12 June 2007 http://www.nio.gov.uk/nio_conflict_speech-2.pdf. Hain discussed Northern Ireland not just as an “inspiration” for peace-making but also drew some of the main lessons from it as a “worked example”.

²⁸ See Jonathan Powell, *Great Hatred, Little Room: Making Peace in Northern Ireland*, The Bodley Head, London, 2008 and his interview on BBC’s Hardtalk 20 March 2008 at <http://news.bbc.co.uk/1/hi/programmes/hardtalk/7306927.stm>

²⁹ The first Irish roving ambassador, appointed to Timor Leste, is Nuala O’Loan, the former Police Ombudsman for Northern Ireland. See *An Agreed Programme for Government – June 2007* at <http://www.taoiseach.gov.ie/eng/index.asp?docID=3493>

³⁰ Ahtisaari was one of the independent decommissioning monitors in 2000-1. As a Finn, he was familiar with complex power-sharing arrangements and autonomy from the Aaland Islands case, but he has also accumulated extensive experience of conflict resolution through his roles in Namibia (1973-81), Bosnia (1992-3), Kosovo (1999, and 2006-07), and Aceh (2005). His report of January 2007 to the UNSG recommending independence for Kosovo under international supervision contains several recommendations for consociational-type arrangements to protect the Serb and other minorities. For the report see <http://www.unosek.org/docref/report-english.pdf> For one of his recent speeches on “mediation” see “Mediation Capacity and Opportunities for International Peace Mediation”, Keynote

Academic enthusiasts for consociationalism like McGarry and O’Leary have properly located the study of the political accommodation in Northern Ireland within a comparative framework, which holds that it has transferable lessons and benefits to other conflict cases. On the surface, their propositions that this is another example of a “worked” consociational solution, appear to be echoed by regional and international political leaders involved in the peace process.

There is clearly a disjuncture between how the Northern Ireland “model” is being framed by politicians as a matter of “process”, while for academics the importance of the accommodation in Northern Ireland lies in how it is actually engineered as a framework of institutional and other reforms. The endogenous actors, those former protagonists in the conflict, are embedded in the routine problems of making the engineering a “worked” example, but their expertise is also being called upon in mediation and dialogue in international conflicts. In contrast, the leading exogenous political actors show little interest in the engineering and emphasise the process of dialogue that led to the accommodation. Both aspects are obviously important but that there is such reticence in proclaiming the value of consociationalism as an outcome tells us that there is a powerful liberal normative ideological resistance to championing this form of conflict resolution. This resistance can be further explained by considering the growing ideology and discourse around the concepts of “dialogue”, “relationships” and “reconciliation” in conflict resolution.

Talking about Reconciliation

Reconciliation is a contested term with multiple meanings, the use of which is disfigured by ambiguous jargon.³¹ For some advocates reconciliation is essentially a process, while for others it is the end stage of a process. The spectrum of reconciliation ranges from a pragmatic, worldly kind of “peaceful coexistence” to the nirvana of religious “harmony”. For many activists in the area of reconciliation, however, coexistence is viewed negatively, even akin to a form of benign apartheid. In fact we can distinguish between two influential process-based approaches: the secular and the religious. We see direct influences on the conceptualisation and jargon of policy approaches to reconciliation in Northern Ireland in the period after 2000 from the Institute for Democracy and Electoral Assistance (IDEA) in Stockholm and the International Center for Transitional Justice (ICTJ) in New York City. The concept of building a “shared future”, and the idea that reconciliation involves a “process through which a society moves from a divided past to a shared future” seems to have been transferred into British policy documents from these sources.³² The

address by President Martti Ahtisaari at the European Mediation Conference, Belfast, 10 April 2008 at <http://www.cmi.fi/?content=speech&id=99>

³¹ For a discussion of the concept see David Bloomfield, *On Good Terms: Clarifying Reconciliation Berghof Report No. 14, October 2006*: <http://www.berghof-center.org>; For a contextualisation to Northern Ireland see Gráinne Kelly and Brandon Hamber eds, *Reconciliation: Rhetoric or Relevant?*, Democratic Dialogue Report 17 February 2005; Brandon Hamber and Gráinne Kelly, *A place for reconciliation? Conflict and locality in Northern Ireland*, Democratic Dialogue Report 18 September 2005.

³² David Bloomfield, Teresa Barnes, and Luc Huyse eds., *Reconciliation After Violent Conflict. A Handbook*, International Institute for Democracy and Electoral Assistance. Stockholm, 2003: 12

faith-based version is most closely associated with Jean Paul Lederach, who has by now achieved the status akin to a guru in this field. There is also a great deal of overlap in the rhetoric of the secular and the religious approaches.

Perhaps reflecting the relative strength of religious organisations working in the fields of reconciliation, community relations and mediation in Northern Ireland, it is Lederach's work which has most informed practitioners since the mid 1990s. A committed Mennonite Christian, Lederach drew on his experience as a mediator in Central America to develop a thesis on "conflict transformation". His stress on the concept of "transformation" is concerned with developing reconciliation in society and among individuals, far beyond the parameters entailed in institutional conflict resolution designs. This discourse also shaped secular currents on "social transformation". Lederach's work is driven by Christian notions of non-violence, mutual respect, and peace building through dialogue. Since being first invited to Northern Ireland in 1995 as part of the discussions surrounding the EU's Peace and Reconciliation I programme, Lederach's work has been enormously influential in shaping the discourse about reconciliation.³³ Lederach's vision of "conflict transformation" has also infiltrated the public policy arena. For this is also a philosophy of social activism for practitioners. It requires a core of enlightened believers who will push the "conflict transformation" process along. For example, Belfast City Council's most recent significant initiative on reconciliation is even titled the "Conflict Transformation Project".³⁴

The substantive content to the notion of "conflict transformation" is less easy to discern. Lederach critiques the "narrowness of resolution approaches" because while they may solve problems in the short term they do not create a dynamic of "constructive change". His is not an approach which is concerned with the institutional outcomes to a political accommodation. But what kind of "constructive change" does Lederach envisage? This is never fully explained, rather Lederach loosely uses ill-defined concepts such as building positive "relationships", "changing lives for the better", and building "capacities which are creative, responsive, constructive, and non-violent".³⁵ Lederach's obfuscating philosophy places faith in dialogue at its core, and appears to be a reformulation of the Christian humanist idea that if only we can "bring people together" in a process of dialogue then we can overcome divisions irrespective of their nature, structure or material basis.

In the case of Northern Ireland, the confusion over the meanings of reconciliation has been accentuated by the fact that there are a range of advocates of reconciliation. We can usefully distinguish four main categories of reconciliation actors in Northern Ireland. Firstly, given the salience of religious identity and the organisational power of churches, it is no surprise that there have been faith-based approaches to reconciliation since the mid-1960s. The foundation of the ecumenical religious community at Corrymeela in 1965 provided a combination of neutral haven and forum for dialogue, and a network of religious activists committed to reconciliation

³³ Among Lederach's key works are *Building Peace: Sustainable Reconciliation in Divided Societies*, U.S. Institute of Peace, Washington D.C.:1997; *The Journey Toward Reconciliation*, Herald Press, Pennsylvania: 1999; and *The Little Book of Conflict Transformation*, Good Books, Pennsylvania: 2003

³⁴ The project is funded under the European Union Programme for Peace and Reconciliation in Northern Ireland 2000-2006. See <http://www.belfastcity.gov.uk/conflict/index.asp>

³⁵ Lederach (2003): 69, 70.

throughout the troubles. Religious figures have also played a significant role as mediators at key junctures in the peace process. Secondly, there have been secular ideological advocates of two main types: leftists (mainly trades unionists, and community and voluntary sector activists) and liberal intellectuals (mainly university academics and journalists). The latter group has primarily attempted to act as opinion-shapers, especially on government policy. Thirdly, there is an interest-based approach to reconciliation from businesses, state agencies and local government professionals. Whereas the previous categories are principally value-driven, which is to say that they are motivated by an altruistic concern with building a more tolerant society through notions of “outreach”, the third category is mainly impelled by a functional imperative to enact government legislation and policy preferences concerning non-discrimination, promoting good relations, and with grappling with the diseconomies of the conflict and the divided society.

A fourth category of actors emerged in the latter stages of the troubles and is composed of what we may term the “mediation” professionals. This includes NGO’s and consultancy firms engaged in promoting the concept of “mediation” and “dialogue” and disseminating international mediation best practices within Northern Ireland. This group has been most active in chasing large (though diminishing) pots of UK, Irish, EU and international funds. In totality these four categories encapsulated that part of “civil society” in Northern Ireland that was active in the field of reconciliation. Moreover, this sector too reflected the parallel organisation of society. The duration of the Northern Ireland conflict over some 30 years despite the efforts of these groups is a powerful testament to the weak capacity of “civil society” independently to mitigate conflicts in deeply divided societies.

Peacemaking is a business and something akin to a salariat has emerged in the reconciliation sector. By the time of the Belfast Agreement, according to official figures, there were approximately 5000 voluntary and community organisations alone in Northern Ireland, which provided employment to some 33,000 people. By this stage of the conflict, there were more people engaged in this sector than were employed in manufacturing. At this time, the gross annual income for the sector was estimated to be around £500 million.³⁶ Of the four main sources of funding for peacebuilding and reconciliation (direct grants from the UK government, the EU’s Special Support Programme for Peace and Reconciliation in Northern Ireland, which includes six border counties of Ireland [hereafter referred to as the “Peace Programme”], the International Fund for Ireland (IFI) established by the Anglo-Irish Agreement, and the Atlantic Philanthropies (a foundation of US entrepreneur Chuck Feeney), the Peace Programme is the most significant.

Established by the European Commission in 1995 following the first cease-fires, the Peace programme was backed by Jacques Delors (Commission President in 1993-4) as an opportunity to demonstrate the EU’s capacity in conflict resolution. The programme has evolved in three sequential stages: Peace I (1995-1999), Peace II (2000-2004) and the Peace II Extension (2005-2006). Currently, a Peace III programme (2007-2013) is in preparation. Northern Ireland received £640 million in EU funding through the programmes in the period 1995-2006. Between 1986 and

³⁶ *Consultation Document on Funding for the Voluntary and Community Sector*, Department for Social Development, April 2000: 3 http://www.dsdni.gov.uk/harbison_report.pdf

2004, the IFI provided funding totalling over £465 million, and the Atlantic Philanthropies funding totalled £230 million between 1982 and 2004.³⁷ The grand total for the period from the early 1980s to 2006 is approximately £1.35 billion – about the same amount as Deloitte’s estimate of the “costs of the troubles”. This funding has not only extended the life of community relations organizations, but has also helped to sustain economic life in working class ghettos, where funds are normally brokered and distributed by political organizations and ex-paramilitary organizations (or both). Equally, the funding has created a new professionalized, and somewhat parasitical, private sector “mediation” business, and facilitated the integration of the managing cadre of that sector into the international peace and reconciliation industry. The discourse and practices of the sector in Northern Ireland cannot be understood without reference to international developments in this field. The influence of Lederach on framing practitioner mindsets is one important source of internationalization, another is the theoretical and policy influence of the ICTJ established in 2001.

Based around legal practitioners and human rights activists with experience of democratisation and “dirty wars” in South America, South Africa, the Balkans and elsewhere, the ICTJ has shaped international policy approaches to transitional justice in post-conflict societies. This kind of internationalisation could be usefully connected to McGarry and O’Leary’s analysis of the political accommodation in Northern Ireland. If we examine the accommodation in Northern Ireland through the lens of transitional justice, we would expect to see significant developments along four key dimensions: restorative justice (essentially – trials: punishing perpetrators, ensuring impunity does not go unpunished), reparations (supporting victims and securing compensation), truth-seeking (normally through a “truth commission”, public hearings, eliciting statements of regret and wrongdoing, developing a consensus narrative and a culture of forgiveness), and finally institutional reform (primarily in the field of security and civil-military relations).

The transitional justice thesis is that addressing its formulations are essential for the successful move to a post-conflict stable society, and the best mechanism for guaranteeing that there is no return to violence. There are many aspects of the Agreement that suggest that transitional justice issues were marginal to the political accommodation. For example, there was, unusually for our times, a de facto amnesty for perpetrators in Northern Ireland (officially termed the “accelerated release scheme”). The few major investigations of past atrocities are bogged down, inconclusive and expensive. As the Bloomfield Report noted, even the issue of who is a “victim” is highly contentious in Northern Ireland.³⁸ Victims’ commissioners have been appointed and some £44 million of public money has been allocated to support victims’ groups since 1998, however, the issue has been peripheralised politically because of its contentious nature. The British government and the new DUP-Sinn Féin led administration have both been reluctant to fully address “truth” issues in open public debate. No doubt, the nature of the “dirty war” makes the protagonists wary of any investigation of the past.

³⁷ Deloitte (2007): 24-7.

³⁸ Sir Kenneth Bloomfield KCB, *We Will Remember Them*. Report of the Northern Ireland Victims Commissioner, April 1998 <http://cain.ulst.ac.uk/issues/violence/victims.htm#21>

The tentative, and some would say cynical, approach of the politicians to transitional justice issues is evident in widespread criticism among British political elites of the Bloody Sunday enquiry, largely but not solely focusing on the cost issue. Peter Hain's establishment of a consultative group of "wise persons" led by former Church of Ireland head Lord Eames to make recommendations about how the past might be best managed appears to have been motivated by the aim of keeping truth recovery off the agenda. For as Hain put it: "Recent political progress in Northern Ireland should make us pause and ask whether re-living or even re-fighting the Troubles in the court room or the public inquiry or through police investigation is really a healthy way forward. Whether a focus on identifying issues which happened over 30 years ago at a time of terrible conflict is productive for a society which has, after May 8 2007, resolved that conflict politically. And whether the hundreds of millions of pounds involved could not be better spent on the future."³⁹ It is an open question whether Northern Ireland constitutes a new "model" for transitional justice, which is to say that not addressing some of the key issues assists political stability.

Conclusion

In reflecting upon the *pro et contra* debate over consociationalism in Northern Ireland, perhaps a more fruitful analytical approach is not to disaggregate the institutional peace making elements from the complex social structure of the divided society and the challenge of post-conflict reconciliation. For while the intricate details of the consociational moment - the institutionally engineered "fix" - are comprehensively analysed by many, there are several key levels of analysis which are unsatisfactorily addressed: the management of social change, the question of technocratic challenges to the Agreement, the packaging of the "model" by politicians, and the cross-fertilisation of discourses on "reconciliation" with policy approaches that are opposed to consociationalism.

Sectarianism and segregation are structural foundations of the political accommodation in Northern Ireland. Only authoritarian and totalitarian social engineering can rapidly achieve the kind of social transformation aspired to by many on the political Left and Centre – indeed, the parallel communities of Northern Ireland are at root a product of colonial authoritarian social engineering. Only by bringing society back into the frame can we realistically address the prospects for political development beyond consociationalism.

³⁹ Peter Hain, "Coming to terms with the past - It's time to divert resources from the past to the present", Irish News, June 22, 2007: 8.