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COMMENTARY BY NIALL O DOCHARTAIGH

The Belfast or Good Friday Agreement (GFA) of 1998 was the culmination of almost a decade of tortuous negotiations, beginning in earnest in 1990 with the re-opening of secret contact between the British government and the IRA through a long-established and closely-guarded channel of communication that had lain dormant since the 1981 hunger strikes (Taylor, 1997; Mallie and McKittrick, 1996; Rowan, 1995 and 2003; Hennessey, 2000; Cox *et al*, 2000).

By the time William Hazleton was writing his article it seemed to many as though the long process had finally come to a conclusion with the signing of the Agreement. All that remained was to tie up the loose ends and to resolve some of the more difficult outstanding issues. As Hazleton notes, the issue of decommissioning loomed largest of all. This issue had almost scuppered the process but a series of fudges and compromises pushed the issue of decommissioning forward, making it a problem to be resolved after the signing of the Agreement (O’Kane, 2007).

While there was caution and pessimism about the capacity of the parties to resolve this and other difficult issues, a caution that Hazleton shared, only a few would have predicted that it would take almost a further decade before the devolved

institutions would get up and running on a reasonably firm basis in 2007. The ‘peace process’ was to continue for almost as long as the conflict it was intended to resolve.

Nor were there many who expected that the institutions would ultimately come into operation under the leadership of the Democratic Unionist Party (DUP) and Sinn Féin. Neither party had been actively involved in the design of the institutions. As Hazleton points out, the Ulster Unionist Party (UUP) and the Social Democratic and Labour Party (SDLP) had been to the fore in the detailed negotiations on institutional design. The DUP had not only rejected the Agreement, it had refused to take part in the negotiations that led to the Agreement and rejected the very principle of a peace process that the party as recently as 2005 regarded as a ‘surrender to the IRA’ (*Irish Times*, 2 August 2005). Some commentators see the new-found dominance of the two ‘extremist’ parties as the inevitable product of the sectarian logic of the consociational structures of government established under the Agreement. They argue that these structures deepened and institutionalised communal divisions by embedding them in the structures of government. As Eamonn McCann, one of the most prominent left-wing critics of the Agreement puts it:

The Agreement was always certain to consolidate sectarianism in that it established a system based on striking a balance between the wishes and interests of ‘the two communities’. This ensured that the battle within each community concerned which party could be counted on to vindicate and advance its interests vis-a-vis the interests of the other side (*Belfast Telegraph*, 5 January 2006).

But as the DUP and Sinn Féin gathered strength these 'extreme' parties were transformed. A once-rejectionist DUP moved slowly but decisively to accept the principle of power-sharing, even when it involved republicans who ultimately remained committed to ending the existence of Northern Ireland as a political entity. Sinn Féin enjoyed a dramatic surge in support even as it moved away from what many republican purists saw as core values. Both the DUP and Sinn Féin had built support by moderating their positions. In the 2007 Assembly elections the DUP and Sinn Féin successfully warded off challenges from opponents on their respective flanks who felt that the parties had compromised excessively, that they had sold out their core principles. The poor showing of these challengers showed that the parties had the capacity to bring their supporters with them, and to attract new supporters, despite the major shifts in their positions.

As Hazleton notes, there are obvious continuities between the Good Friday Agreement and earlier attempts to resolve the conflict by establishing devolved power-sharing arrangements with an all-Ireland dimension, most notably through the Sunningdale agreement of 1973. But the Good Friday Agreement was different, principally because it sought to incorporate and include Provisional republicans rather than to marginalise and isolate them. Loyalist paramilitaries were also included in the process but they did not have the kind of electoral support that Sinn Féin enjoyed and that made the inclusion of Provisional republicans such a significant political issue. Unlike the Sunningdale Agreement, the Good Friday Agreement involved prisoner releases, a major reform of policing, and a gradual removal of the British army presence on the ground. There are many who would argue of course, that all of these issues would have been resolved much earlier had Sunningdale been allowed to get up

and running. These measures addressed minority alienation from state security forces to an extent not attempted since the late 1960s and were a crucial element in ending the Provisional IRA campaign.

William Hazleton's article is concerned primarily with how government structures can help to provide a framework for peaceful political competition in deeply divided societies. It connects with a much broader literature on government structures in deeply-divided societies that has been dominated by debates over the merits of the kind of exceptional consociational structures for government established for Northern Ireland under the agreement (McGarry and O'Leary, 2006a and 2006b). While Hazleton is good on the negotiations and the origins of the compromise that emerged, it is necessary to go elsewhere for detailed analysis and description of the devolved structures that emerged from the negotiations. The work of Brendan O'Leary and John McGarry has been at the heart of both academic and policy debates on government structures for Northern Ireland for well over a decade and their work is deeply embedded in wider debates on consociationalism (O' Leary, 2002; McGarry and O'Leary 2004a and 2004b).

It is essential for anyone wishing to further explore the debates Hazleton touches on. Their work on consociationalism and on British government policy in Northern Ireland has been critiqued by Paul Dixon in an academic interchange that was notable for its intensity and that illustrates some of the more contentious issues in the debates on consociationalism in Northern Ireland (Dixon, 1996a and 1996b; McGarry and O'Leary 1996). A number of other recent works also deal in more detail with many of the issues that Hazleton touches on in his article (Elliott 2002; Neuheiser and Wolff, 2002; Smith, 2002; Tonge, 2000 and 2005).

Hazleton's article reminds us that the current consensus in support of power-sharing devolution is a relatively recent development. The minimalist devolved Executive that the Ulster Unionist Party initially proposed in the negotiations reflected the powerful and long-established integrationist tendency within the party, a tendency that saw devolution as a threat to unionism to the extent that it distanced Northern Ireland from the rest of the United Kingdom. It also reflected the preference of the party for avoiding what its long-time leader James Molyneaux used to call 'high-wire acts' (House of Lords *Hansard*, 22 October 2003, col. 1624). In effect, the party feared that any negotiated settlement involving compromise with nationalists would weaken the connection with Great Britain. The fact that devolved governments were established in Scotland and Wales in 1999 and that the British government was clearly determined to bring an end to Direct Rule from London, made this minimalist position untenable. Despite this, there remains a lingering integrationist tendency within the UUP, a tendency that took hope and comfort from the difficulties in implementing the Good Friday Agreement. Senior UUP MP David Burnside gave voice to this sentiment in 2004 at a time of crisis in the process:

It will be no major disadvantage to the unionist people if the Belfast Agreement is never seen again, and we work at Westminster to make direct rule more acceptable and seek more powers for local government throughout the province (Belfast Telegraph, 5 January 2004).

Sinn Féin too found that its initial proposals for new government structures covering all of Ireland were not a realistic basis for negotiation. From this distance in

time, after several years during which Sinn Féin has been focused above all on taking power in a devolved government in Belfast, it can be difficult to remember that Provisional republicans set their face against a devolved power-sharing government in Stormont for so many years, and actively argued against devolution in the negotiations.

As Hazleton notes, one of the most innovative features of the new devolved government structures for Northern Ireland is the way in which they are intertwined with new all-Ireland structures, stretching the devolved institutions beyond the boundaries of the United Kingdom. In the international context the intertwining of internal and cross-border structures was an innovative and radical step. Central to the consociational bargain, as defined by Lijphart (1977, p. 2), is ‘an overarching sense of loyalty’ to the state by the different segments that share power. A place in government is guaranteed to minorities within state boundaries that those minorities accept. The Good Friday Agreement, by contrast, acknowledged that external connections were an internal issue, that relationships with the rest of Ireland could not be separated out from the position of the minority community within Northern Ireland. Institutions that stretched beyond the boundaries of the state were recognised as a crucial element in securing the position of the minority within Northern Ireland, and securing minority acceptance of the state.

One of the great question marks over the Agreement is how these new all-Ireland institutions will work. Many nationalists see them as a way to knit together the two political jurisdictions in Ireland by gradually expanding co-operation in a range of areas. Even if unionists remain strongly resistant to such links, nationalist

ministers in the Northern Ireland Executive will have considerable power to push forward co-operation and integration in their areas of ministerial responsibility, meeting regularly with Irish government ministers who might be expected to be sympathetic to such efforts. Some nationalists who stress the significance of the all-Ireland elements of the Agreement envision a future point at which co-operation and north-south institutions have become so embedded and so naturalised that the island is effectively unified. Unionists, by contrast, stress that they support cross-border co-operation only to the extent that it is of direct practical benefit to Northern Ireland and can be expected to resist any creeping integration of the two parts of the island.

But few analyses of the all-Ireland institutions consider the very real possibility that they may reinforce the border. Politicians and civil servants south of the border may well seek to protect the interests of their part of the island at every point at which the all-Ireland context comes into play. Simultaneously, unionists and nationalists in the north may find themselves regularly united by the desire to ensure that the interests of the north as a territorial entity, of their electorate and constituencies, are defended in any situation in which Ireland as a whole is involved. There is a distinct possibility that the new all-Ireland structures could become a forum for the embedding of divided territorial identities on the island as increased contact oriented around the border serves to reinforce that border.

Hazleton concludes by arguing that the future of the institutions and the agreement lies in the hands of the parties, that no system, no matter how carefully designed, can work well if elected representatives do not co-operate. There are hopeful signs. In some ways, the long drawn-out character of the peace process has

made the settlement more secure. The violence that aroused intense emotions and mutual distrust has receded in time. Politicians and the electorate have become used to the shape of the new institutions, even if they have not been functioning for much of the period. The extended period of peace has allowed northern nationalists to become more comfortable with a demilitarised northern state which no longer presents such a naked repressive face. Unionist politicians have become more regular visitors to Dublin and the extended period of peace has allowed unionists to look at the rest of the Ireland in a different way, no longer viewed through the prism of the IRA campaign. When Ian Paisley met Taoiseach Bertie Ahern in Dublin in spring 2007, his remarks on ‘this great city of Dublin’ and his comments on how his father ‘fought to see, as a member of Carson’s army, Ireland remain within the Union’ (*Irish Times*, 5 April 2007) provided a reminder that separation from the rest of Ireland was not the original core of unionism in Ireland. The long peace opens up the prospect that northern nationalists can begin to identify with, and become more comfortable within the northern state, but also that northern unionists can begin to reassess the Irish context, and become more comfortable with the building of stronger links between the two jurisdictions.

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