

Contextual and Causational Analysis of the Belfast Agreement

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Introduction:

On the Good Friday, 10 April 1998, after thirty years of bloody war in which over 3600 people had been killed and 30,000 injured, and after almost two long final and weary years of political talks, the negotiations that resulted in the Belfast Agreement were finally concluded. Northern Ireland's main Nationalist parties and most of the Unionist political parties approved the Agreement. At the same time the Government of United Kingdom and The Republic of Ireland (here in after referred as RI) signed an international Agreement. The Belfast Agreement involved constitutional change in the Republic of Ireland resulting in ending its territorial claim to Northern Ireland, Cross Boarder Bodies with executive powers, the establishment of Northern Ireland Assembly based on power-sharing: the early release of political prisoners, human rights and check and balances, policing and review of criminal justice system were main features of this Agreement. The Agreement was subsequently endorsed by referenda, in Northern Ireland and Republic of Ireland

Background of the Peace Negotiations:

Unique feature of the Belfast Agreement was, it shows how far the negotiators were concerned with the Agreement outcome, in relation to the complexes nature of the Northern Ireland conflict. The Agreement was a good testimony for correct conflict analysis and proper use of negotiating tools to achieve the enduring outcome, which is acceptable for the both factions of the conflict. The measures, which have been introduced by the agreement in constructive and creative manner able to minimize, existed antagonism between high contracting parties and reduced the violence up to manageable level.

In respect of reducing antagonism of the conflicting parties the negotiators and formulators of the negotiation process not only thought about the final outcome, but was also conscious about the formation of outcome deriving source which is the final Agreement. The arrangement of the agreement had been based on key postulates of partnership, equality and mutual respect of the parties to the conflict.

It is obvious fact that wide array of multi party interests, factors, and represented the Northern Ireland conflict. Also the conflict fought by various factions between Republican and unionist lines. Nevertheless, the Belfast Agreement instead of making principle obligation to all the parties who represented various political interests, made United Kingdom and the Republic of Ireland as principal obligators to the agreement and as a result the two government along the signing of the Belfast Agreement signed an International Agreement to facilitate and sustain provisions of the Belfast Agreement.

The Agreement format had been configured in a manner which enabling these two parties to implement the Agreement smoothly. The agreement contains several parts, which each part of the agreement deals with the specific issue of the conflict. The point three of the **Declaration of Support** which is considered to be the preamble of the Agreement, provide the intention behind this arrangement. It describes the different facets of the NI conflict represents different aspirations. These aspirations are based on different causes to the conflict, which will be either corporal or psychological. Hence, according to the causations of the conflict, solutions categorized in following manner:

1. Issues to deal within the Northern Ireland,
2. Issues to deal with North and South of the Ireland'
3. Issues between two Islands that is between UK and RI.

The complexity of the NI conflict is amply showed by this configuration and the constructivity and creativity of the parties to the negotiations by finding solutions to those complex issues.

The Northern Ireland conflict is a composition of incompatible interests between Unionism and Republicans. For the Catholics or the Irish people it was an issue of governance; represented by majoritarian rule, human rights violation, scarce of resources under the Unionist rule. For the Protestants or unionists it is just a holding of power, which they historically achieved and avert any kind of attempt by nationalists or republicans to grab it back. In totality it is a fear of extinction feeling.

For the Ireland, two systems based on different sovereignties, ethnic and cultural bondages between North and South Irish people, trans border security created by the conflict were the main issues were to dealt with.

Between United Kingdom and Republic of Ireland, there were issues of post colonialism, security, law and order to deal with.

Finally, the Belfast Agreement had been able to boil-down all these complexities in to single paper and obligated to the two main countries and the political wing of the Irish Republican Army (herein after called as IRA) the Sinn Fein whose behaviours and actions are crucial for durable peace.

The rational behind this arrangement was related with specific characteristic of NI politics which had to dealt with continued practice of intimidation of inter party as well as intra party political positioning. The Negotiators for the NI peace had been able to remove this character from the post conflict implementation process by achieving tranquillity of intimidation by arranging the contractual obligation in such way that this petty nature of internal politics could not take advantage.

The composition of responsibilities:

The Belfast Agreement was configured with ten main components aiming each of the components to tackle specific issue of the conflict.

1. Declaration of Support:

Which seems to be the preamble to the Agreement speaks of the intention behind the whole exercise and grounds led for the conflict and the principles, which are considered to be main corner stones of solving of conflicting issues, specific to Northern Ireland society.

2. Constitutional Issues:

Annex A: which provides the Draft clauses schedules for incorporation in British legislation. The drafts are pertaining to the changes going to be introduced to the Northern Ireland legislation and out come of the new Anglo-Irish Agreement which have signed along with the Belfast Agreement.

Annex B: Irish Government Draft legislation which is purported, to remove the constitutional impediments lasted since the inception of the Republic of Ireland in achieving peace in the Northern Ireland, specifically renouncing constitutional claims to the Northern Ireland territory.

3. Strand One:

Democratic Institutions in the Northern Ireland to do away the majoritarian rule in the Northern Ireland decision-making. The responsibility of introducing these changes to the Northern Ireland Act was attributed to the United Kingdom government.

4. Strand Two:

North/South Ministerial Council, which has been introduced to deal with common issues relating to the Irish people who are living in the North and South. The

British as well as the Irish governments were made responsible, primarily for establishment and maintaining of these institutions and additionally the Northern Ireland Assembly has been tied to the North/South council as an inter depending and interlocking mechanism.

5. Strand Three:

British-Irish Council,
British-Irish Intergovernmental Conference.

These institutions were mainly introduced to sustain and oversee the smooth functioning of the whole institutional system introduced under the Agreement and inter governmental cooperation anticipated under the Anglo-Irish Agreement. The two countries were made responsible for the establishment and functioning of these institutions.

6. Rights, Safeguards and Equal opportunity:

Establishment of new human right base legal regime to the Northern Ireland was the intention of this chapter. Primarily the United Kingdom parliament was entrusted to introduce new legislations as well as necessary amendment to the existing legislations. Also secondary obligation was inputted to the Irish government to adjust their human rights base legal regime in accordance with the new changes.

7. Decommissioning:

The whole decommissioning process was entrusted to the already established International Commission on Decommissioning Northern Ireland. The high contracting parties were obliged to adhere the recommendations and arrangements made by the Commission.

8. Security:

The Agreement made reciprocal responsibility on British Government to reduce the security establishments and arrangements proportionate to the out come of the decommissioning and the prevailing security.

9. Policing and Justice:

Annex A: establishing commission on Policing in the Northern Ireland

Annex B: Reviewing of the criminal justice system in Northern Ireland

The both issues were entrusted to the United Kingdom government. The main aspect of this arrangement was observing the sensitivity of the issue especially in the policing United Kingdom government was made responsible only for the appointment of the Commission and making necessary recommendations were obligated to the Commission and thereafter transform those recommended principles into legislation was entrusted to the British parliament.

10. Prisoners:

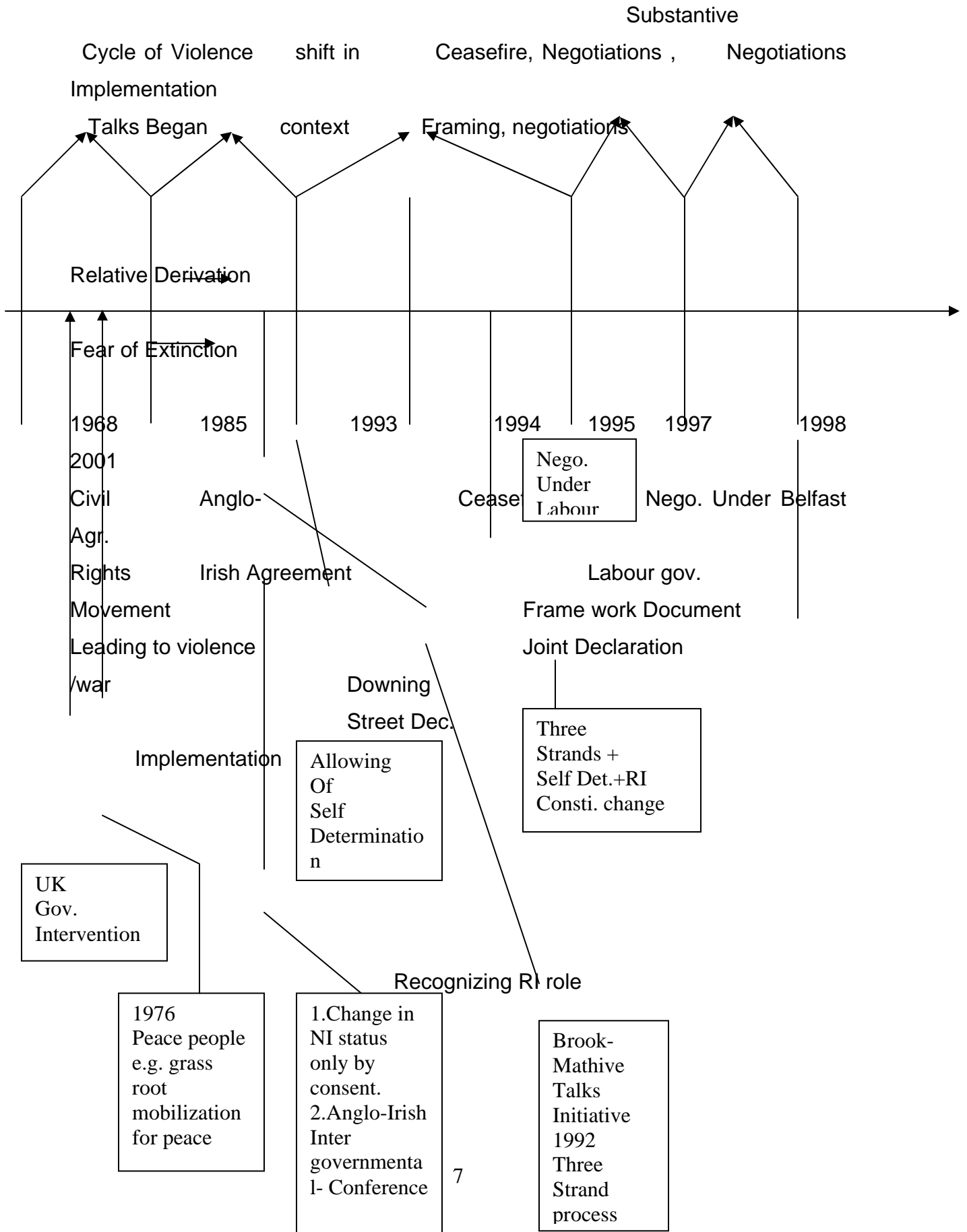
The British government was made responsible to release political prisoners as confidence building measure by the Agreement

Challenges/Reflections of NI experience:

The Ripeness:

As far as Northern Ireland conflict concerned the ripeness to the negotiations can be analyzed in two tiers; the political ripeness and military ripeness. The political ripeness, which deals with the formation of idea in respect of the final solution to the conflict. In fact in Northern Ireland this has been developed in a long evolutionary process, which originally started from early 80s. Most of the mechanisms set out in the strand two and three, the constitutional issues related to the United Kingdom and Republic of Ireland were developed in a long timeline of this evolutionary process.

The Time Line:



Nevertheless, in respect of military stalemate the main protagonists to the conflict the British Government and the Sinn Fein not acknowledge peaceful solution to the crisis until 90s. The British government first accepted non feasibility of a military solution to the conflict by its famous Downing Street Declaration in 1993. The IRA officially acknowledge military stalemate in 1994.

By issuing joint Declaration on peace Wednesday 15 December 1993 John Major Prime Minister of United Kingdom and Albert Reynolds TD Republic of Ireland proclaimed that, hereinafter the both governments will seek along the Northern Ireland constitutional parties through political dialogue to create institutions and structures which will respect the diversity of the people of the Northern Ireland, which enable them to work together in all areas of common interests. Noteworthy feature of this Declaration was, the British Government for the first time recognized the Irish peoples' people of Ireland right to exercise self-determination.

From Violence to politics:

Ending violence and creating political framework to pursue goals without excluding non-constitutional parties:

At the end of August 1994, the IRA, after detailed negotiations with British and Irish governments and under the tutelage of Gerry Adams as a leader of Sinn Fein and John Hume as of the leader of Social Democratic and Labour Party (SDLP), declared a ceasefire. This act, and its parallel accompaniment by loyalist paramilitary groups six weeks later, has created in Northern Ireland a set of circumstances which quite unique for the period since 1969. By now, April 1995, Northern Ireland has experienced a sustained period of peace within which a second major process has began to play itself out. In late February 1995 the British and Irish governments, after lengthy negotiations which had their origin in Downing street Declaration of late 1993, jointly released a 31 page Framework

Document (FD) which as the title suggest, offered a frame work for the future governance of the Northern Ireland and form of its future affiliations with both United Kingdom and Republic of Ireland. The Framework Document sets out guiding principles, which have been agreed upon by the both governments. The Document mainly specific two government stands on;

1. Self-determination of the Irish people
2. The manner which solution had to be sought, that the agreement should be pursued and established by exclusively democratic, peaceful means, without resort to violence or coercion.
3. New political arrangements should be based on full respect for and protection and Expression of the rights and identities of both traditions in the Island; parity of esteem and treatment, including equality of opportunity and advantage. Also the Framework Document suggested three kinds of framework institutions as solutions to the disposition of various political goals.

1. Set of structures within the Northern Ireland.

A legislative Assembly elected by Proportional Representative system, monitoring panel comprising three members elected from Northern Ireland to monitor and complement the Assembly,

2. Set of North-South institutions to enable representatives of democratic institutions, in the North and South of the Island enter into new cooperative and constructive relationship.

3. East-West structure linking Republic of Ireland and United Kingdom to enhance the exiting basis for cooperation between the two governments and to promote and underwrite the fair and effective operation of the new arrangements. While issuing this framework Document (FD) both government were knew that the approach in the document would present challenges to strongly held positions on all sides. However, both governments agreed as a principle that new

beginning in relationships means addressing fundamental issues in a new way and inevitably requires significant movement from all sides. The two governments stated that they are not expecting from other parties concerned to accept this FD as a rigid blueprint, but they believed earnestly that the document sets out a realistic and balanced framework for agreement, which could be achieved with flexibility and goodwill on all sides, in comprehensive negotiations with relevant political parties of Northern Ireland.

Legacy of Suffering and Mistrust:

Double Minority Syndrome

While introducing solutions for the Northern Ireland, the point 2 of the Declaration of support to the Belfast Agreement reminds the legacy of the suffering, and frustration and anger which resulted. Whilst reminding the past, the Agreement comes forward with set of formulas which could be addressed the psychological frames of the conflict.

The Point 2 of the Declaration of Support:

“The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or been injured, and their families. But we can best honour them through a fresh start, in which we firmly dedicate over selves to achievement of reconciliation, tolerance, mutual trust, and protection and vindication of the human rights of all.”

Double Minority Syndrome:

The minority syndrome which was manifestation of psychological fear of the two political streams in Northern Ireland, resulted most of the political positions taken by the Unionists and Irish Republicanism. Strangely the two communities are constituted minorities in two different contexts. The Catholics who constitute 42% of the Northern Ireland have been made to be minority in the Northern Ireland

society by the Protestant-British rulers in the past. (How it happened will be discussed under polarization of the society along the sectarian lines) The feeling behind the Irish-Catholic community in the Northern Ireland is that, they were forced to become minority in Northern Ireland.

Fears of the Protestant Community:

The fear of extinction is generated out of a perception of threat to culture identity, with past perceptions being projected onto current events. In the case of the Protestants in Northern Ireland, historical incidents of violence and massacre have been mythologized and used as the template for understanding modern protestant-catholic relations. Although it seems to be improbable, fear of extinction is quite real in the minds of Protestants who not only do not want to lose their position in society, but fear of culture 'genocide' if they are forced in with the Republic of Ireland to the South.

The past history of the Northern Ireland conflict discloses the conflict of these two distinct psychological frames.

The conflict of Northern Ireland generated much of the suffering, mistrust between the two communities, due to these positions, where the Belfast Agreement tried to tackle through reconciliation, mutual trust, protection and vindication of human rights of all. In order to understand the Agreement effort it is vital to understand the gravity of situation up to the eve of Good Friday 1998.

Legacy of Sufferings and Mistrust:

Catholic Ireland was ruled by Great Britain for a considerable period of its history, from the twelfth century as a conqueror and colonial ruler up to 1920. During this period, there were numerous revolts by the Catholics against their protestant landlords. The settlements of Ulster in 1609 and thereafter two sides battled for

supremacy and right to occupy land each now called home were prominent in Ireland history.

Mistrust and feeling of oppressed resulting from the colonization of Ireland by protestant settlers were followed by centuries of political and social separation of Catholics and Protestants in all Ireland.

After the victory of William of Orange (the protestant challenger who deposed Catholic King, James II) laws were enacted by all protestant parliament of Ireland barring Catholics from all offices, land ownership, schooling and other avenues leading towards wealth and education. (Darby 1976, 14)

Early part of the Twentieth century, when escalating violence and rebellion forced Great Britain to consider granting Ireland some form of 'Home Rule' a limited form of self-government. Both Catholics and protestant extremists rejected the plan out of hand. The Catholics led by Sinn Fein felt that only full independence can satisfy them. The protestant Unionists on the other hand, greatly feared being ruled by catholic majority and went as far as to threaten the session of NI from Great Britain into sovereign state if the British did not back away from their plan to give all Ireland Home Rule. The resulting compromise was the partitioning of Ireland into Republic Ireland and Northern Ireland (NI) in 1920.

The partition of Ireland did little to ease the sectarian mistrust and separateness between Catholics and Protestants left in six counties of Ulster, which were devolved to unionist rule.

In these areas education, neighbourhoods, workplace, entertainment, and numerous other social activities remained separated.

The siege mentality of the unionists continues to stem from the fortified townships in which they were forced to live following the plantation of 1609.

This feeling has been enhanced through the separation of two communities and continued enforcement of the special power Act of 1922. This Act designed to combat IRA resistance to partition, was left in force until well after the beginning of 'troubles' thus perpetuating a climate of mistrust that has yet to be dispelled.

The lack of contacts has created feelings of deep distrust. This distrust developed incrementally over a period in response to specific events. For an example, when the IRA started a new campaign for sessions between 1956 and 1962; civil rights movement protest in 1969, intervention of British military in early 70s, etc.

Discrimination and majoritarian rule:

Politics in NI have always been dominated by the necessity for protestant control of the government and its process. The requirement that a protestant majority be created in NI was a major determinant in drawing the boundary for the partition of the Ireland. NI is composed of six of the original nine counties of the province of the Ulster. The remaining three counties of the Ulster were not included in NI due to the fact that the higher percentage of Catholics in these counties posed a threat to protestant control of the country. Only those counties of Ulster province that had protestant population of at least 30% were included the unionist enclave of NI.

Also to ensure the majority in the parliament and local government bodies, the Stormont (the NI parliament) amended electoral representation laws in favor of protestant representatives. The new legislation introduced to restrict voting rights comprised the categories of voters were formed to ensure protestant dominance at the polls. Those two categories under the legislation were;

1. The ratepayers; primary occupiers of a household as either tenants or owners,
2. Persons who owned commercial property valued at 10 pounds or more per year.

As only two people per house were allowed to vote, the ratepayer category effectively excluded lodgers or adult children living at home. Both lodgers and adult children living in home tendered to be Catholics due to their lower overall economic status and larger families; thus catholic franchise were restricted. People in the second category, that is owners of commercial property were allowed to nominate special voters for each ten pounds of their property, up to a maximum of six voters (derby 1976,50) since over 90% of commercial property in NI was protestant owned, this provision expanded their voting franchise and along with rate payer category, extended unionist control over the ballot box and the government. (Cameron Commission Report)

Due Process, Criminal Justice and Judicial System:

Protestant control of the judicial system and courts was prominent feature of unionist controlled NI government. In judicial system protestant out numbered Catholics by sixty-eight to six in 1968. Fifteen out of twenty-eight appointees to the high courts of NI between 1921-1972 were either current or former members of the unionist political parties. Discrimination within the judicial system stemmed from the severity of charges lodge against defendants by the police system. For example, charges against protestant defendants were often reduced or dropped, while Catholics were usually fully confronted with the full force of the law.

Most prominent violation of due process in NI history was the Special Powers Act of 1992, which was implemented to stem the tide of nationalist violence. Although most secessionist violence ceased by 1927, the Act remained in force until the British government repealed it in 1973, well after beginning of the 'troubles'. Under the Act the government forces were given considerable latitude in their

conduct towards suspected individuals and broad powers of search and seizures without a warrant. In 1971 Stormont introduced law of internment without trial, to replace the repealed special laws Act, which had the similar arbitrary powers to deal with political disputes. Prominent feature of this Act was provisions to detain a person without producing the courts for a longer period.

Social and economic participation:

Control of the national and most of the local government also gave unionists majority power to determine protestant-catholic share of the public sector benefit. In NI, the parliament and local governments have regulated the construction of public housing. The subsidized housing was housing was controlled by the Local housing Authority that were appointed by the elected councils. So the distribution policy was always in favour of one community.

Catholic employment in the public sector (aside from the police and judiciary) averaged at about 30%, which is almost proportional to the overall population. A closer look however proves that these statistics are misleading. While Catholics made up about 40% of manual labor, they held only 11% of senior posts in 1951. This figure raised up to 15% by 1973.

In the private sector, two main categories of imbalance existed between Catholics and Protestants, the level of unemployment and type of employment. The segregation and imbalance of education system also affected catholic employment opportunities. Religion and education in NI have been linked for almost the entirety of Irish history and remain so today.

Civil Rights:

Inspired by the civil rights movement in United States and motivated by relative deprivation in the society, in the late 1960s group of Catholics and liberal protestants gathered together to form the National Ireland Civic Rights Association (NICRA). The NICRA set out to right wrong through the

dissemination campaigns to street protests. These protests were violently suppressed by Royal Constabulary of Ulster (RCU) and the Para military troupes attached to RCU called B specials. Then the violence irrupted, by the summer, increased the violence, which ended up the civil rights movement in to fully fledged civil war.

In August 1971 British Army intervened to the situation increasing catholic anger and frustration. Nevertheless, most of the frustrating laws existed before were repealed by mid 70 or late 80s, nevertheless, by that time ethno political mobilization had been already taken placed against the regime, conflict was gain its own momentum with help of the vicious circle created by the relative deprivation and actions of the ethnic and political entrepreneurs.

Causalities:

In total there was over 3600 deaths as a result of the conflict most of which occurred in the early and mid 70s. Civilian accounted for more than half of the fatalities. Most of those killed, 91%, were male and a majority of deaths, 53%, and were of people under 30 years of age. Catholics were the majority of those killed, that is 43% as opposed to approximately 30% who were Protestants. Most of the fatalities, 59% were inflicted by Republican paramilitaries, 28% were killed by loyalist paramilitaries and 11% by the Security forces. In the period over 30,000 people were injured.

The compromise of the incompatible political aspirations through reconciliation and rapprochement:

The point 5 of the Declaration of support, reminds that, differences of the political aspirations of the parties to the negotiations and pledges that the parties will, in good faith, work to ensure the success of each and every one of those aspirations within the framework under the Agreement.

Hitherto, the outcome of the Agreement has been shown, that the measures taken by the negotiations, and arrangements laid down in the Agreement have been able to satisfy the different political aspirations of the different groups. When one analyses this success it can be identified due to following factors:

1. Third party approach and the facilitation role played by the United States Senator John Michel, and the way the negotiations took place. Especially the negotiations were based on problem solving paradigm instead of bargaining paradigm. The whole approach in the Northern Ireland peace negotiations was that the issues under negotiations not had been defined as a conflict between the parties that must be resolved, but as a common problem confronting all the parties that must be resolved.
2. Nature of the Negotiation process that took place at the time without compromising democracy, by including, by non-constitutional parties.
3. Arrangements introduced in the Agreement, which are, inter dependable and inter-locking on each of the parties to the conflict and to the negotiations.
4. Technical support taken from the South African experience and from the South African experts.

The concept of inclusion has been able to materialize in full meaning in this process, which is most important aspect of the legitimization process, ultimately undermined and suppressed the spoiler effects and wasted interests of the disgruntled political elements.

To understand this praiseworthy, strategy in the whole affair, it is noteworthy to mention the diverse interests of the constitutional and non-constitutional parties. At the ground zero level the Northern Ireland conflict was politically based on two major political ideologies called 'Unionism' and 'Republicanism'. The unionist political aspirations were based on to stay intact with the British sovereignty and otherwise to establish an independent sovereign state comprising the Protestants of the Ulster province.

The Irish republicanism based on amalgamation of Northern Ireland into Republic Ireland, through military means.

In between these two political lines the Irish Nationalism places its political aspirations. They take in middle position to protect the rights of the Northern Ireland Catholics and also working to achieve the same political goal that republican have in peaceful means.

Ulster Unionist Party (UUP) and Democratic unionist Party (DUP) mainly represent the unionist politics. The other two parties are Progressive Unionist Party (PUP) and Ulster Unionist Party (UUP) are the parties which the two main loyalist paramilitary groupings who were developed as political parties in the mid nineties.

The Sinn Fein the political wing of the IRA represents the republican politics and the Social Democratic and Labour party (SDLP) represents the nationalistic politics of the Irish people.

Other than these two nationalist political streams, Alliance Party of Northern Ireland (APNI), a main steam party which attempts to appeal both sides of community, and the Northern Ireland Women's Coalition (NIWC), a newly emerged party, formed in 1996, which have provided an important middle ground for dialogue among women, and other political parties, are conspicuous in NI politics and represented in negotiations.

Paramilitaries:

The IRA

The IRA is the descendant of the most forceful military group that had fought for independence of the Ireland. By the end of the 1969, following the resistance by the unionist government to the civil rights campaign, the IRA had began to regroup its members in early 1970s. In January 1972 support for IRA was further increased when British troupes opened fire on demonstration by nationalists in Derry killing thirteen men; and event that was to become to known as Bloody Sunday.

Nevertheless, by the end of the 70s, the Republican movement realized that it need to build up a, mass political base if its campaign was to succeeded and a new strategy was devised involving ballot paper in one hand and the Arm tile in the other to achieve its goals meaning political and paramilitary pressure at once.

Loyalists:

The threat of use by the loyalist paramilitary groups in the early 1900 was consistent factor in the opposition to home rule for Ireland. But in Northern Ireland these groups were mainly regrouped after civil rights movement and counter the threat of the IRA.

Ulster Volunteer Force (UVF)/Red Hand Commandos:

In 1960s a modern version of the UVF was formed. Recruitment to the ranks of the loyalist's paramilitaries substantially increased when violence irrupted onto the streets in 1969.

Ulster Defense Association (UDA)

The UDA was the largest of the loyalist paramilitary groups and it used cover name the Ulster Freedom Fighters (UFF)

The UVF and UDA were shown positive approach on peace initiative. Both of these groups were officially on ceasefire. The two political parties representing these military trends participated for negotiations and played significant role leading to Belfast Agreement.

But the Loyalist Volunteer Force (LVF) and Red Hand Defenders (RHD)/orange volunteers from the loyalist camp and Continuity Irish Republican Army (CIRA) and "real" Irish Republican Army ("r"IRA) were against the ceasefire and kept away from the negotiations.

Why Compromise?

It is generally agreed fact that success of the peace process was due to combination of external and internal factors resulted through span of time and the factors prevailed at the time and positive thinking of group of internal and external actors. Those multiple factors can be lined up in following way;

I. A realization by both the IRA and the British Army that the war could not be won militarily and the decision by the IRA to develop politics, through its political part Sinn Fein, as alternative way to fight for its political goals.

II. The willingness of the Social Democratic and Labour Party (SDLP) to engage with Sinn Fein in pursuing common nationalist political goals by peaceful means.

III. A Changing social and economic context in which many of the discriminations against Catholics was addressed, and in which a legal and social infrastructure to address issues of inequality and respect for diversity, began to develop.

VI. An increased willingness by many within the civil society, for example among business, trade union, and community groups, to actively engage in process of contact, and political leverage for peace.

V. The development of some (though be it small) political parties by the loyalists, and by women coalition, which enable some new thinking on the political landscape.

VI. A changing international context, including proactive involvement from the US Government, and many US businessmen and politicians as well as assistance with developing peace process from South Africa.

The above external and internal changing factors eventually lead to the ceasefire of 1994 when the IRA announced a complete cessation of hostilities followed by the announcement of a loyalist ceasefire by the combine Loyalist Military command (CLMC). These ceasefires developed through combination of individual calculations as well as political dialogues, which include British government secret contacts with IRA, SDLP dialogue with Sinn Fien, Sinn Fien and loyalist contacts with Dublin Government. Particularly important was dialogue between the British and Irish governments. The dialogue produced extremely important outcomes.

The Agreement and the solutions:

The multi party talks, under a tired, minority Conservative government made little progress through 1996 over the issue of decommissioning. As a result the IRA called off its ceasefire on 9 February 1996. The International Commission on Decommissioning established in the same year, recommended that the all party talks and decommissioning can be occurred simultaneously, instead of major, conservative party insistence of prior decommissioning.

The election of strong Labour Government under able leadership of Tony Blair in 1997 reenergized the peace process. Within tree months, Sinn Fein's conditions for entering talks had been met and new IRA ceasefire was announced on 20 July 1998. Northern Ireland's largest party UUP, though had initial reservations stayed with the negotiations. The second largest party, the DUP, angered by lack of decommissioning by paramilitaries, withdrew from talks.

Talks between eight political parties and British and Irish governments under the joint chair of John Michel the Us Senator, former Finland PM and Chairperson of the International Commission on Decommissioning continued until April 1998. A comprehensive agreement, addressing all three strands, were reached on 10 April. It contents were put to the people of NI and also referendum held on the same day in Ireland. These referenda held on 22 May 1998 were overwhelmingly approved by the respective societies.

The Agreement Provisions as solutions to the conflict:

1. Constitutional Issues:

The Annex A and B to the Agreement are enshrined, to deal with the moot issue of the NI conflict. That is the status of Ulster province and its Irish inhabitants. The main political incompatibleness between Unionist and Republicans rested on this issue. The Republic of Irelands constitutional claim had been added impetus for these political positioning.

The compromise solution brought to the issue in following way under the Agreement;

1. Northern Ireland's constitutional status depends on the consent of the majority of its citizens.
2. Northern Ireland's current position is as part of United Kingdom.
3. Should a majority of people in Northern Ireland wished to bring about a united Ireland they can vote for it and both governments are obliged to legislate for it.
4. The people of Northern Ireland are free to identify themselves as "Irish, British or both".
5. The Irish constitution is to be amended so that its territorial claim over Northern Ireland is redefined to take account of consent.

Consequently the British and Irish parliaments amended their respective constitutions, after the referenda. The abandoning of Republic of Ireland territorial claim over the Northern Ireland has been helped to address to the unionist apprehensions.

Strand One:

Democratic Institutions of Northern Ireland (NI)

Lack of Governance in the Northern Ireland society made Catholics to develop their frustration in 50s, it out pored as anger 60s and transformed into militancy in 70s. The decision making process was purely positioned on unionist majoritarianism. The various supportive institutions to the Northern Ireland government also followed the same line in order to resolve this structural conflict. The Belfast Agreement introduced consensual democratic decision-making process to the Northern Ireland. The election process based on proportional representative system within the existing Westminster constituencies and d'Hondt system for the executive is the essential features in this consensual democratic arrangement.

To add more strength to this arrangement meant, allocation of executive posts in the government has been made according to the party strength instead of one party executive system in the past.

Also to avoid any future aberration or intentional manipulation following safety arrangements also introduced to the system as check and balances:

1. European Convention on Human Rights have been made a part of NI legal system and made Inviolable in the law making process.

2. The parallel consent voting system introduced to ensure when the key decisions are taken on cross community basis.

3. In order to maintain political tranquillity in the future the Agreement was specific about some of the key decisions in the parliament instead of keeping it open ended. The election of chair of the Assembly, the election of First and Deputy First Minister, standing orders of the Parliament, budget allocations, a decision which be triggered by a petition of concern brought by a significant minority of Assembly members, are mentioned in the Agreement which are consistent with the concern.

4. Equity Commission has been proposed to monitor a statutory obligation to promote equality of opportunities in specified areas and parity of esteem between two communities, and investigate abidingness of those values by individual bodies introduced under the Agreement.

The Executive Authority:

The among the other constitutional arrangements proposed under the Agreement, the provisions for the shared executive between the political parties, can be considered a prominent feature of the Agreement compared to the deep ethno political cleavages at the society. This arrangement is made applicable to

the First Minister ship and Deputy First Minister ship and to other ten Minister ships in the Stormont. The other feature of this shared executive system is the ten ministers will be elected from the executive committees whose membership is formed according to the party strength of the parliament. Under this arrangement every party in the parliament will find an opportunity to participate in executive decision-making.

The Strand Two:

North-South Ministerial Council:

Under the Agreement North-South Ministerial Council shall be established to develop consultation, cooperation and action within the Island within the Ireland to deal with the matters of mutual interest, within the competence of two administrations, within the Irish Island.

From the inception the main political demand of the Irish people of the North and South was to amalgamate the Province of Ulster to the main land of Ireland. This demand was based on territorial, socio-economic, political and cultural reasons. This made the Unionists unstable and manifested majoritarian rule in the Ulster. The institutional arrangement under Strand two was originally intended to address the legitimate aspirations of the Irish people in the North and South, so it can be identified in a way as a confidence building measure, on the other hand a coordination mechanism to deal with natural socio-economic and cultural bondages of the Irish people living in two different societies.

To strengthen this institutional arrangement, considering the prevailing political culture of the Northern Ireland polity, the continued participation of the Northern Ireland at various capacities in the council and endorsement of councils decisions by Northern Ireland Assembly and Irish Parliament has been made inter dependent on the operation of the North-South Council (Article 13). Also in return the Northern Ireland representation of the Council is been made compulsory to the Northern Ireland Assembly. This arrangement provide ample

example of inter dependability and inter-locking strategy adopted by the Agreement to ensure smooth function of the institution among the diverse political interests. Also the Agreement without allowing for future confusions, are specific about the areas of cooperation under the council mandate. (Vide Annex to the strand two)

Strand Three:

The British-Irish Council

British-Irish Inter Governmental Conference:

The British-Irish Council shall have representation from British and Irish governments and the devolved assemblies in Northern Ireland, Scotland and Wales.

This arrangement is an out come of new Anglo-Irish Agreement and it intended to promote harmonious and mutually beneficial development of relationships among the people of these Islands.

The British –Irish inter governmental Conference, inter alia, formed to monitor and review of the NI affairs and Anglo-Irish Agreement after three years of its existence.

This arrangement resemblances the idea of British Commonwealth and showing the British government’s interests to keep alive its commitment over the future of the devolved subjects, especially the Northern Ireland .In one way it gives an impression of united Kingdom’s continued engagement with the Northern Ireland, which can be on the other way mention as a confidence building measure for the unionist politics over their concerns of Irish dominance in Northern Ireland affairs.

4. Rights, Safeguards, Equality of opportunity:

The state of affairs of Catholic community under the unionist rule over the last 30 years can be identified as most oppressive and tyrannical period in the NI history. The relative deprivation generated within the Catholics due to the vast difference between mean value expectation and value capabilities of the society pushed them to made one of the most violent and saga rated societies in the world.

The violence generated within the society had always a causational relationship between human rights condition of the NI. Therefore the agreement has shown extra cautiousness and extra concern to introduce various human rights mechanisms to the system.

The following arrangements have been proposed to introduce in the Northern Ireland society as human rights protection mechanisms:

1. Series of civil and religious liberties, which are to be enshrined under the Northern Ireland Act.
2. British government shall be taken steps to incorporate the European Convention of human rights, to enable Northern Ireland citizens to seek Human Rights jurisdiction of the European convention into Northern Ireland legal system and keep the Northern Ireland legislature under the judicial review of the European court of Human Rights.
3. Statutory obligations on public authorities in Northern Ireland to carry out their functions according to basic freedoms and rights of the society.
4. Establishment of Human Rights Commission.
5. Establishment of Statutory Equality Commission.
6. Establishment of fair Employment Commission.
7. Establishment of Equal Opportunity Commission.
8. Establishment of Commission for Racial Equality and Disability
9. Establishment of Dedicated Department of Equality under the Assembly.
10. Westminster legislation in respect of the Judiciary, the System of Justice and Police.

11. Irish Government to take steps to strengthen over human rights protection, all party Oireachtas Committee on the constitution and the report of the constitution group.

12. Joint committee on two human rights commission

13. NI victims commission

14. Civil society initiatives

Economic, Social and Cultural rights:

1. The NI Assembly and until formation and function of it by the British parliament, shall take conscious steps to pursue sustained economic growth and stability in NI, based on inclusion, social cohesion, urban, rural and boarder area based community development, and advancement of role of women in public life.

2. Take resolute actions to promote language based on respect, understanding and tolerance in relation to linguistic diversity.

Issues related to the Post Conflict Peace:

Decommissioning:

Decommissioning has become major stumbling block in the period of pre-negotiations as well as in the post negotiation implementation process.

In the pre negotiation process, decommissioning paramilitary weapons gained prominence, when the Unionist and the British government argued that the decommissioning portrays particular groups' willingness on joining constitutional process hence it is essential to oblige as a precondition. Those political parties fronting paramilitaries responded that it would be unrealistic to expect paramilitaries to decommission before agreement was reached on an overall

political settlement. These positions of both parties effectively blocked substantive movement of negotiations over years.

As a result an international commission on decommissioning established in the end of 1995 as a joint initiative of the United Kingdom and Republic Ireland. The report issued by the commission recommended all party talks and decommissioning can be occurred simultaneously.

In the post Agreement period, concerned parties complain is that the Belfast Agreement provisions related to decommission is vague and non-committal. In the post Agreement period when the IRA drag on the issue by not decommissioning, the First Minister to the Assembly resigned from his post, the United Kingdom government issued ultimatum that it will dissolve the Northern Ireland Assembly and re impose direct rule again over the Northern Ireland, unless the IRA decommission its weapons within the stipulated period, that is within two years following endorsement of Agreement in referendum. (In fact the UK government extended this period for another four months)

Surprisingly, on the last week of October 2001, the IRA agreed to decommission its weapons and the international commission issued a report that they are satisfied with the outcome.

It is estimated that IRA may have 600 AK-47/AKM assault rifles, 60 arm tile AR-15 assault rifles, 12, 7.62mm FN MAG medium machine guns, 20,12.7mm DSKH heavy machine guns, 2to 3 SAM missiles, 40 RPG rocket launchers, 40 weibly.455 revolvers, 6LPO flame throwers, 600 assorted detonators, three tons of semtex (commercial high explosives) thousand pounds of home made explosives, home made mortars, and home made weapons. The First Minister to the Northern Assembly David Trimble accepted the version of the International Commission and expressed his satisfaction, as a result the Northern Ireland peace process revived with new vigour.

Decommissioning and demobilization is usually seen as an important development effort in post conflict situation. Successful de decommissioning and demobilization requires accurate planning, logistics and resources. The concerned parties to the NI conflict seems to be fulfilled most of these essential requirements through establishing International Commission to deal with this subject. The parties to the negotiations had put their confidence over the Commission to tackle this delicate issue, which the whole process has been precariously depended on.

The Agreement states:

“... Confirms their intention to continue to work constructively and in good faith with the commission, and to use any influence they may have, to achieve the decommissioning of all paramilitary arms within two years following endorsement in referendum...”

It is proved now, the faith kept on the commission as well as the flexibility shown by the British government through out the period, yield expected results.

Policing and Justice:

From the time of its creation, the Royal Ulster Constabulary (RUC) contributed largely to the raise of relative deprivation within the Catholic community. The RUC is seen and also acted in consolidating divisions among the society by representing and supporting the unionist cause.

The Belfast Agreement acknowledges this situation by mentioning policing as a central issue of any society. Also recognizes that NI history of deep divisions has made it highly emotive, with great hurt suffered and sacrifices made by many individuals and their families including those in RUC.

Therefore the Agreement suggests that, there is great need for restructure the Northern Ireland police service in order to establish professional, effective, efficient, free from partisan politics, both under law of its actions and to the community.

The Agreement proposes to establish an independent Commission to recommend future policing of the society.

Consequently, under the Chairperson ship of former governor Chris Pattern appointed commission has been appointed and the recommendation made to the UK government to introduce necessary changes to the RUC,

Following are the gist of the recommendations made by the commission:

01. Comprehensive program of action to develop human rights based approach in RUC. Including new oath and code of ethics. Training, recruitment of human rights lawyers to the service.
02. Measures to be adopted to improve accountability, including establishment of new policing board, separation of powers between board and chief constable.
03. Making policing with community as a key function of the police service.
04. Re-orientating RUC in order to policing in a peaceful society.
05. Capacity development of RUC in order to do public order policing.
06. Organizing behavioural competence building in managing the change.
07. Infusion of Information Technology.
08. Structure changes.
09. Size of the police service.
10. Composition and recruitment of the police service
11. Appointment of police ombudsman.
12. Training and Development.

13. Culture, ethos and symbols.
14. Cooperation with other police services.

It is expected to change the RUC through these recommendations in order to develop Northern Ireland police service into a transparent institution that provide proper supportive services to the society which based upon new governing principles of the society.

Reviewing of the Criminal justice System:

In any equilibrated society criminal justice plays major role. The stability in such a society depends on the balance of interests shown between security interests of the society and rights of the accused. In the last three decades the NI society shown and behave contrary to this principle and resulted in violence.

Therefore the Agreement provides terms of references to reorganize criminal justice system in NI by reviewing structures, managing and resourceing of public funded criminal justice system

The Conclusion:

The NI conflict though popularly identified as a religious conflict, but a closer look into the conflict would provide some thing different perception. In real sense it is an ethno political conflict. Nevertheless, it can be called as obliquely placed ethno-political conflict in terms of the social construction. The obliqueness denotes to its unique placement in geo-sovereignty context.

The Northern Ireland is a part of UK under the terms of sovereignty, but it is geographically, ethnically and culturally part of the Republic of Ireland. This strange connection has created unique state of psychological and political condition among the inhabitants of the Island. One group may claim they are the

oldest inhabitants of the soil and others also claim that they inhabit well over 400 years in the NI. All these claims had been connected to and base on kind of minority complexes which of both sides shown by its political reactions. This double minority syndrome made incompatible political demands, which lead to conflict on mutually exclusive manner.

But changing exogenous factors as well as new political thinking based on cost benefit analysis of British Government has been changed the British policy over the Northern Ireland, which in return helped to soften the stand of IRA. These two major changes were enough to made big impact and complete turn on the whole conflict situation in Northern Ireland, because unlike other conflicts, all other actors and factors were on the firm grip of the UK government such as Unionist paramilitary groups and political parties in the Northern Ireland.

Along these changes pragmatic political entrepreneurs like Toney Blair, Gerry Adams, David Trimble, and David Hume like people have been able to harness it for durable peace.

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