What Difference Does it Make? – The Construction of Liminal Plurality in Northern Ireland

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This article performs a cursory critical discourse analysis[1] of the construction of 'difference' among the Northern Irish population in the constitutional policy proposals in Northern Ireland between 1973 and 1998. Central to interpreting conflict resolution in a divided society is an understanding of the predefinition of the nature of differences and divisions. It is my claim that a critical discourse analysis, which grapples specifically with the construction of 'difference', can help interpret the ongoing crisis in the Northern Irish peace process.[2] In other words, it might help explicate the extent to which the constitutional policy at large – and the Belfast Agreement as its pinnacle – has tended to provoke deadlocks and work as a segregationist rather than an integrationist vehicle for societal change.

Since the outbreak of conflict in the late 1960s the search for stability, and preferably democratic stability in a legitimate political entity, has been the main object for constitutional policy in Northern Ireland. The main controversial themes have been under what conditions to restore government in Northern Ireland (majority rule with possible minority safeguards or power-sharing) and the respective expressions of the British and Irish dimensions of Northern Ireland (whether Northern Ireland should be constituted as British or Irish). Arriving at a compromise, which simultaneously balances structural, social, economical, cultural, religious, political, and national inequalities, has proved extraordinarily difficult if not inherently impossible. The early attempts to interpret the conflict were either to see the problem as stemming from discriminatory government and thus amenable to administrative solutions inside Northern Ireland or to assume that the problems were caused by competing national aspirations or questions of identity, thus necessitating broader constitutional change.[3] In the absence of a conventional constitutional settlement (Northern Ireland established as either British or Irish), debates about whether ethnic, national, and cultural affiliations are considered immutable rather than malleable and, most importantly, to what extent this should receive institutional recognition have gathered momentum. Finding the right mix of

modalities between constitutional aspirations has often been pursued through political negotiations. However, the nature of political compromise demands clearly defined positions between which divisions can be bridged or, in a less benign scenario, between which power can be divided. The search for a constitutional solution in Northern Ireland has gradually forged the appearance of hegemonic communal blocs sandwiching an increasingly (politically) irrelevant, moderate middle ground because conflict resolution by way of political negotiations not only responds to differences but also helps erect and maintain them. In the following I will introduce the policy entrenchment of constitutional settlement, and explore how national communities have been linguistically sculpted and reinforced in the constitutional texts.

Difference

Tracing the construction of populational difference in the constitutional texts means looking at how difference is understood: whether there is an accentuation of difference, for instance between Protestants and Catholics, unionists and nationalists, British and Irish; how this difference is proposed to be resolved, overcome or accommodated; whether there is a bracketing of difference in favour of a focus on commonality; whether specific differences are naturalised and institutionalised to suppress other differences of meaning and over norms.[4] It is commonly suggested that divided societies face a choice between policies of assimilation, in which minority issues are considered as individual rather than group rights thus emphasising national integrity, or policies of pluralism, which might include structures based, for example, on ethnic or religious differences.[5] In the broader catalogue of constitutional texts,[6] the parties to the conflict are referred to in a number of ways: sometimes as the 'two communities'; sometimes as the 'two traditions'; and sometimes simply as the 'people' of Northern Ireland or the island of Ireland. Each definition has its own set of implicit assumptions about which differences exist, and how they ought to be dealt with. However, 'difference' in Northern Ireland is almost always compounded in dualistic (either/or) rather than pluralistic (both-and) terms.

Sunningdale 1973

The five-year period that led up to the signing of the Sunningdale agreement in 1973 was a particularly volatile time in the history of Northern Ireland.[7] Despite the introduction of reforms under the premiership of Terrence O'Neill, the internal coherence of the state was

challenged by the demands and actions of the civil rights movement, which exposed institutional bias along religious lines, and called for equal citizenship and universal suffrage. The adopted approach of demonstrating demands in the form of marches, squatting, and sit-down strikes provoked an inflexible and authoritarian response from the state, thus highlighting its inbuilt and cemented reliance on hegemonic rule and a political status quo. The clashes between the marchers, counter-marchers, and the police escalated into confrontations between the two sides of the community. The subsequent meltdown of the Unionist government in 1969 led to pervasive changes. Having kept a slightly disinterested distance for 49 years, Britain reengaged with the state of Northern Ireland, first in the form of the deployment of British troops, and eventually in the complete takeover of law and order followed by the prorogation of the Northern Irish parliament, Stormont, and the introduction of Direct Rule in 1972. Direct Rule was only conceived as a temporary measure while a new political dispensation could be agreed, but as we now know, compromise was not easily attained.

The Sunningdale Agreement was the outcome of a conference held in December 1973. This was the first occasion since 1925 when a British Prime Minister, an Irish Taoiseach, and the Northern Ireland government (or rather the Northern Ireland Executive Designate) had attended the same talks on the future of Northern Ireland. The Sunningdale Agreement established some of the mainstays of constitutional policy and conflict resolution in Northern Ireland. First and foremost, it established that community differences were primarily between basic aspirations to remain part of the Union (the majority) or become part of a united Ireland (the minority). These differences were, however, largely bracketed in order for the local parties to join together in government in Northern Ireland. The agreement assumed that the representation of the minority community in government would breed loyalty to the state. It supposed that power-sharing would bring stability and allow for the widespread support and identification with all the institutions of Northern Ireland, which was impossible under hegemonic, majority unionist rule. The principle of consent was also introduced when the British and Irish government both accepted that the status of Northern Ireland could not be changed until a majority of the people of Northern Ireland so desired. Furthermore, an Irish dimension to Northern Ireland was recognized when the Council of Ireland was set up to undertake executive, harmonising, and consultative functions between Northern Ireland and the Republic of Ireland.

The Sunningdale Agreement was obviously a compromise between opposing demands. Political power-sharing would make government in a divided society more democratic. The principle of consent would ensure

that a united Ireland would not come about by coercion; and an affinity between the two parts of Ireland was expressed in the Council of Ireland, which could work as a vehicle for further political rapprochement. The agreement introduced a persistent pattern in the approach to conflict resolution of pursuing processual rather than substantive agreement. Mutually exclusive national end goals were respected and reinforced rather than circumvented.

Under the provisions of the white paper of 1973, *Northern Ireland Constitutional Proposals* (HMSO 1973), and the agreement at Sunningdale, a power-sharing executive was elected consisting of the Social Democratic Labour Party (SDLP) the Official Unionist Party and the Alliance Party. However, the Irish dimension of the agreement (the Council of Ireland), the conditional position of Northern Ireland within the Union, as well as the idea of government by power-sharing were all highly contentious issues. Only five months after the power-sharing executive had been elected, it was brought down by the Ulster Workers' Council.[8] Pursuing goals by way of the democratic, political process did not seem to work; direct action and violence did.

The minority's rejection of Stormont had brought that parliament down; unionist and loyalist objection to power-sharing and the abhorred Irish dimension had brought down its successor. It seemed a double veto was firmly in place. The following decade would see moderate unionism and reformist nationalism exercise their more maximalist versions. Unionist demands were now singularly for a return to majority rule (albeit with some minority provisions) as power-sharing was considered – and demonstrably so – a weak form of government. Conversely, the SDLP had completely lost faith in an internal solution, making it imperative to internationalize the conflict and ground any solution within an Anglo-Irish context.

The immediate political conclusion drawn from the failure of the Sunningdale Agreement was that compromise could not be built from the middle ground, as this was rapidly evaporating. Identities had become increasingly entrenched and power-sharing was put on the back burner whilst a process of 'mutual recognition' began. This approach drew on both discourses of equality and an Irish dimension and, more specifically, on a fusion of the two.

The Anglo-Irish Agreement 1985

As a result of the continued party political stalemate, the Anglo-Irish Agreement of 1985 was not a negotiated settlement between the parties to

the conflict within Northern Ireland. On the contrary, it was an agreement between the British and Irish governments to establish a frame within which to work until such time as an agreement between the Northern Irish parties might occur.

Difference

The Anglo-Irish Agreement accentuates difference in recognizing that there are 'two major traditions that exist in Ireland'. In the preamble these are not defined in religious terms, but in constitutional political terms as 'on the one hand those who wish for no change in the present status of Northern Ireland and on the other hand those who aspire to a sovereign united Ireland achieved by peaceful means and through agreement'.[9]

The whole rationale behind bi-governmental cooperation in the Anglo-Irish Agreement is that there are differences in Northern Ireland that may not be easily or speedily overcome, but also that these differences are conceived primarily as bi-national. A process of 'mutual recognition' is considered to be a condition of 'genuine reconciliation and dialogue between unionists and nationalists',[10] which means that the respective political projects of nationalism and unionism are constituted as the central ideologies to be accommodated. In the absence of internal agreement, the Intergovernmental Conference (established by the Anglo-Irish Agreement) is expected to act as political filler in two main ways: until a political compromise had been made, the Conference would be a framework for the promotion of cooperation between the two parts of Ireland. The second function of the Conference was for the Irish Government to represent the minority. Obviously then, the fallback position, pending agreement, became one where the minority community was 'sponsored' by the Irish Government and the majority community by the British Government. Until an internal political compromise was agreed, the Conference should 'concern itself with measures to recognize and accommodate the rights and identities of the two traditions in Northern Ireland'.[11] This dual representation gave the Anglo-Irish Agreement a double bounded validity – at least in the minority community – that had been missing from resolution efforts since the Sunningdale Agreement, which had all focused on internal solutions.

While the agreement places particular emphasis on 'mutual recognition', there is less talk about a 'common good'. The concern is to pay parallel attention to 'the accommodation of the rights and identities of the two traditions, which exist in Northern Ireland'.[12] Here it is again necessary to note that devolution is only considered to be possible 'with the

cooperation of constitutional representatives within Northern Ireland of both traditions there'.[13] Theoretically, this could be majority rule with minority safeguards, but considering the explicit recognition of two separate political traditions with diverse and legitimate aspirations, which demonstrably could not be accommodated within a hegemonic regime, this article effectively points to power-sharing as the only acceptable basis for devolution.

Assumptions and Discourses

The existence of an Irish Dimension is evidently assumed, primarily in the security aspect of conflict, but also as a cross-border affinity between the two parts of Ireland. Even if a form of devolution in Northern Ireland is agreed, it is considered that there will still be a need to establish machinery both north and south for practical cooperation on economic, social, and cultural matters.[14] This cooperation is, however, not couched in nationalist rhetoric as much as the expedient language of mutually beneficial transactions. Although the British Government does not rule out a future United Ireland established by consent, the immediate focus is on preparing the road to devolution. This means that the Irish Government in the interim is expected to protect and further the minority's interests in Northern Ireland and cooperate with Britain on security and cross-border functions, in return for endorsing a future Northern Irish parliament run by power-sharing.

The recognition of rights and identities throughout the document supports the traditional discourses of Unionism and Nationalism as constitutional projects, but principally as versions that will have to exist in a bipolar state with the pure variety present only by proxy. However, the strong emphasis on the parallelisation of rights evident in concepts of 'mutual recognition' and 'two traditions', which are further enforced by two governments acting as guarantors for the protection of opposite national aspirations, suggests that all citizens in Northern Ireland may be described as either/or. It has been asked, given that the Irish Government represents the minority and the British government is neutral (pending consent), who represents the unionists? It might equally be asked, if there is a general discursive acceptance of a constant dichotomy of society, who represents the people that identify themselves as neither or both? In this line of discourse, Northern Ireland is not a plural society but a dual society. British and Irish have become mutually exclusive terms.

The agreement includes and reports indirectly and directly on four positions: the moderate nationalist, the moderate unionist, the position of

the British Government, and the position of the Irish Government. One group, those who 'attempt to promote political objectives by violence', is directly and significantly excluded. There is no mention in the agreement of those who do not adhere to the unionist or nationalist tradition, i.e. define themselves in other than constitutional terms. Nor is there any recognition of the traditional variety of nationalism (either Irish or British) which persistently does not accept that a minority (within the island of Ireland or within the British Isles) can veto the right of the majority to self-determination.

Two Communities – The Politics of Recognition

Both the Sunningdale Agreement and the Anglo-Irish Agreement work on the assumption that there is a relationship between political and constitutional reform and the reduction of violence. However, the linguistic sculpting of society into two communities to balance power becomes more explicit in the Anglo-Irish Agreement. The inclusion of the Irish Government above local level (that is, not subject to voluntary cooperation) enforces the reading of the conflict as being between two different national identities, which need separate outlets. Thus discourses on parallelization, or notions of symmetry between two conflicting parties, substitute a universal approach to society. Conceptualizing power-sharing along these lines quenches the possibility of developing a competitive democracy (that is, with competition across the divide of national aspirations). The language with which to describe division had moved from 'both sides of the community' suggesting that there might be some common ground as well as polarisation, to 'the two communities' suggesting a gulf between them. With the Anglo-Irish Agreement, Northern Irish society was effectively conceived as dual rather than plural. Forcing compromise possibly came at the price of justice being meted out on the basis of unionism and nationalism rather than universal rights.

The Anglo-Irish Agreement suffered under the need to reconcile major differences of objectives on the Irish and the British side respectively. It was implemented to demobilize the widespread electoral support for radical nationalism in the shape of Sinn Fein (and to a lesser extent radical unionism), improve security, and give recognition to the political aspirations of the minority. The short-term effect of these objectives was less than impressive. No real tangible progress was felt either in terms of devolution – 'the agreement is as much a barrier to unionist cooperation after 1985 as the absence of any Irish dimension before 1985 was to SDLP cooperation'[15] – or in terms of security matters.[16] The Agreement ushered

in an era of 'Direct Rule with a green tinge',[17] and arguably the biggest achievement of the Anglo-Irish Agreement was the breakthrough it came to signify in Anglo-Irish relations.

The Downing Street Declaration 1993

By the early 1990s, the three-stranded approach was launched in order to secure a more broadly based agreement, which would replace the remote control government of the past two decades in Northern Ireland. The three-stranded approach addressed a tripartite set of relationships: those within Northern Ireland; between the two parts of Ireland; and between Britain and Ireland. This approach was introduced by the new Secretary of State for Northern Ireland, Peter Brooke.[18] It followed that identities were perceived to be at least three-stranded if not three-dimensional. There was a definite co-existence of British, Irish, and Northern Irish relations, but not necessarily a co-mingling of identities.

Difference

In the Downing Street Declaration, difference is perceived as something that, in the words of the Prime Minister on behalf of the British government, can be overcome 'through a process of dialogue and co-operation based on full respect for the rights and identities of both traditions in Ireland'.[19] The Taoiseach also recognizes 'the need to engage in dialogue which would address the honesty and integrity of the fears of all traditions'.[20] Although there is talk about the, by now discursively established stable convention, 'two traditions' in the document, they are now predominantly dealt with in an all-island context rather than within Northern Ireland. The document appears to assume affinity between the two parts of the island, when it is said that 'the future of the island depends on the nature of the relation between the two main traditions that inhabit it'.[21] Although a wider set of relationships is considered, i.e. 'within Northern Ireland, for the whole island, and between these islands',[22] the use of island entities might indicate separate realms of belonging, or natural political and socio-economical units.

The internal dimension in Northern Ireland with separate agreement and mutual safeguards between those who want to uphold and support the union and those who wish for a united Ireland, which had previously been anticipated as a first step towards any solution, is hardly mentioned here. The obvious change from the Anglo-Irish Agreement to the Downing

Street Declaration is that it is the fears and aspirations of the unionist, not the nationalist, community that receives the greater attention. With Britain neutral and divisions cast in an all-Ireland framework, the main differences then persist primarily between the Irish State and the unionist community.

Thus, in the absence of British obstruction, the main obstacle is identified as unionist suspicions of an exclusivist Irish State. Accordingly, the Taoiseach plans to undertake an examination of possible ways of removing 'any elements in the democratic life and organization of the Irish State that can be [. . .] represented as a real and substantial threat to their [the unionists'] way of life and ethos, or that can be represented as not being fully consistent with a modern democratic and pluralist society'.[2324] So while it is no longer considered *comme il faut* to coerce unionists into a united Ireland, it continues to be an objective to convince them of the advantages and possibilities of a united Ireland. An internal solution within the UK framework is obviously at this stage considered insufficient, the dominant conceptualisation of national identities demanding political recognition has ensured this. However, the possibility of overcoming differences and accommodating political identities in an all-Ireland framework in the event of consent being forthcoming is not rejected. The discourse of cosmopolitan nationalism,[25] which seeks to strengthen all-island perspectives and embark on a process of 'national reconciliation', has superseded the discourse on internal solutions. Reconciliation between unionists and nationalists is in this perspective as much a North-South concern as it is an internal Northern Ireland concern. This approach, however, also begs the question how the constitutional aspirations of unionists are to be satisfied in a Republic of Ireland, which remains outside the Union and the commonwealth.

The Framework Documents 1995

Momentously, the IRA declared a ceasefire in August 1994.[26] The declaration and subsequent upholding of a ceasefire obviously had an enormous impact on the possibility of a peace process which might now also include republicans and loyalists. The explicit intention of the Framework Document was 'to give impetus and direction to the process'[27] and for both Governments 'to set out their views on how agreement might be reached on relationships within the island of Ireland and between the peoples of these islands'.[28]

Difference / Convergence

Throughout the Framework Document, a newfound hope for the convergence of identities is expressed. There is still an emphasis on the 'all island' context, but an 'isles wide' context is also introduced, providing a sounding board for different appraisals of identities. The governments hope to show that 'a fair and honourable accommodation can be envisaged across all the relationships, which would enable people to work constructively for their mutual benefit, without compromising the essential principles or the long term aspirations or interests of either tradition or either community'.[29] The absence of consensus means that there is a 'need for new arrangements and structures – to reflect the reality of diverse aspirations, to reconcile as fully as possible the rights of both traditions, and to promote cooperation between them, so as to foster the process of developing agreement and consensus between all the people of Ireland'.[30]

Although the divisions between the communities as such are continuously accentuated, there also seems to be a glimmer of an attempt to transcend differences in this document. In one of the concluding articles, it is said that, pending new arrangements, 'The diversity of identities and allegiances could be regarded by all as a source of mutual enrichment, rather than a threat to either side'.[31] Furthermore, the governments hope that under new circumstances 'the relationship between the traditions in Northern Ireland could become a positive bond of further understanding, co-operation and amity, rather than a source of contention, between the wider British and Irish democracies'.[32] The language of 'the isles' and 'the totality of relationships' thus allows not only for the coexistence of diverse aspirations but also for the development of a common good.

However, as always, the identities to be accommodated are specifically and exclusively the nationalist tradition and the unionist tradition. There is only one 'political divide' to be transcended.[33] No other grouping, community or part of the population is mentioned in relation to institutions. In that respect these (usages of 'all island' and 'isles wide' contexts) are merely synchronized gestures towards very traditional senses of identity (traditional all-island nationalism and traditional UK-anism). Four articles[34] deal with the Protection of Rights, meaning 'fundamental human rights' or 'common specified civil, political, social and cultural rights'.[35] They are first discussed generally in an all-Ireland framework as 'measures for the protection of the fundamental rights of everyone living in Ireland'[36] and include 'the right of free political thought,' 'the right to freedom and expression of religion', 'the right to pursue democratically national and

political aspirations', 'the right to seek constitutional change by peaceful and legitimate means', 'the right to live wherever one chooses without hindrance', and 'the right to equal opportunity in all social and economic activity, regardless of class, creed, gender or colour'.[37] These were the exact same rights outlined in the Downing Street Declaration. However, already by article 52 of the Framework, these are related specifically to the traditions of unionism and nationalism: 'This charter or Covenant might also contain a commitment to the principle of consent in the relationships between the two traditions in Ireland.' Indeed a couple of them ('the right to pursue democratically national and political aspirations' and 'the right to seek constitutional change by peaceful and legitimate means') pertain especially to the present situation in Ireland and protect and express the political projects of nationalism and unionism. It seems it is not so much a question of relating the 'fundamental rights' to the two traditions as it is one of the particular aspirations of the two traditions commanding the formulation of rights.

Interestingly, few of the parties, in their responses to the Frameworks Document, mention the European dimension specifically. This signals, of course, that, while Europe might function as a prop for new constitutional possibilities (dissolving nation state boundaries), the imagined frameworks do not extend beyond Northern Ireland, the island of Ireland or the Isles. Hence the traditional constitutional projects of unionism and nationalism can persevere without being qualitatively changed. This ties in perfectly with the enshrinement of the right to pursue national and political aspirations and constitutional change in the Frameworks document. There is a wish to leave historic enmity behind, but not a demand to leave national narratives and aspirations behind. The politics of recognition continue to loom large. There is, in other words, a limit to cosmopolitan design. The Frameworks Document is tilted towards an all-Ireland dimension, but if functional cooperation is replacing Irish governmental input in Northern Ireland this is understandable in the logic of 'balanced accommodation.' In this interpretation, the political identity of nationalists would be recognised within Northern Ireland institutions from the top down, whereas the political recognition in all-island institutions would be encouraged to develop from the bottom-up. However, the peace process mainly continued to be a series of negotiations between the political elites rather than focused at civil society.

Two Traditions – Both Communities

The language in the Frameworks Document is strong on the 'two traditions' and 'both communities'. This particular choice of designation impart that they both belong to the island of Ireland (they are not 'two nations') and can be accommodated within that framework.[38] It continues the trend of socially constructing the duality of divisions but recasts them in an all-island framework. The corresponding British assertions of the multifaceted composition of the United Kingdom are comparatively weak, though the comprehensive east-west dimension receives more attention than previously, when it was primarily constituted as either governmental relationships or between the unionist community and the UK.

The Belfast Agreement 1998

After an excruciating process of negotiations, agreement was reached.[39] The Belfast Agreement, signed on Good Friday, April 10, 1998, was immediately different from the other constitutional proposals because: a) it was a multiparty agreement, not just an understanding between the British and Irish Governments;[40] b) it was put to popular referenda in Northern Ireland and the Republic of Ireland.[41]

What is striking on first inspection is that the Belfast Agreement presents a new party political consensus on how to approach the outstanding issues of the constitutional status of Northern Ireland, power-sharing, and an Irish dimension. Thus, while disagreement remained on the substantive aims (e.g. Union or unification), agreement has finally been reached on the procedural rules to address this.

Old and New Aspects of Agreement

Much of what was agreed had been tabled before. The reaffirmation of the current constitutional status of Northern Ireland, the principle of consent in any change of that status, and the definition of self-determination as being agreement between the two parts of Ireland respectively do not deviate from what had previously been set out. It was, however, the first time that the Irish Government formally recognized that the present status of Northern Ireland as part of the United Kingdom reflected the wish of the majority in Northern Ireland.[42] The Irish acceptance of majority consent had existed for quite some time and, with a multiparty agreement secured, the required change of both the British and Irish constitutions could finally take place. With the Belfast Agreement, it was established that both Northern Ireland and a united Ireland are legitimate political entities pending majority consent.

The institutions that were proposed in Northern Ireland (Strand One) took the form of power-sharing within a 108-member assembly elected by Proportional Representation (Single Transferable Vote), further moderated by safeguards such as parallel consent, weighted majorities and cross community support.[43] In order to measure this support, assembly members would 'register a designation of identity – nationalist, unionist or other'.[44] The North/South dimension was defined as separate jurisdictions cooperating freely on a continuum from consultation to action and implementation 'on an all-island and cross-border basis'.[45] Notice here the simultaneous inclusion of the nationalist preference 'all-island' and the unionist preference 'cross-border' (which is applied throughout the Strand 2 text) as respective utterances of functional liberalism and conservative realism. Although North-South cooperation is defined as taking place only in mutually agreed areas, it is a stipulation that those areas must be defined and worked to best endeavours as the functioning of the Northern Ireland Assembly and the North-South Ministerial Councils are made 'mutually interdependent'.[46]

Whereas power-sharing and the Irish dimension of Strands One and Two are aspects which in some form have been part of past solutions and have been considered indispensable to any lasting settlement, the British-Irish Council of Strand Three was the distinctively new element to be added into a peace equation in Northern Ireland. Throughout previous documents, vague references had been made to the relationships between 'these isles,' and 'our peoples', but Strand Three had until the Belfast Agreement only been specifically defined as 'relationships between the British and Irish Governments'. With the British-Irish Council the 'totality of relationships among the peoples of these Islands'[47] were finally given institutional expression. The British-Irish Council (BIC) in effect extended the existing bilateral cooperation between the British and Irish Governments to include the new administrations in Scotland and Wales (and of course a future Northern Ireland administration), thus relating devolution to an overall constitutional reform in the United Kingdom and the Republic of Ireland. The idea of a British-Irish Council was entered into the negotiations at a late stage by the Ulster Unionist Party in the hope that the Britannic framework would be recognized as the primary, but the final agreement saw the three strands receive separate legislation.

In comparison with Strand Two, Strand Three was still somewhat obscurely defined not least because it was sprung upon many of its members (Scotland, Wales, etc.) top-down and would have to be tested bottom-up. The British-Irish Governmental Conference thus became the new forum in which the Irish Government could put forward views and

proposals on key issues such as security, rights, justice, prisoners, and policing. This input was made conditional upon devolution of responsibility to a Northern Ireland administration, thus, maintaining the incentive to cooperate.[48]

Difference

The main approach to difference in the Belfast Agreement is to acknowledge it and accommodate it. In recognizing the 'continuing, and equally legitimate political aspirations',[49] it becomes apparent that this is a settlement in which differences are to be managed, and not a resolution of differences.

The section on 'Rights, Safeguards and Equality of Opportunity' is formulated specifically 'against the background of the recent history of communal conflict',[50] and continuously establishes the primary divide as being that between 'the two communities.' Most of the clauses are identical to the ones proposed in the Framework Documents (which again are identical to the ones proposed in the Downing Street Declaration), but there is an important addition: 'the right of women to full and equal participation'.[51] This right addresses another divide in Northern Irish society, namely that between the sexes and is one of the fingerprints left by the Women's Coalition who, alongside the Alliance Party managed to break the dual ethnic party system[52] in the Forum elections.[53] Furthermore, in the section on United Kingdom legislation, equality of opportunity is defined in relation to 'religion and political opinion; gender; race; disability; age; marital status; dependants; and sexual orientation'.[54] The last three categories in particular seem to challenge a society which is very conservative on social values, and is suggestive of some of the new fault lines that might appear beyond the endemic constitutional discussions. But they are still very much afterthoughts to the central argument. The divide that is mentioned first is the religious and the political. Interestingly 'religion and political opinion' are linked, not separately stated, demonstrating that the political parties are treated as – and expected to be – theological monoliths, and crucially that they would receive special provisions in public authorities in Northern Ireland. This emphasises that devolution in Northern Ireland is capable of accommodating difference.

Under 'Rights, Safeguards and Equality of Opportunity' there is a new section on language. It specifically mentions the Irish language and Ulster-Scots and more generally the languages of 'various ethnic communities'. In this respect, diversity – as in linguistic diversity – is considered to be 'part

of the cultural wealth of the island of Ireland'.[55] However, in the following recommendations, the only language that is referred to is the Irish language, which is testimony to the very scant understanding of or interest in other minority requirements. Making generalized recommendations with only one minority community in mind might prove useful but also extremely costly in a future society with possibly increased diversity, as increasing numbers of immigrants come to settle. There seems to be a conscious attempt at mainstreaming difference, but beneath the surface, diversity is only really substantiated with reference to one dichotomy – that between the 'two communities'.

Under constitutional issues, it is recognized as a birthright for all people of Northern Ireland to 'identify themselves and be accepted as Irish or British, or both, as they may so choose'.[56] Furthermore, this right to dual citizenship would remain unaffected by any future change in the status of Northern Ireland. For a long time Britain and Ireland have enjoyed extraordinary reciprocal rights (e.g. a passport union, a common labour market, and citizens' rights). But the emphasis on the right in Northern Ireland to dual citizenship, regardless of the constitutional affiliation, makes Northern Ireland's position as a civic as well as 'cultural corridor'[57] between Britain and Ireland more prominent. Underscoring this co-mingling of identities is the demand that new institutions will have to have symbols and emblems 'which promote mutual respect rather than division'.[58]

More broadly, it is interesting how a 'both-and' approach reigns at the civic level, while an 'either-or' designation is imperative at the institutional level. Just as partition is often said not to be the cause of division but rather a consequence of it, the Belfast agreement assumes the existence of two separate political communities in Northern Ireland and copperfastens a partition of power en bloc. There is a tension between the approach at the top and that at the bottom. There is a self-conscious modernisation of the language on national allegiance, but that does not mean that those allegiances have been abandoned. The concepts of 'two traditions' or 'two communities' are wholly absent from the Belfast Agreement. Instead the population is addressed as 'the people in Northern Ireland', 'the people on the island of Ireland,' and 'the peoples of these isles', respectively. While this might be read as underlining the hope for future reconciliation and shared existence, it probably also proves Foucault's point that power is most effective where it is least visible.[59] In the Belfast Agreement, institutions enshrining the 'two traditions' have replaced language to powerful effect. The discourse on the fundamental difference has been naturalised and mainstreamed.

Discourse: Civil Society – Representation of Social Events

In the section about 'Reconciliation and Victims of Violence', there is a new and more specific discourse about the benefits of community-based initiatives, both in terms of supporting victims but also in terms of developing reconciliation and mutual understanding 'between and within communities and traditions'. The work done by community organizations is seen as 'having a vital role in consolidating peace and political agreement'. Accordingly, the participants (the signatories) want to further this work by financial assistance and express a desire for this assistance to include initiatives that 'facilitate and encourage integrated education and mixed housing'.[60] Again, this venture beyond mere 'parallel rights' is said to have emanated from the Women's Coalition. Apart from encouraging a shared space, this approach also highlights the bottom-up contribution to a process that has largely been managed top-down.

Throughout the conflict, from the introduction of direct rule onwards, there have been ongoing discussions about how civil society should play a larger role in terms of a resolution, not least to balance out the democratic deficit and encourage more crosscutting pressures. With the Belfast Agreement, this dimension received some cognizance. Strand One provided for the establishment of a Civic Forum, which would act as a consultative mechanism on social, economic, and cultural issues[61] thus echoing discourses on participatory politics (predominantly generated by civil society actors like the think tank Democratic Dialogue). Considering civil society discourses and constitutional discourses together held the promise that moderating ideas might find a stronger political outlet, as the dualist discourses of political society began cross hatching with the more pluralist discourses of civil society.[62]

Although there are many familiar components to the Agreement, there are also distinctively new discourses and approaches, developed in tandem during the peace process. In managing the peace process, an eclectic mix of civil society strategies, political elite negotiations, and international mediation had been pursued by policy makers. Although this did not necessarily betray any deep theoretical understanding of the implications of what was being done, it did suggest that the isolated bi-national elite approach had run its course.

The critical importance of the constitutional question and the essentialist conception of identities remains on the whole the same, but

these are articulated within different frames. There is an extent to which a post-nationalist discourse is present. From having lived almost parallel existences, civil and political discourses are brought together in an effort to nurture both grassroots and treetops. Even if the aspirations to a territorial unification or a preservation of the union prevail, the Agreement provides an acceptable solution, which is less than that. The Belfast Agreement rested on the logic that nations could be expressed in alternatives to territorial terms, but it stopped short of committing the political players to change the underlying tenets of unreconstructed nationalisms. The political parties were, in the terms of a post-nationalist discourse, brought to converge in agreement but not to transcend their mutually exclusive identities.

In the constitutional policy, there is a constant awareness of the plural make-up of Northern Irish society, but it is conceptualised in dual terms with room for only one linear dynamic (from British to Irish). This singular conception means that the main challenge for constitutional policy is to contain this dynamic within peaceful procedural rules. In the Belfast Agreement, this is done by institutionalising difference. Obviously, this means that identities are considered static not dynamic, with serious repercussions for the expression of other more composite or fluid identities. The possibility of expressing both British and Irish identity simultaneously is seriously undermined by the rule of designation in the assembly.

So although the Agreement was steeped in pluralist language,[63] it was still assumed that managing differences on the basis of equality was more plausible than integration. Such was the discourse on compromise, not the creation of a new, shared position, but of a 'balance' between competing positions. Thus, instead of generating a common project of government in Northern Ireland and wider beneficial cooperation, there was always a risk that the communal struggle would be transferred to the political institutions. Every political action might possibly be read into a continuing zero-sum game in which all actors champion their particular bits of the balanced agreement and vetoed others, to ensure that the national end-goal was never out of sight. In respect of the institutional recognition of just two communities, the Agreement had not transcended the bi-national remit. A conceptual zero-sum game battles a linguistic equilibrium.

The creation of three-way institutional expressions of identities (The Assembly, The North-South Ministerial Councils, The British-Irish Council), which were conceived on the principle of 'mutually assured destruction', continued the governmental balancing act of equal accommodation. With the new devolved governments in Northern Ireland, Scotland, and Wales, the widening of the framework had the potential to

evolve into more than a bi-national approach and a zero-sum game between unionists and nationalists. It would, however, demand a strong empowerment of civic society, which was not forthcoming (see below).

In 1989 Maurice Hayes (then ombudsman) said 'I find it very easy, actually, to get from B to Z, the real problem is getting from A to B'.[64] Assuming the Belfast Agreement was the culmination of the process of getting from A to B, the onwards journey of implementation and transformation, however, proved anything but easy.[65] First there was the continued obstacle of executive formation in the absence of decommissioning. An executive was finally formed in December 1999 without prior decommissioning, but was suspended in February 2000 by the British government to save the First Minister David Trimble and avoid the complete disaffection of the unionist community towards the Agreement. In October 2001, the first act of verifiable decommissioning took place and saw the executive back in government. However, already in October 2002, the spy ring scandal occasioned another suspension. This suspension lasted four years, first and foremost because the political balance of power had changed. In 2003, SF and the DUP had become respectively the largest nationalist and unionist parties. This meant securing commitment from the DUP to support the Agreement and accept power-sharing with SF. Conceding that there were 'outstanding issues', the two governments and the political parties met in Scotland to agree on an appendage to the Belfast Agreement.

In the resulting St. Andrews Agreement (2006), the fundamental principles from the Belfast Agreement were reiterated as 'Consent for constitutional change, commitment to exclusively peaceful and democratic means, stable inclusive partnership government, a balanced institutional accommodation of the key relationships within Northern Ireland, between North and South and within these islands and for equality and human rights at the heart of the new dispensation in Northern Ireland'.[66] In May 2007 (after 55 months of renewed direct rule), the Agreement *avec appendage* came into function with Ian Paisley as First Minister and Martin McGuiness as Deputy First Minister.

In 1990, Whyte[67] argued that the extremes were divided over the cause of conflict, while the moderates were divided over solutions. Now the extremes have agreed on a procedure, which allows them to manage a moderate compromise. The policy entrenchment of a political compromise between unionism and nationalism means that these discourses are continually actualized and have their potential extended. To the degree that they were surpassed, it was only in transforming national demands to national aspirations. The structural changes and shifts in power have

created a new backdrop for agreement, but the main stage actors are cast in a perpetual omnibus of adversarial exchanges. The cameo roles played by moderate, non-territorial politicians, civic society actors, and academics can never amount to more than bit parts as long as the discourse on difference is trapped inside unionist and nationalist ideology.

The crosshatching of civic society discourses and constitutional policy discourses was short-lived. The Civic Forum proved of no interest to the assembly, and the continued stalemate kept the onus on uncooperative politicians. This has had obvious consequences for the middle ground. Though the Alliance Party has held their share of the electorate around six percent, the Women's Coalition were wiped out already in the election of 2003 as another victim of the conceptual dichotomy. When compromise can be obtained between the main antagonists, alternative thinking becomes obsolete.

In a process of reconciliation, it is important to show that identity is itself generated in the actual process through which conflict is resolved, and this must be much more firmly integrated into the notion of discourse.[68] The preservation of unionism and nationalism as the reigning discourses in the institutional design (especially in the assembly) has produced a deadlocked peace marked by immovable identities and little reconciliation. This, however, has resulted in a renewed political questioning of the mode of governing. Coming from the nationalist side for the first time, the SDLP has suggested that voluntary coalitions might be a better way of getting out of the veto *cul-de-sac*. Obviously, this is rejected by SF as tantamount to a return to majority rule. If the current mode of government were to be challenged, however, it might permit a release of fixed positions and prepare a move beyond the politics of recognition and towards an intercultural dialogue, which could also address relationships between antagonistic groups and protect individual liberties within them.[69]

Conclusion

The balancing act that resulted in the Belfast Agreement created new possibilities in the process of deliberation. It was alive with new, inclusive, and comprehensive ways in which to address difference and combined the constitutional question with the leitmotif of reconciliation. The eclectic mix of approaches and ideas employed to reach agreement allowed for a moment of convergence. What was not sufficiently recognized, however, was that for the Agreement to work, the balance of unionist and nationalist aspirations should continuously (not just in mobilising support for the

Agreement) be complemented by a balance of power between political elites and civic society.

However, as has been demonstrated in this article through the lenses of a Critical Discourse Analysis, the hegemonic discourse on difference and conflict resolution is also perpetuated in the Belfast Agreement. This discourse does not permit the backgrounding of unionist and nationalist ideologies, as it does not fundamentally challenge the position of these ethno-national narratives. While the Belfast Agreement is replete with the new plural and civic language of 'the people', it is the ethno-national political elites who are empowered, and the difference between them that is reinforced. If the promise of the civic, emancipatory, and transnational discourses in the Belfast Agreement is to be fulfilled, a re-conceptualisation of society and institutions in more plural terms is necessary. A new discourse on the difference between 'the two communities' must be developed and the root discourse on difference must be deconstructed. A new discourse on difference should allow for more than the momentary convergence of antagonists and instead encapsulate the possibility of longer-term transcendence of conflict positions. This should signify a decisive return to integrationist approaches in broader contexts where civic society is recognised with more than symbolic gestures and can be an influential focal point for common community construction. Without a better vertical balance of power the Agreement cannot deliver beyond communal entrenchment. There is a limit to the bi-national approach and the balance of political compromise between only two positions.

Notes and References

1   See Norman Fairclough, *Language and Power* (London: Longman, 1989) and *Analysing Discourse: Textual Analysis for Social Research* (London: Routledge, 2003). Since the 1980s, Norman Fairclough has developed a branch of discourse analysis, which he calls Critical Discourse Analysis. The approach takes its point of departure in a linguistic analysis of language usages to uncover relations of power and social change. It is an attempt to provide a framework and a means of exploring the imbrications of language and social-institutional practices by employing a three-dimensional framework: Text, discourse practice, and socio-cultural practice This line of work was first published in his book *Language and Power* (1989), then further developed in Norman_Fairclough: *Discourse and Social Change* (Cambridge: Polity Press, 1991), and finally culminated in a collection of papers which summarized the theory and the method of the position under four headings; Language, Ideology and Power; Discourse and socio-cultural

change; Textual analysis in social research and; Critical language awareness. These were published in the book *Critical Discourse Analysis: The Critical Study of Language* (London: Longman, 1995).

2   Although the powersharing administration is no longer in suspension, the political process remains marred by deadlocks. The governing parties have still to agree on a definite package on devolution of security, law and justice, the number of 'peace walls' around Northern Ireland are increasing and republican dissidents continue to pose a serious threat. Although there is a political deal, it is a very cold peace. The process of reconciliation has ground to a halt with the dyarchical division of power.

3   J.R. Archer, 'Northern Ireland: Constitutional proposals and the problem of identity', *The Review of Politics* 40.2 (1978): 255-70.

4   See Norman Fairclough, *Analysing Discourse*. (London: Routledge, 2003).

5   John Coakley, 'The resolution of ethnic conflict: towards a typology', *International Political Science Review* 13.4 (1992): 343.

6   For the purposes of this paper, this catalogue encompasses the Sunningdale Agreement (1973), the Anglo-Irish Agreement (1985), the Downing Street Declaration (1993), the Framework Documents (1995), and the Belfast Agreement (1998).

7   The 1968 – 1973 state of crisis in Northern Ireland is the subject of numerous books including Bob Purdie, *Politics in the Streets: The Origins of the Civil Rights Movement in Northern Ireland* (Belfast: Blackstaff, 1990); Richard English. 2003. *Armed Struggle: The History of the IRA* (Oxford: Oxford University Press, 2003); Thomas Hennessey, *Northern Ireland – The Origins of the Troubles* (Dublin: Gill and Macmillan, 2005); Richard Rose, *Governing Without Consensus: An Irish Perspective* (Boston: Beacon Press, 1971).

8   The Ulster Workers' Council was the body, which organized the strike that halted industrial activity and cut power supplies. After fourteen days the chaotic situation caused the resignation of the Unionist members from the executive, thus affecting the collapse of the power-sharing administration. The coordinating committee of the UWC combined political and paramilitary influences and included politicians Harry West (OUP), Ian Paisley (DUP), and William Craig (Vanguard).

9   Anglo-Irish Agreement (London:HMSO, 1985) Preamble.

10   Ibid.

11   Ibid.: 5a

12   Ibid.: B.4a, i

13   Ibid.: B.4c

14   Ibid.: 10

15   Tom Hadden and Kevin Boyle, The Anglo-Irish Agreement: Commentary, Text, and Official Review (London: Sweet & Maxwell, 1989) 74.

16   See Paul Bew and Henry Patterson, 'Scenarios for Progress in Northern Ireland', The Future of Northern Ireland, eds. John McGarry and Brendan O'Leary. (Oxford: Clarendon Press, 1991) 216-18.

17   In Paul Bew's oft quoted phrase, see 'The Easter Rising: Lost leaders and Lost Opportunities', The Irish Review 11 (1991/1992): 9-13.

18   In a statement to the House of Commons he said that 'It is accepted that discussions must focus on three main relationships: those within Northern Ireland, including the relationship between any new institutions there and the Westminster Parliament; among the people of the island of Ireland; and between the two Governments. To give adequate expression to the totality of the relationships I have mentioned' (HC DEB, 26 March 1991, cc539-543 [dep 5035]).

19   Downing Street Declaration (London: HMSO, 1993:4)

20   Ibid.: 7

21   Ibid.: 5

22   Ibid.: 2

23   Ibid.: 5

24   In 1995 the Irish Government established a Forum for Peace and Reconciliation, which would consider this more fully. The Forum published a number of studies on various relevant subjects, prepared by leading authorities and experts in the respective fields: Obstacles to Reconciliation in the South by Dr. (now Professor) Arthur Aughey, University of Ulster at Jordanstown; A Unionist Legal Perspective on Obstacles in the South to Better Relations with the North by Professor Brice Dickson, University of Ulster (now Queen's University Belfast). (http://www.taoiseach.gov.ie/index.asp?locID=478&docID=1011).

25   See James Goodman, 'The Republic of Ireland: Towards a Cosmopolitan Nationalism', Dis/agreeing Ireland: Contexts, Obstacles, Hopes, ed. James Anderson and James Goodman, London: Pluto Press, 1998) 89-107.

26   See Kevin Bean, The New Politics of Sinn Féin, 1985-2006 (Dublin: Irish Academic Press, 2007); Brian Feeney, Sinn_Féin: A Hundred Turbulent Years (Dublin: O'Brien Press, 2007): The ceasefire statement read: 'Recognising the potential of the current situation and in order to enhance the democratic process and underlying our definitive commitment to its success, the leadership of the IRA have decided that as of midnight, August 31, there will be a complete cessation of military operations. All our units have been instructed accordingly.

27   The Framework Documents (London: HMSO, 1995: art. 7

28   Ibid.: art. 6

29   Ibid.: art. 7

30   Ibid.: art. 18

31   Ibid.: art. 57

32   Ibid.: art. 57

33   Ibid.: art.50

34   Ibid.: art. 50-3

35   Ibid.: art. 50

36   Ibid.: art. 51

37   Ibid.: art. 51

38   See Michael Gallagher, 'How many nations are there in Ireland?' Ethnic and Racial Studies 18 (1995): 715-39.

39   See for instance. George Mitchell, Making Peace (London: Heinemann, 1999); or Jonathan Powell, Great Hatred, Little Room: Making Peace in Northern Ireland (London: Bodley Head, 2008) for behind the scenes accounts.

40   Sunningdale was a tripartite agreement between the SDLP, the Alliance Party, and the Ulster Unionists. The parties that signed up to the Agreement in 1998 were UUP, SDLP, SF, AP, PUP, UDP, WC, Labour.

41   For an account of the non-party 'yes' campaign policy network see Quintin Oliver, Working for 'Yes': The Story of the May 1998 Referendum in Northern Ireland, Belfast (PO Box 833, BT1 1EZ): The 'Yes Campaign' in association with the Referendum Company (Northern Ireland) Ltd.

42   Joseph Ruane & Jennifer Todd, After the Good Friday Agreement: Analysing Political Change in Northern Ireland (Dublin: University College Dublin Press, 199) 16.

43   The Agreement (Belfast: HMSO, 1998: 5.2,5)

44   Ibid.: 6.6

45   Ibid.: 11.1

46   Ibid.: 12, 13

47   Ibid.: 14.1

48   Ibid.: 15.5-6

49   Ibid.: 1.5

50   Ibid.: 16.1

51   Ibid.: 1

52   See Paul Mitchell & Rick Wilford, Politics in Northern Ireland (Oxford: Westview Press, 1999).

53   However, the Women's Coalition subsequently lost their seats in the 2003 election, and the party was wound up in 2006.

54   The Agreement (Belfast: HMSO, 1998: 16.3)

55   Ibid.: 19, 20. 3-4

56   Ibid.: 2.vi

57   Edna Longley, 'Opening Up: A New Pluralism', Fortnight 256 (1987) 24-5.

58   The Agreement (Belfast: HMSO, 1998:20)

59   Michel Foucault, The History of Sexuality Vol. 1: The Will to Knowledge (London: Penguin, [1976] 1998).

60   The Agreement (Belfast: HMSO, 1998: 18.13)

61   Ibid.: 34

62   For a preliminary discussion about the implications of combining top-down and bottom-up approaches see Adrian Guelke, 'Civil Society and the Northern Ireland Peace Process', Voluntas: International Journal of Voluntary and Non-profit Organisations 14.1(2003):61-78.

63   Rick Wilford, Aspects of the Belfast Agreement (Oxford: Oxford University Press, 2001).

64   Maura Crozier, ed., Cultural Traditions in Northern Ireland: Varieties of Irishness (Belfast: Institute of Irish Studies, Queen's University of Belfast, 1989) 53.

65   For a detailed monitoring account of devolution since 1998 see http://www.ucl.ac.uk/constitutionunit/research/devolution.

66   St. Andrew Agreement (NIO, 2006: 3) .

67   John Whyte Interpreting Northern Ireland (Oxford: Clarendon Press, 1990).

68   Alberto Melucci, Nomads of the Present: Social Movements and Individual Needs in Contemporary Society (Philadelphia: Temple University Press, 1989).

69   Robin Wilson, 'From Enemies to Neighbours: Interculturalism and the Practice of Co-Existence', Paper given at the 'Beyond the Nation' conference at Queen's University Belfast Sep. 2007.