dialegue

Patrons

5 September 1997

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NEW AGENDA

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For the past few months a group of individuals have been exploring how civil society can help to underpin the coming talks process. This culminated in a meeting, last week, of forty five people who might be broadly described as leaders in their own sectors - business, the churches, voluntary and community groups, trades unions etc. We also invited representatives from the SDLP and the UUP to that meeting by way of ensuring that what was discussed was consistent with political realities.

We are keen to discuss this process and its prospects with you and I wonder might you be available for a meeting comprising the Women's Coalition, the UDP, the PUP and the Labour Coalition and representatives from New Agenda (the name for this new initiative)? Could I suggest one of the following dates:

2. P.M. Forum.

Thursday 11 Sept: am Monday 15 Sept: am Monday 15 Sept: pm Thursday 18 Sept: am Thursday 18 Sept: pm Friday 19 Sept: pm., 2. P. 7.

I enclose a copy of a discussion paper which we hope may act as a catalyst for exploring how some new thinking might be brought to the political process. I look forward to hearing from you.

Yours sincerely

John Woods Acting Director New Agenda

A New Agenda

SUMMARY

Hopes of political progress in Northern Ireland have been raised once again by the renewal of paramilitary ceasefires and the establishment of all-inclusive political talks. But the atmosphere is intensely polarised and there remain issues of real difficulty in constructing a political settlement: there is neither agreement on the goal nor on how civil society is to be associated with the process. A break with past mindsets is required if we are to avoid repeating past failures: a 'new agenda' is necessary.

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In terms of defining the goal, while there is widespread agreement that a settlement will include both 'internal' and 'external' dimensions, what has fundamentally bedevilled a substantive accommodation since 1973 (or 1920) is that unionists privilege the first and subordinate the second, and vice versa for nationalists. Political identities, meanwhile, have been presented as a stark, polarised choice and negotiations have taken the form of a tug of war.

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This paper rethinks these conundrums, using recent international experience to suggest there are new and more productive ways to approach Northern Ireland's old problems. It works through the values and principles that must underpin any settlement, as well as the language required to express it. It argues that it is possible to redefine the 'internal' and 'external' dimensions of the conflict in a manner all can live with, and to free up notions of identity, with a view to arriving at an honourable draw.

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As to the substance of a settlement, the paper sets out the following parameters:

- democratic governance with maximum autonomy;
- dialogue and negotiation to resolve difference;
- 90 parity of esteem for all cultural identities;
- maximum relationship with the republic;
- human and minority rights as a touchstone;
- an enhanced role for citizens in governance;
- an interventionist approach to the European Union; and
- inter-relationships amongst all regions and nations on these islands.
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It points out that this approach derives solely from universal norms of liberal democracy and human rights and so does not require unrealistic political conversions on the part of either nationalists or unionists: rather, it can be seen as fair and reasonable to all. It heralds an end to the congeries of inequalities encapsulated in the 'nationalist nightmare' while not activating the 'slippery slope' unionists fear.

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43 As to the process of getting there, the paper stresses that negotiations based on a 'balance of 44 power' politics can not deliver any agreed outcome. It suggests that crucial to securing an

45 honourable draw is the ability of civil society to develop a cohesive view, encouraging the

- 46 emergence of a 'sufficient consensus' amongst the talks parties.
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48 In sum the paper sets out a new agenda for both politicians and civil society, which has the 49 potential to secure widespread acceptance. 50

New hope?

As so often in the past in Northern Ireland, hope and expectation are finely balanced in the current round of talks at Stormont

The precedents, after all, are not encouraging. Six prior talks rounds and six forums, organised under the auspices of one or other government, have since 1972 failed to generate 59 a durable political settlement.

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61 So can hope triumph over experience? The difficulties should not be underestimated, and 62 many other long-running nationality conflicts-take Cyprus or Sri Lanka for example-have proved impossible to resolve on the basis of democratic co-existence. In Northern Ireland, a 63 deeply embedded sectarian 'force field' constantly magnetises politics towards polarised 64 65 positions and makes movement towards common ground extremely difficult.

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67 Yet the prize of peace is a great one. Peace is more than the absence of violence we currently 68 enjoy, with the lurking fear that at some point it may recur. Nor is it a utopian state where all 69 weapons are handed in: rather, the widespread possession of weapons is a symptom of fear 70 itself.

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72 Peace is a real state of well-being, where it is widely recognised that any outbreak of 73 violence will be punished by what are broadly perceived as legitimate authorities, with the 74 support of the majority of the community from which such violence comes. It is a feeling of 75 genuine security that one can look forward with hope to the prospects for this generation and 76 those to come.

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78 In this, more profound, sense, peace can only be guaranteed by a broadly based political dispensation, which defuses the force field and allows new intercommunal relationships of 79 80 trust and co-operation to flourish.

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A political settlement is also a key requirement for sustained economic and social progress, 82 as for the reallocation of funds from the law and order budget to pressing social needs so 83 that all can enjoy a decent quality of life. Governance-the form and business of 84 government-directly affects life chances, and the opportunity to replace 'remote control' 85 administration by an innovative and accountable alternative must be seized. 86

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88 The cost of renewed failure is, meanwhile, substantial. There is a danger after the political 89 gyrations of recent years that over time many able people will simply give up on Northern Ireland as a political basket-case and take their talents elsewhere; conversely, external 90 91 investment and commitment may drain away. The region would then be left as a backwater 92 unable to adapt to a highly competitive European context, increasingly dependent on its 93 Westminster subvention and lagging behind a more go-ahead southern neighbour.

So how can we ensure that the malign scenario does not prevail? A benign future can be
constructed, driven by a new dynamism and commitment. But it first of all requires the
embodiment of a different set of values than have been manifested in abundance hitherto:
values of responsibility, dialogue and participation.

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101 New values102

103 There is no denying that there is serious dissatisfaction with the exercise of responsibility by 104 politicians in Northern Ireland: many within the business community have expressed this openly. This often mystifies politicians who, not unreasonably, point to their electoral 105 mandates. But the point is a separate one: it is a sense of failure adequately to act upon those 106 mandates, to deliver deals with other politicians once elected. While it is true in these times 107 108 that the idea that politicians can themselves produce a better world for all is increasingly doubted, a special onus does still fall on those who stand for public office to exercise 109 110 statesmanlike qualities.

112 Many in public and political life have legitimately claimed rights of various kinds on behalf of various groups; embrace of concomitant responsibilities has not, however, always been 113 114 so evident. Yet in a society with a 'democratic deficit' where no one holds real 115 responsibility, the path of least resistance is of course to pass responsibility for failure to someone else, in a spirit of mutual recrimination. On the other hand, it is possible to create 116 117 an environment of *mutual* responsibility where the challenges facing politicians, and their 118 real achievements, can be shared. To achieve that, government itself has a bounden duty to 119 discharge—or rather the British and Irish governments have shared, if differentiated, 120 responsibilities in that regard.

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122 Dialogue, conversely, is a much-used word in Northern Ireland. But its substance has been 123 much rarer. And the implications of dialogue are genuinely challenging: real commitment to 124 dialogue means accepting a need to persuade and a willingness to be persuaded; it means 125 entering a world where deals are struck and stood over. Dialogue is unavoidable between 126 politicians who exercise power: if they can not deliver, government grinds to a halt. But 127 politicians in Northern Ireland do not exercise power; they lobby those who do. In that 128 context, there is every incentive to resort, not to dialogue, but to exerting political clout, even 129 violence. What is needed is the reverse: rewarding those who make efforts at co-operation and compromise. And dialogue can mean that zero-sum games become win-win games for 130 131 all, as the experience of the European Union 'peace package' district partnerships confirms.

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133 Participation is a much more foreign idea. And so there is considerable annoyance within 134 politics about those seen as sniping from the sidelines, just as there is alienation on the 135 ground-especially amongst women and young people-about the limited avenues of 136 participation on offer. But ownership of the political process can be widened in a variety of ways, which can inject new energy into the political arena and may in turn make the 137 138 dilemmas of politicians more widely understood. Above all, everyone with a stake in a 139 particular outcome will defend it democratically against those who would use force or 140 muscle to bring it down.

These three values—responsibility, dialogue, participation—encapsulate the aspirations of the majority from all social groups in Northern Ireland who genuinely want a settlement and a better future. If they came to define the political culture of the region, we would be well on the way to just such a development. But it is not just a matter of political will: the many politicians who do have the will to achieve an outcome still have to grapple with genuinely difficult and complex issues. Clear principles can provide a roadmap.

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New principles

152 It's easy to be dismissive about the political failure of Northern Ireland—to blame its 153 personalities rather than recognise that the challenges it faces are at least as difficult as those 154 in many parts of the globe in the 1990s where communal identity and allegiance don't 155 coincide with state boundaries. Indeed it could be argued that Northern Ireland has made a 156 rather better fist than some others—most disastrously, ex-Yugoslavia or Rwanda—at 157 preventing the vicious circles of polarisation and violence from spiralling beyond all control. 158 This may provide tangible clues as to how to turn the tide.

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160 So what principles have prevented Northern Ireland from tipping over into the abyss? The 161 first is that again and again citizens in Northern Ireland have shown their preference for a society based on co-existence rather than apartheid. Opinion surveys recurrently show 162 163 massive support for integrated education and mixed housing. It might seem that people are 164 lying to pollsters while voting with their feet. More plausible is that such suggestions do touch a widespread individual aspiration for a society in which, if only a more socially 165 166 supportive environment existed, more convivial intercommunal relations could be 167 developed.

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At crucial times, this aspiration has met the threat of 'ethnic cleansing'—as after Shankill and Greysteel in 1993—with a willingness to demonstrate opposition on the streets, acting as an effective brake on a descent into hell. And from day to day it has prevented enemy images in one community of the other becoming so embedded as to legitimise prosecution of conflict by the protagonists on a Bosnian scale.

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175 Secondly, a majority of people in Northern Ireland have remained committed to liberal-176 democratic norms and so have rejected totalitarian methods-whether those be resorting to 177 violence or enforcing renewed communal oppression-in favour of the requirement of consent. It is widely accepted, in other words, that any settlement proposals from any party 178 must win the consent of others, not from the same community (though that in turn implies 179 180 representatives of each community must be prepared to consider seriously proposals from 181 the opposite camp). There is also a widespread acceptance, at least in terms of political reality, that any new dispensation must win the endorsement of governments in London and 182 183 Dublin if it is to be a runner. Indeed 94 per cent of people in Northern Ireland support the 184 notion of a negotiated settlement.

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Thirdly, it is universally accepted that human rights are integral to progress. Indeed, while
 successive British governments have been embarrassed by discrepancies highlighted
 between their behaviour and the demands of international human rights conventions, all

parties in Northern Ireland agree that a bill of rights of some sort should be enacted. And it is

190 further widely recognised that this need not await agreement on an overall settlement. What 191 the content of such a bill or bills, of course, should be is a matter for further debate, but 192 entrenchment of both the rights of individuals in general and of members of minorities in 193 particular is accepted in principle. The current government is of course committed, as a 194 minimum, to incorporating the 'main provisions' of the European Convention of Human 195 Rights into UK law.

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197 These three principles—of co-existence, liberal democracy and human rights—again widely 198 endorsed, take us a further step along the road towards an achievable settlement, where 199 extreme solutions like cantonisation or repartition are rejected, no protagonist is allowed to 200 ride roughshod over whole communities and universally recognised standards of human 201 rights are upheld. Yet political talks in Northern Ireland have been ill-starred: in getting 202 down to negotiation, the initial appearance of a common language has translated, arguably 203 inevitably, into talking past one another. A new language is needed.

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206 New language

208 The language of the political debate in Northern Ireland has been of sovereignty, self-209 determination, territorial integrity and majority rule-just like in every other such conflict 210 around the world. Each side, quite legitimately by its lights, has told a story of a people 211 denied a right to self-determination, understood as majority rule, and translated into a 212 sovereign polity with secure boundaries. It is always difficult to resolve situations where 213 rights collide. And Serbs and Croats, Greek and Turkish Cypriots, Armenians and Azeris-214 to name but a few other communities to whom history has bequeathed the painful legacy of 215 co-existence-have found this conundrum no more easy to crack.

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Indeed, put in these terms, such conflicts are simply intractable—a zero-sum game in which somebody wins and somebody loses, or an endless war of attrition continues. Far from scapegoating the participants, it could be argued that it is no wonder negotiations go nowhere. No one is going to accept the indignity of being walked over; stronger still, no one is going to accept even being pushed.

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Yet, for all the depressing features of the world in the 1990s, it is an order in which many old intractables have been loosened up—not always for the better, of course. The old order in which homogeneous nationalities and sovereign states collided with each other like billiard balls is no more. That's more frightening in one way, yet, in another, it creates unprecedented opportunities. But those opportunities can only be grasped by embracing the new thinking which has emerged to match this more complex global environment.

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Democracy in an ever-more differentiated world, it is increasingly recognised, does not end with the expression of mandates, where one political tribe automatically prevails. On the contrary, as relationships between social groups everywhere become more and more demanding, the practice of democracy becomes an increasingly skilful exercise in dialogue and deliberation between equals, in which the force of argument is required to replace the force of numbers—and to forestall resort to the argument of force.

- For those attuned to seeing themselves as majorities, this can be an added-value experience of democracy in which they share ownership, whose *raison d'être* can therefore go beyond the defence of 'their' majority. For those traditionally in a minority, this route can represent an escape from subordination into equal citizenship, a credible alternative to violence. For representatives of both, it can make democracy a dignified, indeed rewarding, exercise in these times of widespread cynicism about the art of politics.
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Nor is identity so simple a matter as it used to be. Traditionally, people gleaned their identity from their family background, without giving the matter much conscious thought, and they lined up in one community—class, national or whatever—or another. In today's world, by contrast, individuals want to be able to choose how to define themselves, in everything from the clothes they wear to the language they speak—including, of course, the right to reinvest in traditional identities if so wished.

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It is a multicultural world where, far from representing a threat, on the contrary, diversity can become a source of richness and positive exchanges. Civil cosmopolitanism, not a cramped conformism, becomes the order of the day. Of course, this requires tolerance and acceptance of lifestyle choices different from one's own. But recognition that different identities can thrive equally in a pluralistic state is a crucial breakthrough towards peaceful co-existence.

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258 Lastly, nor are relationships between states anything like what they were, as the experience 259 of the European Union indicates. A defensive independence guarded by hard borders is giving way to co-operative interdependence in which borders are porous-even irrelevant-260 261 and power is diffused. Yet this does not mean a loss of 'national sovereignty' for citizens of 262 one state against gain for another. Again, it can be a gain all round, in a spirit of mutuality 263 and reconciliation where there is nothing to fear-except fear itself. True, it is a path into 264 uncharted territory, but it is a co-operative venture in which trust and understanding are 265 gradually built, and from which real material benefits can accrue to all.

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Traditional thinking can not reconcile majority-minority conflicts which straddle borders:
internal majoritarian democracy is demanded as a democratic right by one side, external
support for self-determination in the name of a larger majority is claimed as an equally
democratic right by the other. This is as true of the situation of Hungarian minorities in
various countries beyond the attenuated border of Hungary itself as it is of Northern Ireland.

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Freed up from thinking only in terms of monolithic states with hard borders and absolute
power, the legitimate aspirations of minorities to parity of esteem can be fully realised—
through application of political pluralism, recognition of multicultural identity, entrenchment
of minority rights and transfrontier interdependence—without movement of borders being
required. At the same time the latter should become increasingly of no consequence.

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280 New thinking

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Yet the constitutional framework for negotiations on the future of Northern Ireland, as set
out in numerous intergovernmental documents, has defined the options only in the context of
the old dichotomy. *Either* it is part of a sovereign UK or it is part of a sovereign Ireland,

- with the 'consent principle'—the views of a majority in Northern Ireland—to arbitrate. Yet
 far from guaranteeing security to all, this majoritarianism leaves nationalists currently feeling
 they face a 'unionist veto', while unionists simultaneously fear demographic shifts will drive
 them into a united Ireland.
- Moreover, these stark conventional constitutional alternatives do not match the complexity of
 today's realities, and in many ways foreclose possibilities. For example, they take no
 account of the process of decentralisation of UK governance now in train, especially to
 Scotland, which can not but affect constitutional perspectives on Northern Ireland.
- In the absence of new constitutional thinking, inter-party negotiations can only be based on a 'balance of power' politics, resembling a tug of war. It is clear that these can not be other than a series of mutual pressures and external mobilisations, and that out of it no nonantagonistic relationships can be developed. Hence the recurrent failures of the past.
- The substance of the tug of war has been between the 'internal' and 'external' aspects of Northern Ireland, with unionists obviously favouring politics confined to the former and nationalists privileging the latter. In the 1992 talks, the most substantive since 1973, unionists presented a schema for qualified internal majority rule, with the external dimension attenuated to good-neighbourliness between north and south. Conversely, nationalists advocated a restricted internal democracy of joint commissioner rule, while pressing a powerful north-south council of ministers. Months of discussion led nowhere.
- In the light of new thinking, however, this can now be seen to be a sterile counterposition.
 Both the 'internal' and 'external' can be positively embraced, on an equal basis—democracy
 and multiculturalism on the one hand, rights and interdependence on the other. Either/or can
 become both/and—to everyone's benefit.
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The challenge identified here is to ensure nationalists feel reassured about institutions in
 Northern Ireland, unionists equally at ease with island-wide ones. So the former must
 represent democratic engagement, not unionist power; the latter must represent co-operative
 reconciliation, not nationalist power to come.

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For the first time this holds out the possibility 'internally' of a genuinely shared and collaborative project in which all can enthusiastically partake—a politics no longer redolent of 'majority rule' and its inevitable corollary, minority exclusion. And it holds out the equal, and equally unprecedented, adventure of building bridges between the two parts of the island in a committed and open-ended manner, yet not heralding 'Dublin rule' in its turn.

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Paradoxically, this approach represents the best strategy *both* for unionists to preserve the union (through Catholic trust, unprecedentedly, being sought) *and* for nationalists to pursue a united Ireland (through Protestants, again unprecedentedly, being effectively wooed). But for many the hope would surely be that this 'internal' v 'external' dichotomy would become increasingly irrelevant in the new global environment.

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In terms of identities, in this loose, indeed empowering, political framework, one can be
 British or Irish, or British and Irish, or neither (or European)—equally. A new basis also

emerges for rethinking the wider variable geometry of relationships within these islands,

again on an equal footing. Looking at this broader canvas, there is a need to challenge
 misunderstandings and misperceptions as wellas the potential to develop a wider web of
 interdependent relationships to the benefit of all.

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This is the basis for conceiving a political way forward which can end the tug of war in favour of an honourable draw. Short of mass ideological conversions, no alternative is credible which can command consent: if members of one or other community feel they are being pressurised they are more likely to withhold than grant that consent. More positively, this approach heralds the real equality—in every sense—for which nationalists have always struggled, while ending for unionists the insecurity which has made them resist change.

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345 New politics

The elements of a new dispensation are now hoving into view. The details are a matter for
the parties to spell out and for the constitutional lawyers to write down, but the following
features follow on from the above discussion:

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- democratic governance, exercised collectively by representatives of free and equal citizens,
 with maximum autonomy for the region in the context of a decentralising UK government;
 dialogue and negotiation as the means required to resolve day-to-day, as well as
- 354 constitutional, differences;
- parity of esteem for all cultural identities, as individually chosen and no longer constructed
 as antagonistic one to another;
- maximum development of the relationship with the Republic of Ireland, based on mutual
 interest, enhanced trust and a commitment to reconciliation;
- human and minority rights as the touchstone of all policies and structures impinging on
 personal security;
- an enhanced role for citizens and organisations within civil society in the business of
 governance;
- an innovative, interventionist approach to engaging with the wider European Union; and
- recognition of the inter-relationships amongst all the regions and nations on these islands.
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366 Each of these aspects is in principle acceptable to all fair-minded and reasonable people. 367 None requires that one be a unionist or a nationalist, or that one not be a unionist or a 368 nationalist, to endorse it. None contains any hidden agenda or double entendre. Modern unionists whose commitment is to be part of a multi-cultural, multi-ethnic society will find 369 370 nothing inimical here; nor will modern nationalists who want to embrace an island 371 community whose predominant component is a fast-changing, dynamic society. All that is required is acceptance of universal liberal-democratic norms and recognised human rights 372 373 standards.

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As each element in this outline of a benign scenario stands on its own as a 'good' which all
can value, rather than a set of unionist and nationalist goods which require an elaborate
trade-off, progress towards agreement on each need not depend on prior progress on any
other—a recipe for endless stasis. Dialogic democratic institutions for Northern Ireland

- 379 would represent a reduction of the democratic deficit for all, not just unionists. The hand of
- 380 friendship extended across the border is worthy of being grasped by all, not just nationalists.

In Northern Ireland's complex combination of religious and political minorities, human and
 minority rights are also a safeguard for everyone. None of these propositions would leave
 any individual or community feeling their allegiance or identity was being disparaged,
 neglected or excluded.

Already, it is worth stressing, the *Belfast Telegraph* opinion survey of April 1997 showed that 'devolved responsibility-sharing' institutions were at least tolerable to all but 7 per cent of Catholics (indeed more than twice as many preferred it as offered a united Ireland as their preference) and that north-south institutions were at least tolerable to all but 36 per cent of Protestants (even if 60 per cent preferred no special relationship at all). That is by no means a hopeless base from which confidence can be built.

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New agenda

What has been lacking in the failed political initiatives of the past has not only been political 396 397 consensus, as is obvious, but also a proper relationship between the political parties and the 398 arena of civil society. Politicians have on the one hand lacked the certainty that they could lead in making cross-communal overtures without risking losing the led, and so, with 399 400 notable exceptions, have tended to resort to the lowest-common-denominator politics of 401 communalist conformism. On the other hand, voices from within the wider community, 402 often urging more moderate and/or less conservative approaches, have felt excluded or 403 ignored.

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Meanwhile, the media have been left by default to provide the forum for communication. Yet
adversarial political and media conventions have often led to a repetitive and alienating
coverage of politics, which has fostered fear and mistrust rather than confidence and
understanding.

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410 Northern Ireland's future is a collective project—albeit a pluralist one in which different 411 players have different roles. To achieve the benign scenario of peace and prosperity requires 412 a pulling together, not a tug of war. It requires not only that politicians co-operate but also 413 that civil society provides a lively vehicle for political renewal and democratic participation. 414 It requires that the values and principles of a political settlement, and the language in which it 415 is cast, are widely understood and respected.

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This paper has radically rethought how that settlement might be conceived and the features it will comprise—the product, if you like. It has simultaneously addressed how that settlement might win support in diverse constituencies while being broadly seen as fair and reasonable—the process of securing 'sufficiency of consensus' both among the parties and civil society.

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It has secured a number of breakthroughs to the future, in terms of unlocking the clichéd
'political logjam'. Firstly, it breaks the 'internal' v 'external' deadlock, by presenting the
institutional expression of both in positive terms and looking beyond this old dichotomy.
Fundamentally, it is the constitutional equivalent of replacing Either/Or by *And*, placing
unionism and nationalism thereby for the first time on a par in the process. Yet, second, it

428 does not require unrealistic political conversions, since nationalists don't have to become

unionists to accept collaborative institutions within Northern Ireland and unionists don't
have to become nationalists to accept co-ordinating north-south bodies.

Third, it offers to everyone security rather than threats: to nationalists it offers security that the northern 'nationalist nightmare' where they are left at the behest of unionist majoritarianism will never recur; to unionists it offers the security that there is no 'slippery slope' down which they must slide willy-nilly to a united Ireland. Fourth, and perhaps most importantly, it portends a dispensation which can be widely perceived—including by the many who refuse any unionist or nationalist self-definition or betray no interest in politics whatever—as fair and reasonable to all.

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The paper has thus set a course for a new agenda, taking Northern Ireland out of the vicious
circle of polarisation and violence and into a virtuous circle of co-existence and peace. It is a
baton towards the next millennium which neither its politicians nor its civil society can afford
to drop.