

Independent intervention

**Monitoring the police, parades
and public order**

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Preface

This is the 12th report from Democratic Dialogue and is a co-production with the Community Development Centre, North Belfast. This is also the seventh in a series of reports on the parades disputes and public-order issues written by Dominic Bryan and Neil Jarman since 1995 and published by DD, CDC and the Centre for the Study of Conflict at the University of Ulster in Coleraine. The other reports are:

Political Rituals: Loyalist Parades in Portadown, Centre for the Study of Conflict, 1995.

Parade and Protest: A Discussion of Parading Disputes in Northern Ireland, Centre for the Study of Conflict, 1996.

On The Edge: Community Perspectives on the Civil Disturbances in North Belfast, June-September 1996, CDC, 1997.

Politics in Public: Freedom of Assembly and the Right to Protest – A Comparative Analysis, DD, 1998.

From Riots to Rights: Nationalist Parades in the North of Ireland, Centre for the Study of Conflict, 1998.

Drawing Back from the Edge: Community Based Responses to Violence in North Belfast, CDC, 1999.

This latest report looks at the role that members of civil society have played, and continue to play, at the numerous disputes over contentious parade routes and focuses on the work of human-rights groups, community activists and stewards. The report is based on observation at numerous parades and on formal and informal interviews with people involved in monitoring and with members of the groups we discuss. However, the views expressed in this report are the responsibility of the authors alone.

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1. Introduction

Over the past five years disputes over the right to parade have brought public-order issues to the fore in Northern Ireland. The disputes have been inseparably entwined with attempts to move from conflict to peace and have on occasion threatened to undermine the peace process and disrupt the implementation of the Good Friday Agreement. During this period a range of groups have taken it upon themselves to intervene, to try to reduce the likelihood of conflict or violence, by monitoring the behaviour of one or more of the key actors.

Parade disputes

Over the past two hundred years parades have frequently been the focus of disputes in the north of Ireland, but they have become particularly significant at times of political transition. Their current role as a site for public political confrontation began after the paramilitary ceasefires were called in 1994. Residents' groups appeared in a number of areas to oppose Orange parades and drew support from a cross-section of the nationalist

community, as the ceasefires made it easier for new political alliances to be forged. Disputes have persisted and intensified over the past four years. The marching orders refused attempts at dialogue or any suggestion of compromise over their 'traditional' parade routes. At the same time the Royal Ulster Constabulary became less willing to continue its historic role of protecting Orange parades and increasingly stopped them.

The return route of the Orange Order parade in Portadown in early July, from Drumcree Church back into the Co Armagh town along the Garvaghy Road, has come to symbolise the complexity of these disputes and illustrates the difficulty of finding a broadly acceptable solution. In 1996, when the parade was stopped by the RUC, there were widespread public protests, rioting and violence in loyalist areas. When the parade was eventually forced through, there was extensive violence in nationalist areas. In 1997 the police again forced the parade through after violently forcing residents off the road. The following year saw more violent protests when the Parades Commission issued a determination stopping the Orangemen from

taking their 'traditional route' along the Garvaghy Road. Protests continued throughout the year.

Many other Orange parades have been blocked or rerouted over the past four years. Some of these disputes have also ended in violence. The parade along the Garvaghy Road was once again stopped by the Parades Commission in July 1999 but this year the protests have been more muted. We believe that the presence of a variety of monitors—observers, community activists and stewards—has contributed to the more peaceful range of protests witnessed in the past two years.

Civil intervention

A number of groups from within civil society have attempted to contribute to a resolution of the parade disputes by observing and monitoring events and intervening where appropriate. Monitoring has become something of a growth industry and a diverse and varied one at that. The monitoring groups express a range of aims, ideals, practices and aspirations. Some have focused their attention on the role of the police and the potential for the abuse of human rights. Some groups maintain a neutral, independent and impartial stance; others have expressed support for one party; still others utilise monitors clearly identified with one party. Some monitors remain in the background at the event, quietly observing the flow of action and taking notes that will form the basis of a report; others see their role as mediators and are prepared to intervene to reduce the likelihood of trouble. Some monitors are highly visible; others



SCAN 1

do not stand out from the crowd. Some monitor in large groups; others work in pairs or sometimes alone. Some are local; others have travelled from as far afield as the USA. In this report we try to unravel the bewildering complexity of monitoring groups and the diversity of their approaches, aims and practices.

We begin by establishing the theoretical contexts and exploring approaches to monitoring (chapter 2). We then review examples of monitoring in a variety of jurisdictions and circumstances which we feel we provide useful comparative material (chapter 3). We then turn to the local experience, discussing the background to monitoring in Northern Ireland and reviewing the main organisations involved (chapters 5, 6 and 7). We conclude with a range of recommendations for developing good practice and extending the role of monitors (chapter 8).

While monitoring is a relatively common

practice, it is poorly theorised and documented. Many of the groups that decide, or need, to undertake monitoring, end up in some way ‘re-inventing the wheel’: process, method, framework and practice are usually created from scratch rather than by drawing on experience. We hope, therefore, that this report will provide a useful starting point for generating ideas about the wider role monitors could play in Northern Ireland. ■

2. What is a monitor?

We all monitor the world around us: we observe actions and events and we act on the basis of our observations. In any social situation—in our case parades, protests, and civil disturbances—everybody is monitoring the flow of events: marchers, spectators, demonstrators, protesters, police, the emergency services, the media, peace and human-rights groups, researchers, politicians, businessmen, church officials. However, when we speak of ‘a monitor’ or ‘an observer’ we are indicating individuals or groups with particular roles.

We are specifically interested in those people, groups or non-governmental organisations that define themselves as not directly involved in what is taking place—in other words as a ‘non-participant’ or ‘third party’. This is not to suggest that they do not have opinions or do not wish to have an impact on what is taking place. In general we will define ‘monitors’ as third-party groups that intend principally to observe and record what is taking place. But monitors can also take a more active role than just observing, by placing themselves in a position to intervene, either through their

physical presence or, more commonly, through mediating, facilitating negotiation or providing a line of communication.

As such we also include stewards or marshals within the wider category of monitors because, although they may be part of the group organising the event, they have a specific responsibility to watch the behaviour of their members. They are therefore expected to maintain a more distanced and detached presence, not participating fully in the occasion.

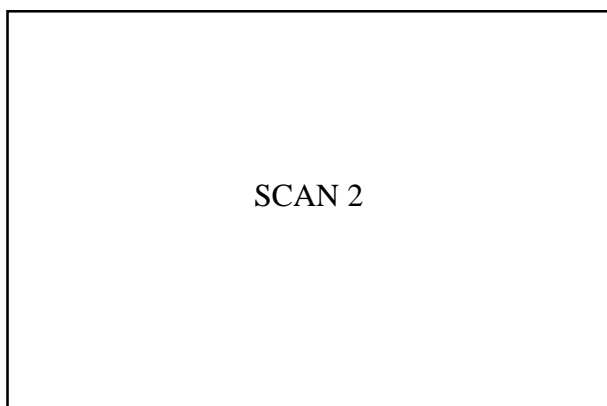
Observing and monitoring

The diverse third-party groups use a variety of names to describe their work. Some call themselves observers, others call themselves monitors and some describe themselves as witnesses. We will use the term monitor to refer to the broad range of third-party individuals and groups who attend disputed parades. This will include those who describe themselves as observers and witnesses but also third-party players such as mediators and community activists who are prepared to intervene in

some way. Observing and intervening describe the two extremes of monitoring. In practice, the different things monitors do are not always easily separated. To understand how they work, and indeed to try to distinguish the varied roles monitors play, we offer a rather loose typology of those involved at parade disputes.

Police

The police have primary responsibility for maintaining public order in society and, along with other members of the security forces, are one of the key participants in the parades disputes. The RUC is present at every dispute, often in large numbers, and probably undertakes more monitoring than any other party. Police monitoring takes a variety of forms, from basic visual observation, the responsibility of every officer, through a wide array of photographic and electronic audio and visual monitoring carried out by specialists. While police



Watching the detectives

monitoring may be technically advanced and comprehensive, it is never clear how effective it is. Specialist equipment looks impressive but often its utility is limited in practice. The officers operating it are often restricted in their movement and forced to operate from constrained positions. Thus most police monitoring still comes down to officers simply watching events, subject therefore to the same constraints as other monitors.

Police monitoring is used for maintaining control at the event itself, reacting to a fluid situation and anticipating developments. But it can also serve to produce evidence for a subsequent prosecution. The results of such monitoring always remain under the control of the police themselves rather than being of more general availability. Although the police would aim to monitor comprehensively in contentious public situations, it is far from clear how effectively they monitoring their *own* officers: their point is on the other primary actors. This, in turn, means that the police themselves have become subject to monitoring.

Participants

The participants in parades and protests do not see their primary function as monitors but observing is clearly necessary to what they are doing. All parties monitor what is taking place and act according to their understanding of unfolding events. Some undertake more formal recording. Both residents' groups and marchers have videoed what takes place and a number of residents' groups have made video films for wider distribution.

Stewards

Stewards monitor the behaviour of the participants at events. It is not impossible that outsiders could be brought in to act as stewards but most commonly they are part of the organising body. Their authority is derived from their relationship to those organising the parade, demonstration or protest. One can distinguish three forms of stewarding.

(1) *Formal stewarding*: an organisation clearly designates individuals as stewards and therefore gives them authority to control the participants. Formal stewards are always identified in some way. In Northern Ireland such stewards have nearly always been untrained, often appear to be badly organised and are frequently ineffective.

(2) *Informal stewarding* is done on a more *ad hoc* basis, by individuals in a group who feel they have some authority or simply wish to control what is taking place at a particular time. Many protests will be controlled by this type of stewarding, often by those directly organising the event.

(3) *Paramilitary stewarding*: the control of parades and protests in Northern Ireland has often taken place with the tacit or actual involvement of paramilitary groups. They differ from the formal and informal stewarding categories because their authority derives not from the organisers but from the recognition of the power they have within their community.

In each case the authority of the steward derives from recognition of the legitimacy of the organisers by those being stewarded or the perceived ability of stewards to call upon some degree of physical

force to restrain or restrict sections of the march or protest. We discuss the role of stewards further in chapter six.

Political representatives

Political representatives often monitor contentious events. In many cases they claim they are not specifically representing a particular group, but their position within a party or relationship to government means they are always effectively aligned. Some politicians also take it upon themselves to monitor in the hope that their position can influence what is taking place. During the parading disputes local politicians have regularly made their presence known and politicians from Britain and the Republic of Ireland have also acted as monitors. The significance of these individuals lies in the influence they may be able to wield with one of the parties or as a channel of communication.

Human-rights groups

These are NGOs that monitor events to observe but not to intervene. In Northern Ireland the group most closely associated with such observing has been the Committee on the Administration of Justice (CAJ), whose remit focuses on the protection of human rights and which has specifically monitored the policing of public order during the parades disputes. Two international bodies, Amnesty International and Human Rights/Helsinki Watch, have done similar work although on a much smaller scale. These monitors do not intervene in what they are watching. They all describe their role as having three facets: to observe the utilisation of force

by the state, to reduce the likelihood or level of violent confrontation by their presence, and to report on events after they have taken place and thereby to influence policing practices.

Solidarity groups

These groups are present to observe what takes place often with a remit to record human rights abuses and, if appropriate, to intervene. They usually align themselves with one party. Many of the international monitors present at the parading disputes between 1997 and 1999 made it clear they were acting in solidarity with the residents' groups and described themselves as 'witnesses'. They made their role clear to the RUC beforehand and in some cases engaged with the parade organisers in an attempt to understand more fully what was taking place. While these groups are clearly in general support of one party, they are usually proponents of non-violent protest and have clearly defined roles for themselves.

Community-based groups

These groups vary in background and motivation but tend to share similar goals. They attend events to monitor but are prepared to intervene to reduce the likelihood of violence or confrontation and to facilitate processes of reconciliation. They perceive themselves to be non-aligned in the disputes and by defining themselves in this way can become important lines of communications through which aligned groups may be able to negotiate. These monitors are often distinguished by their efforts to engage equally with all groups and to position

themselves apart from all others, as well as by their relative lack of power and authority. The latter is important as it means they do not offer any direct threat to those involved. In this way they differ from politicians or government officials. These groups are continually balancing their involvement in a particular situation with their attempt to remain non-aligned.

Academic researchers

The disputes over parades have attracted a number of students and academic researchers. Some researchers, including ourselves, have attempted to influence the political processes. Our own interest stretches back to 1990, since when we have visited a wide range of parades and demonstrations—we had considerable experience of events before parades became a central political issue in 1995. Our position differs from most of the groups we have discussed. We have never sought to directly intervene in any situation and we do not attempt to influence anything taking place simply by our presence. We are aware of other academics and students, local and international, who have similarly acted as observers.

Journalists

In one sense this is the largest category of observers. The power of journalists is such that they often have an indirect, and sometimes direct, influence on what is taking place. It is probably also true to say that the observations made by journalists remain the most influential. Most aim accurately to record and report what is taking place,

although in practice they rarely manage to achieve this: all too often brief moments, in what are often complex situations, can assume an unexpected importance when news is edited, reports are published and they are repeated over the years.

Reporters are aware of their power and position and as such are careful to control access to their observations. News-gathering organisations such as the BBC resist making their pictures available to the police to avoid the possibility that protagonists might see their observations as a threat. However, on occasion the large numbers of journalists has become an issue at protests. They are certainly not always seen by participants as neutral and have sometimes—sometimes understandably—been treated with hostility by protagonists.

The role of monitors

It is clear, therefore, that a diverse range of bodies undertake monitoring at public events. They have different responsibilities, allegiances, aims and approaches but they all seek to influence events in some way. To define, and better understand, the differences between these categories we need criteria through which we can explore the different facets of their role, the relationships between them and their relationships to other key actors. We will discuss these under the following headings: degree of intervention, independence, privileges and perceptions, and relations of power.

Degree of intervention

One dictionary definition suggests that to

monitor is to:

observe or inspect, especially for a special purpose; or to regulate or control the operation of ...

The act of monitoring indicates that the individuals wish to have some impact on what is taking place. However, the level of intervention can, and does, vary. Some monitors will not intervene during the event but, rather, will collect information to be able to influence the political environment at a later date; others want to act as mediators and possibly directly intervene in events. To clarify the roles different groups play, a number of distinctions can be drawn:

- Human-rights groups' influence is most indirect: they observe without intervening at events but aim to have influence by the reports they produce afterwards.
- Similarly, academic researchers may observe but usually have no desire, intention or capacity to intervene directly in what is taking place, although what they write and who they talk to may influence policy and political relationships.
- Solidarity groups are willing to intervene but they have a limited impact, particularly if they are from abroad.
- Community-based groups are often willing, and able, to intervene at events as they happen and are often most effective when they are able to intervene with all parties.
- Stewards, on the other hand, have a remit to intervene directly but only with one party or with one side. They may also be involved in a debriefing so that their observations may be used by the organisers of future events.

Overall, at any single event, none of the various monitors may do anything more than observe, but their status offers the possibility of more active intervention. This may involve little more than passing messages between two of the parties, responding to rumours or clarifying uncertainties. But it may lead to more active engagement through acting as a crisis manager or negotiator or, on a longer timescale, as a mediator.

There is thus a temporal dimension to differentiating between the various groups. Some groups (stewards, politicians) aim principally to have an immediate impact at the event itself, while others (mediators, academics) may be more concerned with the long-term picture. Some groups would only show an interest when an event has the potential to be disruptive or violent (solidarity groups, foreign politicians). Others would see their principal aim as to try to ensure contentious issues are resolved before the event, or may see the event as only one step in a longer process (human-rights and community groups).

Independence

The factor which perhaps more clearly distinguishes monitors from other participants is an element of independence—their status as a ‘third party’. Many third-party monitors will go through specific processes to attempt to define themselves as not directly part of an event. This may involve wearing some form of identification and/or physically positioning themselves at a distance to what is taking place. Most monitors introduce themselves to the key actors, to make their presence

known and to define their relationship with other parties. This may be simply to say ‘we are observing you’ or it may be effectively to offer a line of communication with other protagonists. Also, making one’s presence and status known to other groups allows for the possibility of movement between opposing parties, although this may not always be advisable and some observer groups recommend against it.

Independence is not the same as being neutral. All monitors that we discuss below would consider themselves independent, in that there is some distance between them and the protagonists. This does not mean, however, that the monitor does not have sympathies with one group: rather, that they distance themselves from the activities on the day. Some groups, on the other hand, would see themselves as independent *and* neutral, in so far as they have no interest in whether a parade takes place or in the outcome of the event—only that if it takes place it does so peacefully and without human rights being abused.

The role of political representatives is more complex. Politicians are not independent. They usually derive their legitimacy from a democratic endorsement and on that basis assert their right to intervene. But if a politician is perceived as a likely channel for communication and negotiation or is seen as being able to influence a crowd they will often be utilised in a difficult situation. Politicians and representatives of political parties are often the most effective when it comes to intervening. Unlike third-party monitors they can often claim a mandate based on recognised

popularity. Their *lack* of independence is then important.

Privileges and perceptions

The stated and perceived role of monitors clearly makes a difference to their position at an event. This may seem obvious but it has important ramifications. Those groups that make a claim to be present as a third party, rather than as a protagonist—whose intention is to watch what is taking place and maybe to offer lines of communication—are often given privileges which those perceived by the police as protagonists are not. This is done either by making clear what their role is on the day or by being part of an organisation that is known to be an active monitor. The aims of the monitoring groups and individuals may determine how they are treated by those involved in the dispute.

Journalists are most often given privileges because most parties usually perceive it as in their best interests to accommodate them. While there are occasions when people see journalists as a threat, or simply as in the way, generally the aims and role of the journalist are recognised and understood. This may also be true of other observers, such as Amnesty International or the CAJ, but their aims are not always as clearly understood and some groups feel them to be threatening to their cause. Other groups may have to explain their aim in order to gain privileges.

In essence, those that want to be in a position to move freely as observers and monitors are making a claim that they are not direct protagonists,

that they are playing a specific role as third-party monitors. However, as most have discovered, the act of moving from one side to another, usually crossing police lines, can raise suspicions about one's role. Consequently, groups present simply to observe, rather than intervene, will often avoid moving between the protagonists.

Relations of power

Relations of power are vital in understanding the role of the monitor. Broadly speaking power can derive from two sources: the ability or authority to control physical force (whether that be a crowd or the use of weapons) or the acknowledged legitimacy of the role an individual or a group can play. A police officer, the leader of a community group and a parade organiser can all wield a certain amount of power simply because they have some authority over a group of people.

What all third-party monitors have in common is that they do not wield power through any direct threat of physical force. In a situation where there is a potential breakdown of public order loci of power are found in the wielding of weapons or in physical numbers. Those who take on the role of monitors attempt to make it clear that they offer no physical threat to any protagonists. These relations of power are complex. Monitors who do not wish to intervene can claim to wield no direct power in a situation. However, recognition that they have an ability and credibility in distributing information and influencing people after the event clearly means that their presence can influence people's actions.

Monitors who wish to intervene by mediating or offering themselves as a line of communication are utilising their third-party status to claim trust from parties who potentially control physical force. But in trying to utilise that trust to wield influence they are in danger of being seen by different parties, wittingly or unwittingly, as being manipulated by the other side(s). Claims to third-party status or to be able to offer reliable lines of communication are always under threat—with the ability to remain an effective monitor thereby placed at risk. That is why such observers as the CAJ value their ability to remain in a position to record what is taking place while not offering themselves as mediators or as lines of communication.

Validity of observations

Public-order situations involving large numbers of people are highly complex. One can only ever get partial view of what is taking place: no one can see everything. As events escalate, a whole series of activities may take place so that it may be impossible to say who ‘started it’. Was it the kids rushing forward or the police putting on the riot gear? Was it the band playing *The Sash* or someone hurling abuse? Was it a group of journalists pushing to get an interview or an RUC Land Rover moving to a new position? Was it a group of protesters changing where they wanted to stand or an influx of new people? Perceptions can differ so widely it is very difficult to make judgments.

To add to these problems, all observations are also always partial. A television picture can show

so much, yet hide so much more. Reports are always edited. Observations are limited and memories get distorted. This is not to say that information and understanding cannot be gathered but merely to recognise how different perceptions of events arise. An incident can look quite different to two people. The flying of a particular flag, the playing of a particular song, the arrival of a particular politician or the use of certain language can be read in different ways. Are police officers putting on riot gear preparing to attack or taking reasonable health and safety precautions in upholding the law? Were the flags put up on lampposts to threaten or to commemorate? What is the motivations of children throwing stones—should it be seen as provocative? It is impossible fully to understand the dynamics of a particular situation if one does not examine the worldviews of those taking part.

To understand the role of monitors we have attempted to look at who they are and what roles they play. The boundary between steward, representative, observer, journalist and researcher is not always clearly defined. Many examples can be found where individuals have moved from one role to another: when stewards attempt to mediate a situation; when political representatives attempt to steward or act as mediators; when monitors feel that they have no choice but to intervene; when researchers decide to become more actively involved in advocacy; and when journalists write to influence policy in the way that monitors do.

It is important to realise that when an individual shifts role there are ramifications which

problematise returning to their original role. Those who have been acting as monitors and then engage in negotiations realise that, if events go wrong, active engagement could hinder their ability to monitor in the future. A political representative who chooses to intervene directly as a steward risks being perceived by others as an organiser. Once the researcher has produced policy documents they can no longer claim the academic distance which had allowed them to work with some groups.

But while individuals and groups may cross the boundaries between the roles, their definition is reasonably clear. In theory we can define people as stewards, observers or mediators—even if in practice things might not be so clear. ■

3. International approaches to monitoring

In this section we begin by looking briefly at the wider forms of monitoring carried out by international organisations such as the United Nations, the European Union, the Organisation for Security and Co-operation in Europe (OSCE) and the US National Democratic Institute (NDI). In particular we look at the work undertaken and the role played by foreign monitors in verifying the fairness of the election process in countries coming out of conflict. We then discuss four recent examples of independent indigenous monitoring projects in three countries: England, the US and South Africa. We conclude by summarising these varying approaches within the context of the typologies set out in the last section.

A discussion of election monitoring might seem somewhat tangential to the main theme of this report, which is primarily concerned with monitoring public events, public order and human rights. But elections are both public events and a basic human right. Public disorder can be used or provoked to disrupt, intimidate and restrict people's rights to vote. International monitoring missions are organised to try to ensure elections are

free and without intimidation and that the procedures are both fair and transparent. They are therefore intimately involved with maintaining public order to ensure that the electoral process can be held in an open and peaceful manner.

International monitoring of elections

The use of outside monitors to oversee the resolution of contentious issues within an independent sovereign state dates from the post-World War One period, when a number of international commissions and later the League of Nations were involved in monitoring referenda and plebiscites over border disputes across Europe. Since the establishment of the UN in 1945, monitoring has become a more established part of the wider peacekeeping process (Beigbeder 1994). More recently, a number of intergovernmental missions have begun to focus on the broader arena of monitoring human rights.

The first UN monitoring body was set up to oversee the general election in Korea in 1948 and since then the international community has been

involved in monitoring a wide range of post-conflict activities as part of its wider peacekeeping remit (Gallagher 1999, Guillot 1996). In recent years a number of intergovernmental organisations and other bodies such as the EU, the Commonwealth, the OSCE and the NDI have organised a variety of monitoring missions. These have addressed such matters as the status of ceasefires, the fairness of elections, the treatment of human rights and the activities of policing agencies in a wide range of countries (Burci 1996, Carothers 1997).

Many of these have been large-scale operations, and in high-profile cases of countries moving from conflict to democratic politics the missions have involved a range of different international bodies sending separate and distinct teams of monitors to the same country. The elections in Cambodia in 1993 involved more than 1,200 UN observers and the Bosnian elections utilised more than 2,000 OSCE volunteers.

Intergovernmental missions are undertaken in response to a request from the host government or from the parties to any dispute, rather than being initiated by the international bodies themselves. The international body then assesses the number of monitors required and the monitors themselves are selected by the individual countries or bodies involved. NGO missions are usually organised in response to an invitation by an organisation from within the host country.

Monitoring teams are often very diverse and may include judges, lawyers, academics, politicians and political activists, serving police officers,

ex-military personnel, journalists and students. Monitors are often required to have specific expertise or knowledge of the host country or its language or previous monitoring experience. Monitors work as part of a larger team and when in the field usually work in pairs and with local translators and drivers. In some situations security is provided as well.

Briefing and some form of training is often provided before departure and in more detail on arrival in the host country. A number of organisations have produced training manuals for human-rights monitors (Araldsen & Thiis 1997; English & Stapleton 1995; UNOHCHR 1998), while several bodies have produced codes of conduct which define and circumscribe the role of monitors (DFID 1999; IDEA 1995; Goodwin-Gill 1998; NDI 1995; OSCE 1998). The OSCE *Election Observation Handbook* describes the differing roles and responsibilities for long-term observers, who spend several weeks in the country preparing for the mission and monitoring the whole election campaign, and short-term observers, who arrive immediately before the election to observe the polling and counting. Its code of conduct specifies that all observers should:

- be impartial and unobtrusive,
- carry prescribed identification but no partisan symbols or colours,
- never give instructions to local officials,
- base all conclusions on verifiable evidence,
- refrain from making personal or premature comments to the media or others,
- participate in post-election debriefings, and
- comply with all national laws and regulations.

This code clearly emphasises that monitors are present purely to observe: they have a passive and distanced role. But volunteers to whom we spoke said that in practice they had to be able to adapt to a variety of conditions on the ground and adopt a flexible and pragmatic approach. Most volunteers had expected to undertake a passive role but found that some situations demanded a more interventionist stance.

The UN guidelines for involvement distinguish between the two roles for monitors: supervisor and observer (Ebersole 1992). In supervised elections the UN has a direct involvement in establishing the framework and mechanisms for the elections while observation serves simply to verify free and fair elections. This has been further clarified in a document prepared by the Swedish-based International Institute for Democracy and Electoral Assistance, in conjunction with the UN, in 1995. Its *Code of Conduct for the Ethical and Professional Observation of Elections* utilises many of the principles set out in the OSCE document. But it is also clear that observers are only part of a larger network of personnel, which includes mediators, technical assistants and supervisors who may well be more actively involved in the event than simply observing.

The Cambodian election of 1993 was one instance where the UN played a structuring role and was actively involved in the entire process. Similarly, the role expected of volunteers in Bosnia has varied at each of the three recent elections. In September 1996 the role was defined as observer, in November 1997 it was supervisor and in

September 1998 it was again observer. Monitors said that in both Bosnia and Cambodia they often had to be prepared to advise local officials. Such intervention seems to have taken the form of showing local officials how to do something rather than preventing actual malpractice or mediating in disputes. Volunteers felt that their role was to observe whether the elections took place as freely and fairly as possible. In some cases it was their very presence as representatives of an international body—and therefore with experience of the democratic process and independent of local political disputes—that served as some guarantee of the legitimacy of the process.

Short-term observers usually departed the country soon after the election. Methods of debriefing vary from basic verbal reports to a multi-layered process of verbal and written reports given before departure and again on return to country of origin. Debriefing focused on both problems experienced in the electoral process and shortfalls in the monitoring mission. In the case of Bangladesh, the EU mission produced a joint report and a suggestion for a code of conduct for monitors before departing the country, although it is not clear if this was adopted in any way. In Bosnia, one observer noted clear improvements in the monitoring process over the three elections and put this down, in part at least, to the adoption of suggestions made during debriefing sessions.

This brief overview indicates that monitoring by international bodies has become an established part of the political process in the transition from conflict towards peace. International monitors are

seen as providing an independent and neutral verification of the fairness of newly established systems and processes. Despite the large numbers of observer missions in recent years there still seems to be a variety of approaches adopted by different organisations, allied to a diverse range of practical experiences. In part this is due to the variety of local contexts in which monitoring is carried out; in part it is dependent on the aims, experience and organisational abilities of the IGO or NGO. Attempts have been made to standardise expectations of volunteers through the production of codes of conduct but these need to be seen as somewhat loose frameworks for action.

Intergovernmental organisations tend to view the ideal role for monitors as one of passive observing and non-intervention. But in practice people who had worked as monitors recognised that they had to take a pragmatic approach and their role was often more active and interventionist. Some monitors saw themselves as facilitators of the democratic process rather than simply witness to it.

Domestic monitoring groups

The success of election monitoring by international bodies has in turn raised concerns about the overall process. A variety of criticisms have been made of international monitoring missions. Among other things, concern has been expressed at the proliferation of groups undertaking such missions, at the duplication of observers at certain locations, at the lack of local knowledge, context and

language skills of some observers, at the motives of some observers who often seem to favour exotic locations as a form of political tourism, and at the short-term view of many missions which focus on the event rather than the process. It has been suggested that some of the money spent on high-profile international missions might be better spent in supporting local groups which can monitor events on a more permanent basis. In fact, in parallel with the expansion of interest in international missions, there has been a growth in local monitoring groups in many countries (Carothers 1997, Nevitte & Canton 1997). Such groups do not suffer from the same range of criticisms that have been levelled at international missions: they can mobilise more people, respond to a wider range of events and have better local skills and knowledge. But their neutrality and impartiality—a factor prominent in the success of international missions—has been questioned.

Despite having to walk a fine line in being both effective and remaining impartial, domestic monitoring groups have established themselves in a wide range of countries. Monitoring appears to have become a particularly prominent activity in Caribbean and south American countries, but groups have also been established in eastern European countries such as Bulgaria and Romania (Nevitte and Canton 1997). Many such groups were set up to monitor the local electoral process but have subsequently expanded their activities into promoting civil involvement in the wider political sphere. Some have become more actively involved in wider human-rights issues; others have taken

to monitoring police activities, although the limited literature on such bodies makes it difficult to analyse their work in any detail. There are also a small number of documented examples where domestic monitoring groups have been set up with a specific interest in public-order issues and which have some parallels with the work being undertaken in Northern Ireland. We begin by considering the work in Britain of Sheffield Policewatch, which was set up to monitor the policing of the coal dispute in 1984. We then turn to the National Lawyers Guild in the USA, which sends people to monitor the policing of public events and demonstrations. Finally, we discuss two examples from South Africa, where groups were set up to monitor assemblies, demonstrations and public violence during the transition from apartheid.

England : Sheffield Policewatch

Sheffield Policewatch was set up to monitor police activities during the National Union of Mineworkers strike in 1984. It was a local response to public concern at the expanding range of police activities and attempts to control picketing miners (Field 1985). The local trades council and unemployment centre were among the initial sponsors and although this might have suggested an inherent affiliation with the strikers the group did not consider itself as a miners' support group. Instead, it attempted to maintain a position of independence from all parties to the dispute: the NUM, the National Coal Board and the police. The local labour movement also acknowledged the advantages

of the group remaining independent, although a number of trade union and Labour Party branches donated money to the project. Members came largely from the middle-class caring professions: the group included local-government officers, social workers, adult education teachers, academics, students and members of the clergy and grew to some 45 volunteers after six months of monitoring—27 of them women. The monitors organised themselves into three groups and these were based at three different miners' advice centres in south Yorkshire and Derbyshire. Each group sent out small teams of two or three monitors with pickets on a daily basis.

The main activity of monitors was to report on the behaviour of the police. Policewatch members functioned as passive observers rather than attempting any form of mediation or intervention. The group's focus of interest was in recording and documenting acts of police violence and any abuse of 'miners' rights and liberties', although in some cases their presence does seem to have deterred individual police officers from aggressive actions. Members made notes and took photographs of what took place and these were made available for use in court. Members of the monitoring project acted as independent witnesses in a number of cases when miners were prosecuted. The group also provided an alternative source of information for journalists, who came to regard them as 'an authoritative and reliable source' (Field 1985).

Police reaction to the project was varied: relations with South Yorkshire police were 'mutually respectful', Derbyshire police were described as

‘positively helpful’, but the Nottinghamshire police were considered ‘suspicious’ and ‘critical’. The group itself seems to have been uncertain of its legal status and therefore unclear about how far it might demand certain rights. Despite attempting to identify and distinguish themselves with badges, members’ reception at picket lines or road-blocks and access to contentious locations seems to have depended on the whims of the local officer in charge. Monitoring work could also be dangerous: at least three observers were injured when they were caught up in police attempts to remove picketing miners and one observer’s car was damaged by police action.

In his review of the work of Sheffield Policewatch, John Field felt that while the group did have some impact on the ground this was always limited. He acknowledged that the group ‘lacked any wider capacity to influence events’ and while its reports were used by the media and thereby helped influence local public opinion, there were ‘no effective mechanisms ... whereby local opinions can affect the autonomy of the police institution’. Nevertheless, he considered it important that the group was able to provide independent witnesses to acts of violence and a structure of support for the victims of police abuses.

Sheffield Policewatch did not attempt any active mediation between police and pickets on the ground but, rather, restrained itself to observing and photographing with the aim of influencing subsequent events. The Policewatch project did not expect any specific knowledge or legal training of its members; neither is there any suggestion that

any practical training was offered nor guidelines for appropriate behaviour produced. Members of Policewatch began monitoring a few days after the group was formed. Their method was improvised and honed through practice.

The status of monitors as independent and impartial seems to have derived from the fact that they were dissimilar to the two main protagonist groups. The monitors were predominately female and middle-class—in contrast to the working-class, male miners and police officers with whom they mingled. It is also interesting to note the variety of reactions from the different police forces with whom the group came into contact. In some cases the police were helpful, whereas in other situations the monitors were treated like the picketing miners. The quality of the working relationship with the police can have a considerable bearing on the ability of monitors to work on the ground.

The group placed great store on its perceived independence and this appears to have been important in the way its observations were utilised by the media. Once it was able to demonstrate its value as an alternative source of information, its credibility increased. Nevertheless, the ability of Policewatch to have any immediate or practical impact on events or on wider policy approaches seems to have been slight. There is no strong evidence that its role as witnesses in court cases was widely utilised or particularly significant, although it was appreciated by those who took advantage of it. Furthermore, the model was not taken up elsewhere during the strike and attempts to set up a permanent police monitoring unit in Sheffield were

rejected by the local Labour Party. Although this suggests that the monitoring project was not an overwhelming success, it clearly did have some small victories during the strike by restraining police behaviour on occasions and it did offer an alternative source of information that was widely used by the local and national media. These can all be considered valuable results.

usa: National Lawyers Guild

The National Lawyers Guild is a national network of lawyers, students and 'legal advisers', set up in 1937 as a progressive alternative to the racially segregated American Bar Association. The Guild is organised into local chapters, which, among other things, provides legal observers to attend demonstrations, rallies, protests and other political events organised by 'progressive, activist organisations'. A number of chapters have produced their own guidelines for legal observers, which specify their roles and responsibilities at such events. Those produced by chapters in New York, San Diego and San Francisco illustrate that even within a single organisation there can be some differences in expectation in the role that observers should play.

The San Francisco and San Diego guidelines insist that the primary role of the legal observer is as a witness—specifically, to watch the actions of the police. They note that while every person at such an event is a potential witness, legal observers have a goal different from that of other participants: they are there to record what happens.

They should put observation ahead of any desire to participate in the event in any way. Both guidelines indicate three principal tasks for observers:

- providing a presence, which may minimise police misconduct and/or hostile actions by counter demonstrators;
- gathering information, which may be useful later in a trial or police misconduct complaints; and
- keeping track of arrestees and obtaining names and addresses of potential witnesses.

The guidelines also suggest that observers should identify themselves by means of an armband or similar and should introduce themselves to the organisers of the event upon arrival. There is no suggestion that they should introduce themselves to the police; rather, the implication of the guidelines is that the observers should maintain as much distance from the police as possible. The guidelines also state that observers should neither become involved in crowd control nor conflict resolution, nor should they act as liaison with police officers. This work is considered to be the responsibility of the event organisers. Legal observers may liaise with the organisers but should remain distant from them. Both documents indicate suspicion of police motives in trying to utilise legal observers as intermediaries, which might compromise their status as independent witnesses should they be required to appear in court.

The New York Guild guidelines take a rather different approach and state that 'there is no set way for a legal observer to act at the demonstration'. In contrast to the previously cited guidelines they say that the observer should keep in mind

that their job is to ‘assist the demonstrators in accomplishing their objectives (short of counselling persons to break the law)’. Observers should do whatever they can to achieve the aim of the demonstration, by their presence or by negotiating with the police. Under these guidelines legal observers are expected to see themselves as a part of the demonstration rather than as witnesses. They function as an authority rather than as an independent and neutral third party. They provide advice to event participants and challenge the legal knowledge of the police. There is less emphasis on the importance of note-taking or monitoring arrestees, which it is felt can be done by others.

The models set out in these guidelines suggest two very different roles for legal observers. The San Diego/San Francisco model advocates a passive approach at the event itself, with any intervention taking place publicly—producing reports or acting as an independent witness in court. The aim is to create a distance both from the organisers of the demonstration and from the police, in a similar way to Sheffield Policewatch. Emphasis is placed on the impartiality of legal observers because of their legal training and, as a consequence, the honesty of their observations.

The New York model is more interventionist. Observers are clearly expected to identify actively with the aims of the demonstrators. Legal knowledge is seen as a tool which can be utilised to achieve one’s aims, to restrain police action or to assist people in practical ways after they have been arrested, rather than as a claim to truth and objectivity.

Both models see clear demarcation lines between demonstrators and police. They regard legal observers as on the side of the demonstrators, as active supporters or as independent monitors of civil rights. Neither approach advocates any neutrality or any role in mediating between police and demonstrators to achieve a peaceful compromise. Both models also take an almost fatalistic view that demonstrations will involve arrests and probably violence. Although in the past US police have often taken an aggressive stance to radical demonstrations, more recent academic studies suggest that this approach has changed towards a softer, less confrontational, amidst a negotiated and more ritualised style of protest (McCarthy and McPhail 1998, McPhail et al 1998). However, this change is not reflected in these guidelines.

South Africa: monitoring demonstrations

There were extensive problems of violence at demonstrations in South Africa during the last years of the apartheid regime and through the transition to democracy. For much of this period all demonstrations were illegal and the police took an aggressive approach to dispersing any illegal gatherings. Many people were killed or injured at such events (Jeffrey 1991). During the transition, the number and frequency of demonstrations increased. So, too, did the violence, but with the addition of a new element—clashes within the black community between rival supporters of the African National Congress (ANC) and the Inkatha Freedom Party (IFP). The police were in no position to



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mediate in such disputes as they were regarded as an antagonist by both parties.

In 1991 the government initiated the National Peace Accord (NPA). This provided codes of conduct for the political parties and the police and set up mechanisms for addressing problems of political violence and public disorder. As part of the NPA the government established an independent body, the Goldstone Commission, to look at public violence and intimidation. The commission in turn appointed an international body of experts to consider the specific problems of disorder at protests and demonstrations. The report published by this body recommended radically new legislation and new approaches to the policing of such events (Heymann 1992). At the same time, attempts were made from within South African civil society to address the problem of violence at demonstrations in a more immediate and practical manner, through the use of independent monitoring groups.

We describe the work of two such groups, one in Cape Town and the other in the Johannesburg area.

Network of Independent Monitors—Cape Town

The Network of Independent Monitors (NIM) was launched in Cape Town in January 1993 by eleven church, peace, human-rights and legal groups. Many of these had already been involved in some form of monitoring activity but it was hoped that the network would make this more effective. The intention was to mobilise individuals who were prepared to observe contentious events, such as marches or demonstrations, and local conflicts between police and activists. The network also aimed to provide an independent source of information and advice on the various conflicts and disputes. Members of NIM gave evidence in court, reported incidents of violence to the press, put victims in touch with legal and medical assistance and monitored the progress of police investigations. Some monitors were drawn from the townships, where much of the violent activity took place but the majority were either ‘white liberals’ or were drawn from one of the more ‘respectable’ member organisations. However, monitors were only able to function in townships because they had, and were able to maintain, effective local contacts. The network was on 24-hour call, it aimed to respond to incidents within a few minutes and it monitored on average three or four incidents a week.

Prospective monitors were put forward by their respective organisations and were expected to undergo training in the principles of monitoring,

observation skills, statement taking and conflict resolution. New monitors undertook a period of practical orientation before they were given full accreditation by the network. NIM estimated that they trained more than 400 monitors in their 15 months of activity. Monitors were expected to adhere to a 12-point code of conduct, which said that they would:

- be committed to the principles of the UN Declaration of Human Rights;
- be committed to independent monitoring;
- be accessible to all parties being monitored;
- pledge to promote peace and work to end violence;
- be committed to non-violent action and methods of monitoring;
- report truthfully and accurately on situations;
- strive to act confidently, calmly and diplomatically;
- display sensitivity and empathy for the vulnerability of victims of violence;
- respect the need for confidentiality;
- not publicly display any party preference (in word, by action or by wearing party badges or clothing) while monitoring;
- respect the role of other structures dealing with conflict mediation/resolution;
- Not publicly undermine monitors who were part of the network.

The code of conduct emphasised the independence and neutrality of monitors but did not actually define what monitors should do on any occasion where a dispute arose or violence occurred. Leaflets produced by the network said that

monitors were not expected to get involved or intervene but simply to act as witnesses to the conflict *in situ*. The leaflets emphasised NIM's role as observers and witnesses; monitors were not expected to act as crisis mediators.

However, in spite of the emphasis on observing, one of the organisers of NIM told us that on occasion monitors did physically position themselves between demonstrators and the police, thereby stopping the police from opening fire. He also said that at other times they had been able to assist in the facilitation of negotiations between conflicting parties and thereby help to reduce tension. This was confirmed in the NIM's publicity material, which said that many potentially violent situations had been defused by its presence and that monitors had served as a general restraint on violent action. While in some cases this was a response to the mere presence of NIM members, it was clear that monitors could and did take a more active role where appropriate and monitoring was a more active process than was otherwise implied.

Wits-Vaal Regional Peace Secretariat

The National Peace Accord also provided for the formation of a National Peace Secretariat and for regional and local peace committees (Ball 1997). Membership of these was drawn from the main political parties (ANC, IFP), youth groups, women's groups, the business community and the churches. The committees had a range of responsibilities, including facilitating communication, encouraging and legitimising grassroots negotiations, increasing police accountability, reducing violence and

monitoring marches and gatherings (Storey 1998). The formation of the regional and local peace committees was haphazard and their effectiveness varied from area to area and over time, but at their best they could be effective mechanisms for dealing with local problems. In some areas the local committees took the initiative in attempts to reduce violence at demonstrations, through the creation of teams of monitors whose role was to act as intermediaries between demonstrators and the police.

Each local committee was independent and developed its own approaches to local dispute resolution. The Wits-Vaal Peace Secretariat in the Johannesburg area developed an extensive monitoring programme and its core objectives were set out in an extensive training manual. This defined the aims of monitoring as to:

- assist in promoting compliance with the codes of conduct in the peace accord,
- monitor activities which would result in violence,
- identify trouble-spots and diffuse the potential for violence,
- try to prevent violence from escalating, and
- deal with victims of violence.

The manual specified that monitors should observe, negotiate, intervene in conflict, ease crisis situations and try generally to keep the peace. This clearly suggests that monitoring was seen as an active and wide-ranging form of participation in public events. Monitors saw their role as facilitating any process that would reduce the likelihood of violence. In some situations this could involve monitors placing themselves at risk, from

either the demonstrators or the police, by positioning themselves between the conflicting parties. The visible willingness of monitors to engage with the practical and difficult problems and their early successes in defusing potential conflicts helped to increase the credibility of the process with all parties. Both major political parties and the security forces began to see the value of having non-partisan monitors to utilise as an intermediary in tense situations. The actual monitoring of a demonstration was, therefore, often only the final stage of a long process. Regional planning meetings led to local meetings, where practical tasks relating to the details of the rally—parade routes, transport arrangements, the role of security forces and implications for the local communities—would be addressed (see COMSA 1993 and Storey [nd] for fuller discussions of this process).

In contrast to the NIM, the Wits-Vaal monitors incorporated members of the key political organisations into the monitoring teams. This meant that both ANC and IFP activists could be highly involved in the process of crisis mediation on the ground. ANC members would lead the negotiations with their side and IFP members with theirs. The effectiveness of the monitoring teams was increased by the credibility that members had in local communities. But the code of conduct, which all monitors were expected to sign, made it clear that they were expected to take an independent and neutral position in their role. The code included requirements to:

- respect and promote compliance with the codes of conduct in terms of the National Peace Accord;

- report observations truthfully, actually and accurately and avoid being judgmental;
- refrain from advocating the aims of any political party or organisation or any party to any conflict situation;
- refrain from carrying any political insignia;
- never carry any weapon of any sort while monitoring;
- act calmly and diplomatically;
- show empathy with the victims of violence;
- respect confidentiality; and
- when required to intervene in conflict situations, remain objective and even-handed, and consider the views of all parties with a view to facilitating agreements which restore peace.

The success of the monitoring teams was such that the political activists involved soon came to be seen less as party members or party representatives than as peace accord monitors. Monitoring teams also worked closely with the police on the ground and were involved in the planning of police operations. They retained an active liaison throughout the demonstration, in some cases advising the police to withdraw or reduce their visibility in order to reduce tension. Monitors, event organisers, international observers and security forces all worked together through a joint operations communication centre, which was set up as the hub of the communications and information network for the duration of the event and ensured there was consensus over action taken by any party.

Part of the agreement involved a three-tiered problem-solving structure. If a problem arose the

marshals (stewards) would be the first to attempt to deal with it. (Marshal training was also part of the wider attempt to control protests and gatherings). If they were unsuccessful, the monitors would try to resolve the issue. Only if these attempts failed would the security forces act. The aim was to give every opportunity for a peaceful resolution to any problems or disputes.

Although monitoring teams were not successful in all situations, their success at some demonstrations meant that monitors were increasingly utilised in other potentially violent situations day to day, and in dealing with less tangible matters such as rumours and threats of violence. These independent monitoring projects largely came to an end after the elections in 1994, after which time there were fewer contentious demonstrations. Yet the local conflicts and rivalries have often remained a source of violence and in the Cape Town area groups such as the Quakers and the Urban Monitoring and Awareness Committee have continued to work as conflict mediators.

Organised, independent monitoring was a feature of the civil response to the escalating violence at demonstrations during the period of transition in South Africa. Monitoring projects adopted two differing approaches. One model drew heavily on individuals who were not allied to any political position, while the other involved people with both ANC and IFP connections. Both approaches emphasised the independence and neutrality of the monitoring teams. There were also differences of emphasis on how far monitors should intervene on the ground. Although the NIM in Cape Town

favoured limiting its activities to observing, in practice it was prepared to intervene if necessary. In contrast, the Wits-Vaal Peace Secretariat model explicitly emphasised the interventionist nature of monitoring.

The successes of the monitors required the involvement and compliance of the police in negotiations and planning. It also required the police to take a less confrontational role and to allow monitors to deal with problems as they arose. This demanded that the police acknowledge themselves as part of the problem in provoking violence at demonstrations. It also put pressure on the monitors to prove they could intervene successfully and reach accommodations without recourse to threat of force. Active monitoring did prove successful in a number of situations, even though violent confrontations continued to occur at demonstrations until the elections in 1994. In part the monitors were successful because of the willingness of a sufficient number of local interest groups to engage practically with the problems of persistent violence. However, in part they were successful only because of the dynamics of the wider political environment and the widespread desire to see the peaceful removal of apartheid.

Summary

These examples of monitoring initiatives reveal a variety of approaches to constructing a space for independent and neutral persons to facilitate the peaceful expression of political rights. Voting in elections, organising strike actions or picket lines

and mounting protests and demonstrations have all proved to be situations where political parties or sections of civil society come into conflict with the agents of the state or one another. In many situations the police are seen as an appropriate body to facilitate and guarantee the opportunity to exercise one's political rights, but in some they are seen as part of the problem. Each of the examples discussed involves the intervention of a third party between the police or other agents of the state and citizens trying to exercise their rights. Some of the examples involve a more complex dynamic, whereby the monitors also intervene between two conflicting civil parties and the police.

These varied situations have produced a number of different responses from monitoring groups. In each of the examples the monitors placed an emphasis on their independence from the main parties to the disputes, but they also differed in their approach in three main areas:

- the orientation of their observation—whether including all those in the dispute or focused on specific parties;
- the level of intervention favoured—whether active and immediate or passive and delayed; and
- a positioning in favour of one party—so that the emphasis is on independence but not neutrality.

These factors can be combined in a variety of ways but in practice they have led to four practical approaches to monitoring public events.

(1) *Observer monitors*: Sheffield Policewatch and the San Diego and San Francisco chapters of the National Lawyers Guild saw their role as being

non-interventionist. Volunteers observed and made notes on police behaviour towards protesters. Although it was hoped their presence might act as a restraint on police behaviour, the emphasis was on the independence and neutrality of monitors, who would be able to act as authoritative witnesses to the media or, later, in court. Election monitors adopt a similar approach.

(2) *Partisan Monitors*: The New York Lawyers Guild took a slightly different approach and saw legal monitors as working with, and in support of, the demonstrators. The approach still favoured independence, but neutrality was less important than knowledge. The monitor's role was more to provide an alternative source of authority to that of the police.

(3) *Reactive Monitors*: The role of the Network of Independent Monitors was wider than the previous two models in so far as it monitored the behaviour of all participants in the process. It also remained independent of all parties and took a neutral position. It held to an ideal of observation as opposed to an interventionist approach, although in practice it accepted the need to be flexible and to be willing to intervene in certain situations. The experience of many election monitors suggests that in practice they take a similar pragmatic approach.

(4) *Interventionist Monitors*: The Wits-Vaal Peace Secretariat took the most active approach to monitoring. It saw its role as a full participant in the process of ensuring a peaceful outcome to public demonstrations and protests and it included

members of some of the main parties to the dispute in its group. But it expected all monitors to play an impartial role and, therefore, still considered itself independent and neutral.

In the next chapters we review the main approaches taken to monitoring in Northern Ireland and compare these to the categories identified above. ■

4. Monitoring in Northern Ireland

During the ‘troubles’ a great deal of work has been undertaken by individuals and NGOs attempting to provide non-violent solutions to highly volatile public-order problems. Many of these have been *ad hoc*—simply a reaction to the position people found themselves in—and are poorly remembered and documented. Nevertheless, there have been more concerted and structured attempts to act as monitors. This review focuses on the more formal groups, in particular those which have monitored the disputes over parades in the past few years. We begin by reviewing the attempts made to monitor violence and public-order disputes before the ceasefires. In the next chapter we review post-ceasefire monitoring of human-rights issues linked to parades. And in the following chapters we focus on organisations taking a more active role in monitoring, through mediation or the mobilisation of community activists, and more formal stewarding of events.

Monitoring during the ‘troubles’

Although there is an extensive and ever-growing

literature on the ‘troubles’, some areas are still poorly documented. In particular, independent and community-based activity constraining inter- and intra-communal violence has received little attention. Here we briefly discuss the role of two groups which attempted to establish independent monitoring projects over the past three decades.

Central Citizens Defence Committee

The Central Citizens Defence Committee (CCDC) developed as a non-violent body monitoring relations between the Catholic community and the army and RUC during the civil disturbances of the late 1960s (Watson 1991). Situated on the Falls Road in Belfast, the CCDC worked mainly in the Falls area but also in the Short Strand, Crumlin Road, Ardoyne and Unity Flats. Tense situations often developed around Orange parades but also, on occasion, at football matches and other events. The CCDC attempted to make itself available in flashpoint areas, simply to observe or to offer channels of communication between the security forces and Catholics. At the outset, the organisation seemed to enjoy substantial co-operation from

the army general officer commanding and the RUC chief constable.

Such interventionist work proved quite successful in the beginning but, as the violence escalated to more concerted paramilitary activity and increasingly oppressive tactics were used by the security forces, the position of the CCDC became more problematic and dangerous. Communication with the police and army became almost impossible and the organisation became increasingly unpopular with republicans, loyalists, the security forces and rioters. This lack of co-operation and legitimacy forced it to use the media to comment on peace-making. Eventually, the CCDC offices were raided by the army and individual members were frequently threatened, sometimes arrested:

We had missiles hurled at us by rioters; we were harassed by the army; we were threatened by military and paramilitary personnel alike; and finally the gunmen and bombers made it impossible for us to continue our work of observing and intervening. It became too dangerous on the streets! (Watson 1991:9)

INNATE

The first co-ordinated attempt to monitor recent problems over parades came from the Irish Network for Non-violent Action Training and Education (INNATE), made up of individuals and around 20 groups, principally organised by Rob Fairmichael, advocating non-violent approaches to conflict situations. INNATE developed models and training for monitors and organised observer teams on the Garvaghy Road between 1988 and

1993 (INNATE 1992). In retrospect the people involved in INNATE, showing particular concern for the public-order situation in Portadown, were ahead of their time.

In July 1990 the Drumcree Faith and Justice Group (DFJ), which had been organising peaceful protests in opposition to Orange parades on the Garvaghy Road and attempting to engage the Orange Order, invited INNATE to act as 'impartial observers' for the Drumcree parade. There was recognition, even at that stage, that a drop in the level of violence and changing political conditions meant that the use of 'observer corps' had once again become viable (INNATE 1992:4). INNATE drew up a code of conduct for observers and decided that they should all wear armbands. There was considerable discussion over whether members should simply observe or should, in certain circumstances, intervene (Watson 1991).

INNATE made all groups aware of its role and also that it would make an individual, confidential report available to the police, the DFJ and the Orangemen. Each body would receive a report that referred only to the actions of that group. Afterwards INNATE critically examined the role of the 'observer corps', recognising some problems and limitations, but concluded that it had 'influenced the situation for the better' (Watson 1991:13). The 'observer corps' were used on the Garvaghy Road until 1993 and later on the Ormeau Road in Belfast, after an invitation from the Lower Ormeau Concerned Community (LOCC).

In 1992 INNATE published *Observing: A Third Party Non-violent Response*, in which it developed

a mediator-observer model. The report examines arguments for and against the use of observers. It points out that independent observers can be more objective in recording what happens, compared with participants, while the presence of neutral observers is likely to force all sides to 'be on their best behaviour'. They can provide for the possibility of the mediation, perhaps preventing violent escalation, and their presence can help alleviate feelings of powerlessness local people might have. On the other hand, the report recognises that observers can often do nothing to deal with basic injustices, they can find it difficult to be neutral, they often have no real power and they may just be 'keeping a lid' on a situation that will eventually 'boil over' (INNATE 1992:4-5). It argues that some of these problems can be overcome by having diverse observer teams and that prevention of violent conflict can allow for long-term resolutions.

The INNATE model of observer-mediator is what we refer to as a monitor. Whilst making observations and reporting back to the parties involved is the main task, on-the-spot intervention is anticipated in certain circumstances. It is worth summarising some of the suggestions in the report:

- A body should be set up to develop the task of observing in Northern Ireland, recruiting and training volunteers.
- In particular situations the role of trained observers could be augmented by public figures and observers from outside Northern Ireland.
- The observer body should look to recruit a minimum of 300 volunteers to allow for the possibility of at least 50 being used in any given situation.

Recruits could be taken from existing bodies.

- Efforts should be made to raise public awareness of the beneficial role observers can play.
- The observing body should be independent or based in an organisation that is regarded as independent.
- The observing body could develop models of observing, refine guidelines and seek to learn more about observing and stewarding internationally.

The lack of a response to a conference on observing held in March 1994 seems to have undermined much of the work being undertaken although people connected with INNATE have remained involved in practical approaches to conflict resolution. It's always easy with hindsight but given the protracted disputes since 1995, and given the escalating costs of policing, one cannot help wondering if a project with relatively modest funding would not easily have paid for itself. ■

5. Monitoring human rights

Disputes over parades have a long history in Ireland (Bryan, Fraser and Dunn 1995; Jarman 1997a; Jarman and Bryan 1996, 1998). The disputes that have developed since 1995 have had particularly important political ramifications because of the way they have been entwined with attempts to consolidate the peace process. There has been a significant response to the resulting public confrontations from NGOs and individuals, locally and internationally, interested in both the general development of the peace process and human rights, social justice and policing. One of the ways this interest has manifested itself has been through the monitoring of contentious events.

A number of NGOs and individuals have attempted to monitor events at disputed parades. Most have a principal remit to observe the flow of events and to influence public opinion at a later stage through published reports, rather than intervening on the day. Most, if not all, such groups say that their intention is to monitor potential or actual abuse of human rights and focus on the relationships between the police and demonstrators.

While all consider themselves as independent monitors, however, some are clearly working in solidarity with the residents' groups and only maintain an interest in the relationship between the RUC and the nationalist community. We would separate these groups, therefore, into two broad categories: human-rights monitors and solidarity monitors.

Human rights and parade disputes

The principal human rights group in Northern Ireland is the Committee on the Administration of Justice formed in 1981. The CAJ is a cross-community group and takes no position on the constitutional position of the north. The organisation's particular concern is to ensure that the government complies with its responsibilities in international human-rights law. Two other international groups, Human Rights Watch/Helsinki Watch (based in New York) and Amnesty International, have also regularly sent observers to Northern Ireland.

Committee on the Administration of Justice

The CAJ has regularly called for changes to the justice system and the RUC. In early 1996 the organisation decided to send observers to as many of the disputed parades as was feasible. The remit of these observers was somewhat different from the monitors deployed by the CCDC and INNATE. CAJ observers do not intervene but rather observe what takes place between police and both marchers and protesters. CAJ observers are expected to note a number of aspects of contentious events. These include:

- police/army attitudes and behaviour;
- strategies of crowd control, including issues around dispersal and weaponry;
- impartiality and policing decisions; and
- treatment of marchers and protesting groups.

The CAJ believes that by having observers present it is possible that the RUC and others will take more care over their utilisation of physical force. In essence, it is attempting to make the RUC accountable for its actions by witnessing, recording, documenting and reporting on police approaches and behaviour at contentious public assemblies.

The CAJ draws on around 60 volunteers who since 1996 have visited more than 20 locations where there have been parade disputes. They have used as few as two monitors at some events but on occasions have deployed up to 16. Monitors attempt to position themselves to view the policing operation from the perspective of both marchers and protesters. The observers work to a set of

guidelines and always carry corporate identification. The CAJ guidelines stress the non-interventionist nature of the observing role:

There are a number of organisations currently involved in mediation work around contentious parades. However CAJ is not one of them, and it is essential that all observers are willing to abide by our neutrality regarding the conflicting rights thrown up by this issue. We take no position as to whether a particular parade should go ahead or be rerouted. Our concern is that whatever the outcome, the state acts, and is seen to act, in an impartial manner which complies with that required under international law. (*Guidelines for CAJ Observers*, 1998)

The guidelines make it clear that monitors must make their presence known to all the parties involved and be mindful of personal safety. With only occasional exceptions the CAJ has found the RUC ready to facilitate volunteers. While nationalist communities have welcomed the presence of monitors, unionists have often been suspicious of the organisation. This is most probably because the CAJ is known for its critical analysis of the role of the RUC and emergency legislation and therefore can be perceived as pro-nationalist. The CAJ has tried to counter such perceptions by making it clear that it is interested in ensuring standards of human rights are applied equally to all members of society.

In fact, one can detect more positive recognition of this position in recent years as increased conflict between unionism and the police has raised awareness of issues such as the use of plastic bullets. As a result, members of the Orange Order

sought out CAJ observers so that they could take statements on the clashes during the 1998 Drumcree stand-off; the CAJ also took statements on alleged RUC assaults in Lisburn during that period (*Just News*, September 1998). Furthermore, the CAJ has publicised some of these issues in the media.

CAJ monitors provide written reports of their findings at any given situation, but they recognise that members of the public are also important observers. Therefore, in compiling evidence about a particular situation, they often take statements from people who have witnessed what has taken place. The CAJ has also utilised video and photographic equipment for recording at events, although it acknowledges that such recording must be used with care so as not to exacerbate the situation or to have legal implications which might make future work more problematic. The CAJ uses a variety of methods to raise public awareness of issues deriving from its work on public-order policing. The most substantial piece of work was the 1996 report *The Misrule of Law*. This examined the 'marching season' by looking at the policy and practice of public order policing; the use of plastic bullets by the RUC and army; evidence of events in Derry, on the Ormeau Road, and at Drumcree; and international and legal perspectives on policing the parading disputes. In the recommendations the CAJ:

- called for the establishment of an independent international inquiry into police operational decision-making, policy, sectarianism and misbehaviour during the 1996 marching season;

- renewed its call for a commission to look into at all aspects of policing;
- renewed calls for withdrawal of plastic bullets from the police armoury; and
- called for increased police accountability.

The CAJ also called for greater legal clarity on the competing rights to hold parades and protests. After the marching season in 1997 the CAJ produced a follow-up report, *Policing the Police*, and a video was released exploring the issues surrounding the policing of the marching season. The following year it issued a short document entitled *Public Order Policing 1998*. In both these reports the CAJ acknowledged that the RUC had made some improvements in public-order policing, with regard to identification of individual officers, better communication with protesters and greater restraint compared with the low point of 1996. But it also reasserted a number of the criticisms made in previous years, highlighted areas of apparent inconsistency in police practice and emphasised the need for transparent and accountable policing.

As well as publishing reports, the CAJ aims to influence local and international opinion through organising conferences and meetings and attempts to engage the RUC and British government and associated institutions such as the Police Authority. In a sense, through the use of observers and the collection of witness reports, the CAJ has attempted to subject the policing of public disorder to an independent form of accountability. While some find it easy to dismiss the findings that the CAJ has published, the reports from Her Majesty's Inspectorate of Constabulary for 1996 and 1997

both carry substantial criticisms of the RUC, with regard to its training and operational approach to public-order policing. Independent monitoring of police practice could therefore be a useful adjunct to future structures of accountability established as part of the wider reform of policing in Northern Ireland.

Human Rights Watch and Amnesty International

Human Rights Watch and Amnesty International are distinct and separate bodies but their monitors have worked closely in Northern Ireland and we therefore consider them together. Monitors with both organisations undertake a similar role to CAJ monitors and have at times worked closely with that organisation. However, unlike the CAJ, neither group has mobilised large numbers of volunteers; instead they have relied on having one or two monitors maintain a presence at a small number of locations, while also collecting evidence from witnesses after the event. Both groups work to a very specific remit, examining the application of UN human-rights principles and the organisation's *Code of Conduct for Law Enforcement*, as well as monitoring compliance with domestic legislation on human rights. In relation to the parades disputes they have focused on the responsibilities of government and on the role of the police in protecting basic human rights.

Human Rights Watch produced a major report in 1997, *To Serve Without Favour: Policing, Human Rights and Accountability in Northern Ireland*. This covered a broad range of issues around policing and paramilitary activity but had specific

sections and recommendations on the policing of parades based on evidence gathered after the 1996 marching season. It followed this up by sending over an observer during July 1997, 1998 and 1999, principally to monitor events at Drumcree and on the Ormeau Road in Belfast. It makes its findings known to the British government and the Parades Commission. During 1998 it also ran a web site with information from its observer team.

Amnesty International has had a lower profile in monitoring the parades disputes, although it has had a similar presence to Human Rights Watch over recent years, concentrating on the main disputed parades in early July. In the past AI has published reports on Northern Ireland but it has yet to publish anything on the current disputes over parades.

For each of these three groups, monitoring the policing of contentious parades has been an extension of their critique of the activities of the security forces and part of a broader interest in human-rights issues in Northern Ireland. The CAJ's work in particular has been valuable in so far as it has monitored a wide range of events across Northern Ireland and has developed and refined its practice over four years during which there have been widespread changes in the legal and political frameworks governing parades. Over that time they have made a number of changes in the way they have approached their work, notably in their attempts to improve contacts with the loyal orders and the wider Protestant community. Similarly, the many reports they have published have been a valuable contribution to the broader debate.

Solidarity monitors

Many, if not all, of the groups we categorise as solidarity monitors would also consider themselves to be monitoring human-rights abuses. But whereas the CAJ attempts to monitor the relationship between the police and all sections of society, solidarity monitors tend to have an allegiance with, or sympathy for, one section of society, and therefore focus on a narrow range of relationships. In the case of the groups that have monitored in Northern Ireland in recent years, this allegiance has been with the nationalist community.

Pat Finucane Centre

The Pat Finucane Centre (PFC), established in Derry in 1989, shares many concerns with the CAJ about policing and justice but it also takes an overtly critical position on British involvement in Ireland. It has expressed support for the position of the residents' groups and has produced a number of reports that critically examine loyal-order parades (Pat Finucane Centre 1995, 1996, 1997).

PFC monitors have not only regularly visited a number of contentious areas but the centre has also facilitated international observers becoming involved in Northern Ireland. Over recent years it has brought over observers from the USA, Canada and Germany, some with particular expertise in policing. Its main areas of interest have been Derry, and the nearby disputes in Bellaghy and Dunloy. Two detailed reports have been compiled from witness accounts in the nationalist community. *One Day in August* was a response to the disturbances

arising from the Apprentice Boys parade in Derry on August 12th 1995, and *In the Line of Fire* detailed the disturbances in Derry following the Drumcree stand off in July 1996. Both reports were highly critical of the role of the RUC in policing the city, particularly in the use of plastic bullets, and they called for an international inquiry into the death of Dermot McShane.

Unlike the role accepted by the CAJ monitors, PFC members have been willing to intervene in a number of situations and have been involved in negotiations with the RUC. Its members played a particularly prominent role during a 19-hour stand-off between marchers, police and protesters in Bellaghy on August 11th to 12th 1996. The dispute at this parade was eventually resolved peacefully and seems to have established the parameters for subsequent marches through the village.

Other Irish monitors

Most interest in the parades disputes has come from people and groups based in the north, but there has been a consistent interest shown by politicians and a small number of groups from the republic. From the earliest days of the current cycle of protests, residents' groups have sought to increase the political pressure by seeking support for their case from the Irish government. Regular visits have been made to Dublin and meetings have been held with the taoiseach and other ministers, but suggestions that the Irish government should send a representative to monitor the events have been resisted. Nevertheless a small number of TDs have maintained an interest and have shown

support by visiting some of the key locations on the day of the parade. In 1996 they produced a report based on their observations. Apart from this political interest, two groups have maintained a regular presence at parade disputes.

Table Campaign

The Table Campaign is based in Dublin and was founded in 1996. It grew from a belief by a group of activists that there was a lack of awareness in the republic of human-rights and social-justice issues in the north. Its aims are to 'create and foster dialogue at the political and community level on issues underlying the conflict in Ireland' and to 'foster awareness of the reality of the human rights situation pertaining to this conflict and to campaign on these issues'. The Table Campaign has worked on a number of issues but has particularly concentrated on contentious parades. It first sent monitors to the Tour of the North parade in June 1996 and had observers in a number of areas in 1997 and 1998. It made a submission to the Independent Review of Parades and Marches, and further reports have been produced by monitoring teams. The work of the Table Campaign has developed through its early experiences. By 1997 a co-ordination team was able to produce clear guidelines which included the wearing of identification badges, informing the RUC and the Orange Order of the presence of monitors and the development of a basic command structure. The group remains small but it continues to monitor at a select number of locations.

International groups

The 1998 and 1999 marching seasons brought a proliferation of international monitoring groups to Northern Ireland. More than 80 individuals from a range of groups, predominately from the USA and Canada, came to monitor the parades disputes. These included two US congressmen, as well as Canadian elected representatives. Although they had a variety of aims and approaches, many worked in close conjunction with the residents' groups, in the main they were based in the Garvaghy Road and lower Ormeau areas and they focused on the parade disputes in early July.

International monitors have become a distinctive and highly visible feature of the disputes, many wearing colourful T-shirts or tabards to distinguish themselves. Each of the groups have aims and objectives centred on human rights and social justice and work to a set of guidelines. Although they were given a critical press in 1998, such groups can have an important role to play. For example, some contained people experienced in dealing with public events and they were willing, in certain circumstances, to act as intermediaries and to reduce tension or resolve minor disputes. They should therefore be treated with no less legitimacy than other monitors.

Irish Parades Emergency Committee

The New York-based Irish Parades Emergency Committee (IPEC) was formed before the 1997 marching season. In 1998 35 volunteers came to Northern Ireland and each monitor had a day's

training before departure. Its main aim was to observe and record human-rights violations and to report those back to politicians in the US. As well as attending parades, members of the delegation made efforts to talk to a wide range of people, including unionist politicians and people involved with the Orange Order. In 1997 it produced the *Parade Observers Guide Book* for potential volunteers, which was updated, revised and refined in 1998. While the guidebook suggests that volunteers were there to 'observe loyalist parades', in the main they were concerned with relations between the nationalist community and the RUC. IPEC recognised that its presence in particular situations might deter the use of violence and volunteers did not rule out facilitating dialogue in certain circumstances. It sent observers to parades on the Garvaghy Road, the Ormeau Road and the Springfield Road in Belfast.

Peace Watch Ireland

Peace Watch Ireland was founded in 1994 to work in solidarity with Irish human-rights and social-justice organisations. Its role in monitoring at parade disputes developed in 1996 when members attended a conference run by the Lower Ormeau Concerned Community and then went to the Apprentice Boys parade in Derry in August. As with the IPEC it has close affinity with the position of residents' groups and has facilitated representatives of the residents' groups on trips to the US. Members have made efforts to talk to key loyalists. In 1996 Peace Watch Ireland published a report on the Black Institution parade in

Over there—monitoring a St Patrick's Day march gay-rights protest in New York

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Newtownbutler and the Apprentice Boys parade in Derry on August 10th and the stand-off involving Orangemen, police and residents in Bellaghy from August 11th to 12th. In 1997 it produced a report, *Looking into the Abyss*, which concentrated on events on the Garvaghy Road (an edited version was included in the book on the Garvaghy Road dispute published in 1999). Both reports are written in an emotive style and highlight the role Peace Watch Ireland members played, particularly in Bellaghy and Derry, in facilitating a peaceful resolution to problems. Both reports make a list of recommendations on the conduct of the RUC and the possibilities for resolving such disputes.

Coalition for Peace in Ireland / Information on Ireland Campaign

These Canadian groups have been monitoring parades disputes since 1996. Their interest has again been focused on the Ormeau Road and the

Garvaghy Road, following responses to invitations from the residents' groups in those areas to monitor contentious parades. Their delegations have included politicians from Quebec and Ontario, trade unionists, churchmen and human rights activists, not all of whom would be sympathetic to republicans. In 1997 and 1998 they met the chief constable and local RUC officers, the Orange Order and a range of local human-rights groups (the CAJ, the Standing Advisory Commission on Human Rights) and political parties (including the Democratic Unionist Party and the Progressive Unionist Party). They acknowledge that they can have little influence in Northern Ireland, although they try to facilitate communication with the police if useful and they hope that their presence serves to deter violence. Their principal aim, however, is to influence public opinion in Canada by producing reports based on their observations and distributing these in Canada and more widely over the Internet (CPI/IIC 1997).

Each of the international groups draws upon the legitimacy of human-rights issues and the struggle for justice in the world to take up the position of monitors in the parade disputes. Unlike Human Rights Watch and Amnesty they take a partisan stance on the disputes. It would be wrong, however, to depict their position as totally uncritical: most of them make some attempt to understand unionist or loyalist opinion. In general, they see their presence as decreasing the likelihood of human-rights violations. Most are prepared to intervene if necessary. Each of these groups also aim to influence political and public opinion on the

parading issue outside Northern Ireland and in some circumstances they have attempted to engage the RUC on policing practices.

However, the approach taken by such groups in working in solidarity with the nationalist community does in many cases reduce their effectiveness. In 1998 and 1999 the major friction and potential for conflict was between the police and the *Protestant* community. In both years many international monitors maintained a presence on the Garvaghy and the lower Ormeau Roads while very little happened, yet showed little interest in the policing of loyalist protesters on the other side of the barriers. For some people this only served to undermine their proclaimed position as human-rights monitors.

Summary

This brief survey of the groups from Northern Ireland, the republic, the USA and Canada, who have been most consistently involved in monitoring the parades disputes reveals a number of differences in approach, interest and focus of these groups. However, they have a number of features in common:

- Their principle intentions are to monitor the actions of the police or other parties to the disputes and to deter them from the abuse of human rights and from engaging in violent behaviour. They aim to do this primarily through their presence at the scene. Some of the international monitors describe themselves as witnesses, and in some sense this defines their position well. Their aim is not to

convince or deter through rational argument but rather to encourage the other actors to reflect on what they do and what the consequences of acting in a certain way might be if they are being observed.

- The visibility of such monitors is an important factor. If the key actors are not aware of the monitors how can they act as a deterrent? Many monitors do in fact make themselves visible by wearing coloured tabards or clothing with the words monitor or observer printed on them, others identify themselves with badges or signs. However some groups choose not to identify themselves in this manner but rather inform the key actors that they are, or will be, present and will be observing. In this case the knowledge of the presence, or the potential presence, of observers is the key factor. In the same way that the potential for getting caught is claimed to deter criminal activity, it is assumed that the potential for being observed should deter or reduce the likely abuse of human rights.

- Monitors derive their significance and influence not from their personal status but as representatives of organisations regarded as independent, impartial and honest. In general, the identity of the individual monitors is irrelevant. In practice, many of the groups build personal relationships with key actors or local people, and while this may enhance status among one community it may create problems of impartiality for the other.

- Many monitoring groups have also published reports. The CAJ has published three documents and a number of articles which draw on its

experiences at disputed parades. Human Rights Watch similarly included a section on the parades disputes in its recent report. The CAJ documents have been the most wide-ranging in their critique of public-order policing and most valuable in so far as the more recent pieces have provided a reflection on changes in police practice over the years. A number of the US and Canadian groups have published reports in their own countries. These have been used to lobby politicians and other influential parties and in a number of cases have been taken up in the media. Most have maintained a critical analysis of both the police and the loyal orders. In general these have served as useful contributions to the wider debate, even if they have had little impact in Northern Ireland.

Despite these broad similarities, the groups have different interests, aims and strategies. While all emphasise their independence, they would not all claim to be neutral and they are not all interested in observing the same series of interactions on the ground. In both their common approaches and the differences in practical emphasis and focus, the groups are comparable to two of the four styles of monitoring we identified from the examples in other countries:

- (1) *Observer monitors*: The CAJ, Human Rights Watch and Amnesty International follow an approach that emphasises neutrality and impartiality and focuses concern on the abuse of human rights. Their interest is in the actions of the police towards groups marching and protesting, rather than what those parties themselves might be doing. They do not take a position on the parades

disputes and they do not intervene or get involved in any way on the ground. Rather, they hope that their presence will be sufficient to deter or restrict police abuse of human rights. This is comparable to the approach taken by Sheffield Policewatch and the west-coast chapters of the National Lawyers Guild.

(2) *Partisan monitors*: members of the Pat Finucane Centre and the international monitoring groups fall in the category of partisan observers, in so far as they identify or are identified with one community rather than taking a strictly neutral stance. Each of these groups either supports, or would be seen to be close to, the nationalist community. Many describe themselves as human-rights monitors but focus on the relationship between the nationalist community and the police and have less interest in the relationship between the police and the unionist community. Each of the groups said that they would be willing to intervene on the ground if it proved useful. This approach is similar to that taken by the New York chapter of the National Lawyers Guild.

Although some groups are willing to engage in a practical way, none except the South African monitors attends events specifically to intervene with all parties, to reduce tension and prevent outbreaks of violence. However, there are a number of bodies in Northern Ireland whose intentions are primarily to intervene in such situations, and we will consider them in more detail in the next chapter. ■

6. Monitoring public order

We have identified a number of groups that attend disputed parades to monitor human-rights issues. There are also several individuals and organisations that take an active interest in helping to ensure a peaceful outcome at contentious parades and in maintaining public order at times of heightened tension, without having a specific focus on human rights. These include those members of the marching orders who have a responsibility for stewarding parades and other sections of the community who have taken an interest in stewarding sections of the crowd (see next chapter). But there are other groups with a responsibility for, or a local interest in, the issue. These include organisations involved in mediation, the authorised officers of the Parades Commission, and groups which have a broader community base. Few would necessarily be immediately perceived as monitors, but they clearly fall within the theoretical framework set out in chapter 1.

Mediators

There have been a variety of attempts to resolve

the disputes over parades through both short- and long-term mediation. A number of groups and individuals have been active in trying to facilitate this. These include religious leaders, members of community-relations and reconciliation groups and in some cases individuals who are known and respected by all parties to the dispute, as well as professional bodies like the Mediation Network for Northern Ireland. Much of this activity would be considered, by mediators, as crisis management rather than formal mediation. It aims to defuse immediate and localised tensions rather than addressing the wider issues. However, mediation has been successful in reducing violence at a number of locations over the past four years. Kelly (1998) has provided extensive and detailed documentation and evaluation of the work of a range of mediators and there is no need to duplicate her work. But we will briefly place one such group within the context of this report.

The Mediation Network for Northern Ireland

The Mediation Network became closely associated with the parades issue following its involvement

in the dispute over the 1995 Drumcree church parade, when members of the organisation helped to facilitate a peaceful resolution to the first of the stand-offs. Since then, the Mediation Network has worked in a number of locations, most prominently in Dunloy where it continues to be involved in attempts to resolve the local impasse.

Members of the network attend contentious parades to observe the flow of events, although the main purpose of their presence is to be available should a problem arise or a dispute flare up between the key players. In many cases the mediators will have been involved in discussions and meetings with a range of parties in an attempt to resolve the dispute in the run-up to a particular parade and will continue to meet and discuss the issue afterwards. Although mediation is considered a long process, it is accepted that members of the network will also engage in short-term crisis management to reduce tensions. However, crisis

management is only seen as part of the process and not an end in itself. The role of the mediators is therefore different from other monitors we have discussed. Their principal interest is not to monitor the unfolding of events, but to be ready to intervene if required. They do not need to be highly visible on such occasions and usually choose to remain discreetly in the background.

Unlike many of the observer groups, the Mediation Network does not see its role as influencing wider public opinion. Rather it sees itself as being involved in localised conflict resolution and, by its very nature, most of this work is conducted away from the public gaze. The organisation does not therefore publish evaluations of the mediation process or other aspects of its work. But this does not mean that it avoids all publicity. For example, in July 1996 the network issued a full statement explaining its understanding of the agreement reached in Portadown the previous year, to distance itself from the RUC interpretation of the resolution to the stand-off. But in most situations the network prefers to encourage the parties to the dispute to speak for themselves.

Authorised officers of the Parades Commission

Since 1998 the Parades Commission has been empowered to issue legally binding determinations over contentious parades. By extension, the commission is expected to verify whether any conditions it imposes are complied with or ignored. The reactions to such conditions can be taken into consideration in making future determinations. Moreover, the commission has issued a code of



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Space for a mediator

conduct which sets out the standards of behaviour expected of all participants at parades. The organisation therefore has both a need and a responsibility to monitor parades to check the behaviour of those present.

The Parades Commission is made up of seven members, supported by a small, full-time secretariat. It also uses a number of part-time field workers, known as authorised officers (AOS), who are employed, trained and supervised by the Mediation Network for Northern Ireland. Their responsibilities include making contacts and building relationships with parties to the disputes, briefing the Parades Commission, facilitating mediation and monitoring parades.

The AOS work in pairs, each team responsible for three or more locations. They monitored most parades in 1998 and 1999 for which the Parades Commission issued a determination but there was no real attempt to monitor non-contentious parades. The primary responsibilities of AOS in attending parades were to ensure that the conditions imposed in a determination were adhered to and that those marching and those protesting complied with the code of conduct. However, given the wide-ranging nature of their remit and the contacts they built up with many of the key actors, it was difficult to restrict their activities simply to observing events. In a number of areas, the AOS were drawn into a more interventionist role on the day of the parade to facilitate communication between the police and groups on the ground. They were able to do this because of the work they had done before the parade, but also because key parties to

the disputes recognised that they could play a role as intermediaries.

As representatives of the Parades Commission, the AOS were not independent, but it was widely acknowledged that they could facilitate communication between the other parties. In a number of locations, the AOS were able to clarify problems by acting as intermediaries between groups who would not talk face-to-face. In more than one instance this appears to have reduced the likelihood of serious disturbances. In each of these cases the police acknowledged the potential of the AOS; indeed, in a number of situations the police adjusted their activities on the basis of recommendations from AOS. But the AOS could not impose themselves on a situation: they were only able to act effectively because other parties were willing to accept them as appropriate facilitators. In most cases the AOS intervened to address the concerns of nationalist protesters, since the loyal orders refused to recognise the Parades Commission and therefore would not engage in dialogue. Nevertheless, there were a few instances where loyalist protesters were willing to meet the AOS and where they were able to mediate effectively on the ground.

The AOS had a number of successes, but it also became clear that engaging in more interventionist forms of monitoring could restrict other activities. For one thing, it reduced their ability to observe the wider flow of events. AOS who acted as problem-solvers or mediators at parades could not easily monitor compliance with the code of conduct or with the conditions imposed in the determination. In part, this limitation was caused by

the fact that there usually no more than two AOS at any parade. Working in small teams allows for a degree of flexibility and permits local improvisation. Yet, even without the demands of crisis mediation, it imposes constraints on their ability to observe comprehensively what are always complex events. As groups like the CAJ have recognised, larger teams are necessary to monitor even small events. Larger teams also allows some people to concentrate on observing while others are able to respond to unexpected developments. Although there is a range of work that monitors can undertake at public events, they cannot necessarily do more than one thing at a time. In recognition of this restriction, the Parades Commission recruited a small team of part-time monitors, who would work with the AOS and whose remit would be to observe compliance with the constraints imposed in its determinations.

Community-based activity

Community groups and activists have been involved in a wide range of activities aimed at reducing local tensions and preventing inter-community violence in sensitive areas. Sometimes the tension rises as a result of particular local events or parades, but sometimes it is a product of a more general reaction to events elsewhere in Northern Ireland. Over the past few years, protests over the Drumcree church parade have led to widespread tension, resulting in rioting and other violence. Although there has been extensive community-based activity in response to these

problems, this has been poorly documented. Here we offer a brief review of four community-based initiatives.

Community Development Centre, North Belfast

A very distinctive community-based monitoring has been developed in north Belfast since 1997, in response to widespread violence during the 1996 marching season. North Belfast is a complex mosaic of Catholic and Protestant communities and has been the site of extensive military and paramilitary violence throughout the 'troubles'. In many areas persistent violence at the interfaces between the two communities has resulted in physical barriers ('peace lines') being built to segregate local populations. Such barriers have continued to be erected during the paramilitary ceasefires.

There was extremely high tension across north Belfast at the time of the 'Tour of the North' parade in June 1996 and extensive violence throughout the area during the protests over the Drumcree church parade the following month, continuing at a lower level through the autumn and winter (Jarman 1997b). One of the key issues identified by local people as exacerbating the problem was the breakdown of lines of communication within and between communities. This allowed rumours and fears to flourish and encouraged a mobilisation of crowds on the streets. This in turn encouraged rumours to spread in neighbouring communities, resulting in further mobilisations. Staff at the Community Development Centre (CDC) were centrally involved in trying to stabilise the

situation, as well as supporting and advising some of the 110 households displaced by the violence and intimidation.

After the worst of the violence had passed, the CDC began to consider how the community sector could develop a more effective response to such trouble, should a similar situation arise the following year. It proposed working with existing groups and activists, connected to the centre, to create a network of people willing to monitor and respond to rumours or incidents of violence, and thereby attempt to reduce tension in their own area. To improve their effectiveness it was proposed that members of the network would be provided with mobile telephones, to ensure that lines of communication could remain open between neighbouring areas, across interfaces and with the statutory sector.

Making Belfast Work agreed to fund the project and 14 community-based phones were used during July and August 1997. The network was coordinated by the CDC and covered a range (but not all) of the most vulnerable interface communities in north Belfast. The project was deemed a success and a cost-effective utilisation of resources. The following year, the number of phones was increased to 23, rising again in 1999 so that the primary network included 30 phones covering 25 interface areas. In each case the phones are held and managed by community groups and lines are kept open 24 hours a day from mid-June to mid-August. The network has also been linked to the three local RUC stations and other statutory bodies, including the Housing Executive and social

services.

Community monitors acted in a number of ways. They responded to calls from across the 'peace lines', from neighbouring areas and from the police to dispel rumours and clarify what was happening in their area. This was particularly important when people became concerned at the sound of bands playing, the sight of bonfires burning or, as in 1998, at crowds gathered to protest against the rerouting of the Drumcree parade. They also reacted to calls from neighbouring areas when minor incidents, such as stone-throwing, had the potential to escalate. They went on to the streets to prevent crowds gathering at sensitive locations or to encourage them to disperse, and to deal with minor violence. In some areas community activists also maintained a presence on the streets during the night, to make sure trouble did not occur after the pubs closed.

Over the past three years during the most fragile period of the summer, in the build-up to and following the Drumcree parade, north Belfast has remained tense but relatively calm. The level of violence and intercommunal conflict has been considerably lower than in the worst recent case of 1996, and the number of people forced to abandon their homes, as a result of intimidation, has been dramatically reduced.

Perhaps one of the most significant of the unintended consequences of the network was that the phones allowed for direct dialogue to be resumed between some areas for the first time in several months. Increases in tension always create difficulties for cross-community dialogue but the need

to work together to maintain a degree of peace helped foster trust in a number of areas. In some cases the phone calls during July have helped initiate regular meetings between groups divided by 'peace lines'. All the groups taking part in the network considered it to have played an important role in helping to keep the peace. A more extensive and detailed evaluation of this project has been published by the CDC (Jarman 1999).

In this example the monitors are local community activists, members of community groups and often people with well-known political affiliations. They are not in any sense independent. Rather, their ability and capacity to have an influence on the local situation comes from their position and status within that community. On many occasions the phone-holders started out as observers, simply keeping an eye on what was happening on the streets in their area. But as the situation changed so did their role, often rapidly leading to direct engagement—facilitating lines of communication in their community, across the sectarian divide and with the police. Often phone-holders also had to engage in crisis management, to try to stop tension escalating into violence. All members of the network have however acknowledged that they could only have a restraining influence on events at the earliest stages of trouble. If rioting broke out, they could do little except withdraw and observe from a distance.

The monitoring work carried out by the community network in north Belfast has been effective for a number of reasons. It draws on an existing network of groups and individuals which

had been supported by development work at the CDC for some years. The people who have been involved in the monitoring work have extensive knowledge of their own community, of neighbouring communities and of the wider local context. They can therefore draw on other local networks when necessary. At the same time, other bodies were also working towards the same aim of minimising violence and disruption. Although there was trouble in some loyalist parts of north Belfast in 1998, many key political and paramilitary groups and individuals were doing what they could to restrain trouble. In the main, violence was restricted to clashes between specific loyalist areas and the RUC.

The experiences of the past three years in north Belfast illustrate that there have been some significant changes during the peace process. People in many communities have shown a clear desire to avoid extensive, if localised, violence during the marching season. As such, people have been prepared to engage in pragmatic working relationships with the police in many areas. The use of the mobile phones has allowed communication to take place in a discreet manner at a time when there are still numerous concerns, particularly in the nationalist community, about having any formal contacts with the RUC. At the same time the broad base of the network and the incremental nature of the working relationships has encouraged the police to allow local activists the opportunity to resolve local problems, rather than treating everyone on the streets as a potential rioter or as a threat to police authority.

The community network has also been able to be effective in part because of two other key factors. First, the extensive community-development work undertaken over previous years through the CDC across north Belfast and has helped consolidate the community infrastructure and provided support to local groups. Secondly, the network has always worked with a range of other interested parties who were also trying to restrain violence and maintain public order, including statutory agencies, political parties and paramilitary organisations. When all these sections of society are working together it is relatively easy to minimise public disorder.

Peace and Reconciliation Group, Derry

The Peace and Reconciliation Group in Derry was founded in 1976. Members of the group have been present on many occasions at times of civil disorder in the city and have monitored each of the local parade disputes since 1995. As a group aiming to foster good community relations, it allows of the possibility of intervening in particular circumstances. Individual members are well known, they do not usually ask for any particular privileges of movement, they do not feel it necessary to wear identification and they tend to stand with the crowd to observe what happens. They do not publish reports after events but prefer to work through private feedback to particular groups.

As well as monitoring parades, the group has been involved in a community-based monitoring project similar to that described for north Belfast. This has been based on the two small adjacent

estates of Currynierin and Tullyally, on the south-eastern edge of Derry. In 1998 locally-based community activists used mobile phones to keep lines of communication open across the interface and to respond to rumours, the gathering of crowds and minor acts of violence. As with the north Belfast example, this appears to have been a successful community initiative, which succeeded in restraining intercommunal violence during the tensions of the marching season. Funding was obtained to ensure that the lines of communication could remain more durably in place, the phones remaining with the community activists throughout the year rather than being taken back at the end of the perceived period of tension. The scheme has thus become a more permanent monitoring project.

Women Together / Independent Observer Network

Women Together for Peace was founded in the early 1970s as a cross-community, non-political group. Members of the organisation began their monitoring activities at the protest by loyalists at the Catholic Church in the Harryville area of Ballymena in October 1996. This protest was nominally in response to the protests against parades in Dunloy, and in May 1997 the group also began to monitor the parade disputes in the village. It monitored each week at Harryville until the protests ceased after 87 weeks and it has continued to monitor parades in Dunloy.

Monitoring at Harryville was considered to be awkward. The group initially found it difficult to find a position from which it was possible to observe the full range of actors and events and which

also conveyed their intended impartiality. It was soon perceived as favouring the Catholics attending mass and, consequently, the Protestant protesters were reluctant to engage in dialogue with members of the monitoring teams. Over time and through a regular presence, some dialogue did become possible with the protesters, but it was not particularly productive. The protesters were not especially welcoming of any interest from 'outsiders', and in the main did not court publicity except for the protest itself.

At Dunloy, the Women Together group operate in two teams of two or three members, with one team monitoring in the village itself and the other concentrating its attention on the Orange Hall. Monitors wear coloured tabards and carry identification badges. By maintaining a regular presence in the village and at the hall, as well as its independent status, the group has built up reasonable relations with many of the key participants. The two teams between them monitor the activities of the loyal orders, the residents' groups, general supporters of both parties and the police. They aim to have meetings with the local sub-divisional commander of the RUC before and after each parade and meet other participants whenever possible. They also produce a written report immediately after each event, which is sent to the police, the residents' group and the loyal orders.

Although the original intention was simply to observe proceedings, the monitors have engaged more actively on a number of occasions. They carry mobile phones to keep in touch and these have been used a number of times to check rumours as to

what the 'other side' is doing. They have thereby acted as an effective independent channel of communication and thus helped calm fears and reduce tension among both residents and members of the loyal orders. This facet of their work is similar to that carried out by the CDC in north Belfast.

In 1998 the members of Women Together who had been involved in the monitoring resigned from the organisation. They announced that they would now be known as the Independent Observer Network (ION) and intended to continue their work in Dunloy. They also indicated that they were exploring the possibility of expanding their activities to include another nearby location.

Meath Peace Group

The Meath Peace Group aims to improve community relations to aid the peace process. It has taken an active interest in Northern Ireland since 1993. The group arranges annually a series of public meetings in Navan, Co Meath, several of which have looked at parades, human rights and policing. The group has been particularly successful in arranging meetings at which unionists and Orangemen and supporters of various residents' groups have aired their views. These meetings have helped to foster a dialogue among the opposing parties, as well as encourage a greater understanding of the issues north and south of the border.

In its monitoring work the group has paid particular attention to parade disputes in Roslea and Newtownbutler in the border areas of Co Fermanagh. It has worked extensively with the

Enniskillen Together organisation, whose members have acted as mediators for a number of years in both villages. While the approach of the Meath Peace Group has been primarily to act as an observer with human-rights and community-relations concerns, it has been prepared to play a small role in reducing tensions where possible, such as facilitating the removal of a disputed flag. It has also produced reports on its work each year since 1996.

Summary

We have reviewed the work of a range of organisations involved in diverse monitoring activities. In spite of the diversity of aims, interests and approaches we can highlight a number of common themes which distinguish them from the varieties of observer-monitor discussed in the previous chapter:

- They are all willing to intervene on the ground and actively to try to maintain the peace. In contrast to the various human-rights monitors, the community activists, the Parades Commission AOS and the mediators all place an emphasis on taking practical action if problems arise at public assemblies, rather than simply observing events.
- In most cases this engagement involves little more than talking. Use of physical force remains the prerogative of the police. In most situations interventionist monitoring involves persuading people to calm down, to move away or to move along. In other instances it has involved clarifying facts to dispel rumours and thereby allay fears.

Monitors do not have the capacity to threaten; they can only reason and suggest pragmatic responses to an unfolding situation.

- In most cases the monitors intervene between one party and the police, rather than between two rival parties. The activists working with the community groups engage with other members of their community; the women monitoring at Dunloy have separate teams working in the village and at the Orange Hall. As tension rises the community monitors may become the first line of response while the police hold back, but there is always a threshold of pressure or violence at which the police take over and the monitors withdraw.
- Community-based monitors are not independent or necessarily impartial. The very effectiveness of the community monitors derives from their position within an organisation or as a member of a particular community. Similarly, the authorised officers are utilised because they are acting with the authority of the Parades Commission. Mediators are in a slightly different position as they may well define themselves as independent and impartial, but this is always a difficult position to maintain in practice.
- Although the monitors nominally draw their authority from their role within an organisation or a community, their personal status is also important. Interventionist monitors are not anonymous figures: they are often well known to the parties involved. Success may also be achieved through drawing on their status as a representative of an organisation and their personal relationships with parties to the dispute.

- Finally, and in contrast to the groups discussed in the previous chapter, the interventionist monitors place less emphasis on producing publications. A number of groups have produced reports but in general their emphasis has been on influencing events as they unfold and/or promoting discussion, debate and reflection among the key actors. In the main, this activity takes place out of the public eye.

In each of these factors—intervening, persuading, partiality, authority and personal status—the monitors differ from the observers who watch quietly and discreetly while remaining impartial, aloof, impersonal and anonymous. Although the two approaches to monitoring appear very different, they are also complementary, with one focusing on making an immediate response to the situation while the other takes a longer-term view.

Very often, a number of different monitors will be present at a contentious event. It is quite likely that there will be local and international human-rights monitors, solidarity groups, AOs, mediators and community-based monitors all at the one event. They may be interested in the same dispute and the potential for disorder, but they each monitor differing aspects and all work to their own agenda. While some might question the need for such a variety of monitors, we would argue that the various monitoring groups have the potential to play a more significant role at potentially troublesome public events. We will return to this in chapter 8, after we have considered the final category of monitors. ■

7. Stewarding public events

A key aspect of all public gatherings, whether they be parades, demonstrations, protests, sports events or concerts, is the way the organisers seek to control what is to take place. Stewarding, or marshalling as it is sometimes termed, is the most important practical way organisers achieve their objectives. Stewarding can be broadly defined as the attempt by organisers physically to manage an event by controlling those attending. Stewards may be part of the organising group, may be hired or asked to do a job by the organisers, or may take it upon themselves to control an event as a result of their position and status within a community. The steward's ability to act is based on the legitimacy with which he or she is viewed by participants and spectators.

Purpose and responsibilities

Stewarding fulfils two interrelated purposes:

- internal control—it permits the organisers to control the event to their own satisfaction and for their own stated purpose; and
- external obligations—it fulfils both the legal

requirements and the social responsibilities that accompany the right to hold an event.

Internal controls

Organisers of parades, demonstrations and protests normally have clear ideas of the messages they want to convey through their event. They may therefore impose restrictions on who may take part, what banners or slogans are displayed or how participants behave, by using the stewards to monitor and react to what is taking place. Equally, it is crucial for those seeking to organise public entertainments to control their events in a way that will guarantee success. This may be done by ensuring that people pay to spectate, as with a concert or sporting event, or that participants get maximum enjoyment, as with a parade or carnival. Some form of stewarding is therefore vital for the control of all public events. It is inconceivable that any large public event could be organised without the organisers developing some way of managing the event to their satisfaction.

Although the internal control of an event is usually defined by the organisers themselves, there

are examples where external bodies have been required to intercede. Attempts by lesbian and gay groups to participate in the St Patrick's Day parades in both New York and Boston were opposed by the organisers. Eventually the Supreme Court ruled that the organisers had the right to determine who should and should not be allowed to participate (Jarman, Bryan, Caleyron & De Rosa 1998: 86-90). While the police had the responsibility to control the public protests by the excluded groups, the organisers retained the responsibility for stewarding the parade.

External obligations

The US example illustrates the fact that all public gatherings take place within the context of social responsibility and a framework of national and international law. This context encompasses areas as diverse as health-and-safety regulations and human-rights legislation, as well as more a general responsibility to the communities, including residents and businesses, that willingly or unwillingly become effective hosts of the event. While in some senses national law defines and institutionalises the responsibilities that organisers of events have towards society, these responsibilities often extend beyond those specified in law. Organisers have a moral as well as a legal obligation to the communities in which they are holding events. For example, the organisers of the Notting Hill Carnival in London have clear legal obligations which are defined by public-order legislation and health-and-safety regulations, but beyond that they would accept an obligation to the people who live in the

Notting Hill area. This may involve compromising on what had been regarded as some of the fundamental aspects of the carnival. Informal agreements and restraints have been arrived at on such things as the route of the carnival and when the very loud 'sound systems' are closed down in the evening. Such agreements are then policed by stewards and monitored by officials.

The role of stewards

The role of stewards is largely defined by the organisers of an event, although there are always legal limitations placed on individuals as to how they handle people in the course of their work. However, it is not always clear where the organisers define the limits of their event. For instance, the Orange Order tends not to regard spectators as part of it; instead they are often described as 'hangers on' and are therefore not seen as the responsibility of the organisers. In contrast, over recent years football clubs have come to recognise that spectators are part of their responsibility and have increasingly accepted the need to manage that part of organising a match. The differences between a parade and football match are in part due to the ease of recognising who is a spectator and who is a passer-by. However, crowds of interested spectators are as much a fundamental feature of most parades as they are of sporting events and the behaviour of spectators is often influenced by the events they are watching.

A more complex situation arises when one considers the role of stewards in terms of the

external relationships. Organisers of entertainment events are usually obliged through a system of licences and health-and-safety legislation to provide a minimum level of stewarding, but organisers of parades, demonstrations and protests do not have such clear-cut obligations. Providing adequate stewarding is not regarded as a general responsibility in law. This is partly because a duty is placed on the state to facilitate freedom of assembly and to keep public order, and therefore effectively to manage the event. This is most obviously manifested in the provision of police officers with the responsibility for general crowd control.

While the responsibilities of stewards towards participants are defined by the organisers, their obligations to those not directly taking part are far more problematic and by implication suggests an exploration of the role and definition of 'policing'. Policing can be narrowly defined as those activities conducted by police officers, but policing can also be viewed as a n activity conducted within society in general and not restricted to a specific institution. As such, a community watch scheme may perform a policing function while not being an institutionalised police force. Similarly, stewards perform a policing function. Consequently relationships between stewards and the police are not always easy. Stewards carry no legal powers other than that of an ordinary citizen. Nevertheless, while stewards do not have the same legal authority as police officers, it may well be that they have greater legitimacy with those taking part and this effectively gives them more control. On the other hand, because stewards draw their legiti-

macy from the organisers of an event they are not usually suitable for dealing with some of the external relationships, particularly when an event creates either antipathy or opposition in the area where it is taking place.

Stewards can play a significant role in the policing of an event but the nature of this role will depend on a number of factors. These include their abilities, training and organisation, the resources available, and the degree of trust and liaison established between organisers and the police. Developing more responsible stewarding can be valuable in a number of ways. It can reduce the need for police resources, increase community involvement and empowerment, and help develop the skills and confidence of the stewards themselves. We will illustrate some of these points with a brief review of some examples.

Some case studies

Case studies from around the world reveal the widespread recognition of the role that stewards can play but also of the associated problems they can create. In a number of countries, the authorities place a range of responsibilities upon organisers of public events which imply a responsibility to provide sufficient stewards to exercise control. In France, for instance, groups organising demonstrations are expected to provide their own stewards, even though it is not a legal requirement. However, such informal relationships have been put to the test by the right-wing Front National, which caused concern among police and political

opponents when it began to provide stewards in police-style uniforms. In Italy, organisers are similarly expected to provide stewards and many of the larger trade unions have developed a comprehensive system to reduce the need for the police presence at their demonstrations and protests (Jarman, Bryan, Caleyron & De Rosa 1998). In both these cases, the stewards take primary responsibility for controlling their own members while the police have responsibility for protecting and facilitating the demonstration.

South Africa

We discussed earlier the use of independent monitors at demonstrations in South Africa during the transition to democracy; during this period, marshal training programmes were also developed in a number of areas (Elliston 1996). This was made possible by the limited co-operation through the National Peace Accord of the ANC, the Inkatha Freedom Party (IFP) and the South African police force, (including the widely hated internal stability units responsible for crowd control), as well as the involvement of various observer missions and European police officers. Marshals were trained in a range of subjects, including peacekeeping and human rights, the roles and responsibilities of marshals, crowd management and dynamics, event planning, communication, problem solving, evidence gathering, fitness and training skills. Elliston argues that the training immediately increased the sense of responsibility that organisers felt, particularly *vis-à-vis* such issues as 'disruption to the life of the community'. It also allowed

for improved planning and communication with the police and, as a by-product, participants began to display greater political tolerance to other organisations and started to appreciate the difficulties others had in controlling their events. Elliston concludes by suggesting that such projects may in turn help to create a 'culture of community policing' (Elliston 1996:168-169).

Football Grounds

Problems surrounding football crowd violence in the 1970s and 1980s (as well as a number of high profile disasters which resulted in death and serious injury to spectators), increased awareness of public-order and health-and-safety issues surrounding sports events in England and Scotland. This resulted in a comprehensive system of stewarding for all major sporting venues. The use of trained stewards within football grounds has meant a significant reduction in the need for police officers there. Even at highly contentious matches, such as those between Celtic and Rangers in Glasgow, the level of policing required in the ground is relatively small. In part, this situation has been encouraged by legislation requiring football clubs to ensure public safety inside the stadia and to pay for the police presence there. Training and paying stewards comes cheaper. Many of the clubs also arrange to have stewards travel with fans to away games, to reduce the chances of disturbances in transit.

Notting Hill Carnival

Carnival-style events are possibly the most

difficult to steward. For many people the carnival is about the *absence* of control, about people claiming the streets and about the normal structures of society being overturned. The Notting Hill Carnival, held in west London every August bank-holiday weekend, has in the past been an arena for confrontation between the police and people in the black community. During the 1990s, however, a *modus vivendi* has been developed between police and organisers, which has significantly improved the environment in which the event takes place and the public perceptions of the weekend. This has led to increasing numbers attending the carnival, and for two days the largely residential streets of North Kensington are packed with hundreds of thousands of people.

One aspect that police and organisers have been keen to develop has been crowd safety and stewarding. The large carnival floats, which have to negotiate awkward corners and the crowds of people who throng the streets along the three-mile circular route, create a significant safety problem. Good stewarding should mean that there is less need for highly visible policing and the safety of all those taking part can be increased. In 1998 the carnival organisers employed 128 people to work as stewards over the carnival weekend, responsible for crowd management. The stewards work in teams in designated areas and liaise with the relevant police officers in their area. In addition, there are 66 people employed as route managers, responsible for the movement of the carnival procession through the crowd.

While the route managers seem to work fairly

effectively and efficiently, the quality and training of stewards is a problem which the carnival organisers do not feel they have yet solved. Issues such as whether it is better to use local people or to hire disinterested outsiders are among the factors that have been discussed. Different interest groups within the carnival also have their own particular concerns, such as the organisers of the costumes and floats who may require special protection from the dense crowds for the performers. Simply finding the funding for adequate stewarding is very difficult. A study commissioned by the Notting Hill Carnival Trust recommended that they should employ 1,000 public-safety assistants to cover all aspects of the carnival, but as this would cost over £200,000 each year it will not be possible unless a specific source of funding is identified. So whilst it is recognised that good stewarding is an important part of facilitating the carnival, the funding, training and organising of stewards remain problematic.

Stewarding in Northern Ireland

The wide range of political, commemorative and social parades, the frequent organisation of protests, and the large following for football, rugby and Gaelic games means that stewarding is an everyday occurrence in Northern Ireland. However, contemporary divisions bring contrasting practices. For example, the lack of acceptance of the RUC within the nationalist community has partly been responsible for the development of extensive crowd-management arrangements at

Gaelic Athletic Association grounds and at Derry City Football Club, which allow events to take place with almost no police involvement. In contrast, Irish League football, although using stewards, largely relies on the RUC to control crowds. Similarly, political circumstances have meant that for many nationalist events, crowd-management functions have largely been undertaken by organisers, whereas loyal-order parades have relied more heavily on the RUC. Nevertheless, loyal-order parades, particularly the larger ones, require a lot of organisation and this involves the various orders providing stewards. The stewards focus mainly on the internal control of the event. One of their principal roles is to keep spectators away from the road and they have a reputation for being over-zealous and rather aggressive if people try to cross the parade.

The quality of stewarding at parades events varies considerably. The work done by members of the Orange Order to control the crowds at Drumcree and on the Ormeau Road in Belfast in July 1999 showed how valuable effective stewarding can be in ensuring that events pass off with the minimum of disruption. However, at many such events the best that can be said is that the stewarding is well meaning but ineffective; all too often the stewarding has been appalling, seeming to be more trouble than it is worth. There has been little or no training for stewards, so the stewarding relies heavily on the experience of the organisers and the personal qualities of those undertaking the role. In addition, in both loyalist and republican areas, paramilitary groups are involved in

stewarding events, drawing not only upon their legitimacy within the local community but also, as with the RUC, on their ability to wield, or to threaten, physical force (Jarman forthcoming). Experience at many political demonstrations and protests, but more particularly at loyal-order parades, indicates that stewards are often not clearly visible, appear unable to deal with behaviour deemed inappropriate by the organisations they represent, use only minimal forms of communication and have underdeveloped or conflictual relationships with the police. This has meant that the police often have little confidence that organisers can deliver on agreements over the events and the stewarding is more symbolic than functional. The style of policing used by the RUC is highly militarised and routinely relies upon a very large deployment of resources; the widespread inability of parade organisers to provide adequate stewards to control their own events can provide a justification for this.

Apprentice Boys of Derry Steward Training Project

While it is clear that good stewarding cannot solve the fundamental problems of providing a safe and secure environment for people to mount public events in Northern Ireland, it is one part of the solution. We raised the issue in our 1996 report (Jarman & Bryan 1996:125) and the role of stewards was then taken up in the Independent Review on Parades and Marches in 1997. Their report recommended that 'the Parades Commission should pay close attention to stewarding and take such steps to improve standards of stewarding in

both parading and protesting organisations as it deems necessary' (North Report: 13.54).

This recommendation was subsequently adopted by the commission and has been written into its code of conduct, introduced in 1998. This says that organisers should take care to ensure that a sufficient number of trained stewards are present at events, that those stewards should be clearly identifiable by members of the public and that stewards should also have an effective means of communication with each other and with the event organisers.

One initiative to try to overcome these very difficult problems took place last year in Derry, in the organising of the Apprentice Boys parades in August and December. The Relief of Derry parade, in mid-August, has been the centre of particular controversy since 1995 when Derry City Council reopened the walls and the Apprentice Boys of Derry applied to take what, until 1969, had been the customary parade route around the walls. While the debate over this parade shared some of the features associated with parades disputes in other parts of Northern Ireland, there were some significant elements that suggested that improved stewarding could provide part of the solution. Few people, if any, in the nationalist community questioned the right of the Apprentice Boys to hold public events in a city, which is clearly of enormous historical and symbolic importance to the Protestant community. There is a clear commitment to the wellbeing of the city among a wide range of groups including the local Apprentice Boys, the Bogside Residents' Group, Derry City

Council and representatives of commercial interests. Many within the nationalist community are sensitive to the reduction in the Protestant population on the west bank of the Foyle and the sense of siege that the remaining community, based in the Fountain area, feels itself to be under.

A significant aspect of the dispute in Derry has been the anti-social behaviour of some of the participants in the parade. This has been most problematic in sensitive areas, such as those parts of the walls overlooking the Bogside, and in the commercial centre, especially near the war memorial in the Diamond. The problems are accentuated because of the size of the parade (it is the largest loyal-order parade of the year, with up to 150 bands taking part). Also, because many of the participants are not from the city, they are unfamiliar with it and treat it with a degree of hostility. Furthermore, even by the standards of other large loyal-order parades, there is a considerable consumption of alcohol during the day. In recent years the parade has always required a large police operation, the more so as protests have been organised by the Bogside Residents' Group.

Since 1995 there has been a range of engagements between interest groups in the city. These have included a series of mediated processes, some face-to-face meetings and the development of a City Forum which all parties have attended. Relationships have at times been fraught but have never broken down to the extent that they have in other areas where there are similar disputes. In addition, unlike the Orange Order, the Apprentice Boys of Derry have been willing to engage with the

Parades Commission. They have also made a clear attempt to develop the August parade into a more open and accessible event: they have introduced a pageant before the opening parade around the walls and in 1998 they ran a festival in the preceding week.

In the autumn of 1997 a consultancy group presented a feasibility study to the Parades Commission on the possible development of steward training. The group included a trainer with wide experience in training stewards for Premier League football clubs in England and a consultant on policing issues who had developed a marshal training project in South Africa under the 1992 peace accord. Its study highlighted some of the obvious benefits of good stewarding:

- empowerment of members of the community,
- imposition of responsibilities on the organisers,
- reduction in the need for large-scale police resources,
- improvement in the environment for spectators,
- improved health-and-safety environment.
- enhanced network of communication at large-scale events, and
- enhancement of community-orientated policing.

The proposed training scheme had additional benefits, including the possible development of a National Vocational Qualification (NVQ) based on a course already being run in England. The project was developed in conjunction with members of the Apprentice Boys and with the assistance of police officers in Derry. It was funded by the Parades Commission and the Community Relations Council. The training examined:

- legal and human-rights frameworks;
- the role and responsibility of the parties involved in an event;
- crowd management and dynamics;
- aspects of health and safety;
- communication skills;
- guidance on good practice for stewards;
- event planning, briefing and debriefing;
- planning for chief stewards and supervisors; and
- negotiation and mediation skills.

Training initially took two evenings a week over ten weeks. This was followed by a six-month assessment of the stewards, before, during and after their involvement at parades. Thirteen members of the Apprentice Boys completed the training, seven being assessed to NVQ level. In addition a range of equipment, such as tabards and walkie-talkies, was obtained for use by the stewards at parades.

The Relief of Derry parade in August 1998 was a tense occasion, partly due to the problems at the previous parade and partly because the dispute over the Drumcree church parade in Portadown had not been resolved. Nevertheless, a compromise was reached between the Bogside Residents' Group and the Apprentice Boys. This included an agreement that the main parade in the afternoon would not involve a complete circuit of the Diamond while the residents' group in turn cancelled its protest. The pageant in the morning went well, although there were a few minor problems during the ceremony at the war memorial. However, the main parade in the afternoon was very confrontational, as crowds gathered on both sides of the Diamond.

The police had attempted to keep their presence to a minimum but as numbers grew on both sides, first abuse and then bottles were exchanged. The day ended with running battles involving the police and people from both communities, and at one point an officer was forced to fire warning shots to protect another officer who had become isolated from his colleagues and was being attacked.

In spite of the violence that marred the end of the day, there is no doubt that improved stewarding made a difference. Liaison and planning between the police and organisers was greatly improved on previous years. The Apprentice Boys' stewards only dealt with those participating in the parade and members of the Protestant community who came to support the event. They were aware how to liaise with the police involved with the operation but they had no involvement with the nationalist crowds. Stewards remained at the Diamond in what were often very difficult circumstances. They tried to control rowdier elements within the crowd and to ensure that the bands respected the war memorial by remaining silent as they paraded through the Diamond. While in many respects the stewarding operation failed to maintain control of the parade in key areas, there was general recognition that the organisers had made significant steps to try to ensure that the parade remained peaceful.

The steward-training programme has provided a number of people with both crowd management skills and a formal qualification. It has given them more confidence in the skills they possess and has started to develop an improved liaison between the



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police and event organisers. In the short term, the project did have some benefits in the attempt to control what can be a very difficult event. Anecdotal evidence suggests that matters could have been a lot worse but for the constructive role the stewards played.

The aim of such training programmes must be to empower people organising events to be in a position, through the possession of skills and resources, to be able to manage their own events. This in turn can raise the confidence of representatives in communities when negotiating relationships between communities and with the police.

However, it will take time to judge whether the development of steward training will have long-term benefits for organising events in the city. There was again serious violence in the aftermath of the demonstration in August 1999. Other groups have already shown interest in the project and, resources permitting, it is hoped that training

courses could be repeated. At the very least, those who have been through the training have become a resource in themselves, in so far as they will be able to pass on their knowledge to other members of the organisation who wish to become stewards.

At present, steward training in Northern Ireland is done in an *ad hoc* manner, neither planned nor sustained. In spite of the clear need for good stewarding at political events and public entertainments, no educational or training institution offers courses in the subject. The lack of a long-term commitment to such skills training stands in stark contrast to the millions of pounds spent on policing public order in recent years. More imaginative resourcing is clearly required if stewarding is to become part of a solution to such problems. ■

8. Future monitoring

There are undoubtedly groups and individuals that have been left out of this account of monitoring in Northern Ireland. Yet even this brief discussion gives some idea of the rich variety of groups taking on the roles of monitors and attempting, in a diverse manner, to facilitate non-violent resolution to conflicts over the use of public space. In this final section we concentrate on three of the forms of monitoring that we have discussed earlier—human-rights monitors, community-based monitors and stewards—whose work we believe could be most usefully supported and encouraged over the next few years in Northern Ireland. We conclude by suggesting some possible areas for future development of monitoring and a number of recommendations for developing each of the three categories of activity.

Developing monitoring

For much of the 1970s and 1980s the nature of violent conflict in the north, particularly the strategies used by paramilitary groups and the forces of the state, and the relative difficulties of

mobilising peaceful street protests, meant that there were limited possibilities to use monitors. The increase in peaceful protests against parades has largely been a product of the declaration of the paramilitary ceasefires. These created the space and the sense of safety to encourage people to take to the streets again. The peace process, and the support for the Good Friday Agreement, has indicated widespread commitment to the search for a peaceful resolution of conflicting rights, but has not in itself resolved the conflicts. As such, there is a need to use methods of conflict resolution, and to that end the role of monitors in public situations could become crucial.

Experience in Northern Ireland since the parades disputes erupted in 1995 illustrates the often valuable role monitors can play at times of low-level public disorder. They help to illustrate how maintaining public order is a policing problem in the widest possible sense of the word. It is not just a problem for the police; rather, it is the responsibility of civil society as a whole. Each of the three categories of monitors has a specific relationship with the formal policing structures:

- human-rights monitors observe and critically appraise police behaviour,
- community-based monitors intervene in low-level disorder and reduce the need for police activity, and
- stewards ‘police’ their own organisation and act as intermediaries with the police.

These practices have been developed and extended through the experiences of public disorder and political tension of the recent marching seasons and, in general, have contributed to the reduction in public violence each year since 1996.

Over this time the RUC has recognised the status of monitors and has usually facilitated them in their work. Relations between monitors and the security forces have been good and it seems that the RUC has accepted that there is a legitimate role to be played by the wide variety of groups often present. The difficulties created by low-level and recurrent violence and disruption have also led many within the wider society to adopt a pragmatic approach to dealing with the police, even while they retain a critique of the structures of the RUC. The experiences and practices we have described in earlier sections of this report therefore offer examples of how the policing of public disorder might be approached under a new police structure, and they perhaps indicate how civil society can take a greater responsibility for maintaining the peace.

Until now, the development of monitoring has been *ad hoc* and dependent upon different interest groups. However, the Good Friday Agreement entails a range of new political structures for

Northern Ireland. As well as the Assembly, these include the Human Rights Commission and the Equality Commission. The Patten commission was, at the time of writing, still examining reform of the RUC and the Parades Commission has statutory powers to make determinations on parades and demonstrations. A number of questions can be asked of the role that civil society could play in supporting the moves towards a peaceful and democratic society:

- could independent monitoring be developed on a more formal basis, to support the work of the new bodies and help to consolidate the transition?
- could one of the new institutions monitor the peace for all communities and hold people to account for possible violations?
- could police accountability be improved if independent monitoring groups were given closer access to public order operations? and
- could monitors working to a cross-party group in the Assembly improve the possibility of peaceful intervention at public-order events and help reduce violence?

The Human Rights Commission could develop a particular interest in the activities of monitors, in particular human-rights monitors. However, it will have neither the range of powers nor the resources to undertake the range of activities currently undertaken on a voluntary basis by the CAJ (Livingstone 1999). This might well prove to be a missed opportunity.

The Parades Commission already has a specific responsibility to monitor behaviour at parades and has its own network of monitors in the form of the

authorised officers. However, it would also seem to be in its interest to build a better and broader working relationship with the independent monitoring groups, to gather as wide a range of information as possible on what takes place at parades. Monitors could supply an independent and informed perspective on the flow of events to the commission that is perhaps currently unavailable to it.

As for the Patten commission, during its public consultations it was clear that issues of community policing and public accountability were of significant concern in many areas. Monitoring groups may well be able to feed into any new structures to improve police-community relations.

However, there may be disadvantages to creating a more formal system. Many of the groups that currently act as monitors and observers can do so because of their independence from the state and because they take a critical position towards state agencies. We believe there will always be a need for such groups. Experience in other jurisdictions, such as South Africa during a period of political transition, reveals the powerful role observers and monitors can play if they remain independent but also engage more closely with the structures of a formal political process. Retaining a critical independence and engaging in conflict resolution has proved an important factor at such times and could do so in Northern Ireland as well.

This is not naïvely to suggest that monitors are a panacea or a replacement for state agencies, political parties or other interest groups, but to acknowledge the contribution they can make under

certain conditions. Whether they are allowed to make such a contribution is another matter. The experience of international monitors in Kosovo during the early months of 1999, who came under attack from Serbian forces hostile to their presence, reminds us of the need to ensure the safety of individuals engaged as monitors. It also illustrates the need for an agreement by all parties that monitors will be allowed to play their part. To date, there have been isolated instances where monitors have been regarded as unwelcome visitors at public events but in a number of cases they have felt a need to keep their presence discreet.

Recommendations

Monitoring has largely developed as an independent form of activity, organised and funded in a relatively *ad hoc* manner. The different styles of monitoring and the diversity of groups involved imply an equally varied range of requirements if they are to be sustained or developed. We conclude this report by indicating ways in which monitoring needs to be supported if it is to play a full role in the future.

General

A number of people involved in monitoring disputed parades met in Belfast in February 1999 to discuss ideas and approaches and to explore ways of improving and extending monitoring. The seminar did not produce any specific recommendations, but a number of principles were accepted:

1. There should be a loose network of monitoring groups. This would have no formal structure or specific aims other than to enable people to maintain and extend contact with each other. It would also provide a point of contact for people or groups who want to join or set up monitoring groups. Many of the groups who attended the seminar are listed at the end of this report.
2. Adopting a formal code of conduct or working to structured guidelines was considered a basic requirement of monitoring for many groups. Although there are a small number of common principles and practices, it was recommended that each group should devise its own framework. This report includes a number of examples of such codes of conduct.
3. Some groups wanted to explore the possibility of developing a basic training programme for monitors. It was agreed that INNATE would serve as an initial point of contact for groups seeking training.
4. It was accepted that it was important for monitoring groups to consider the impact their work could have. Each group should explore how it could improve distribution of reports and the flow of information and opinion to the main parties to the disputes.

Human-rights monitoring

To date, human-rights monitoring has focused on the policing of contentious parades and has been

organised on a voluntary basis. This approach has been relatively successful, if limited in effectiveness. For example, neither the police nor any other body needs to take account of the information gathered by monitors or the analysis derived from their observations. Furthermore, monitors have no special rights to access at contentious events and may be given less access than journalists.

1. If at present human-rights monitors act as informal and unofficial observers of police practice, it is worth exploring the role they could play within future systems of police accountability in Northern Ireland. As reforms to policing are expected to increase accountability, human-rights monitors could act as in a similar manner *vis-à-vis* a future policing oversight body as the authorised officers do for the Parades Commission by providing first-hand evidence of policing practice.
2. Alternatively, the Human Rights Commission could use monitors to evaluate specific human-rights abuses or areas where policing issues remain contentious. Such monitors could function as field officers for the commission, gathering evidence and preparing reports.

Community-based monitoring

Some individuals working with community-based monitoring groups attended the Belfast seminar and their interests and concerns are partly incorporated in the earlier section. But community-based monitoring also has specific issues that need to be addressed if it is to continue:

1. Funding is an important issue for some community-based monitors. Although the monitors act in a voluntary capacity, considerable costs can be incurred for basic equipment, particularly such items as mobile telephones. The north Belfast project has been funded through Making Belfast Work and the Derry project was funded through the Londonderry Development Office in 1998. The women in ION, on the other hand, supply their own equipment. If such projects are to be continued or others developed then the issue of financial support will have to be addressed. At present, there is no obvious source of funds for such community initiatives.
2. Community-based monitoring projects have proved successful in north Belfast and in Derry and there has been interest in developing similar schemes in Portadown and elsewhere. However, so far there has been little recognition of such work outside these areas and the groups themselves do not have the capacity to promote it. As is the case with much work in the community sector, there is a need for appropriate documentation, evaluation and publication if this model is to be developed and extended.
3. Community-based schemes can only really work in areas where significant community-development work has been undertaken and where community organisations and networks have been established and receive support. Such work is long-term and needs long-term funding. There is some uncertainty over what commitment will be given to community-development work

under future political arrangements. This should be clarified to ensure projects can plan for the future.

4. Community-based monitors could also feed into systems of police accountability established in a reformed context. At present, groups involved in such monitoring may have informal connections with the police but there are no formal structures which take account of their experiences.

Stewarding

All groups who organise parades and protests claim to provide stewards to control the people they bring on to the streets. However, stewarding has never been treated as a formal requirement, no appropriate numbers have been set down, no standards have been stipulated and no training is required.

1. All groups have a responsibility to monitor and control the behaviour of their members and supporters at public events. Standards of stewarding should be defined in conjunction with an appropriate statutory body, rather than left to organisers alone.
2. To facilitate improved stewarding a recognised training scheme should be available. A course has already been designed for training members of the Apprentice Boys. Training should be made more widely available and all relevant organisations should be encouraged to have an appropriate number of trained stewards.

3. Establishing a formal programme for steward training at NVQ level would have a wider applicability than at parades. Irish League football clubs have significantly less responsibility to provide adequate stewards at their grounds than do their English and Scottish counterparts. Better stewarding would be one way to reduce the policing required at such events. A training programme could also be used to provide better quality stewards and security staff for open-air concerts and similar events and for doormen at bars and clubs. ■

9. Groups involved in monitoring

Committee on the Administration of Justice, 45-47 Donegall Street, Belfast BT1 2FG

Community Development Centre, North Belfast, 22 Cliftonville Road, Belfast BT14 6AX

Human Rights Watch/Helsinki Watch, 485 Fifth Avenue, New York, NY 10017-6104, USA

Independent Observer Network, 11 Ballyportery Road, Dunloy

Information on Ireland Campaign, 1202-298 Jarvis Street, Toronto; M5B 2M4, Canada

INNATE, 16 Ravensdene Park, Belfast BT6 0DA

Irish Parades Emergency Committee, 199 Prospect Place, Fourth Floor, Brooklyn, New York 11238, USA

Meath Peace Group, Parsonstown, Batterstown, Co Meath

Mediation Network for Northern Ireland, 128A Great Victoria Street, Belfast BT2 7BG

Pat Finucane Centre, 1 Westend Park, Derry, BT48 9JF

Peace and Reconciliation Group, 18-20 Bishop Street, Derry, BT48 6PW

Peace Watch Ireland, PO Box 2543, Boston MA 02130, USA

Table Campaign, Irish Missionary Union, Orwell Park, Rathgar, Dublin 6

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