

# With all due respect

**Pluralism and parity of esteem**

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democratic  
**dialogue**

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# Contents

Preface	4
Executive summary	6
National questions	13
A defining issue	44
British? Irish? Or what?	55
Feeling institutionalised	69
Reconciling a balance	79
Conclusion and recommendations	105

# Preface

**W**illie Thompson has recently written: “The rise to prominence of ‘identity politics’ has to be reckoned one of the most striking features of the later twentieth century. In one sense all modern politics is identity politics ...”<sup>1</sup>

Identity politics has of course always been the alpha and omega of the Northern Ireland conflict, particularly with the emergence of the portmanteau term ‘parity of esteem’ in the 90s. Yet it is remarkable how identity politics has been assiduously prosecuted in Northern Ireland almost completely without regard to any understanding of its wider significance.

There has been no appreciation whatsoever of the wider international debate on nationalism, invigorated by the fall of the Wall in 1989. There has been no engagement with the more specific debate about the ‘politics of recognition’ in multicultural societies which has emerged in this decade. And there has been precious

little work to fill out what ‘parity of esteem’ might in practice entail.

It is in this context, of intense energies incoherently directed, that the whole parades controversy has erupted in Northern Ireland since 1995. And it was in response to this controversy that Democratic Dialogue decided to initiate a research project on what was theoretically and practically required to engender in Northern Ireland a climate much more favourable to pluralism and parity of esteem.

DD, in addition to its core funders, is grateful to the Central Community Relations Unit of the Northern Ireland Office for supporting this project financially, allowing the appointment of a researcher for six months. This does mean that this report is necessarily more rigorously ‘academic’ than others from DD, and the initial, theoretical, chapter is inevitably intellectually challenging as a result.

In line with DD’s principle of carrying

out its work in a participatory way, however, the opening review of the international debate is balanced in subsequent chapters by teasing out the thoughts of a range of key players in Northern Ireland through interviews, and testing this against popular opinion on the ground via focus groups. Tom Hennessey diligently carried out these tasks.

As ever, the views expressed in this report, unless attributed, are the responsibility of the authors alone. Further copies are available from the address on the inside front cover, price £7.50 (£10 institutions, £4.50 unwaged) plus 10 per cent postage and packing.

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## Footnotes

<sup>1</sup> Willie Thompson, *The Left in History: Revolution and Reform in Twentieth-Century Politics*, Pluto, London, 1997, p198

# Executive summary

**T**he term parity of esteem has, since the Opsahl Commission of 1992-93, become a political buzzword in Northern Ireland. Yet there has been no attempt to develop its intellectual potential as the basis for an egalitarian and pluralist politics in Northern Ireland. In the absence of this, parity of esteem has become incorporated into a pre-existing political culture based on adversarial partisan claims, evidenced in 1996 in the polarised aftermath of the Drumcree crisis.

Part of the problem is that parity of esteem has, in Northern Ireland, been played out regardless of wider international conceptual debates. Though widely utilised in political discourse in Northern Ireland, it is ill-defined. This report begins therefore with an international commentary on how concepts of pluralism and parity of esteem have developed in recent years, particularly since the efflorescence of ethno-nationalist conflicts

following the fall of the Wall.

But one of the lessons of this international debate is that in these uncertain, 'post-enlightenment' times, universal democratic norms require particular application. And so the report then explores, via interviews with key players from a range of social and political positions in Northern Ireland, what parity of esteem means to them. These interviewee responses are also tested against the results of several focus groups to get a sense of how 'representative' they are of the broader mood(s) on the ground.

The methodology focused on two key questions: (a) what is parity of esteem? (b) how can parity of esteem be achieved in Northern Ireland?

Aside from the broad international sweep of literature and commentary, the investigation involved interviewing a sample of some 20-30 prominent individuals from civil society in Northern Ireland and running several diverse focus

groups.

The interviewees were selected to span government, relevant agencies, political parties, the main churches, trade unions and the voluntary sector. Locating interviewees was almost always done by networking—personal contact or introduction. This may appear subjective but is normal in much ethnographic research. The technique employed was that of a simple structured sheet of cues. The wording of the questions and the order in which they were asked remained the same.

Data from structured interviews are generally regarded as more reliable than unstructured interviews: since the order and wording of questions are the same for all respondents, it is more likely that they will be responding to the same stimuli. Thus different answers to the same set of questions will indicate real differences between the respondents; different answers will not therefore simply reflect differences in the way questions are phrased. Nevertheless, some flexibility was of course allowed to accommodate differences in responses as interviews progressed.

In addition to the interviews, a number of focus groups were established to compare the opinions with those of 'ordinary' people. The aim was to create interactive environments to assess the

relationship of the data gathered in interviews with the opinions of those in the focus groups. Given the short time available for the research project, six months, the focus groups were again brought together through networking. They comprised:

- a Protestant urban focus group,
- a Protestant rural focus group,
- a Catholic urban focus group,
- a Catholic rural focus group,
- a Protestant women's focus group,
- a Catholic women's focus group, and
- two youth focus groups.

**T**he review of the international literature and commentary highlights a worrying ignorance in Northern Ireland—including in government—of the extent to which concepts regularly deployed as if they were unproblematic are in fact quite inappropriate to addressing such ethno-nationalist conflicts. In particular, terms like 'the right of peoples to self-determination', of 'sovereignty' understood as territorial integrity, and of democracy understood in majoritarian terms have all been thrown into question. Far from acting as a means to resolve conflicts such as that in Northern Ireland, on the contrary, they merely provide vehicles for their prosecution.

The report thus explores new concepts which may have a contrary potential, to

diminish conflict and favour pluralism and parity of esteem. It suggests that such notions as multi-cultural citizenship, minority rights and dialogic democracy offer an alternative and more constructive basis for addressing group antagonism. And in particular it notes the emergence in the 1990s of a series of international conventions enshrining such principles in a legal—if not yet justiciable—form.

This approach offers a manner of avoiding the cultural relativism—and political antagonism—into which the Northern Ireland debate on parity of esteem has become mired, placing as it does these particularistic concerns in a more universal frame. This is crucial, because from the Northern Ireland fieldwork it emerges that while there is consensus that parity of esteem should involve recognition and tolerance of differing cultural traditions, this begins to fragment as soon as those particular cultural identities and allegiances are explored. Widespread misunderstanding—even intolerance—then emerges. It is clear that many in Northern Ireland are willing to tolerate the Other's cultural identity only within the confines of their own core ideology. And it is further evident, when it comes to discussing how parity of esteem should be given institutional expression, that there is widespread dissensus—even

fear and threat.

The sense of a British national consciousness among unionists was the most fundamental difference distinguishing unionist from nationalist respondents. Among Catholic interviewees and focus group participants, it was clear that Britishness is exclusively a unionist concept in terms of a positive association with it. Irishness, on the other hand, was an identity common to both unionists and nationalists. But Irishness is a highly contested identity, subject to fundamentally different nationalist and unionist perceptions which profoundly affect notions of allegiance and group membership.

For unionists, their imagined political community, or nation, extending beyond the confines of Northern Ireland, is a British nation—or British patriotism/civic nationalism, depending upon one's definition—which is a social reality for them. Unionists describe themselves as primarily British, although this does not mean that they exclude or reject a supplementary Irish identity. But for many unionists this Irishness is firmly subordinate to a sense of belonging to a British national community. There is a perception of having been involved with the rest of the people of the UK in great historical events, such as war and empire, a strong identification with British

political tradition and a sense of sharing culture, extending beyond parochial Orangeism. Unionists thus see northern nationalists as an ethnic minority within Northern Ireland, and the UK generally.

Northern nationalists do not, however, see themselves as an ethnic minority within Northern Ireland, or the UK, but as a constituent element in a wider Irish nation which transcends the border with the republic. Furthermore, most nationalists have extreme difficulty in accepting unionists' Britishness or, even if they do, the idea that unionists do not constitute an Irish ethnic minority which can ultimately be accommodated within the Irish nation. If they do accept that unionists have a right to be separate from the rest of Ireland, nationalists do so on the basis that the Irish identity is equal to the British allegiance of unionists, and, if it is to be granted full parity of esteem, this identity should be reflected as such, in institutional arrangements.

All interviewees were in favour of power-sharing and a bill of rights. Unionists see a bill of rights and proportionality among the various parties in a devolved assembly as sufficient to guarantee minority rights in Northern Ireland. Nationalists, however, see a bill of rights and proportionality working in tandem with the Anglo-Irish Agreement. Unionists cannot accept a role for the

republic's government in the 'internal affairs' of Northern Ireland, while nationalists see the agreement as an expression of their political identity by right. Unionists wish to see articles 2 and 3 unilaterally removed from the republic's constitution, because they are considered to represent an illegitimate and aggressive claim. Dublin, by contrast, envisages alteration of the articles only in return for unionist co-operation in a devolved assembly and a north-south body.

Northern nationalists would hope to exploit the 'dynamic' and 'harmonisation' potential of the 1995 framework document, leading to joint authority or beyond. Unionists conversely fear eventual imposition of joint sovereignty or the emergence of an all-Ireland government by stealth. They wish to see a Council of the British Isles, to replace the Anglo-Irish Agreement, and of which any north-south body would be a component. The key source of authority in any north-south relationship would rest with a Northern Ireland assembly, which would have the right to withdraw from north-south contacts.

The republic's government rejects the concept of a Council of the British Isles, arguing that unionists' parity of esteem is already provided for in their membership of the UK, and prefers the retention of the Anglo-Irish Agreement on the

grounds that its removal would reduce the political value of any north-south link. It resists the suggestion that a Northern Ireland assembly should be the central authority in such a link, and sees the agreement as guarantor of a default option against unionist disruption of any new arrangements.

All respondents who expressed an opinion, apart from the Catholic Church, supported the principle of integrated education. It was felt, however, that the government could do more to promote this. There was a sense that initiatives such as 'education for mutual understanding' and 'cultural heritage' in schools were having only a limited effect, and therefore the role of the curriculum was also highlighted by many interviewees. In particular, it was suggested by many that history might be more effectively utilised in this respect.

The issue of flags and emblems highlighted the deep divisions over national identity/allegiance in Northern Ireland. Unionists and nationalists saw these as 'their', or alien, cultural representations, with unionists believing that attempts to remove symbols of the British state were aimed at diluting the Britishness of Northern Ireland and undermining the unionist ethos. Nationalists, on the other hand, saw symbols of Britishness as a form of cultural discrimination and a

denial of the Irishness of Northern Ireland and their community's position within it. This issue was closely connected in respondents' minds with parades and policing, with again many dividing along unionist-nationalist lines. While Catholics saw parades as an attempt to demonstrate cultural triumphalism, Protestants saw the parades controversy as another attempt to dilute unionists' ethos of Britishness.

The report focuses upon other definitions of identity within Northern Ireland, outside the traditional, two-communities model. It highlights the existence of a third strand of identity formation, which stresses individualism and separation from unionist and nationalist definitions. The report also addresses the rather different views offered by organisations representing women and ethnic minorities. And it sees some encouraging pointers, here and in the more sophisticated understandings of some of the other interviewees drawn from civil society, as to the potential for progressive steps towards pluralism and parity of esteem.

**T**he report concludes that the problems of language highlighted in the initial chapter, the incongruent claims of especially the party-political interviewees and the tenor of the focus groups all add up to a very sobering assessment of the

extent of polarisation, the gulf of understanding and so the unreality of any early progress towards a settlement voluntarily arrived at by the parties themselves. It therefore argues that moves towards pluralism and parity of esteem can not be allowed to be dependent on such agreement spontaneously emerging or be rendered attendant upon its arrival.

The report, however, is careful not to endorse a simply top-down approach. It stresses, again from the international literature, the importance of non-governmental organisations in peace-building and pioneering new forms of dialogue, such as through the district partnerships linked to the European Union ‘peace package’. Since it does not envisage a ‘big-bang’ constitutional fix anytime soon, it recognises all the more the potential that NGOs may have for securing modest, but at least tangible, progress.

Very real concern is expressed as to how government(s) have allowed such a starkly polarised society to develop, given its obvious implications for the chances of that settlement to which government is committed. And it worries that parity of esteem has been pursued in recent years regardless of whether Northern Ireland is moving towards a scenario of sharing or of separation. It strongly emphasises that support for integrated education must be strengthened and urges

establishment of pilot projects to foster integrated housing.

On the constitutional level, the report argues for the incorporation into the Northern Ireland Constitution Act of the three significant minority rights conventions of the 1990s, alongside a more general commitment by government to parity of esteem and equity of treatment. These provisions would be a powerful statement of multi-cultural citizenship, derived from universal norms, and would be rendered justiciable in the Northern Ireland courts, or a new constitutional tribunal.

At a policy level, the report addresses the lack of real impact of the equality-proofing Policy Appraisal and Fair Treatment guidelines. It concurs with the view that a new set of policy priorities should be constructed, specifically tailored to Northern Ireland, powerfully indicative of government commitment to pluralism and parity of esteem.

There are a number of further specific recommendations—including in such difficult areas as policing—but at a political level the report sees the North review of parades as not only offering excellent substantive proposals but as also indicating a model towards an eventual resolution. It stresses that an absolutist defence of rights can only lead to permanent antagonism, and that only through a

mutual recognition that rights must be tempered by restraint and responsibility can different groups work together towards a pluralist but equal future. **DD**

# National questions



**The challenge: co-existence in one space**

**P**arity of esteem has become a political buzzword of Northern Ireland in the 1990s.

In 1990, the second Standing Advisory Commission on Human Rights report on *Religious and Political Discrimination and Equality of Opportunity in Northern Ireland* suggested more could be done—both in amendments to the Northern Ireland Constitution Act of 1973 and in substantive legislation—to guarantee “equal treatment and esteem of both traditions in Northern Ireland”. In April 1993, the Northern Ireland secretary, Sir Patrick Mayhew, said that “each of the main components of the community will need to be given recognition by the other, and in any settlement each must be accorded parity of esteem, the validity of its tradition receiving unqualified recognition”.

The publication of the Opsahl commission report a few months later propelled the concept nearer the top of the political agenda, where it has remained ever since. In the joint framework document of February 1995, the London and Dublin governments agreed that any new political arrangements must “evenhandedly afford both communities in Northern Ireland parity of esteem and treatment, including equality of opportunity and advantage”.<sup>1</sup>

On a negative reading—a reading

backed up by the intense parades controversy since 1995—parity of esteem has become a partisan ideological battering ram between two increasingly segregated and polarised communities, committed to an unending and bitter ‘war of position’, solely on the grounds that defeat would be so much worse. Embraced more positively, however, it conveys a recognition of intercommunal stalemate, after the most protracted sectarian conflict in modern Irish history, and offers a language for negotiation of a post-conflict equilibrium.

The Opsahl commission itself embodied this contradiction, in its recommendation for ‘the legal recognition of nationalism’ in Northern Ireland:

‘Parity of esteem’ between the two communities should not only be an ideal. It ought to be given legal approval, promoted and protected, in various ways which should be considered. Such recognition could be made operational at the highest level by an Act of Parliament.<sup>2</sup>

For while this recommendation was presented as “a future-oriented concession, recognising the role of a constructive nationalism within Northern Ireland”, Prof Opsahl’s own introduction described it as “an expedient to redress an imbalance from the past, not part of a framework for the future”.<sup>3</sup>

This contradiction, and the vagueness of the formulation, betray the slipperiness of the very concept of ‘parity of esteem’ in Northern Ireland. And it is precisely this room for partisan interpretation which has seen a notion promoted as part of a vision for a benign future for the region reduced to simply another weapon in ideological arsenals.

At one level, there must always be a degree of ‘play’ in a concept like parity of esteem—including for policy-makers. Even in a ‘peaceful’ Northern Ireland intercommunal tensions would remain, requiring constant (re)negotiation; and parity of esteem would have to be flexibly defined to accommodate such tensions in a positive manner.

But that is quite a different matter from the utter cultural relativism in which the notion has become mired. Unless there is some intercommunal understanding as to what, objectively, parity of esteem can or should mean, then far from acting as a fire-blanket for sectarian tensions it becomes the very vehicle for conflict at a cultural level. And as the Drumcree ‘stand-off’ of 1996 demonstrated, ‘cultural’ conflict can have every bit as much—or even more—impact than, say, the detonation of the IRA bomb in Canary Wharf five months earlier.

A major factor in the relativism of the Northern Ireland parity-of-esteem debate

has been its wholly provincial character. Apart from an excellent study by Lucy Bryson and Clem McCartney<sup>4</sup> of one aspect of the issue—cultural symbols—the debate has been conducted entirely without any recognition of the wider international discourse on nationalism, self-determination, minority rights and co-existence which has mushroomed in recent years.

That wider engagement has had four notable facets. First of all was the intellectual renewal of work on nationalism, national identity and so on marked by the publication in 1983 of Ernest Gellner’s and Benedict Anderson’s path-breaking studies.<sup>5</sup> Second was the fall of the Wall in 1989 and the subsequent explosion of ethno-nationalist pressures, most tragically in ex-Yugoslavia.

Third has been the promulgation of declarations on minority rights from the Organisation for Security and Co-operation in Europe (1991), the United Nations (1992) and the Council of Europe (1994). Fourth and perhaps above all is the intensifying awareness that, on a global scale, questions of ethnic and national identity, far from being relics of the pre-enlightenment past, look set to play an enduring role in a post-enlightenment future—in which the ‘politics of recognition’<sup>6</sup> will loom very large.

John Gray argues that the late 20th

century has seen the collapse of the ‘enlightenment project’ in its various universalist guises, liberal or Marxist, both having made the error of seeing culture in general—and cultures are always particular—as epiphenomenal, even atavistic. (Thus, in Northern Ireland, for example, liberals have promoted an abstract ‘non-sectarianism’ against ‘tribalism’, Marxists ‘class politics’ against ‘bourgeois nationalism’—neither to much avail.) In ‘enlightenment’s wake’, we now find

the supreme problem of communities in our time, which is that of finding terms of peaceful coexistence among themselves ... [C]ommunities make rival claims on territories they inhabit together, they are animated by conflicting narratives and cultural traditions, they renew their identities across the generations by strategies of exclusion and subordination, and so on. The real agenda for political thought ... is this agenda of relations among communities having irresolvably conflicting, and sometimes incommensurable claims ...<sup>9</sup>

Or, as Michael Ignatieff puts it more pithily, “the key language of our age is ethnic nationalism”.<sup>10</sup>

One has only to ask oneself what sense such statements would have made ten years ago to understand what a dramatically different place the world has become in the 1990s. By the same token,

however, some provisional answers have emerged to this now-global challenge of managing ‘agonistic (or competitive) pluralism’—answers which can put Northern Ireland’s own debate about parity of esteem into a more structured theoretical, and so hopefully more stable political, context.

**B**orrowing a phrase from Lenin to criticise liberal/Marxist rationalism, Gellner criticises the anticipated “withering away of nationalism” evident in even so late a text as Eric Hobsbawm’s *Nations and Nationalism since 1780*.<sup>11</sup> On the contrary, he argues, “the idea that political boundaries must be congruent with ethnic ones, that rulers must not be ethnically distinguishable from the ruled, now has a salience and authority which it has never possessed in the previous history of mankind.”<sup>12</sup>

Yet precisely the first lesson that the wider international debate has thrown up is this: there simply is not enough geopolitical space for every ethnic group in the world to exercise unfettered ‘self-determination’—not without trampling on somebody else’s space, at any rate. Thus, while there are some 184 independent states, Will Kymlicka estimates that there are more than 600 living language groups and more than 5,000 ethnic groups. If every group, in other words,

sought to replicate the Serb nationalist slogan ‘All Serbs in One State’, the world would be permanently pockmarked by ethno-nationalist wars.

And yet the interfaces of such potential conflicts constantly proliferate in these more assertive times:

Minorities and majorities increasingly clash over such issues as language rights, regional autonomy, political representation, education curriculum, land claims, immigration and naturalisation policy, even national symbols, such as the choice of national anthem or public holidays. Finding morally defensible and politically viable answers to these issues is the greatest challenge facing democracies today ... There are no simple answers or magic formulas to resolve all these questions. Some conflicts are intractable, even when the disputants are motivated by a sense of fairness and tolerance, which all too often is lacking.<sup>13</sup>

‘National self-determination’, of course, *was* the classical ‘simple answer’, as espoused by the US president, Woodrow Wilson, during the first world war. As Alan Sharp argues, Wilson, who saw Lenin as his arch-rival, tended to confuse two features of pre-war Europe—the refusal of multinational empires to grant autonomy to national groups and the lack of democratic control in many states: ‘national self-determination’ was thus

perceived as essentially synonymous with popular sovereignty.<sup>14</sup> His secretary of state, Herbert Lansing, saw the danger in the lack of clarity as to what the *unit* of self-determination should be. He wrote in his diary during the Paris Peace Conference in December 1918:

When the President talks of ‘self-determination’ what unit has he in mind? Does he mean a race, a territorial area, or a community? Without a definite unit which is practical, application of this principle is dangerous to peace and stability ... He admires trite sayings and revels in formulating them. But when he comes to their practical application he is so vague that their worth may well be doubted.<sup>15</sup>

By ten days later, Lansing was utterly agitated about Wilson’s embrace of ‘self-determination’:

The phrase is simply loaded with dynamite. It will raise hopes which can never be realised. It will, I fear, cost thousands of lives ... What a calamity that the phrase was ever uttered! What misery it will cause!<sup>16</sup>

A more distant observer came to equally disdainful conclusions. In his *The Economic Consequences of the Peace*, John Maynard Keynes wrote that Wilson “had no plan, no scheme, no constructive idea whatever for clothing with the flesh of life the commandments which he had

thundered from the White House. He could have preached a sermon on any of them or have addressed a stately prayer to the Almighty for their fulfilment; but he could not frame their concrete application to the actual state of Europe.”<sup>17</sup>

By June 1919, according to the account of the leader of an Irish-American delegation who saw Wilson, it seems the president had begun to share Lansing’s forebodings:

When I [Wilson] gave utterance to those words [‘that all nations had a right to self-determination’], I said them without the knowledge that nationalities existed, which are coming to us day after day ... You do not know and cannot appreciate the anxieties that I have experienced as a result of many millions of people having their hopes raised by what I have said.<sup>18</sup>

Nor has clarity emerged in the intervening decades. Hurst Hannum comments wearily: “Perhaps no contemporary norm of international law has been so vigorously promoted or widely accepted as the right of all peoples to self-determination. Yet the meaning and content of that right remain as vague and imprecise as when they were enunciated by President Woodrow Wilson and others at Versailles.”<sup>19</sup> No international agreement has ever defined what a ‘people’ is.<sup>20</sup> It is thus that Antonio Cassese, in his excellent legal survey, describes the ‘right of

self-determination’ as “a veritable Pandora’s box”.<sup>21</sup>

The paradox of self-determination in the 20th century is now well-established. Self-determination is normally understood (though theoretically there are other options) to mean the formation of new, democratically legitimated states; such legitimacy confers on states throughout the international system the right to exercise sovereign power (as against, say, being a protectorate of the United Nations); sovereignty is understood in terms of the exercise of power within a clearly defined boundary, on the other side of which another state legitimately rules; thus the corollary of self-determination is the territorial integrity of democratic states. So what if a group within such a state wants to secede—in the name of self-determination—to join another or become independent?

As Vincent Cable encapsulates it, “In a world where the politics of identity looms large, the underlying tension between the quest for minority ‘self-determination’ and majority ‘territorial integrity’ will provide the basis of much future conflict, where rights and wrongs will never be clear cut.”<sup>22</sup>

It is all very well where what is perceived as a national community with the right to self-determination can found a state co-terminous with itself. What

happens, however, when ethno-national and political geographies do not so happily correspond? The simple answer, of course, would be to adjust the latter boundary to suit, or at least to provide a measure of autonomy for that group within the existing state. But this again depends on extremely tidy geography: the group concerned must live in an area wholly separate from the other or others with which it shares the state.

If not, accommodation of its claim to ‘self-determination’ can only be met at the expense of a *denial* of self-determination to some or all of the members of the other group(s). For example, three million Hungarians live in the states around Hungary. If they were all to enjoy, with their fellow Hungarians, an untrammelled collective right to self-determination, it could only be through the dismantling of Romania, Slovakia, Serbia and so on.

It is thus that the notion of self-determination has soured in the international community. Cassese points out how after the first world war it was seen as “the animating *political ideology*” of a new order; after the second, it was perceived as an international legal norm; after the end of the cold war, however, its revival has had a more disturbing complexion:

If, in the past, self-determination used the coin of ‘progress’, in its third apparition it has come to be seen increasingly as

fuelling the currency of ethno-national intolerance, rivalry, tribalism, xenophobia, and worse: a Golem turned on its Creators.<sup>23</sup>

Yet, on the other hand, if the aspiration to self-determination by a minority group is *itself* denied, then it can suffer the loss, potentially, of all other human and democratic rights as well. While in theory there are numerous international conventions and courts, and there is the ultimate authority of the United Nations, the international community is loath to intervene in sovereign states—because of the perceived domestic political costs and because of fear of reciprocal claims—to the extent required to punish oppression. Ex-Yugoslavia and Rwanda demonstrate all too clearly how impotent the international community can be, even in the face of such massive human rights abrogations as ‘ethnic cleansing’ and genocide.

Moreover, it is perfectly possible for what are widely recognised to be democratic states to be experienced in quite the opposite manner by minorities within them. In as much as democracy is conventionally understood as the legitimate exercise of power on behalf of a majority of electors endorsing the government of the day (even if usually in a proportional system rather than first-past-the-post), it is clearly possible for a minority or minorities to be permanently excluded

from power—by ‘democratic’ means. The old Stormont régime is by no means a unique instance. Turkey, for example, currently wants to join the democratic club of the European Union, yet its Kurdish minority in the south-east (which would likely settle for autonomy rather than secession) is just so excluded, and indeed repressed in the context of the war against the state conducted by the Kurdish Workers’ Party.

What this argument indicates is that reliance on conventional democratic norms—self-determination, sovereignty and majority rule—cannot turn the trick in ethno-nationalist conflicts. On the contrary, such norms can simply be mobilised in a partisan and mutually uncomprehending fashion by protagonists on both sides, leading to endless deadlock. Cyprus provides a perfect example. In as far as Greek and Turkish Cypriots perceive themselves as members of two antagonistic communities, each rejects the compromise widely touted—a bizonal, bicomunal federation—in favour of what they deem to be ‘their’ community’s national rights: *enosis* with Greece versus the maintenance of partition.

The crux of the difficulty is that the notion of self-determination can never resolve any prior dispute as to who the ‘self’ is to be. Hannum takes the Irish

case as an instance of the dilemma:

Within the two islands of Ireland and the United Kingdom, for example, the relevant ‘self’ might be both islands then [until 1921] together, despite their ethnic mix of English, Scots, Welsh and Irish; each island separately, despite the mix of the first three in Great Britain and of Irish and Scots in Ireland; the two existing states; or each ethnic/geographic group, which would include at least four separate entities of England, Scotland, Wales, and Ireland, with from zero to two additional groups (Irish Catholics and ‘British’ Protestants) in Northern Ireland. Citing a multitude of equally irreducible situations will not advance our thinking very far, but their existence does underscore the fact that the assertion by one ‘self’ of political auto-determination almost necessarily entails the denial of auto-determination to another ‘self’ which may be either greater or smaller; as is the case with minorities, selves can never be wholly eliminated.<sup>24</sup>

As Gellner puts it with customary astringency, “The phenomenon of nationalism is like a recurring decimal, it has no end, every national flea has smaller fleas to plague it in turn, not to mention the fact that fleas of the same size also torment each other.”<sup>25</sup>

The significance of this for Northern Ireland today cannot be overstated. For there is a widespread, and unfortunately

ill-informed, assumption that the formulation on Northern Ireland's constitutional status in the Sunningdale agreement of 1973, the Anglo-Irish Agreement of 1985 and the Downing Street Declaration of 1993—the so-called 'consent principle'—has resolved the self-determination conundrum. Under this formulation, it is held that Northern Ireland will remain a part of the UK because a majority so wishes; should a majority eventually determine, however, that it should become part of a united Ireland, that wish would be facilitated.

Yet the fact that this 24-year-old formula hasn't, in practice, brought the conflict to a close should perhaps give pause for thought. Indeed, on closer scrutiny it is apparent that it is trapped within the limits of the conventional discourse. For it merely *counterposes* the competing unionist and nationalist self-determination claims—to remain with the UK or to end partition—neither offering a *via media* between them nor suggesting any mechanism other than majority rule for making an arbitration. It thus cannot provide a basis for a settlement short of a mass conversion of Catholics to the *status quo*, a mass conversion of Protestants to nationalism, or the demographic emergence, peacefully accepted, of a Catholic-nationalist majority—none of which seems a remotely plausible scenario.

This leaves nationalists feeling themselves subject to a 'unionist veto' on *their* self-determination right, which nationalists therefore seek to prosecute through enhanced involvement by the government of what they believe to be their national community in the day-to-day affairs of Northern Ireland. Unionists in turn, fearful of a process of 'creeping unification', resist such involvement and other north-south links, in order to prevent what they see as a *de facto* 'Irishising' of Northern Ireland, whatever reassurances they receive about its *de jure* position from British ministers. As the political interviews later in this report indicate, there is a very clear awareness, amongst both sets of protagonists, as to what is at issue here.

The upshot is that there is neither agreement on the constitutional *desideratum* for Northern Ireland, nor on its relationship with the Republic of Ireland—and hence no agreement on even the parameters of a settlement. And nor, within the current language, could there be.

**T**he implications of the foregoing discussion are momentous. Nothing short of a radically new language can allow any settlement of the Northern Ireland conflict to be conceived, never mind implemented. In the absence of such a

new discourse, no end of talks or fora (and Northern Ireland has had five sets of major talks and five fora since 1969) will deliver up a new dispensation; nor, indeed, will any proposals constructed by the two governments if these remain circumscribed by the language of the participants.

At the 80th anniversary of the onset of the first world war, Vernon Bogdanor wrote:

The slogan of the peacemakers in 1919 was national self-determination. The problem with the notion is that in Central and Eastern Europe—and in Ireland, too—where majorities are intertwined with minorities, there is no way of creating homogeneous national communities by drawing lines on a map. Wherever the line is drawn, significant minorities will be left on the wrong side. For this reason, the principle of national self-determination is not part of the answer to the question of how states should be organised, but rather a large part of the problem ... Woodrow Wilson's notion of self-determination was founded on the 19th-century liberal idea that humanity was naturally divided into nations and every nation should have its own state. Such an idea is clearly not capable of realisation in Central and Eastern Europe [or Northern Ireland], where minorities are territorially dispersed. This means there is an urgent need for new thinking as to how the national identities

of peoples can be made compatible with democratic stability.<sup>26</sup>

It is similarly essential to question the concept of the 'nation-state' which national self-determination usually seeks to establish, but which is bedevilled by non-correspondence between the terms on either side of the hyphen. (Indeed Stephen Ryan estimates that only one quarter of 'nation-states' really qualify for that definition.<sup>27</sup>) As Bhikhu Parekh contends,

The nation-state has obvious advantages, which explains its enormous past and present popularity. It liberates individuals from the tyranny of narrow communities, guarantees them personal autonomy, equality and common citizenship, and unites them all within a collectively shared way of life. But it also has its disadvantages. Since it sees itself as the highest moral community, it cannot cherish and beyond a certain point even tolerate ethnic, cultural and religious communities lest they should become rival loci of allegiance and identity and detract from the majesty of the national community. It speaks in the language of secular individualism and has no patience with those speaking in different languages. In this respect even the most liberal state is fundamentally monocultural.

The nation-state might be suited to the needs of a culturally homogeneous society, but is a source of much mischief and

disorder in a culturally plural society. It insists on homogeneity and uniformity which its constituent groups naturally resent, and its repressive attempts to enforce its demands inevitably provoke violent reactions from them. The state, an instrument of order, then becomes an instrument of disorder, and forfeits its *raison d'être*.<sup>28</sup>

On the cognate concept of sovereignty, Hurst Hannum is equally robust:

[I]t is ... important to underscore the inherent vagueness and unhelpfulness of terms such as 'nationhood' and 'sovereignty' in attempting to resolve legal and political conflicts. Both terms have been more frequently used to obscure questionable motives and defend existing privilege than to promote comprehension or compromise ... [T]o emphasise the theoretical rights of every 'nation' or the immutable characteristics of 'sovereignty' is unlikely to resolve the inherent tension between these two components.<sup>29</sup>

And finally, even the very discourse of nationalism itself (including, in this context, unionism of course), however much one defends it as a deeply felt emotional identity, remains intellectually vacuous. As Gellner witheringly remarks, "nationalism as an elaborated intellectual *theory* is neither widely endorsed, nor of high quality, nor of any historic importance ... I would only add that my own reading of

Irish nationalist material suggests to me that ... it is indeed pure verbiage."<sup>30</sup>

Elaborated concepts of pluralism and parity of esteem do not exhaust the new lexicon required to achieve a resolution. Outside of this politico-cultural arena, for instance, there are of course such vexed questions as policing and criminal justice, a whole raft of social concerns under the heading of social exclusion, the economic challenges of long-term unemployment and so on. But new thinking in this arena is certainly a necessary, if not a sufficient, condition of a settlement.

For the fundamental argument of this report is that well-honed concepts of pluralism and parity of esteem can displace the blunt tools of 'majority rule' and 'self-determination'. Thus, as Dunn and Hennessey argue, if "recent world developments", interpreted pessimistically, indicate "the universality, obduracy and timelessness of national questions", more optimistically read they show "how current ideas about nationalism, pluralism and internationalism can inform the Irish dilemma and point to ways forward instead of back".<sup>31</sup>

The big distinction is between a language of zero-sum and a language of equilibrium. Majority rule and self-determination both imply that somebody wins and somebody loses. As Gellner laconically puts it, "not all nationalisms can

be satisfied, at any rate at the same time. The satisfaction of some spells the frustration of others.”<sup>32</sup> Pluralism and parity of esteem, by contrast, are terms, meaningless in a monocultural context, which at least implicitly recognise that identities and rights collide and must therefore be accommodated and balanced.

**T**he end of the cold war has not only been marked by an explosion of ethno-nationalism but also by a more general efflorescence of discrete and disparate political subjects, throwing up another whole set of dilemmas: how can identities *defined* by their particularity discover any mutual comprehension?

Ernesto Laclau sets the scene:

[T]he end of the Cold War has also been the end of the globalising ideologies that had dominated the political arena since 1945. These ideologies, however, have not been replaced by others that play the same structural function; instead, their collapse has been accompanied by a general decline of ideological politics. The discourse of both camps in the Cold War has been, in this sense, a last version of the political ideology of modernity: that is, the attempt to legitimate one’s own ideology by presenting it as a fulfilment of a universal task (whatever that might be). In a post-Cold War world, on the contrary, we are witnessing a proliferation of particularistic

political identities, none of which tries to ground its legitimacy and its action in a mission predetermined by universal history—whether that be the mission of a universal class, or the notion of a privileged race, or an abstract principle.<sup>33</sup>

But Laclau argues that while these particularisms challenge the enlightenment notion of a universal political subject (‘citizens’, ‘the proletariat’) they do not vitiate the idea of universal *values*. On the contrary:

For the emergence of highly particularistic identities means that the particular groups will have to coexist with other groups in larger communities and this coexistence will be impossible without the assertion of values that transcend the identities of all of them.<sup>34</sup>

And it is through a notion of rights that for Laclau the universal and particular can be related.

Parekh agrees that the problem is that these categories are defined as if they were mutually exclusive. It is perhaps illuminating to read the following quotation with an ideal-typical unionism and nationalism, substituting for universalism and particularism, in mind:

The universalist trend is grounded in the Enlightenment belief that the liberal, capitalist, and secular way of life alone is consistent with human nature and represents the last word in human wisdom. In such a

view there is only one true way of being rational, moral, civilised, human. Not surprisingly its moral monism is inherently inhospitable to cultural pluralism and leaves no space for cultural diversity. The particularist trend makes the opposite mistake. Thinking that the only way to counter universalism is to embrace naïve relativism, it either holds that each way of life represents a distinct, incorrigible and equally valid vision of the good life, or that, in spite of all its limitations, it alone suits the genius of those born within it. In either case it insulates and places the prevailing way of life above criticism and leaves no space for inter-cultural dialogue and borrowing ... Multi-cultural, multi-religious and multi-ethnic societies need to develop new models of political universalism that both respect deep differences and ensure equal citizenship. If they were to embrace an abstract and culturally insensitive universalism, they would provoke violence and secession. But if they surrendered to particularities in the name of celebrating differences or out of a naïve belief in moral relativism, they would sacrifice social cohesion, common citizenship and a shared way of life, and risk disintegration.<sup>35</sup>

**M**uch representation of the Northern Ireland conflict is *as if* it were symmetrical in nature—‘two traditions’ and so on. In fact on closer inspection this is clearly wide of the mark.

For a start, the history of Northern Ireland has been a history of one community being, as Orwell would have put it, more equal than the other. Moreover, ‘two traditions’ thinking, however benignly, projects an essentially Irish nationalist focus on *national identity* on to the primary unionist concern with *state allegiance*.

As Bryson and McCartney explain,

Unionists are often told that Britishness is not a real identity; there is no British nation; Britishness is an expression of citizenship. But this misses the point of what unionists want from their Britishness: citizenship in the sense of identification with the institutions of the state. They are not necessarily looking for a sense of nationality, or if they are they may be looking elsewhere.<sup>36</sup>

Yet if the inequality between the ‘two communities’ has been the raw material of the ‘factory of grievances’, the *asymmetry* between them offers a space for a way forward. This space becomes apparent once one separates the notion of *ethnos* (perceived national community) from *demos* (polity of citizens).

Now consider another distinction, on how nationality itself is conceived—between the classically French and German models. In the French revolutionary tradition, all are citizens (*citoyens*), abstractly defined by their secular,

universal rights, regardless of any linguistic or national particularity—‘indifferent to difference’, as a French commentator has encapsulated it. In the German tradition, arising from the process of unification, all are part of the people (*Volk*), defined by what differentiates the ascribed national ‘spirit’ from that of other national groups.

Now map these concepts into a matrix:

	<i>German model</i>	<i>French model</i>
<i>Ethnos</i>	Ethno- nationalism	Multi-cultural citizenship
<i>Demos</i>	Multi-cultural citizenship	Assimilationism

What the diagram shows is the space between extremist approaches to questions of national identity and state allegiance which can be opened up if a more nuanced approach is adopted. Thus, at one extreme, if one focuses on *ethnos* at the expense of *demos*, and one operates with a German model of nationality, one can only end up as an ethno-nationalist protagonist: ‘All Serbs in One State’. At the other, if one resists *ethnos* in the name of *demos*, and one operates with a French model of nationality, one can only end up demanding all assimilate to the

dominant national group—hence the intense and sustained controversy stirred in France a few years ago by the apparently trivial episode of two Muslim girls who wanted to wear headscarves to school.

The space for multi-cultural citizenship arises where *ethnos* and *demos*, French and German models, are balanced. As Parekh succinctly puts it, this is about “equal respect, public recognition and the valuing of cultural identities”.<sup>37</sup> In Northern Ireland that allows of someone who feels secure in the recognition of their primary identity as an Irish national to feel nevertheless s/he can be relaxed about being a citizen of the state of Northern Ireland/UK, just as it allows of someone who defines him/herself primarily by their allegiance as a citizen to the British state to find an Irish/Northern Irish identity non-threatening.

It is here that the ‘trap’ of nationality can have a benign reprise. Just as there can never be enough states in the world to have one for every ethnic group, so the necessary non-correspondence between *ethnos* and *demos* allows for creative exploitation of opportunities to assuage intercommunal conflict.

It is clear, however, that this poses greater challenges to unionists than nationalists. For it does require unionists

to modernise attitudes to citizenship (away from subjecthood) and to Irishness (away from stereotypical conceptions). The dominant trend within unionism conforms to David Miller's model of 'conservative nationalism': "At the core of conservative nationalism stands the idea that national identity integrally involves allegiance to authority. To think of oneself as British [in this view] is *ipso facto* to acknowledge the authority of institutions such as the monarchy which form the substance of national life."<sup>38</sup>

This implies that the state must give formal recognition to those institutions deemed to express nationality, and associated beliefs and practice must be defended against criticism. Within this view, well articulated in the interviews later, parity of esteem can only be deemed a threat to a whole way of life.

But the approach outlined here does not require unionists to stop being unionist. What it does require is that they embrace an 'inclusivist'<sup>39</sup> or 'civic'<sup>40</sup> unionism. And nor does it fail to challenge nationalists at all: on the contrary, it requires of nationalists a recognition that the vanishing point where state and nation correspond is precisely that.

As Ryan argues, "the fact that states and nations are going to be with us for some time is no reason to accept either statist solutions suggested by supporters

of the *status quo* or calls for separation by nationalist groups, that can, as in the case of former Yugoslavia, lead to the horror of ethnic cleansing. Both of these simplistic solutions usually involve a turning away from dialogue in favour of



**Don't threaten my whole way of life**

a unilateral solution.”<sup>41</sup>

This approach, however, also allows of a multiplication, not simply bifurcation, of identities—which Salman Rushdie describes as “the norm of life in the 20th century when we are all so jumbled up”.<sup>42</sup> Indeed, it is arguable that even with a recognition that most individuals in Northern Ireland will always adhere primarily to a single identity, as unionist or nationalist, it is crucial that there is a—hopefully, in the long run, growing—minority in each community, comprising individuals who reflexively construct their own more complex, multiple identities from the cultural repertoires available to them.

For such a group, even if a minority, is crucial to cementing the two conventional blocs and of suffusing them with a commitment to pluralism. As indicated above, nationalists don’t have to convert to being unionists or *vice versa*; what is required is that the distinction be rendered non-antagonistic, through a common recognition of the legitimately plural identity spectrum within which they fall.

As Gerard Delanty argues, and the succeeding research confirms,

The conflict in Northern Ireland has demonstrated the absence of a point of convergence in the extremes of the two traditions and very little in the mainstream currents. This is because their

collective identities are not only primary identities but are also exclusive of other identities ...: both nationalism and unionism are very much defined in opposition to each other. Up until now the dominant tendency in the debate about peace has been to seek common ground in the extremes of the two traditions upon which a peaceful and democratic society can be built. While on one level that is indeed commonsensical, on another level it cannot be the basis for an enduring political culture ... [N]ationalism and unionism are themselves incapable of wielding democratic norms upon which a post-national identity could be built. This is because they are based on essentialist identities and the reality is that people have multiple identities, even if these remain largely repressed or unarticulated ... Essential to the task of creating a new collective identity is the need to find less common ground in the extremes of the two traditions than in achieving common ground between the moderate sides.<sup>43</sup>

**B**ut how can such ‘common ground’ be established, when in Northern Ireland perceived rights so obviously collide and the protagonists so commonly talk past each other—as evidenced in both cases by the parades controversy?<sup>44</sup> The tendency is to avoid—as ‘too difficult’—the intellectual ramifications of such questions, in favour of an approach based on negotiation. But as the

independent review of parades recognised, while such negotiation is welcome, it can not in itself be sufficient to resolve conflicts.<sup>45</sup> For, of course, if rights are perceived as colliding and there is no commonality of discourse, ‘negotiation’ can only become another vehicle for prosecution of conflict.

Thus, as Laclau puts it,

Negotiation ... is an ambiguous term that can mean very different things. One of these is a process of mutual pressures and concessions whose outcome depends on the balance of power between antagonistic groups. It is obvious that no sense of community can be constructed through that type of negotiation. The relation between groups can only be one of potential war. *Vis pacis para bellum.*<sup>46</sup>

So what can be done? The first answer is to distinguish the *universal* principle of equality from *particular* conceptions of the good. Focusing on the former alone makes us ‘group-blind’; focusing on the latter alone leads to utter relativism.

Attracta Ingram has developed a complex and sophisticated argument, worth recounting at length, as to how a scheme of rights can come to be endorsed by diverse citizens. Certainly, it will not be acceptable to extremists who cannot accept alternative conceptions of the good as legitimate. But it should be a basis for ‘common ground’ between more

moderate political forces, flowing as it does from principles of liberal democracy, widely recognised today as the only legitimate political order:

Now in liberal democracies people subscribe to different, often incompatible conceptions of what makes life worthwhile. These may be religious, ethical, or philosophical views. Since such views are the subject of disagreement and are also sources of the deepest convictions people have about how to lay out their lives those facts must be represented as ‘givens’ in any model of the circumstances in which the question of rights arises for us. In other words, our thinking about rights takes place against certain background beliefs that are not in question within the liberal democratic perspective: (1) that citizens are to be treated as equals from the point of view of politics; (2) that certain liberties, such as the liberty to practise a religion, are of fundamental importance; (3) that disagreement about the fundamentals of human existence is to be tolerated (even regarded as a good thing) rather than stamped out by force. Together these beliefs direct us to find a moral basis for an acceptable system of rights, one that can be endorsed by all citizens, in some point of agreement which overarches differences in conceptions of what makes life worthwhile. Intuitively, the clearest point of agreement is that expressed in the third belief, that moral pluralism is to be tolerated. While this belief cannot stand in

isolation from the other two (toleration would not be important to people who did not believe in democratic equality and fundamental liberties), it is a useful point of entry to the unifying moral basis of all three.<sup>47</sup>

Underlying all three principles, Ingram argues, is the (universal) value of individual autonomy. Here she challenges the widespread assumptions that rights derive from self-ownership of property, arguing instead that they should be understood as deriving from the capacity of all moral persons for self-government:

[E]qual respect for persons cannot flow from the thought that others are due the respect we claim for ourselves because they are like us in sharing our judgments of what makes life worthwhile. Instead, equal respect must come from the thought that what matters is that people develop and exercise their capacities to form and implement their own plans and projects.<sup>48</sup>

Autonomy, however, while individual is not private: developing one's own projects entails reasoning, which in turn entails engagement with the judgments of others about the substance of a worthwhile life. Whereas a proprietorial conception of rights implies a relation between citizens of a social contract, based on bargaining, an autonomy-regarding conception implies resolution of these relationships through dialogue.<sup>49</sup>

But not any dialogue. If the outcome of discourse is to be based on reason alone—rather than propaganda, deception, appeals to tradition or exercise of power—then, following Jürgen Habermas, Ingram argues that the participants must enjoy equal freedom of expression, equal individuality and equal power, and all motives except for the co-operative search for truth must be excluded.<sup>50</sup> This Habermas calls ideal speech and Ingram terms 'ideal discourse'.

Through such an ideal discourse we can, despite differing conceptions of the good, elaborate a set of rights principles on which all citizens can concur, derived from a common regard for autonomy. Ingram thereby outlines four:

- (1) that each citizen has an equal right to the liberties, opportunities and powers of citizenship;
- (2) that the citizen is incomplete outside relations to others, so citizenship cannot be defined through the provision of rights of non-interference by a minimal state;
- (3) that their interdependence means that citizens must stand to each other in relations of mutual concern and respect expressed in their co-operation in a just state;
- (4) that their necessary mutuality and reciprocity is shown in citizens' acceptance of dialogue rather than force or deception to settle their political arrangements and resolve the conflicts that arise from time

to time.<sup>51</sup>

This provides a powerful theoretical underpinning for a package of rights under the banner of parity of esteem, deliberated upon and accepted thereby as based upon the common interest of free and equal, if different, citizens in the pursuit of autonomous, though interdependent, lives. It allows us to re-present the concept of parity of esteem in the language of opportunity and choice for individual citizens, rather than as the clash between ideologically armour-plated, collective political protagonists it is often thought to connote—both for the protagonists themselves and for broader publics alienated from the debate as a result.

The focus on an acceptable régime for the adjudication of rights, and on the principle of continuing dialogue, is crucial for another reason. As Norberto Bobbio recognises, and he could easily have been writing about the parades controversy,

in the majority of cases concerning human rights two equally fundamental human rights conflict with each other, and it is impossible to protect one unconditionally without making the other inoperative. Take, for example, the right to freedom of expression on the one hand, and the right not to be deceived, provoked, scandalised, offended, libelled or vilified on the other. In these cases, which are the majority, one

has to refer to fundamental rights which are not absolute but relative ...<sup>52</sup>

Bobbio also importantly reminds us how the very idea of human rights developed in reaction to an organic conception of society, in which the social whole, embodied in the sovereign, defined the duties of individual members, conceived as subjects. Emerging first in the name of religious freedom, this generalised into an individualistic conception of society, whose members were re-defined as rights-bearing citizens.<sup>53</sup> It would surely be a perverse historical reprise to reintroduce an organic conception, in the name of the ‘nationalist community’ and the ‘unionist community’ religiously defined—thereby *disempowering* individual citizens—as part of a project ostensibly intended to extend the sphere of rights.

Indeed, Bobbio goes so far as to question the very idea of ‘the people’ on which the idea of national-self-determination rests:

‘People’ is an ambiguous term, which has been used by all the modern dictatorships. It is an abstraction which can be deceiving: it is not clear what sections of the individuals living on a given territory constitute the ‘people’. Collective decisions are not taken by the people, but by the individuals it is composed of, whether they are many or few. In a democracy,

collective decisions are taken directly or indirectly only by single individuals in the moment in which they place their voting paper in the ballot box.<sup>54</sup>

**Y**et it is sometimes argued that the politics of recognition *necessarily* entails enshrining ‘collective rights’. Conventional human rights régimes, it is said, treat each individual identically as a *homo civicus*, enjoying of civil and political liberties by dint of democratic citizenship. Their very universalism makes them blind to considerations of differential identities. What therefore needs recognition, it is then suggested, is the rights of particular groups held to embody a *conscience collective*.

This, however, is very much a road to hell, albeit paved with good intentions. As John Cash points out, such corporate conceptions not only subordinate individuals to ascriptive group membership and define their entitlements accordingly—at some peril to individual liberty—but also it follows that the behaviour, beliefs and aspirations of *other* groups can only be evaluated relativistically, in terms of their compatibility, or otherwise, with those of one’s own group. And since the constitutive political relationship is no longer between the citizen and the state but between the group and the state, political authority is granted legitimacy only in so far as it

is deemed to advance the interests of one’s own group and to control or exclude the other(s). From this, then, it follows that the only ‘solutions’ that are possible are informal or formal apartheid, partition, ‘repatriation’ or genocide.<sup>55</sup>

The ‘two traditions’ emphasis of recent years has been a mixed blessing in this regard. On the one hand, it is certainly superior to the ‘one tradition’ monoculturalism which dominated, and stultified, Northern Ireland in the old Stormont years. On the other hand, it can itself be constricting, implying as it does a pre-determined fixity of cultural styles and political affiliations: as Liah Greenfield argues, nationalisms defined in collectivist terms are inherently authoritarian.<sup>56</sup> Where they clash, as in Northern Ireland, recognition of the rights of collectivities *qua* collectivities can only perpetuate the stand-off, institutionalising sectarianism and preventing the emergence of a broader pluralist and democratic culture.

*In extremis*, of course, emphasis on ‘group rights’ can only conjure up an apartheid society, in which all politics—as dialogue and exchange—is impossible. And, looking at the South African case, Adrian Guelke warns that if “the old assumption that ethnicity would be dissolved in the process of modernisation and state integration has been

thoroughly discredited”, nevertheless, “A danger now exists that a contrary and equally false assumption will be made, postulating the inevitability and centrality of ethnic divisions in any multi-ethnic society.”<sup>57</sup> Ironically, South Africa, where the African National Congress stuck by non-racialism in the face of the perpetuation of group division by the National Party, here provides (as so often) more contrast than comparison with Northern Ireland.

Kymlicka comes to similar conclusions. He rightly stresses that without minority rights provisions, “talk of ‘treating people as individuals’ is itself just a cover for ethnic and national injustice”. But he warns:

Recognising minority rights has obvious dangers. The language of minority rights has been used and abused not only by the Nazis [*vis-à-vis* the Sudeten Germans ‘trapped’ in Czechoslovakia by the Versailles treaty], but also by apologists for racial segregation and apartheid. It has also been used by intolerant and belligerent nationalists and fundamentalists throughout the world to justify the domination of people outside their group, and the suppression of dissenters within the group. A liberal theory of minority rights, therefore, must explain how minority rights coexist with human rights, and how minority rights are limited by principles of individual liberty, democracy, and

social justice.<sup>58</sup>

As Amy Gutmann puts it, “The demand for recognition, animated by the ideal of human dignity, points in at least two directions, both to the protection of the basic rights of individuals as human beings and to the acknowledgment of the particular needs of individuals as members of specific cultural groups.”<sup>59</sup>

It is for all these reasons that the language of the international conventions on minority rights refers not to such groups as legal subjects but to ‘persons belonging to’ them. This reserves to individuals the crucial rights to be both less and more than a representative member of an ethnic group—less in the sense of a right of exit, more in the sense of a right to additional identities. During the war in ex-Yugoslavia, one writer passionately complained:

That is what the war is doing to us, reducing us to one dimension: the Nation. The trouble with this nationhood, however, is that whereas before, I was defined by my education, my job, my ideas, my character—and yes, my nationality too—now I feel stripped of all that. I am nobody because I am not a person any more. I am one of 4.5 million Croats.<sup>60</sup>

‘Collective rights’, in other words, turn persons belonging to ethnic, national or religious minorities into *non*-persons. At

worst, as Ryan indicates, ethnocentrism and enemy images become entrenched, “exaggerated awareness and concern about cultural difference” being manifest. “As a result of this black and white thinking ‘deindividualisation’ takes place, a collective ethic emerges and polarisation becomes easier.”<sup>61</sup>

This is not to reject any notion of communal identity—that would be to relapse into abstract universalism. And as Jeffrey Weeks argues: “A community offers a ‘vocabulary of values’ through which individuals construct their understanding of the social world, and of their sense of identity and belonging. Communities appear to offer embeddedness in a world which constantly seems on the verge of fragmentation.” But Weeks goes on to warn

A major problem, of course, is that a particular definition of community may undermine a wider sense of community embodied in the best of humanist traditions. The strongest sense of community is in fact likely to come from those groups who find the premises of their collective existence threatened, and who construct out of this a community of identity which provides a strong sense of resistance and empowerment. Seeming unable to control the social relations in which they find themselves, people shrink the world to the size of their communities, and act

politically on that basis. The result, too often, is an obsessive particularism as a way of embracing or coping with contingency. And as critics of community have pointed out, social pluralism and the proliferation of associations do not necessarily mean variety for men and women personally: embeddedness means people can get stuck.

The challenge for modern advocates of community, therefore, is to imagine community without either neo-tribalism or self-immolation ... The co-existence of different communities depends upon a recognition that the condition of toleration of one’s own way of life is a recognition of the validity of other ways of life.<sup>62</sup>

As Jean Leca pungently asks, “How can citizenship be combined with the coexistence of different cultural groups which only communicate between themselves with the deafness of resentment?”<sup>63</sup>

Cyprus here provides an eloquent warning. The Treaties of Zurich and London granting qualified independence in 1960 were based on residential, electoral and political segregation between Greek and Turkish Cypriots. “Individuals qua individuals did not possess rights vis a vis the national state; rights were reserved for communal groups, while small minorities were forced to choose between the two communities.”<sup>64</sup> The rest is history.

**W**ith this key caveat, however, minority rights provisions are crucially important in engendering parity of esteem: they represent the counterbalance through which the demographic weight of a majority is reduced to equilibrium with the minority(ies) with which it shares a territory. That being so, it is worth considering why they have taken so long to emerge in the inventory of international law, and why they still only have declaratory status. And the answer, of course, lies not only in the failure of the inter-war League of Nations, or the opportunist way in which Hitler embraced the rights of German minorities outside the *Vaterland*—but in the way the régime of international relations embodied in the United Nations was premised precisely on sovereign, self-determining nation-states.

Thus, minority rights are absent from the founding UN Charter of 1945. While in 1946 a UN Sub-commission on the Prevention of Discrimination and the Protection of Minorities was established, the ‘parent’ Human Rights Commission constrained its work, reflecting the unwillingness of member states to delve too deeply into this area. In 1978, the HRC established a working group to study a Yugoslav draft on minority rights. Yet it took 14 years for that to be translated into the *Declaration on the Rights of*

*Persons Belonging to National or Ethnic, Religious and Linguistic Minorities*. And the declaration is itself rather weak: not only has it no legal force but there is no monitoring mechanism and its substantive implications are imprecise (‘appropriate ... measures’) or qualified (‘where required’).

Nevertheless, the declaration does commit UN members in general to “protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and ... encourage conditions for the promotion of that identity”. In particular, its provisions range comprehensively over equality and non-discrimination; rights to linguistic, religious and other cultural expression; education for cultural diversity, including education via the ‘mother tongue’; rights to participate ‘effectively’ in all aspects of public life and decision-making; freedom of communal association and in terms of developing relations with co-nationals in neighbouring states; and co-operation between states to promote rights and mutual understanding.<sup>65</sup>

Many of the same considerations apply to the *Framework Convention for the Protection of National Minorities*,<sup>66</sup> which covers much the same terrain as the UN declaration. Council of Europe sources indicate that the Parliamentary

Assembly of the council wanted the convention to be attached as a protocol to the existing European Convention of Human Rights—a weakness of which is that it does not address the rights of members of ethnic (in the broadest sense) groups, as against abstract individuals—but the “main powers” in the Committee of Ministers of the council took a “political decision” in favour of a framework convention instead. The new code does not, thus, allow representatives of ‘national minorities’ to bring cases before the European Court of Human Rights to seek redress against the states in which they live.

Nevertheless, as the explanatory report attached to the convention indicates, “The framework Convention is the first legally binding multilateral instrument devoted to the protection of national minorities in general.” It arose from recognition by the heads of state of the 38-member council, at their summit in Vienna in 1993, “that the national minorities which the upheavals of history have established in Europe had to be protected and respected as a contribution to peace and stability”. Both the UK and the Republic of Ireland have yet to ratify the convention.

The explanatory report makes clear that no recognition of ‘collective rights’ is implied here, as against *persons*

*belonging to* ethnic groups. And, like other instruments on minority rights, it insists that every such person “shall have the right freely to choose to be treated or not to be treated as such” to no disadvantage.

Its preamble states that “a pluralistic and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create conditions enabling them to express, preserve and develop this identity”. It stresses that “the creation of a climate of tolerance and dialogue is necessary to enable cultural diversity to be a source and a factor, not of division, but of enrichment for each society”.

The key provisions of relevance to Northern Ireland are:

- prohibition of discrimination, in favour of equality before the law and equal protection;
- promotion of equality “in all areas of economic, social, political and cultural life”;
- promotion of conditions necessary for national minorities to preserve their identity, in “religion, language, traditions and cultural heritage”;
- encouragement of “tolerance and intercultural dialogue” and effective measures to promote mutual respect and co-operation, particularly in education,

culture and the media;

- specific protection of language rights, including education through the minority language, access to the media and officialdom, street names, etc;
- fostering knowledge in education and research of minority and majority cultures, history, etc;
- creation of the conditions for “effective participation” of persons belonging to national minorities “in cultural, social and economic life and in public affairs”;
- non-interference with “free and peaceful contacts” across frontiers, especially where ethnic identity or cultural heritage is shared; and
- encouragement of “bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned”.

The convention also stresses the need for national minorities to respect the rights of others and that nothing within it implies any right to engage in activity contrary to the “sovereign equality, territorial integrity and political independence of States”. It thus goes as far as the international community yet has in squaring the circle of how, in the many European countries in particular where states and ethnic groups do not follow the same boundaries, the clash of the two key

international principles of self-determination and non-violability of borders can be resolved.

Earlier, in 1992, the Council of Europe had promulgated the *European Charter on Regional and Minority Languages*. This ranges from education in the medium of the language, to its use in communication with authorities, in cross-border exchanges and in economic and social life, to expression through the media and via cultural activities and facilities. Again, there is no vehicle for an aggrieved citizen or group to avail of the charter to secure legal redress.

Finally, in this context, the work of the Organisation for Security and Co-operation in Europe should be mentioned. The 1989 Vienna Declaration of the then CSCE, the 1990 Paris Charter and (in the same year) the Copenhagen meeting addressed the rights of national minorities and the last addressed mechanisms for preventing violations. At the Helsinki meeting in 1992, a post of High Commissioner on National Minorities was establishing. The holder (Max van der Stoep) began operating in the following year, but he has a staff of only four, is essentially oriented to early-warning prevention of emergent conflicts and can not communicate with any party condoning violence.<sup>67</sup>

These minority rights provisions could

clearly be substantially strengthened, notably by rendering them justiciable before domestic and international tribunals in the manner of the European Convention of Human Rights. But Rekosh, while a strong supporter of minority rights to guard against the ‘tyranny of the majority’, nevertheless has an apposite warning of the limits of international human rights safeguards, however robust, when applied to particular situations:

[N]o treaty will ever solve all of the issues that can divide national, ethnic, religious and linguistic groups ... [P]recise decisions about these issues must take into account the particular circumstances. The best way to address these thorny problems is to engage in a genuine dialogue in good faith with the participation of all interested parties.<sup>68</sup>

**A**nd this is why this report has broadened the argument beyond parity of esteem to include the related issue of political pluralism. Legalistic solutions can only bear so much weight: if citizens and their representatives can not practise ‘dialogue in good faith’ in their everyday and political lives, without requiring constant legal direction or constraint, then there is no prospect of Northern Ireland ever functioning as a multi-cultural society in a manner

congruent with liberal-democratic norms. Indeed, the displacement of political conflicts into litigation, as so often in the US, may serve to heighten, rather than assuage, group antagonisms.

John Gray is perhaps overly world-weary, but he takes us to the heart of the matter:

For the pluralist, the practice of politics is a noble engagement, precisely on account of the almost desperate humility of its purposes—which are to moderate the enmity of agonistic identities, and to generate conventions of peace among warring communities. The pluralist embrace of politics is, for these reasons, merely a recognition of the reality of political life, itself conceived as an abatement of war.<sup>69</sup>

But how is pluralism to be practised, with such a benign, or at least less malign, end in view? After all, it could in theory be argued that the more pluralism a society allows, the more potential sites for conflict are established. *In extremis*, if every individual were reduced to selfish difference, then society would be reduced to a Hobbesian war of all against all, in the absence of a sovereign dictator.

And, indeed, as Anthony Giddens warns, in today’s “post-traditional social order”, a cosmopolitan culture partly induced by globalisation, there is a tendency to retreat into various types of “fundamentalism”, that is to say not only

a defence of tradition, but a defence of tradition *in a traditional way*.<sup>70</sup> An instance would be not only to insist on the right to march down a particular road to express a particular tradition, but to insist precisely on the ground that it had been traditional to do so.

Thus the danger of today's world to which Gray points—and in Northern Ireland's case the danger of the conflict simply becoming permanent, 'peaceful' or not—is that competing religious or other ethnic fundamentalisms hold sway in reaction to one another, in a relationship which Frank Wright described as "communal deterrence".<sup>71</sup> A healthy democracy, Chantal Mouffe insists, is not represented by "a confrontation between non-negotiable moral values and essentialist identities".<sup>72</sup>

The alternative, however, is to recognise that liberal democracy in a context of agonistic pluralism must have another function beyond the expressive: it is not simply about the collection and counting of 'mandates', but also about the further step of creating a relationship as near to 'ideal discourse' as possible between elected representatives.

This, as Giddens presents it, is essentially the opposite of fundamentalism. If fundamentalism refuses to explicate its concerns to other groups (the latter perceived as in a relationship of

antagonism), or to assimilate the latter's concerns, what Giddens calls "dialogic democracy" accepts this need for rational engagement:

On the one hand, democracy is a vehicle for the representation of interests. On the other, it is a way of creating a public arena in which controversial issues—in principle—can be resolved, or at least handled, through dialogue rather than through pre-established forms of power. While the first aspect has probably received most attention, the second is at least equally significant.<sup>73</sup>

And Giddens recognises the particular role of dialogic democracy, in countering fundamentalism and constraining violence, in ethnically divided societies. Indeed, unless one accepts—or could even without 'ethnic cleansing' achieve—complete segmentation of populations, there is no alternative if conflict is to be stemmed:

Difference ... can become a medium of hostility; but it can also be a medium of creating mutual understanding and sympathy ... Understanding the point of view of the other allows for greater self-understanding, which in turn enhances communication with the other ... Dialogue has great substitutive power in respect of violence, even if the relation between the two in empirical contexts is plainly complex ... These things having been said,

dialogic democratisation is likely to be central to civil cosmopolitanism in a world of routine cultural diversity.<sup>74</sup>

It will be immediately clear that dialogic democracy, in as much as it insists on a broader notion of democracy than the merely representative, is incompatible with any notion of ‘majority rule’. Majoritarian notions of democracy precisely represent a refusal of the equality between majority and minority representatives on which ‘ideal discourse’ depends. Dialogic democracy, by contrast, aims to find a point of mutual understanding which bears no necessary relationship to the respective sizes of the groups involved. It is not a mere outworking of a negotiated balance of power. Nor is it a process confined to elected representatives, but it can embrace an engagement between such representatives and what Norman Porter calls “the politics of civil society”.<sup>75</sup>

It is for all these reasons, as the work of Ingram, Laclau and Giddens in sum demonstrates, that attempts to resolve intercommunal relations in Northern Ireland via political talks have so far proved entirely abortive. Unless a political culture characterised by dialogic democracy is developed and consolidated, theological and political fundamentalisms, and ‘war of manoeuvre’ power plays, will prevail. By definition, it is unlikely that the

protagonists to the conflict, with the vested interests in which they have invested so much—political or paramilitary—will be the initiators of such a cultural transformation.

**T**he key implication of this intellectual overview of notions of pluralism and parity of esteem is that old concepts of national self-determination, sovereignty, the nation-state and majority rule—whose direct interlinkage has turned them into a formidable chain locking situations into conflict—have to be unpacked and replaced by a more differentiated discourse, in which the space for cultural diversity can emerge.

As Ryan, more optimistically, argues, *it is possible for ethnic citizens to show allegiance to a state which equitably fosters communal life; it is possible to establish incentives to ‘make moderation pay’.*

All of this, however, will mean a move away from the concept of the nation-state in favour of the separation of the nation and the state and an effort to live with cultural pluralism ... This will not, of course, be easy, but a combination of denationalisation and democratisation of the state, the de-internationalisation of ethnic conflict and ethnodevelopment do seem to offer the best hope for the creation of peaceful and democratic multi-

ethnic societies ...<sup>76</sup>

Cassese agrees:

Perhaps the best solution is neither to embrace some form of utopian cosmopolitanism nor to assume an attitude that decries ethno-cultural differences. Too much richness would be lost if diverse cultural expression could not find expression. What deserves, instead, careful consideration is the need for separation of *ethno-cultural differences* from the *State* as a political entity. Thus, the next stage in the evolution of self-determination, the most radical stage of all, might be one in which States would increasingly become polities belonging to their citizens defined in ‘civic’ terms rather than ‘ethno-national’ terms. The separation of ‘State’ and ‘nationality’ would imply that within the ‘non-national’ or truly ‘multi-national’ State—that is, the State that belongs to all its citizens—citizens would be free to group themselves around their cultural heritage and symbols ...<sup>77</sup>

This, in turn, implies a “plural constitution”—a concept we return to at the end of this report—as well as an acceptance that “the problems of multicultural existence, even in a non-national State, would [still] be legion”.<sup>78</sup>

But, as this theoretical/international overview has itself highlighted, one must distinguish the universal principles at

stake in this debate from their particular embodiment in a concrete situation. So let us turn now to the views of key players in Northern Ireland as to what, for them, parity of esteem is all about. **DD**

#### Footnotes

<sup>1</sup> I am indebted to a paper on parity of esteem by David Stephens of the Irish Council of Churches for the material in this paragraph.

<sup>2</sup> A Pollak ed, *A Citizens’ Enquiry: The Opsahl Report on Northern Ireland*, Lilliput, Dublin, 1993, p113

<sup>3</sup> *ibid*, pp 133 & 5

<sup>4</sup> Lucy Bryson and Clem McCartney, *Clashing Symbols*, Institute of Irish Studies, Queen’s University, Belfast, 1994

<sup>5</sup> Ernest Gellner, *Nations and Nationalism*, Basil Blackwell, Oxford, 1983; Benedict Anderson, *Imagined Communities*, Verso, London, 1983, revised 1991

<sup>6</sup> The phrase is drawn from Charles Taylor et al, *Multiculturalism: Examining the Politics of Recognition*, Princeton University Press, New Jersey, 1994.

<sup>7</sup> A D Smith, *Nations and Nationalism in a Global Era*, Polity, Cambridge, 1995, p2

<sup>8</sup> Smith, *The Ethnic Origins of Nationalism*, Basil Blackwell, Oxford, 1986, pp 22-31

<sup>9</sup> John Gray, *Enlightenment’s Wake: Politics and Culture at the Close of the Modern Age*, Routledge, London, 1995, p129

<sup>10</sup> Michael Ignatieff, *Blood and Belonging: Journeys into the New Nationalism*, Farrar, Straus and Giroux, New York, 1994, p5

<sup>11</sup> Eric Hobsbawm, *Nations and Nationalism since 1780: Programme, Myth, Reality*, Cambridge, 1990

<sup>12</sup> Gellner, *Encounters with Nationalism*, I B

Taurus, Oxford, 1994, p38

<sup>13</sup> Will Kymlicka, *Multicultural Citizenship*, Clarendon, Oxford, 1995, p1

<sup>14</sup> Alan Sharp, 'The genie that would not go back into the bottle', in Seamus Dunn and T G Fraser eds, *Europe and Ethnicity: World War I and Contemporary Ethnic Conflict*, Routledge, London, 1996, pp 12-14

<sup>15</sup> cited in Daniel Patrick Moynihan, 'On the "self-determination of peoples"', in his *Pandæmonium: Ethnicity in International Politics*, Oxford University Press, 1993, p82

<sup>16</sup> cited in *ibid*, p83

<sup>17</sup> cited in Antonio Cassese, *Self-determination of Peoples: A Legal Reappraisal*, Cambridge University Press, 1995, p141

<sup>18</sup> cited in Moynihan, *op cit*, p85

<sup>19</sup> Hurst Hannum, *Autonomy, Sovereignty and Self-determination: The Accommodation of Conflicting Rights*, University of Pennsylvania Press, Philadelphia, 1992, p27

<sup>20</sup> Moynihan, *op cit*, p71

<sup>21</sup> Cassese, *op cit*, p1

<sup>22</sup> Vincent Cable, *The World's New Fissures*, Demos paper no 6, London, 1994, p48

<sup>23</sup> Cassese, *op cit*, p4

<sup>24</sup> Hannum, *op cit*, p31

<sup>25</sup> Gellner, *Encounters with Nationalism*, pp 178-9

<sup>26</sup> Vernon Bogdanor, 'Exorcising the ghosts of 1914', *Independent*, August 1st 1994

<sup>27</sup> Stephen Ryan, *Ethnic Conflict and International Relations* (second edition), Dartmouth, Aldershot, 1995, p3

<sup>28</sup> Bhikhu Parekh, 'Introduction', *New Community* (special issue on national identity), vol 21, no 2, April 1995, p149

<sup>29</sup> Hannum, *op cit*, pp 25-6

<sup>30</sup> Gellner, *Encounters with Nationalism*, pp 65-7

<sup>31</sup> Seamus Dunn and T W Hennessey, 'Ireland', in Dunn and Fraser eds, *op cit*, p178

<sup>32</sup> Gellner, *op cit*, p2

<sup>33</sup> Ernesto Laclau ed, *The Making of Political Identities*, Verso, London, 1994, p1

<sup>34</sup> *ibid*, p5

<sup>35</sup> Parekh, *op cit*, pp 148-9

<sup>36</sup> Bryson and McCartney, *op cit*, p50

<sup>37</sup> Parekh, 'United colours of equality', *New Statesman*, December 13th 1996

<sup>38</sup> David Miller, *On Nationality*, Clarendon, Oxford, 1995, p124

<sup>39</sup> John D Cash, *Identity, Ideology and Conflict: The Structuration of Politics in Northern Ireland*, Cambridge University Press, 1996, *passim*

<sup>40</sup> Norman Porter, *Rethinking Unionism: An Alternative Vision for Northern Ireland*, Blackstaff, Belfast, 1996, pp 167-213

<sup>41</sup> Ryan, *op cit*, p228

<sup>42</sup> Helsinki Citizens' Assembly, *Nationality and Citizenship: A Discussion*, HCA, Prague, 1993, p13

<sup>43</sup> Gerard Delanty, 'Habermas and post-national identity: theoretical perspectives on the conflict in Northern Ireland', *Irish Political Studies*, vol 11, 1996, p30

<sup>44</sup> Dominic Bryan and Neil Jarman, *Parade and Protest*, Centre for the Study of Conflict, University of Ulster, Coleraine, 1996

<sup>45</sup> *Report: Independent Review of Parades and Marches* (the North report), Stationery Office, Belfast, 1997

<sup>46</sup> Laclau, *Emancipation(s)*, Verso, London, 1996, p32

<sup>47</sup> Attracta Ingram, *A Political Theory of Rights*, Clarendon, Oxford, 1994, pp 97-8

<sup>48</sup> *ibid*, p98

<sup>49</sup> *ibid*, pp 121-2

<sup>50</sup> *ibid*, pp 125-6

<sup>51</sup> *ibid*, p171

<sup>52</sup> Norberto Bobbio, *The Age of Rights*, Polity, Cambridge, 1996, p27

<sup>53</sup> *ibid*, pp ix-x

<sup>54</sup> *ibid*, p90

<sup>55</sup> Cash, *op cit*, pp 101-2

<sup>56</sup> Liah Greenfield, *Nationalism: Five Roads to*

*Modernity*, Harvard University Press, 1992, pp 10-11

<sup>57</sup> Adrian Guelke, 'Ethnic Rights and Majority Rule: The Case of South Africa', in *International Political Science Review*, vol 13, no 4, 1992, pp 415-432

<sup>58</sup> Kymlicka, op cit, pp 194 & 6

<sup>59</sup> Amy Gutmann, introduction to Taylor, op cit, p8

<sup>60</sup> S Drakulic, *Balkan Express*, Hutchinson, London, 1993, p51

<sup>61</sup> Ryan, op cit, pp 83 & 87

<sup>62</sup> Jeffrey Weeks, 'The idea of a sexual community', *Soundings*, no 2, spring 1996, p72

<sup>63</sup> Jean Leca, 'Questions on citizenship', in Chantal Mouffe ed, *Dimensions of Radical Democracy: Pluralism, Citizenship, Community*, Verso, London, 1992, p30

<sup>64</sup> Adamantia Pollis, 'The social construction of ethnicity and nationality: the case of Cyprus', *Nationalism & Ethnic Politics*, vol 2, no 1, spring 1996

<sup>65</sup> The declaration is reproduced in full in Ashbjørn Eide, *New Approaches to Minority Protection*, Minority Rights Group, London, 1993, p4.

<sup>66</sup> *Framework Convention for the Protection of National Minorities and explanatory report*, Council of Europe Press, Strasbourg, 1995

<sup>67</sup> J Quigley, 'Combination of national groups' interests in multi-ethnic states: international practice', in Helsinki Citizens' Assembly of Moldova, *Civic Peace and Democracy in Multi-ethnic Societies*, Chisinau, 1995; Oxford Research Group, *New Conflicts in Europe: Conflict and Resolution*, Oxford, 1992

<sup>68</sup> E Rekosh, 'Minority issues in an international human rights context', in *ibid*, p31

<sup>69</sup> Gray, op cit, p129

<sup>70</sup> Anthony Giddens, *Beyond Left and Right: The Future of Radical Politics*, Polity, Cambridge, 1994, pp 5-6

<sup>71</sup> Frank Wright, *Northern Ireland: A Comparative Analysis*, Gill and Macmillan, Dublin, 1988,

p12

<sup>72</sup> Chantal Mouffe, *The Return of the Political*, Verso, London, 1993, p6

<sup>73</sup> Giddens, op cit, pp 15-16

<sup>74</sup> *ibid*, pp 244-5

<sup>75</sup> Porter, op cit, p50

<sup>76</sup> Ryan, op cit, pp 237-8

<sup>77</sup> Cassese, op cit, p365

<sup>78</sup> *ibid*, loc cit

# A defining issue

**C**learly the most key player in defining parity of esteem in Northern Ireland is the British government itself. On behalf of the (outgoing) government, Sir David Fell, head of the Northern Ireland civil service, refers to Sir Patrick Mayhew's speech of December 16th 1992, on culture and identity, in which he identified four significant lines of division:

- *national identities*—where the divisions were between those who primarily identified themselves as British and those who saw themselves as primarily Irish;
- *religious traditions*—where historic antagonisms between Catholics and Protestants had been maintained longer, and with more intense feeling, than in most parts of Europe;
- *cultural traditions*—where Gaelic, Anglo-Irish, Scottish and English influences were reflected in language, sports, music and literature, though these patterns were complicated by the urban/

rural divide and the influence of the international mass media; and

- *socio-economic divisions*—with disadvantage more pronounced in the Catholic community, though the recent growth of a professional Catholic middle class and changing employment patterns complicated the picture.

Sir David claims that the government's approach to the divisions in Northern Ireland is based on equality of opportunity, equity of treatment and parity of esteem. In applying the latter principle, he argues the government recognises the validity of the majority community's predominant wish to remain British, as well as the minority community's predominant nationalist aspiration; does not discriminate in favour of particular cultural traditions in terms of government policy and financial assistance; provides legal redress against discrimination by government or in employment, on grounds of religion or

political opinion; and seeks to reduce socio-economic differentials between the communities.

For the government, however, this does not imply identity of treatment. At the constitutional level, Sir David contends that there are limits to the application of parity of esteem: a change in the constitutional status of Northern Ireland can only come about only with the consent of a majority of the people of Northern Ireland. Though the British government has indicated that it has no 'selfish strategic or economic interest' in Northern Ireland and agrees that it is for the people of the island of Ireland alone, by agreement between the two parts respectively, to exercise their right of 'self-determination' on the basis of consent, freely and concurrently given, to bring about a united Ireland, if that is their wish, parity of esteem for the British and Irish national allegiances/identities in Northern Ireland must be placed within the context of United Kingdom sovereignty, based on consent.

It should hopefully be clear from the comments in the first chapter that this paragraph, while a fair representation of what appears as a robust and cogent position, is in fact intensely problematic. For it is strewn with concepts—majoritarianism, self-determination, sovereignty—which have already been shown

to represent a language inadequate to the resolution of conflicts such as that in Northern Ireland.

**A**fter government, church leaders must be principal definers of parity of esteem, given its primary focus is on the equilibrium, or otherwise, between the two religiously defined communities. To Dr Sean Brady, Catholic archbishop of Armagh, parity of esteem means that the political and religious views of people should be treated with respect. The expression of these views alone, or in groups, should be granted full liberty and tolerance within the bounds of public order and public morality.

For Dr Brady, parity of esteem also means that elements such as religion, culture, race, gender and status, which are markedly different, and some of which have been accorded greater weight, might be henceforth given equal weight and equal respect. It means that equal respect would be shown to people, so that all citizens would be equal before the law. Dr Brady argues that parity of esteem ensures that no one is discriminated against on the basis of their religion or their culture, or their race or gender.

Lord Eames, the Church of Ireland primate, conceives of parity of esteem as meaning two things:

First, how I view my own community. Unless the community has self-respect, confidence and a historical basis which it can live with, and can be content and happy with, it is not going to have its own parity of esteem ... Secondly, it is looking from within your community to another community and saying 'you have an equal right, you have an equal core, you have an equal esteem' ... and to be able to say, because you are confident in your own community, to another community ... I respect what you believe.

Therefore, parity of esteem is "first to be treated equally by the law, to be equal culturally, to be treated fairly in all such things as employment, in all such things as answerability to the courts and above all else to be treated fairly in human relationships".

As far as Dr Henry Allen, outgoing moderator of the Presbyterian Church in Ireland, is concerned, parity of esteem similarly "should mean the respect of, and acceptance of, each other, regardless of differences". So far, so unproblematic.

But Dr Allen believes that parity of esteem has been "hyped up politically" and he warns how the concept has become something of an intercommunal cudgel rather than a shared aspiration: a phrase to be "bandied about ... and it really has almost little or no meaning ... [T]here is the danger that people can

claim a parity of esteem and not be prepared to give it. But parity of esteem ... really for me, is respect for and acceptance of the differences of other people."

**M**any agencies established by government under what has been called the 'new constitutionalism' of direct rule have obviously been concerned with the many-faceted intercommunal balance in Northern Ireland. Thus Bob Cooper, chair of the Fair Employment Commission, is not sure that parity of esteem has a single meaning.

Mr Cooper however believes that it means that "one community is not regarded as inferior to the other", and that a community's fears and aspirations are respected, so that "each community behaves decently to each other". In his opinion, "some of the old inequalities, not all of them", disappeared with the original civil rights agenda—unfairness in the allocation of houses, unfairness in allocation of jobs, unfairness in electoral systems. But the psychological dimensions of the conflict remain, the "aspects of how each community looks at the other".

Dr Mari Fitzduff, outgoing director of the Community Relations Council, has a rather different brief from that of Mr Cooper—a focus on intercommunal

relationships, rather than intercommunal differentials. And the concern for parity of esteem has been associated with the latter, not the former.

It is thus not surprising that Dr Fitzduff manifests some ambivalence about the idea of parity of esteem:

When you talk about parity you talk about two flags, you talk about two anthems ... and I think some people are going to try and use it like that. But the reality is that in all of our different districts we vary in our numbers and strengths ... so I don't think it is as simple as 50/50, split it down the middle in terms of our actions or symbols ... That's not the way we are in our communities, so I worry about the word 'parity'.

Patrick Loughrey, as controller of BBC Northern Ireland, is acutely sensitive to how the corporation in Northern Ireland faces questions of 'balance' wholly more exacting than elsewhere in the UK. Alongside UTV, of course, BBC provides the most widely consumed source of cultural images in Northern Ireland and therefore its output is at the heart of the parity of esteem debate. His comments are thus notable for their stress on mutuality and gradualism.

Mr Loughrey argues that for there to be parity of esteem there has to be "recognition, mutual recognition, and mutual regard" of each tradition's culture and

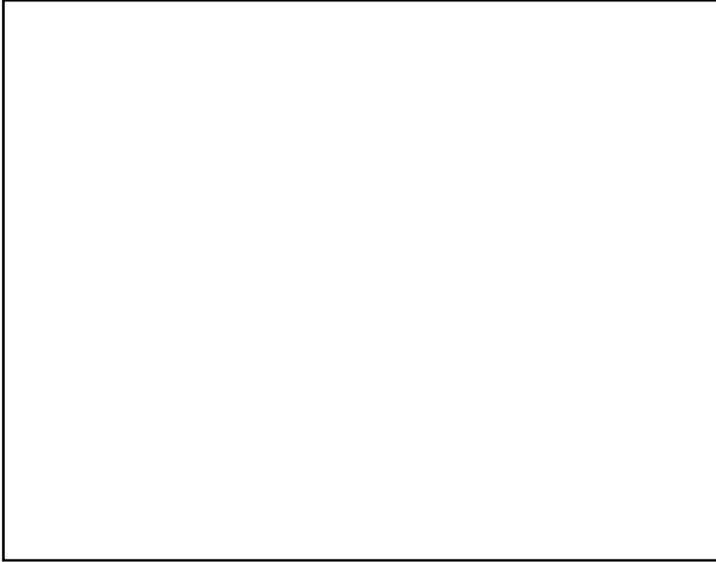
identity. Ultimately, this means that all institutions in Northern Ireland "must recognise the diversity that is real in this community, and not overcompensate unduly in recognising one and disregarding the other". But Mr Loughrey recalls a policeman telling him that road accidents were seldom caused by actions, rather reactions: "It is when we swerve to avoid something that we have a crash and ... I think society at the moment is in danger of over-correcting, and creating alienation and unease by over-correction, and we should, in our attempts to correct society, be more patient."

Popular culture—in its male-dominated form—when not about TV, is often about sport, again highly charged in Northern Ireland, given its associations with communal antagonism. Eamon McCartan, of the Sports Council of Northern Ireland, is thus again highly conscious that the issue is not only inequality but also division. Mr McCartan thinks parity of esteem must mean that both sections of Northern Ireland's divided community recognise the value and worth of each other "and it is about the actual living of the statement".

For him, sport is first and foremost a social activity:

So if we live in a divided society, which is divided by symbols and a whole host of other things, then ... I believe you will

## More than sport supported



have that in sport. And that is not to put a qualitative judgement on it, whether that is a good or bad thing. I think it [sport] will be a mirror image [of society]. I think [Nelson] Mandela has been quoted as saying ‘there is no such thing as normal sport in abnormal society’, so therefore it depends which premise you come from. If you come from the premise that Northern Ireland is an abnormal society, then obviously sport will have an abnormal element ... We are an abnormal society, we are a divided society, for better and/or for worse.

**T**he various measures taken over the period of direct rule to try to ameliorate intercommunal divisions and inequalities have largely been introduced

over the heads of Northern Ireland’s elected representatives. Nevertheless, it is widely accepted that this ‘democratic deficit’ is unsatisfactory in terms of liberal-democratic norms of accountability and participation and so the London and Dublin governments, as well as the international community, support efforts to assuage that deficit via new constitutional arrangements, if such could be established through inter-party dialogue.

The views of party spokespersons are therefore important for two reasons, albeit neither as immediate as for those with their hands on government or exercising agentised authority. Firstly, if they are unable to generate a common discourse which can adequately address questions of pluralism and parity of esteem, they will by definition be unable to arrive at a macro-constitutional deal. Secondly, if they were to prove incapable of dealing with the working out of these issues in government, then any such deal would be vulnerable to shocks and early collapse.

Jonathan Stephenson argues that his party, the Social Democratic and Labour Party, seeks parity, or equal treatment, for the “two traditions in Northern Ireland”—in employment opportunities, social and human rights, and political rights, as evidenced in political institutions. Although the phrase itself has

achieved prominence in political discourse in recent years, Mr Stephenson identifies the underlying connotations in the civil rights movement and the “disparity of esteem” which existed in almost every area of public life in Northern Ireland in the late 60s—perhaps an interesting reminder, in contrast to the rather past-tense reference to civil rights by Bob Cooper, of the longevity of the sense of grievance in the Catholic community.

In local government, Mr Stephenson wants to see parity of esteem given institutional recognition through the sharing of the symbolic posts such as mayor and deputy mayor. He points to the SDLP’s record in sharing out such posts in councils where it holds majority sway. Institutional expression, however, of parity of esteem at a regional, or archipelagic, level—as against in local government—may, however, raise more difficult issues, as subsequent discussion indicates.

From a Sinn Féin perspective, Jim Gibney prefers to speak about “equality of treatment”—a clear hint of the concern within the republican constituency that parity of esteem should be more than warm words, that it should have real, material significance. For Mr Gibney, it concerns the plight of “people who in this state are Irish nationalists, or Irish nationals living in this state against their wishes under foreign occupation by

British government ... [and] have lived to all intents and purposes in a system which discriminates wholesale against them—discriminates against them in terms of their identity and their culture”.

Thus the republican conception is that this is an issue of power, perceived as ultimately stemming from the ‘British presence’ but manifested most evidently in loyal-order parades: “Because these marches [controversies] are really not about just routes ... these Orange parades and Apprentice Boys parades essentially are about equality, about respect and I think that in their own way they symbolise the core of the problem in this society. And basically what it comes down to is that one section of people in this state want to lord over another section and Drumcree and the lower Ormeau and Garvaghy Road is what this conflict is really all about.”

Ian Paisley Jnr, of the Democratic Unionist Party, takes a wholly contrary view, however, decoding parity of esteem as the alienation of the Protestant community: “[T]he community is conditioned to think that it means equality, but I think the political meaning is quite simply the alienation and the lowering of British and Ulster identity and the elevation of a nationalist identity.”

Observing from his party standpoint the changes which have taken place

under direct rule, Mr Paisley detects this process in the actions of government, quangos and certain institutions—for example the removal of God Save the Queen from graduation ceremonies at Queen’s University, the suggestion that the name of the Royal Ulster Constabulary should be changed or that the ‘royal’ should similarly be dropped from the Royal Courts of Justice, and the number of visits to Northern Ireland by the republic’s president, Mary Robinson. He interprets all these as being “designed to condition people here to just accept ... [that] nationalism has to be elevated while unionism’s identity, not so much [its] politics but ...[its] identity, has to be denigrated”.

This view is shared by many unionists. Initially, when Bob McCartney, leader of the United Kingdom Unionist Party, heard the term ‘parity of esteem’ he could not understand what all the controversy was about, since he considered himself a pluralist, and he believed in ‘parity of esteem’ for every individual. He believed there should be equality of economic and employment opportunity, equality before the law and equality of educational opportunity—in other words that “every citizen, regardless of his own specific political aspirations or ambitions, should be entitled within the state to have all the same rights as everybody else

and that should include liberty to express his own cultural and ethnic preferences”.

But, in a comment perhaps again revealing the impasse towards which the equation of liberal democracy with majoritarianism can lead, Mr McCartney says:

[G]radually I came to realise that what they [nationalists] mean by ‘parity of esteem’ is not parity of esteem for the individual but parity of esteem for the constitutional identity of the state. I don’t know of any democracy which says that the minority shall be allowed the same rights as the majority in determining the constitutional and political identity of the state itself, [for] that seems to me to be a concept that has got nothing to do with civil rights, protection of individual rights or protection against majoritarianism ...

Jeffrey Donaldson of the Ulster Unionist Party interprets parity of esteem in a similarly hyper-political way—from the other side of the divide—to the fashion of Mr Gibney of SF. For Mr Donaldson, it is a phrase developed by nationalists to mean that the “Irish nationalist minority in Northern Ireland should have equality in terms of their treatment, in terms of their identity and their involvement in political institutions”. And he makes the equal but opposite linkage to British jurisdiction:

Now that is where unionists, and I as a

unionist, encounter difficulty with this idea of ‘parity of esteem’ because I think [of] parity of esteem ... and the idea of an ‘Irish dimension’ as in fact being ... a political ruse for arguing for the creation of all-Ireland or north-south institutions, the purpose of which would not be to encapsulate the Irish dimension so much as to create a dynamic towards the ultimate creation of some sort of political entity that embraces the whole of the island ... Therefore when nationalists talk about parity of esteem ... [it] is in fact about the diminution of the British identity of Northern Ireland, and the British identity held very dearly by the unionists in Northern Ireland, [so as] to elevate the Irish dimension to the point where political structures created to accommodate that Irish dimension in fact actually lead towards the attainment of the political objectives ... of Irish nationalists.

Concerns with a raft of other inequalities—notably class—seems to lie behind the notably more relaxed attitudes of the ‘fringe’ loyalist parties to parity of esteem. Billy Hutchinson of the Progressive Unionist Party thinks of it in terms of “equal citizenship”. And while considering parity of esteem to be “about recognising the people outside of your own culture and political group”, he wants to see equal treatment irrespective of class, creed or sexual orientation, at all levels of the community: “what parity of esteem

means for me ... is ... respecting someone else’s opinion.”

David Adams of the Ulster Democratic Party similarly defines parity of esteem as “total equality across the board” and “particularly in the Northern Ireland situation equality as regards people’s treatment and respect for people’s religion ... their political views ... [the right] to pursue their political views by peaceful means ... [and the right] to practise their religious beliefs”. He recognises, however, that what is seen as a gain for one side is seen as a loss for another, “so we have almost moved to a position now where both nationalists and unionists call for parity of esteem. Both Protestants and Catholics talk in terms of getting a raw deal in comparison to the other side, so it’s very much a winners-and-losers situation. Whereas, to my mind, parity of esteem is not about winners and losers: it is about everyone being winners.”

**W**hile most people in Northern Ireland assume parity of esteem is reducible to relations between Protestants and Catholics, Mr Adams points out that there are also growing minorities of Chinese, Indian sub-continent and travelling people in Northern Ireland. This is an important point, not only for the minorities concerned but also in terms of the issue flagged in chapter one

of the fear of consolidating ‘two teams’ thinking if ‘group rights’ are entrenched. A big gain in thinking through parity of esteem in terms of international conventions is that these are inherently addressed to any kind of ethnic minority—not just Protestants and Catholics—and implicitly invoke a broader multi-cultural pluralism. In particular, they refuse any notion that there might be a hierarchy of group grievances—an important worry in Northern Ireland in as much as any such implication could be viewed as a disincentive against non-violence.

Patrick Yu, of the Northern Ireland Council for Ethnic Minorities (NICEM), takes up precisely this point. Mr Yu finds that in Northern Ireland “racism is always the issue at the bottom of the pile”, and he claims that ethnic (in the narrow sense of racial) minorities in the region have low self-esteem because of the racism they encounter. This is compounded by other hurdles, such as the language barrier faced by the Chinese community.

Mr Yu feels that the problem of racism is not focused upon at all—the delay in introducing the Race Relations Order might be thought to have borne that out—and, indeed, that many people believe that racism does not exist in Northern Ireland. Through bitter experience, Northern Ireland’s ethnic minorities, he

argues, have come to fear that if they adopt a high profile they will simply become a greater focus for racist attacks. Therefore, they have tried to remain anonymous, only alerting the police to such attacks when life-threatening. Ironically, these appeared to intensify in the wake of the republican and loyalist ceasefires.

The order, in contrast to the original British legislation, encompasses the existence of travellers in Northern Ireland. Michael Noonan, of the Belfast Travellers’ Education and Development Group, insists that parity of esteem—which he defines broadly as meaning equality of respect for the various cultures and ethnic/religious groups in Northern Ireland—“has to be translated into policies and guidelines ... if it is to be anything other than an empty phrase”. And even if in theory now protected, Mr Noonan points out that the traveller lifestyle “isn’t accepted as legitimate. It’s often looked on as either deviant or archaic ...”

**T**here is a further difficulty here with the concept of parity of esteem, even if sensitively defined to include other ethnic minorities in Northern Ireland. For there is still an implicit hierarchy of grievance since gender and other inequalities not readily falling under a ‘cultural’ (or violence-related) heading

remain excluded.

Thus Evelyn Collins of the Equal Opportunities Commission, while interpreting parity of esteem broadly—as “treating people in the same way regardless of their background or allowing people the same opportunity regardless of their background, or valuing differences”—believes it “would be a very narrow entity in relation to women” because it does not recognise the particular gendered needs of women:

That would be a very narrow definition because there are instances where equality of opportunity is not about treating everybody the same because it doesn't recognise that people have different starting points. So, for example, you can't treat a pregnant woman in the same way you would treat a man because men don't get pregnant and so on and the [industrial] tribunals got themselves terribly mixed up in the 80s about that. So I think the simple concept of equal treatment is sometimes not that easy in relation to equality issues. What you are looking for ... is equality of outcome ... and that is different from equality of treatment ... You can say quite easily we treat everybody the same knowing quite deliberately it will disadvantage one community or another ... Equality of outcome is actually different—that is a much more serious approach to equality.

This question has no easy resolution. At

one level, it points up the need to boost the agenda inaugurated by the Policy Appraisal and Fair Treatment guidelines, embracing as these do a diverse range of sources of inequality, gender included, sustaining at least formally a ‘parity’ between them. We return to this issue in the conclusion.

At another, however, it reminds us that parity of esteem can neither be perceived as coterminous with social equality nor as exhausting all concern with coping with social difference. Thus, for example, if the delay in governmental response to the demand for race relations legislation in Northern Ireland was highly regrettable, there has been essentially nil response to the demands by the EOC NI for reform of equal opportunity law. While it is true that the latter issue has been related to wider UK arguments, it is nevertheless again suggestive that, *sotto voce*, a hierarchy of inequalities/differences is indeed taken for granted in reality.

**F**rom all these interpretations of what parity of esteem means, it can be seen that there is agreement that it should embrace mutual recognition of, and respect for, the culture of other traditions in Northern Ireland. But it is already clear that differences of interpretation bedevil the argument, even at this level

of generality.

And, as we move from the universal to the particular, our interviews show that any attempt to produce an atmosphere of mutual respect and tolerance for the Other's culture and identity is undermined, as we shall see, by a marked reluctance to accept the allegiance or identity of the Other *as defined by the Other*. ■■■

# British? Irish? Or what?

In Northern Ireland, one of the more common perceptions is that the Protestant community's predominantly unionist identity is confused and incoherent, based upon an outmoded loyalty to the Protestant crown of the United Kingdom.

David Adams (UDP) does see the dominant strain within unionism as being the Protestant religious identity, which he identifies with the DUP and especially its leader, Ian Paisley Snr. But he believes the way forward for unionism is to develop a secular ideology, arguing that "the very basis of Protestantism in my mind is the freedom to choose whatever political philosophy or belief you want".

From a different perspective, Ian Paisley Jnr (DUP) argues that his unionism is indeed more than evangelical Protestantism, describing his identity as "very eclectic" and including "things which I choose which are British and things which are Irish and things which I choose

which are unique to Northern Ireland". But as far as his 'Britishness' goes, he perceives it in terms of the "British way of life": "I don't look to see what is happening in the Irish exchequer. I am interested in what is happening in the British budget ... interested in English football teams, in television, such as British soap operas, all those things." While the "revolutionary settlement" and "our perceptions of the British constitution and how it operates and our contract with the British" continue to be foundation stones for him, Mr Paisley also accepts separation from Britain would be regarded by unionists as "harmful in socio-economic terms, harmful in pluralist terms and indeed harmful in religious terms".

This goes beyond loyalty to crown, as George Patton of the Orange Order indicates. Mr Patton considers himself "a loyalist and a monarchist", but "if push came to shove and the situation arose, I can

see where we could live without a monarchy ... [T]he monarchy is a big thing, there is no doubt about that and it would hurt, it would hurt but I think we would survive that ... [W]e are all very proud of the monarchy and we are very loyal to Queen and Country, but at the end of the day the presence or absence of a monarchy will not decide our sense of Britishness.”

Mr Patton perceives the ‘British Isles’ as a natural geographical entity, which means for him that “ultimately we are all British”. As regards northern Protestant culture specifically, “we are part English, large part Scottish and part Irish and there are other little mixes like Huguenots and all sorts of European influences and things. So in essence the Ulsterman is multi-cultural because he is drawn from these various backgrounds and he can relate to the aspects of what might be considered British culture, English culture and very much Scottish culture.” Although Mr Patton finds British culture hard to define, he argues this is so because of its very diversity.

The unionist sense of Britishness is also one of a shared historical experience, a sense of communion with the population of Britain, especially of wartime adversity. The reverse of that coin is that during the current ‘troubles’ there has been, as Mr Patton again describes it,

“within my community ... a sense of betrayal that in our hour of need we weren’t having that [loyalty] reciprocated, that many people on the mainland didn’t feel that we were actually part of the family”.

Bob McCartney (UKUP) defines the identity of any individual as “composed first of all of how he sees himself in terms of the territory where he lives, and I see the territory where I live as part of the United Kingdom of Great Britain and Northern Ireland, so I am a British citizen by definition of territory”. And he gives a particularly worked up version of what, to him, that citizenship connotes:

I see myself as British because my whole cultural heritage is British. I was educated on the basis ... as any other citizen on the mainland would be. I was taught British constitutional history which I identify with. Now as a schoolboy my, if you like, military heroes were people like Nelson, Wellington, [Admiral] Beattie and so forth. Part of that was because all the members in my family for five generations had served in the ranks of the British armed forces—none of them I may say in the officer corps ... So my background in terms of my allegiances and my experiences and my knowledge was very, very much British. But even culturally in terms of ... literature: I mean I believed that while Shakespeare belonged to the world, he was primarily part of my culture, he was my

nation's first before he was given to the world just as Tolstoy is a Russian ... So my whole development, both culturally, historically and socially, gives me a very, very positive identification as being British.

Billy Hutchinson (PUP) similarly contends that his Britishness was shaped by a positive identification with British cultural and political life, albeit in more popular forms. Supporting an English soccer team, such as Leeds United, helped create an affinity with Englishness, even to this extent: "I would have gone to watch Northern Ireland but, I mean, basically England would be the team I would support in the World Cup or in the European Championships, and to this very day I would be an ardent fan of England." There were other influences, such as the belief in British justice and the Westminster model of government, and for Mr Hutchinson unionists are "very, very closely connected to England in a political sense". Added to this is his sense of class solidarity with fellow UK citizens, and he defines his culture and identity "as anyone would in any working-class city in the United Kingdom. I am British working-class ..."

**N**ationalists are not, in the main, willing to take these notions at face value. Michael Lavery, chair of the

Standing Advisory Commission on Human Rights, acknowledges that unionists regard themselves as being "primarily British and would have an aversion for the southern Irish". But for him unionists' Britishness "is just a label: I don't think they are British in any way in the sense of the term that the other British are regarded as British". For Mr Lavery, the difference between the British in Northern Ireland and the British in Great Britain—and in this he is indubitably correct—is that "the other British regard them [unionists] as being an Irish tribe, [and] they regard the Catholics as being another Irish tribe".

Mr Lavery describes his own identity as "primarily Irish, influenced obviously by Europe and the fact that I live in the British Isles and speak English ... I think it is a sense of pride in being Irish and being pleased when Ireland gets international recognition, in its football matches, [when General] de Gaulle came on his holidays here, [when] an Irish man becomes a leader in Europe, when Mary Robinson and Ireland are seen to have influence in international affairs". He sees his Catholicism as secondary, although he recognises that "Catholicism is obviously a part of the Irish culture and there is a long history of inter-reaction between the Irish people and the Catholic Church, not all of it

affectionate.”

Archbishop Sean Brady defines his Irishness as made up of various cultural and territorial ingredients:

I am an Irish man from rural Ireland. My name is Brady. I belong to one of the old Gaelic clans associated with the Castletara area in Co Cavan, province of Ulster. I was born in the country but I have lived most of my life in the city. I am a Roman Catholic, layman for 20 years, priest for another 30, and now archbishop. I owe allegiance to my native parish but also to my native county. I am interested in the Gaelic Athletic Association; I support my club and county in competitions. In religion I follow Jesus Christ, the way, the truth and the life.

Jonathan Stephenson, a “British-born English Protestant”, identifies two strands of thinking in the SDLP. There are those “who would want to see a united Ireland in the morning in which Protestants would play a part and have full expression of their civil and religious liberties and everything else, but it would be a unitary state”. But there are also those, the much larger group in his estimation, “who would want to see themselves able to realise being Irish [and] they would want to see that reflected in the institutions of the area in which they live, but they wouldn’t want to ... see the attainment of a unitary Irish state.”

Jim Gibney (SF), defines his identity “as Irish ... It has a linguistic aspect, it has a literary aspect, it has a music aspect to it, it has the culture of dance, it has all of these elements which when they are taken together then make up what we regard as the Irish nationalist tradition, the Irish nationalist culture.” For Mr Gibney, this culture is reflected right across the island and so is not alien to the way of life of unionists: he discounts the proposition that nationalist culture is in some way hostile or offensive to the Protestant community: “[I]t is not an exclusive culture ... it is embracing.”

He accepts, however—and this makes his views worth exploring at greater length—that nationalists and unionists need to get to know each other better: “I do think that the Irish nationalists have got to try to develop a deeper understanding of the Britishness of the unionist people. [And] I think the unionist people have got to try and explain their case much better than they have when they talk about being British.” Mr Gibney has been one of the key republicans involved in private dialogue with members of the Protestant community.

It is perhaps in this context that he highlights the many Irish people who have made a contribution to British society—literary, musical, architectural—

and that he does not see the ‘two traditions’ in classically separatist terms: “Irish republicans, we have got to recognise the British in us and the unionists have got to recognise the Irishness in them and I think that that type of notion ... is quite revolutionary if you come at it from a straightforward republican point of view, but nonetheless I feel that the proximity of the two islands, the interplay at a human level, the shared history of the two islands—all of this mix indicates clearly that there is a Britishness to the Irish people, whether nationalists or unionists, and that I think is where I believe you can map out for the future a plan for negotiation, a plan for sharing different institutions etcetera within the island.”

Nevertheless, recognising the Britishness of unionists does not, even for a liberal republican like Mr Gibney, extend to allowing unionists to remain within the UK. In a mirror image of Bob McCartney’s still-majoritarian liberal unionism, Mr Gibney regards unionists as a national, or ethnic, minority within the Irish nation. The island of Ireland remains for him an unproblematic unit of ‘self-determination’:

Ireland and the people of this island, whatever their allegiances, are entitled to the exercise of a democracy in exactly the same way as other people in western

Europe and indeed in Britain. The exercise of democracy is not conditional, it is universal. And we are entitled to it, the people of this island are entitled to it, the people that live in the Cove of Cork, the people that live in the Ring of Kerry, the people that live in ... Donegal are as entitled to a view and expression about this part of Ireland as they are about their own part of Ireland ... I have struggled my entire life for the reunification of Ireland, for the removal of the British government’s involvement in Ireland, so I start from that premise.

The republic’s government, an official explains, would want to stress that nationalist definitions of Irishness have become more pluralist and inclusive in recent years. For example, in 1994 the taoiseach, John Bruton, organised a remembrance day ceremony in Islandbridge, a deliberate show of sensitivity to the British military tradition in Ireland. The government argues that there has been evolution over the last ten years in southern attitudes towards unionists, with a very clear sense emerging that nothing can be achieved without the agreement of the latter. Unionists are perceived as representing a tradition which is very coherent and clear in its objectives, and Dublin cannot conceive of a future in Northern Ireland which does not reflect their values.

**B**ut unionists remain as wedded as republicans to a right to ‘self-determination’, while contesting of course what the unit of self-determination should be—in their case, Northern Ireland. Within one of the focus groups for this research, a republican sympathiser asked what objections unionists would have to a united Ireland, if their religious rights and economic position were guaranteed. To this, Billy Hutchinson replies: “I’m British and Irish ... I’m British ... irrespective of economic rights or civil or religious liberties ... [T]he reality is that we live in the United Kingdom ... and I would say to them [republicans] that there is not a border in the world that isn’t artificial.”

David Adams argues that Northern Ireland has a right to self-determination on the grounds that it has been in existence for over 75 years, and he rejects the notion of a ‘natural’ geographic unit. Mr Adams criticises republicans for wanting “to go back to 1916 or 1920 ... [to] wipe the slate clean ... In the real world that doesn’t happen, what you do is you start where you are...”

For Jonathan Stephenson, the SDLP offers the best vehicle towards achieving a political settlement in Northern Ireland as it recognises the very clear divisions of national identity *within* Northern Ireland. These divisions can not be ignored,

Mr Stephenson argues, as he feels unionists and republicans would like to ignore them, with one side saying ‘Dublin has no say in the affairs of the north; Dublin is the capital of a foreign country’ and the other saying ‘if the British would only leave and take their troops with them, we Irish can settle it ourselves’. He supports the SDLP’s view, which “is essentially to arrive at arrangements to share these counties”.

His criticism is also aimed at those unionists, such as Ian Paisley Jnr, who do not accept that northern nationalists form a constituent part of an Irish nation extending beyond the borders of the republic into Northern Ireland. Mr Paisley considers “the idea of the Irish *diaspora* as a joke” and argues that the southern Irish have rejected northern nationalists.

He says to nationalists that the flags and symbols of the UK “belong to everyone and there should be a claiming of those flags and symbols by the nationalist community ... the Union Jack is part of this. First of all it is the national symbol and it is not exclusively mine as a unionist: it is everyone’s, and maybe the reason why the Union Jack is used so much by unionists is because there is a failure by nationalists to claim it as their own.”

Mr Paisley insists upon the “British-

ness of the minority community”. By this, he means

whether the nationalist community like to accept it or not they are British and they are British as much as in those things which make me British, in other words our way of life. Let’s face it, the political things that happen here happen because of a British direction ... whether it is socio-economic policy or whether it is political policy ...

In a similar vein to Mr Stephenson, Terry Carlin, Northern Ireland officer of the Irish Congress of Trade Unions, reacts against the violence of the Provisionals: “I’m bitterly anti-Provo, and when I go abroad and you have to fill in your nationality ... I ... usually put ‘Northern Ireland’. I don’t say Northern Irish, I don’t say British, I don’t say Irish, I just say Northern Ireland.” He does this “because this is the place where I was born and reared, and lived in, and I am anxious to try and promote relationships between the peoples of this place and the republic and ... Britain.”

Jim Gibney, however, is as reluctant to concede a durable sense of Britishness to unionists as Mr Paisley is to recognise a wider sense of Irishness. For him, unionists, primarily, are part of the Irish nation, and the “Irish national identity ... is ... close ... to everyone on this island, irrespective of their allegiance”. Mr

Gibney believes that it is “really only since 1920 you get this ‘we are British’ from the unionists”.

It was this sense of British ‘national’ consciousness among unionists which clearly separated unionists from nationalists in our interviews. Among those Catholics and nationalists interviewed, and amongst participants in the focus groups, it was evident that Britishness was almost exclusively a unionist concept, in terms of a positive association. Irishness, on the other hand, was an identity common to both unionists and nationalists. But this is deceptive: in Northern Ireland, Irishness is a highly contested identity, with fundamentally different perceptions between nationalists and unionists which have profound implications for definitions of allegiance and group membership.

Unionists describe themselves as primarily British and, although this does not exclude a supplementary Irish identity, the latter is firmly subordinate to a sense of belonging to a British ‘national’ community. For unionists, their ‘imagined community’, or nation, extending beyond the confines of Northern Ireland, is Britain, regardless of whether other elements of Britishness—such as the Scots—accept this in preference to a primary Scots nation. For Irish nationalists, their imagined community, extending

beyond Northern Ireland, is that of the Irish nation as a distinct political community. For many unionists, Irishness is more akin to a regional patriotism.

Ulster unionist identity is thus diverse and multi-layered, particularly perhaps for those church leaders presiding over all-Ireland institutions. This is illustrated by Dr Henry Allen:

I'm British with Protestant and the dis-senter background ... I am an Ulsterman and ... I would have an affinity with being Irish because I am born in the island of Ireland, in the Ulster part of it ... I have a great love for this island of Ireland, a great love for its people and in my position, I am a member of a church which is a church, the Presbyterian Church in Ireland, not the Presbyterian Church of Ireland, the Presbyterian Church in Ireland, which means that we have outreaches and we have congregations right throughout the length and breadth of this land and I am very proud of that ...

Archbishop Eames was unusual among interviewees from among the majority community, in that he went so far as to place a greater emphasis upon his Irishness than Britishness, while still describing himself as British-Irish: "I see myself as Irish, I see myself as living in that part of Ireland which for historical reasons is still part of the United Kingdom ... [I]n purely religious terms I

am Catholic and reformed. In purely political terms I live in a part of the United Kingdom but in cultural terms I see myself very much as being identified with a part of the island of Ireland."

Lord Eames thus sees himself as being a citizen of the UK, with the allegiance that that involves, but also as being part of the island of Ireland. He is convinced that people in Northern Ireland have to stop returning to the 'us and them' syndrome, and he believes the 'new Europe' is gradually eroding the idea of national identity. For him, Britishness is a positive identification in a political sense with being part of the UK:

I see a greater affinity with Scotland and Wales obviously in that sense than I would with England, but I also feel that you have got to separate the purely political aspiration of that from the cultural. Politically I would see myself in United Kingdom terms, culturally I am very conscious of the Celtic tradition ... I would see myself in cultural terms very easily identified with what a Welshman and a Scotsman would see as terms of their culture because of my Celtic link. I call Wales, Scotland the Celtic fringe. I can see that much more clearly than I can with the identity of south of the Watford gap ... I am not living on the mainland of England, I am living on the island of Ireland, I am living among a people, and minister and work and try to lead a people who are unsure of

their own identity because they have this dilemma of British-Irish.

Bob McCartney, on the other hand, representing North Down in Parliament, has a far greater psychological attachment to a British state patriotism than a cultural sense of Irishness: “I don’t see myself as Irish in that sense at all. Indeed, when one talks about what makes you Irish, certainly historically you were not Irish in a classical sense unless you are both Gaelic and Catholic.” For him, Irishness is a territorial or geographical identity, similar to a Yorkshireman’s regional identity, while his Britishness is bound up with the sense of belonging to a British ‘national’ community. And, like Mr Paisley, he doesn’t see preference coming into it:

If ... simply the geographical accident of your birth is to determine the nature of your political identity, then one can say if you are born in Ireland you are Irish—whether it be northern Irish or southern Irish is neither here nor there. But if you apply the litmus paper of which state has real and actual sovereignty over the area in which you live, then you are very clearly British.

In terms of his British-Irish identity, Jeffrey Donaldson (UUP) similarly insists that “I would see myself first of all as belonging to the British nation”. And he would perceive his British nationalism

in a positive way:

I see the British nation as being a very diverse nation ... [W]ithin that nation you’ve got the Scots, the Welsh, the English and the Irish, some people prefer to say the Ulster people, but ... if you look at the symbols of the British state, look at the Union Flag, it includes the cross of St Patrick ... I do not believe there is a contradiction between having a regional identity in that sense, because the British nation is the United Kingdom and therefore that recognises that in fact there were ... originally [separate] kingdoms ... which made up what became known as the United Kingdom.

Mr Donaldson thus sees his Irishness in a regional, rather than a national, context and he recognises that it is here the gulf with nationalists lies:

Irish nationalists argue that the Irish nation ought to be united as one political entity on the island of Ireland, and that is where I differ. I believe that it is possible to be Irish and British, or Ulster and British, and that in fact they [nationalists] were once part of the British nation they opted out of. But they cannot, on the other hand, impose the idea of the Irish nation upon those of us who see ourselves as part of the wider British nation. So, politically, I think that is where the fundamental difference lies and I accept that Irish nationalists aspire towards the integrity of the Irish nation, apart from and separate from

the British nation, whereas I believe that I can be part of the British nation and still have my own regional identity.

Billy Hutchinson (PUP) agrees with Mr



**Thinking multinationally, acting regionally**

Donaldson's contention that Irishness as defined by nationalists is the key factor making it difficult for unionists positively to express their sense of Irishness. But he nevertheless takes a somewhat more relaxed view: "I feel that we shouldn't exclude things that are Irish because they are Irish, and I think that is what we tend to do."

In a similar fashion, David Adams (UDP) argues: "I think we have to recognise that we are Irish, we are also British and at the present time the majority of the people in Northern Ireland wish to remain part of the United Kingdom, but there is a large, substantial minority who wish to have close relationships with the republic."

Not all unionists, however, accept that they have any Irish identity. In a poignant indication of how the gulf has widened during the 'troubles', George Patton of the Orange Order describes himself as Ulster-British:

Eighty-five, the Anglo-Irish Agreement, I think was a defining point and a turning point in who we are because at that stage I personally, and a lot of people that I would know and associate with, would have stopped using the term Irish altogether. I would no longer consider myself even to be Northern Irish: I'm an Ulsterman and I am British ... We can never turn the clock back, but back in the 60s it

probably would have been easier to eventually convince my community that our future was in a 32- county Ireland. In the foreseeable future that is not going to happen because of the emotional aspects of the terrorist campaign ... [I]t is a sense of 'we cannot betray what has happened to a lot of our people'.

**T**he discussions in the focus groups on identity closely reflected many of the points raised by the interviewees, indicating that the latter were representative of wider community feelings. It was also apparent that concepts of identity, particularly national identity, cut across age, class and gender lines.

Within the Protestant focus groups, and among the Protestants in the youth focus group, there were both definitions of Britishness in terms of an ethnic Protestant identity, closely related to the crown being Protestant, and a sense of being part of a British 'nation'. But it was also argued that Protestantism was not an essential component of unionism, nor unionism a necessary part of the Protestant community. Some Protestants completely rejected any sense of Irishness, preferring to define themselves as members of an Ulster 'nation', although most accepted some form of Irish identity, usually 'Northern Irish'.

All the Protestant participants exhibited some sense of community with

the people of Great Britain. They defined their Britishness in a similar vein to that expressed in the interviews—directly related to an historical communion forged through experience of great shared historical events, such as the two world wars. For many of the older members of the focus groups, the second world war remained a vivid memory.

Against this were counterpointed the Easter rising—when Ulstermen died at the Somme the same year—and the neutrality of the then Free State during the second world war. Confusion was felt at the apparent lack of reciprocal empathy shown by Britain in protecting 'fellow Britons' in Northern Ireland from attacks from within and without. This, it was felt, produced a sense of siege and abandonment among Ulster Protestants, and prevented many of them feeling confident in reaching out across the sectarian divide. Yet this recognition of apparent rejection by the population of Great Britain did not appear to dilute Protestants' attachment to the UK. They rejected Irishness as defined by the political ethos of the republic, perceived as Catholic, Gaelic and republican.

Expression was given to the lack of self-confidence which persists about Protestants' sense of identity. The main problem centred on the relationship between notions of Britishness, Irishness and

Ulsterness. This dilemma did not appear to be one generated by the members of the groups—who appeared confident and certain of what their cultural identity was; rather, it was a lack of self-confidence in *defending* their cultural identity, when compared with other definitions presented by actors external to the Protestant community.

This was particularly the case with the notion of being British and Irish, for although many Protestants *felt* British and Irish it was difficult to express this in terms of a geographical entity. Other actors focused on the territorial unity of the island of Ireland, whereas to describe oneself as British and Irish entailed a map image of Great Britain and an amputated segment of the island of Ireland.

Ironically, while some Protestants complained that nationalists denied unionists the right to be British, it was a feature of the focus groups that other Protestants denied that nationalists had a different national identity. Catholics living in Northern Ireland were perceived by such participants as British citizens who should give allegiance to the state; as one person expressed it, “Catholics are British whether they like it or not.”

Catholic members of the focus groups clearly identified themselves as Irish. The central element in this definition was that they were born on the island of

Ireland, which was also defined as what constituted the Irish nation. Since the nation extended to the whole of the island, nearly all Catholics, including those who did not classify themselves as supporters of SF, expressed difficulty in understanding unionist descriptions of Britishness.

Unionists were described as a ‘national minority’; partition by the British government had enabled an ‘artificial’ majority to be elevated to a position of dominance. There was a general belief among Catholic participants, including those who acknowledged the Britishness of unionists, that unionists primarily sought to create and perpetuate a Protestant ascendancy. A theme of these focus groups was the belief that unionists were unwanted by the population of Britain, and this made them less British than the inhabitants of the neighbouring island.

This sense of Catholic Irishness was, however, not limited to the geographical definition. Others within the focus groups defined Irishness in terms of the unique culture of Ireland’s past, particularly its language and traditional music. None described their national identity as ‘Ulster’. To Catholics, the term Ulster refers to the nine-county province, a provincial consciousness reinforced by cross-border contacts in numerous arenas, such

as Gaelic football, where the nine-county unit is recognised. The unionist notion that the Northern Ireland problem was a territorial conflict between states was rejected by Catholics in the focus groups, on the basis that the border was an arbitrary division which did not recognise that most Catholics belonged to the Irish nation.

In this context the demand for parity of esteem, whether cultural or institutional, was made on the basis that Catholics in Northern Ireland should enjoy equality in all respects: it was suggested that a group constituting more than 40 per cent of the region's population could not be considered a 'minority'. Greater recognition of Irishness was no more than the right of nationalists to have their culture treated equally and to see this expressed in all the institutions of the state. While remaining nationalists and wishing to see a united Ireland, this was a long-term aim; what was important for the present generation was to see that their cultural identity had sufficient expression.

Strong north-south bodies were perceived as required in order to give rightful expression to this identity. Those Catholics who recognised the British-Irish identity of unionists also put particular emphasis on what they saw as the long-term potential to wean unionists

away from a primary allegiance to Britain and replace it with a primary allegiance to Ireland. This was to be an evolutionary process, without coercion and utilising self-interest, accomplished via co-operation in north-south bodies.

**T**his chapter has explored, particularly with the party-political interviewees and focus group members, what notions of Britishness and Irishness, allegiance and identity mean to unionists and nationalists. And there are modestly encouraging pointers, such as Jonathan Stephenson's attempt to steer a middle course and the relative moderation of the loyalist 'fringe' parties.

But, overall, the conclusion has to be a dispiriting one. What this closer scrutiny shows is that general favour of the notion of parity of esteem in the round comes close to disintegrating when one explores the particular senses of self which seek recognition. For not only is a gulf of mutual understanding evident: amongst the more 'extreme' interviewees and focus group participants there is in reality not even an acceptance of the right to espouse a contrary allegiance or identity. The most determined protagonists still operate with a concept of pluralism so narrow as in fact to delegitimise their adversaries' conceptions of their social worlds.

The next chapter takes this scrutiny to an even more concrete—and demanding—stage. How, in the views of our respondents, should parity of esteem be materially expressed? What institutional form(s) should it take? **DD**

# Feeling institutionalised

**M**uch of the debate about negotiating the future of Northern Ireland is in essence about how an equilibrium between the two main religious communities, consistent with freedom and equality for all—and not excluding other forms of citizen identity—can be given institutional expression.

Jonathan Stephenson accepts that the SDLP would be interested in a power-sharing arrangement in a devolved Northern Ireland administration, involving committees allocated proportionately to the various political parties. He points out that this was the model which almost resulted in agreement between the parties during the Brooke-Mayhew inter-party talks of 1991-92, although he is keen to rebut unionist claims that the SDLP backed away from agreement in ‘strand one’, emphasising that his party could not agree on internal government until there had been agreement in all three strands—the ‘nothing is agreed

until everything is agreed’ formula. Mr Stephenson looks to the future and the positive impact of power-sharing in building trust between the people of Northern Ireland—speculating that some decades ahead a shift might occur in the political landscape, with an emergent social-democratic/conservative axis obviating the need for power-sharing.

Jeffrey Donaldson explains that the UUP’s attitude to any new governmental arrangements is shaped by the fact that “firstly, we want to see, obviously as unionists, Northern Ireland remaining part of the United Kingdom”, as against nationalists who want to “establish structures which will actually undermine that constitutional status”. Within Northern Ireland itself, the UUP would like to see administrative structures returning control of local affairs as elsewhere in the UK, with the various parties involved on a basis of proportionality. In place of the Anglo-Irish Agreement, Mr Donaldson

offers a bill of rights, encompassing not only the rights of individuals but also of minority groups. Since, in addition, governance would be on the basis of proportionality, “you are not talking about a return to pure majority rule”. He also envisages a requirement for “sufficient consensus”—ie across the sectarian divide—on controversial matters. “What we will not agree to is this idea that the Irish government will act as a guarantor in relation to the internal institutions of Northern Ireland.”

Ian Paisley Jnr (DUP) also advocates a bill of rights, though he balks at the idea of minority protection as such. He rejects, too, the idea of any guarantor role for the Irish government *vis-à-vis* northern Catholics. For him, “An accountable democracy really is the key.”

Bob McCartney of the UKUP has “no objection to cultural rights, nor have I nor could I have, if I claim to be a democrat, any objection to political aspirations about a change in the nature of the state”. But Mr McCartney believes that when nationalists talk about parity of esteem, “you are now talking about an equal right being given to the minority to decide that the Republic of Ireland should have as much executive and constitutional say over the running of Northern Ireland as ... the majority has. Now this is absolute rubbish.”

Mr McCartney defends his stance by reference to the conventional language of the post-war international order—of territorial integrity versus self-determination—which the first chapter showed was unable to resolve the conflicts (Northern Ireland included) associated with the disorder of today:

... the basic principle after the second world war, for settling the affairs of Europe, was to say that all the nations must respect the territorial integrity of their neighbours, even though their neighbours contained significant minority elements coming from the country of origin. So as far as ‘parity of esteem’ in this sense is concerned, it runs totally and completely against the international principles for the settlement of such disputes that have been agreed post the 1945 war.

All shades of nationalism reject as inadequate these unionist gestures towards accommodation. While nationalists agree that there should be a bill of rights and some form of internal power-sharing, this is deemed insufficient to recognise their Irish identity—their sense of being part of an island-wide community. Nationalists thus seek strong north-south bodies with executive powers, and the ‘dynamic’ mentioned in the framework documents. Unionists, conversely, prioritise the internal government of Northern Ireland, want weaker north-south bodies, and

look to an east-west axis—the ‘Britannic dimension’—in which a Northern Ireland assembly would have the key role, replacing the Anglo-Irish Agreement.

**M**any of the fears and aspirations of unionists and nationalists are projected on to the institutional structures proposed in the framework document promulgated by London and Dublin in February 1995, particularly the north-south body foreshadowed there. The economist Paul Teague<sup>1</sup> has described a widely-held nationalist expectation that closer economic co-operation between the two parts of the island will induce unionists to shift their loyalties away from Britain and towards the republic. As a result of this gradual process, the political foundations will be laid for unification. This view is best described as ‘rolling integration’, and it closely resembles the neo-functional account of integration inside the European Union.

Neo-functionalism sets out to explain the process whereby political actors in separate national settings are persuaded to shift their traditional loyalties, expectations and activities from a well-established political formation towards a new constitutional order. A key proposition is that once different national political and economic élites decide to deepen co-

operation, even in fairly proscribed policy areas, they find that the scope of the integration agenda expands quickly. Neo-functionalism is held to be inherently cumulative and dynamic:

At the start, the integration process is seen as involving governments horse-trading to conclude package deals. Deals of this kind oblige some governments to take action on a particular matter in return for other governments agreeing to do something in another policy sphere. Because these reciprocal actions invariably have unintended consequences in yet other unrelated areas, governments feel compelled to further spread the integration arena. After a time it is not only the political and administrative élites who are engaged in the integration process, but citizens too. The spillover dynamic, by creating new centres of decision-making, will encourage citizens to turn away from existing jurisdictions. This is largely because their general well being will be increasingly tied to the integration process. Eventually citizens are persuaded to regard the institutional apparatus associated with integration as representing a legitimate new political community, thereby rendering the old jurisdictions obsolete.

Teague identifies the unionist position, by contrast, with intergovernmentalism. Cross-border co-operation organised along intergovernmental lines normally has two distinct features:

One is that the objective of the integration process is not to wither away existing constitutional borders, but to promote peaceful co-existence between different nations. Secondly, the institutional design of intergovernmentalism ensures that the participating countries control the decision-making process. Thus, should any country disapprove of a specific proposal, it has the capacity to say no. In practice narrow and broad versions of intergovernmentalism can be found. Under the narrow version, the participating countries keep a tight grip on the collaboration process so that no spillover or incremental dynamic comes into play. Although autonomous organisational structures can be established these normally have no strong decision-making powers. Examples of narrow intergovernmentalism would be the Nordic Council which promotes co-operation between the Scandinavian countries and, at the international level, the United Nations.

The broad version of intergovernmentalism is not so tightly controlled by the involved nations. A limited form of autonomy is enjoyed by the integration centre to pursue quasi-independent programmes. Moreover, a range of collaborative economic and social initiatives emerge which are associated with the formal integration project but are not under the direct control of national governments. Thus, the intergovernmentalist structure is augmented by the activities of interest

groups, business lobbies and so on. As a result, additional support structures for the integration process are created that at once legitimises cross national collaboration and generates pressure for further initiatives. Overall, the integration project is made more dynamic and less tied to the interests of governments. In the end, dense commercial, policy and social interdependencies emerge across frontiers. But these interactions are contained inside an institutional structure committed to respecting sovereign boundaries. Perhaps the best example of broad or augmented intergovernmentalism is the EU itself.

Ultimately, a nationalist might wish to see the establishment of joint authority or sovereignty over Northern Ireland, exercised by the London and Dublin governments and created by a neo-functionalist process. A working illustration is the co-principality of Andorra in the eastern Pyrenees, the oldest and most successful example of condominium in the world. For over 700 years, since 1278, it has survived as a tiny republic between France and Spain, by involving both of them in guaranteeing its liberties. Internal affairs are generally left to the Andorran people, while foreign relations are handled by France.

A working example of intergovernmentalism, as unionists would prefer, is

provided by the Nordic Council. The council, founded in 1952, representing Norway, Sweden, Finland, Iceland and Denmark, serves as an advisory body dealing with economic, social, cultural, environmental, legal and communications affairs. Recommendations and statements are sent to the Nordic Council of Ministers, whose formal decisions must be unanimous.

Jonathan Stephenson argues that any political settlement cannot be internal to Northern Ireland alone, and he would wish to “move closer to some form of joint authority”. And he does favour a process of north-south integration, while recognising the right of unionists to argue for a contrary position. Were there to be a power-sharing government,

yes, there would still be those elements within the SDLP who would push to move things forward. We would want to use that as a dynamic. We would still aspire to a united Ireland and there would be those elements within the unionist parties who would wish to push things back, to move it in the old direction. And those elements would have a right to their aspirations and they would have a right to peacefully pursue their objectives ... I think it is now a very long-term objective to most people in the SDLP but it is an objective that they would feel the right to pursue.

In 75 years, he explains, nationalists

have been unable to feel an ownership of Northern Ireland, as unionists have had, without resort to a pan-nationalist identity extending throughout the island, and therefore they seek expression of their identity through all-Ireland institutions which, while falling short of all-Ireland *governing* institutions, offer reassurance to the nationalist identity. North-south co-operation, on issues such as tourism, agriculture, or ‘mad cows’, makes economic sense as well as reassuring nationalists that they are “not being fobbed off” with an internal settlement in which they will always be the minority.

Jim Gibney (SF) quite explicitly favours the ‘rolling integration’ scenario. What he finds interesting in the framework document is the proposed north-south body: he calls for the political representatives of the island of Ireland to come together in such an institution and incrementally remove the British presence: the more institutions at a political level on an all-Ireland basis the better. Mr Gibney envisages an all-Ireland economic council and harmonisation of social welfare, education and health boards and all sporting bodies. He believes that the “more the island is united institutionally the easier it would be for the people to be united in an institution of an all-Ireland character at some stage in the future”.

Unionists tend to counterpose the east-west axis to north-south, with suggestions for a Council of the British Isles. Mr Gibney rejects this as “going in the wrong direction ... I think that the sovereignty ... or at least the statehood that the people of the south of Ireland have arrived at, and their sense of independence ... could well be eclipsed by the notion of a Council of the British Isles. But ... in the context ... where we are moving towards British disengagement I think we have to look at everything.”

To Mr Gibney—his hopes a direct reflection of unionist worries—this process of disengagement is manifest in the Anglo-Irish Agreement, the Downing Street Declaration, and the framework document, in which there is an “Irishisation of the process”:

There is a Northern Ireland ethos attached, very definitely attached, to all of these documents. So, incrementally if you like, despite John Major’s remarks that the north of Ireland is as British as Surrey—ten years ago it was as British as Finchley—despite all of these things, if you live in Surrey or you live in Finchley you don’t have all these elaborate agreements, institutions or whatever: you just send MPs to Westminster. But the point is that I think, incrementally, we are faced into a situation where more and more and more the British are recognising that this

state cannot survive within itself, that there is an all-Ireland character to the resolution of this problem and we would say we would push that even further and further and further and further.

As to unionist fears:

I think they are right. I think that, and they know that ... They have got to face reality. I mean David Trimble can either lead his people into the 20th century or he can lead them back to 1912. Now he’s been leading them back to 1912, but he needs to realise that the momentum is clearly towards all-Ireland institutions—clearly towards all-Ireland political developments, economic developments, social and cultural developments. That is the way it’s going ... He is not going to be able to stop the changes that are on the way.

Again in direct contradiction of unionist insistence that only an ‘internal’ settlement can be negotiated, he believes that an accommodation is only possible if it is taken “out of the context of the north of Ireland ... [W]ithin the confines of the north of Ireland ... I don’t think anything is workable, I think that has [been] proven beyond any, any shadow of doubt. In the context of the island, yes, I think that we can make accommodation with unionists, I think that we can make accommodation with their Britishness and that that can be reflected in the institutions in the island.” But the “Irish

nationalist aspiration for independence cannot be reconciled with British sovereignty in Ireland”. Even joint sovereignty or a federal Ireland would have to be considered “as staging posts towards an all-Ireland democracy”.

Aware of what he sees as its analogous significance for Northern Ireland, Jeffrey Donaldson sees dangers in the functionalism of the European Union. Looking back to the genesis of the Common Market, he points out that for many the ultimate goal was a federal European state, which it was recognised was not going to be created overnight or by putting political structures in place—rather, the key was to be economic union, developed on the basis of gradualism. Nationalists, he claims, realised in the New Ireland Forum Report of 1984 that an ‘agreed Ireland’ could similarly be achieved by a process of gradualism: “[I]t had to be a staged process to achieve their political objectives, ... a united Ireland was not going to happen overnight, it wasn’t going to drop out of the sky, ... they had to create a framework within which they could achieve their objectives”. The Anglo-Irish Agreement created this framework and the framework document set it out in more detail:

the key being harmonisation, a word which is at the heart of European integration ... you have got harmonisation of

the economies, the markets, taxation régimes and now even the harmonisation of currencies, as it will be under the proposals in the framework documents. You will have harmonisation of the economies of Northern Ireland and the Irish Republic and nationalists hope that through the harmonisation of the economy they will create a framework within which political harmonisation can also take place. They will then be able to argue much more powerfully, much more forcefully that, since there is economic harmonisation, the natural progression is political harmonisation. So that is why I see, as a unionist, very real dangers in the type of proposals that are being put forward, for example, in the framework documents but more generally in this Anglo-Irish process which is about much more than simply giving expression to the Irish identity—it is in fact about creating political structures and a political framework through which nationalists will be able to achieve their political objectives in the medium-to-long term.

Mr Donaldson argues that most unionists are in favour of north-south co-operation—they were not saying ‘close the border’. Instead “we are saying yes, there are many areas in which there is benefit for both parts of the island of Ireland for both Northern Ireland and the Irish Republic to work together and co-operate on matters of mutual interest, and therefore we want to see cross-border co-

co-operation.” But unionists were “certainly against the idea that you create north-south bodies or all-Ireland institutions which will have in themselves a dynamic”, as proposed in the framework document, which “actually move away beyond the idea of co-operation and the spirit of co-operation to create the framework ... which is to ... weld the two parts of the island together, not just economically but politically”.

Unionists “do not believe, as nationalists seem to believe, that the political entity, the framework within which such co-operation can take place, is exclusively all-Ireland. We believe that the proper framework, whether you look at it in social or economic terms, is in fact the British Isles as a whole, and what we want to see is a new political agreement and a new political arrangement is first and foremost a political framework which encompasses the British Isles.”

Within the political framework of these islands, Mr Donaldson argues that there can be north-south co-operation, but again he turns to the east-west dimension: “[W]hy not Northern Ireland also working with Scotland, the Irish Republic working with Wales and so on? ... [T]he reality is that both the Irish Republic and Northern Ireland do the bulk of their trading with Great Britain and that Northern Ireland is much more

strongly linked into Great Britain and the rest of the United Kingdom than it is in economic and social terms with the Irish Republic.” The framework in which unionists want to see a new political agreement is first and foremost the ‘British Isles’—“strictly within that framework, not in isolation from it.” A prerequisite is perceived to be the removal of the republic’s territorial claim, which unionists see as in contravention of the spirit of co-operation.

Ian Paisley Jnr echoes the concern that the framework document represents a “piece-by-piece, incremental movement towards a *de facto* unified state. Whether it then becomes legally and constitutionally a unified Irish state doesn’t really matter because everything else is there ... [I]t’s Irish unity by stealth.” He claims that there is already a process of conditioning the people of Northern Ireland for a shared administration, starting, for example, with a common tourist policy. Mr Paisley argues that there will only be harmony in Ireland when there is a “recognition that the border is there ... that this is a different country”.

While unionist politicians are prepared to accept some policy ties between north and south, this is conditional on a narrow intergovernmental model applying—there being no overarching institutions and with the Dáil and any Northern

Ireland assembly in full control. Ultimately, the assembly would have the right to withdraw co-operation.

The republic's government rejects many of these fears. It denies that unionists have anything to fear from a north-south body, emphasising that if they were to take part they would see no powers being conferred against their will, as any such body would have to reach decisions by unanimity; they would, in effect, have a veto over whether or not the body actually got off the ground. For Dublin, 'harmonisation' is nothing for unionists to be alarmed about, again because it is subject to unanimity, and any 'dynamic' would be similarly constrained. Unionists, they feel, are being paranoid: a north-south body would be brought into existence by a Northern Ireland assembly and by the Dáil, would be dependent on both and would draw its authority from both.

The republic's government also argues that the framework document is predicated on constitutional change in its jurisdiction. If it is going to propose such change, acceding to unionist concerns by diluting articles 2 and 3, then northern nationalists have to have some sense that their own identity will be otherwise catered for—and that compensation should take the form of a north-south institution which would give day-to-day,

practical expression to nationalists' identity.

The government believes, moreover, that the southern electorate would not support change to the articles in a referendum, unless reciprocated by a reassurance of another kind. It points out that alteration of articles 2 and 3 would leave unionists with the constitutional certainty from the republic they have always wanted and an assembly for Northern Ireland. The *quid pro quo* would be unionist agreement to a north-south body to keep northern nationalists happy, as they would otherwise be destabilised by the change to the republic's constitution.

For Dublin, the key east-west relationship is, and will remain, the Anglo-Irish Agreement, although a number of the functions of the Anglo-Irish secretariat would be transferred to any new Northern Ireland assembly: both governments would continue to need a structured way of consulting each other on whatever residual functions they retained. There are reservations about anything, such as a Council of the British Isles, which would apparently attempt to diminish the importance of the nationalist identity within Northern Ireland.

The republic's government argues that its emphasis upon north-south bodies is an attempt not to 'Irishise' Northern Ireland at the expense of its

Britishness but to balance unionist and nationalist identities, since the reality of the unionist vision is all around in membership of the UK. It is not offering unionists an agreed Northern Ireland within the UK for nothing. Unionists are being asked to make concessions, but then so are nationalists—the considerable concession of accepting, certainly for the foreseeable future, that a united Ireland is not achievable, and that they will have to settle down to be contented residents of the United Kingdom.

**T**his chapter has teased out in more detail what nationalists and unionists envisage by parity of esteem in practice. It is clear that unionists are unwilling to break with core conceptions of sovereignty and majoritarianism—however qualified by proportionality or bills of rights—and that their focus is almost entirely internal or east-west. It is equally clear that northern nationalists refuse to ‘set a boundary to the march of the nation’, resisting internal settlements and east-west structures in favour of the north-south ‘dynamic’.

Dublin’s position is more sensitive to unionist concerns, strongly hinting that a political stabilisation is possible, essentially within a UK context, if only northern nationalists’ sense of Irishness is fully accommodated. But the starkness

of opposition between even the ‘moderate’ protagonists is daunting. It must direct us to the development of a new language for an overall settlement—a task in which the work of those groups committed to building mutual understanding, to be explored next, must play a critical, long-term role. **DD**

#### Footnotes

1 Paul Teague, ‘The European Union and the Irish peace process’, *Journal of Common Market Studies*, vol 34, no 4, December 1996, pp 549-70

# Reconciling a balance

**R**econciliation groups emerged in Northern Ireland for the first time in 1964 but mushroomed post-69. The focus of their activities varied and included addressing political issues, developing ecumenical understanding and bringing children and families from the two sides together. They can be classified in four ways: international communities of reconciliation, containing groups formed with the specific intention of acting as centres for reconciliation, such as the Corrymeela Community; local groups formed in the midst of hostility; groups formed out of the experience of violent bereavement; and children's community relations holidays.<sup>1</sup>

As community-based programmes evolved, mainly within the voluntary sector, their influence began to be felt in such areas as education, youth work and community development. In the latter half of the 80s, government came to espouse an explicit community-relations policy,

which emphasised three objectives: (a) to increase opportunities for contact between Protestants and Catholics, (b) to encourage tolerance of cultural pluralism and (c) to seek to achieve equality of opportunity for all citizens. A community relations infrastructure was re-established with the creation in 1987 of the Central Community Relations Unit (CCRU) within the Central Secretariat of the Northern Ireland civil service, followed by the establishment of the Northern Ireland Community Relations Council (NICRC) in 1990.

An instance of such official recognition was the 1989 Education Reform Order, with the inclusion in the new core school curriculum of 'education for mutual understanding' (EMU) and a commitment to promote integrated education. Other initiatives have included the encouragement of cross-community contact between schools, the employment of community relations officers in local

government and, outside government, the anti-sectarian programmes of the trade union movement.<sup>2</sup>

Yet two things are evident about these community-relations initiatives. The first is how long it took—two decades of intense political violence—before government responded to the challenge of communal division and to innovative developments on the ground. The second is their overall failure: there is widespread agreement amongst commentators that Northern Ireland is now not only more segregated but more polarised than ever.

**A**lthough teachers and academics had been active from the early 70s in this arena, government was more cautious about suggestions that schools should be involved with community relations. Its first public commitment was a 1982 circular called *The Improvement of Community Relations: The Contribution of Schools*, which said: “Every teacher, every school manager, board member and trustee, and every educational administrator within the system has a responsibility for helping children learn to understand and respect each other.”

By 1989 this had been worked up to the Education Reform Order, which specified that two cross-curricular themes related to community relations be included

in the Northern Ireland curriculum: EMU and ‘cultural heritage’.<sup>3</sup> EMU has four objectives:

- fostering respect for self and others,
- understanding conflict,
- appreciating interdependence, and
- understanding cultural traditions.

Cultural heritage addresses three concerns:

- interaction, interdependence, continuity and change;
- shared, diverse and distinctive features of different traditions; and
- international and transnational influences.

The order placed a statutory responsibility on school governors to report annually to parents on steps taken to promote EMU, but there is no direct EMU assessment of individual pupils. It has become clear that many schools also see the aims being communicated less formally, by the nature of relationships within the schools, and between the school and the wider community. In this sense, many schools claim that the aims of EMU are already implicit in their whole-school ethos.

While the themes are a mandatory feature of the curriculum, cross-community contact with pupils of other schools remains an optional strategy which teachers are encouraged to use.<sup>4</sup> By 1994-5, 45 per cent of schools were

involved in the cross-community contact scheme, though the Department of Education has estimated that this involved fewer than 20 per cent of primary and fewer than 10 per cent of secondary pupils.

Perhaps the most dramatic development in education over the past 20 years has been the emergence of integrated schools, now attended by around 2 per cent of pupils. It is envisaged that they should be open to children from all and no religious backgrounds, but in practice schools are Christian in character and the founders, parents, teachers and managers have developed workable procedures for teaching religion. The Education Reform Order created a mechanism for funding them and placed a statutory responsibility on government to promote integrated education.

Among those interviewed for the purpose of this report, there was universal support for integrated education. Personally speaking, Jim Gibney (SF) believes in multi-denominational education: “[T]he integrated schools at the moment clearly are trying to have a balanced ethos, a balanced curriculum and it is certainly something that I would welcome ...” Jonathan Stephenson (SDLP) offered the caution that integrated education was “not the only solution” because without forced bussing it would

**Shared diversity—these musicians don’t all tap with the same foot**



be impossible to integrate pupils from inner-city areas, but was generally supportive of integrated schooling and EMU. David Adams (UDP) describes himself as a “great supporter” of integrated education, thinks that “on both sides of the community the churches have a lot to answer for” and argues that respect for other people’s culture “has to be nurtured from an early stage ... in the schooling system”.

There was common complaint that, at school, many of those interviewed had learnt nothing of their, or the other, community’s identity. Carmel Gallagher of the Northern Ireland Curriculum Advisory Council points out that although it was intended that a common Northern

Ireland history curriculum would provide a structured history of Northern Ireland, this is no longer the case. This component has been altered, giving only a snapshot of certain events in the region's history, such as the Belfast blitz and the 60s. She would like to see a specific component of the history curriculum, catering for the history of the north, pre- and post-partition. Although Ms Gallagher admits there is opposition from teachers being placed, as they see it, in the front line of community relations, she argues that the absence of any other sources of information about the history of Northern Ireland, apart from family and peer group, may be a significant factor in the reproduction of sectarian perspectives.

Dr Mari Fitzduff, formerly of the NICRC, calls on government to “face up to the existing educational interests and put a priority on integrated education”. This would involve financial incentives for schools who “will take on board the integrated school ethos ... I would be happier with a situation where you actually had to be financially penalised for keeping an exclusive [single religious] school”. While endorsing EMU, Dr Fitzduff stresses that in a shared educational environment “you learn contacts and you learn networks that actually go away beyond schooling”.

Flags and symbols are central to the debate about parity of esteem. Bryson and McCartney explain that while flags have their practical uses, their primary function has always been social communication. National flags in particular stimulate the viewer to feel and act in a calculated way. They represent or identify the existence, presence, origin, possession, loyalty, glory, beliefs, objectives and status of an entire nation. They are empowered to honour, dishonour, warn and encourage, threaten and promise, exalt and condemn, and commemorate. Flags authenticate claims, dramatise political demands, establish a common framework within which like-minded nations are willing to work out mutually agreeable solutions—or postulate and maintain irreconcilable differences that prevent agreements from occurring.

Flags are a mark of identity: they identify ourselves, they identify others and they provide a sign around which people can gather. As well as being a distinguishing mark, they are also a symbol of identity in a more emotional and psychological sense—a symbol through which one expresses one's loyalties and allegiances. Symbols become simple representations of group identity. They can be unifying, but only for those who want to identify with the group. They not only

express a sense of belonging, but they can play a more active part in encouraging it, particularly when they are used as part of some ceremony. They help to create a sense of occasion and highlight the importance of an event, and in turn they are honoured by being included in a special function.<sup>5</sup>

Bryson and McCartney argue that both unionists and nationalists treat British and Irish symbols as representing the institutions of the state, not the people or the territory, although they may not articulate this distinction, or perhaps even recognise it consciously. For unionists it is the institutions of the state which are important. The British national anthem and the Union flag represent the state institutions which exercise sovereignty over Northern Ireland, and thereby provides a sense of security in the face of the perceived risk of the unification of Ireland.

Unionists are often told that Britishness is not a real identity, that there is no British nation, that Britishness is an expression of citizenship. But this, say Bryson and McCartney, misses the point of what unionists want from their Britishness—citizenship in the sense of identification with the institutions of the state. For a unionist, if the Union flag is not flown, or the national anthem is not played, it is a sign that the link with

Britain is being weakened. For unionists, the symbols of the Irish state are seen as irredentist and threatening and unionists would prefer them to be controlled.

On the other hand, when nationalists see the British flag, or hear the anthem, they also do not see them as representing the people or territory of the UK. Like unionists, they are more aware of them as symbols of the state. Unlike unionists, nationalists do not have the same benign view of that state. For them it is an order imposed within Ireland, in a most hostile form, and is seen as an imperialist system.

Not all nationalists share the degree of hostility republicans display towards the British state. Some are willing to respect the symbols, though they tend to feel they are overused and unnecessary on many occasions. But all nationalists have a sense of Irishness, whether or not they want the early reunification of Ireland. An important expression of identification is the Tricolour and the anthem. On the other hand, many nationalists do aspire to a united Ireland, and would work for that goal. They share some of the émigré sense of attachment to the symbols of the motherland: the exile may be able to return home; the colonial subject may see the country become free.

Divisions within Irish nationalism are reflected in the differing perspectives of

Jonathan Stephenson and Jim Gibney. Mr Stephenson has “no problem with the Union Jack on public buildings”, but “I do have a slight problem with it on kerb stones ... because that’s dogs marking out territory”.

Mr Gibney argues that until such time as the constitutional future of Northern Ireland is resolved, northern nationalists should be treated with “respect ... integrity and ... dignity, and that needs to be reflected in the laws of the land and in symbols of the state as well”. He goes further than Mr Stephenson, however, calling for the removal of all symbols of Britishness from the Northern Ireland state, claiming that their usage demonstrates cultural discrimination against nationalists and republicans:

We either ... seek neutral symbols, which both communities can pledge their allegiance to, or else, where the Union Jack flies, so the Irish national flag flies alongside it. The prefix ‘royal’ for example, [is] again the symbol of one community. We believe you should seek neutral symbols, [so] there shouldn’t be ‘Royal’ Courts of Justice, the ‘Royal’ Ulster Constabulary, the ‘Royal’ Mail; all of these [symbols] ... need to be removed and [in] this process of removing them, what you are in fact doing is ... legitimising a tradition, an identity which has been delegitimised since 1920, since this state was formed. In other words, a total reversal of what we have

had to date, a British state imposed upon a community which does not want that state to be here.

For the republic’s government, one of the successes of the Anglo-Irish Agreement was the repeal of the Flags and Emblems Act, allowing the Tricolour to be flown more frequently. It suggests that attention could be paid to the use of flags at police stations and court houses, favouring diminished use of the Union flag and greater emphasis on neutrality. It realises that it would be too much to expect that the Tricolour would be allowed to fly over state buildings in Northern Ireland, but would wish portraits of the Queen to be removed from police stations.

Although Dublin is conscious that it cannot say this publicly, effectively it is trying to get nationalists to accept Northern Ireland as their home, providing them with incentives in terms of how the region is administered on a day-to-day basis. It accepts this may be perceived as ‘Irishising’ Northern Ireland, but argues that in practice if Northern Ireland is going to stay British—as its commitment to the ‘consent principle’ implies for the foreseeable future—then symbolic adjustment in the direction of nationalists is not really going to have any impact on the constitutional status of the region.

From a loyalist perspective, David

Adams cautions that if parity of esteem means a complete removal of all flags and symbols from government buildings, or institutions of the state, it will be “very hard to achieve”; and as for the Tricolour flying side by side with the Union Jack, “I believe that would be impossible”. Unionists do not know where the process will end and become concerned about what the future holds. He accepts that many “clearly haven’t made the jump” in recognising the Irishness of northern nationalists, but also fears nationalists, and republicans in particular, wish to have no recognition of the “British-Protestant-Ulster” culture.

Rationalising the fears many unionists have of the consequences which might arise, following the removal of British symbols in Northern Ireland, Bob McCartney (UKUP) stresses that the debate over symbols and expressions of identity, such as over increased showing of Gaelic games on television, are “things which people like me in a pluralist society don’t give a toss about”. However, Mr McCartney recognises that a lot of unionists are paranoid, and he claims they are paranoid because, since 1921, the British government has

kept them at arm’s length in a sort of limbo where it would put them out if it could, it would solve the Irish problem [thereby] and, therefore, it has almost

institutionalised political anxiety and worry and fear about our future among the unionist community. And therefore they have become hyper-sensitive to any symbol or indications that their Britishness is being undermined. This has been accelerated by the other side, by the desire of extreme nationalism.

‘Extreme nationalism’, Mr McCartney claims, has politicised its culture and “they are saying, this is our culture, this is going to be the predominant culture and as we advance these cultural symbols we are pointing out to the unionists this is the way it is going to go”.

On the other hand, he contends, unionists, conditioned by the uncertainty of their political future, become increasingly attached to the symbols which reassure them that they are British. The advance of Catholic cultural symbols is “not seen with the political confidence and assurance [with which] that would be viewed in a state that was totally pluralist or where the citizens were confident and certain of their political identity. It is seen as a state which is under threat and where the advance of nationalist symbols is very often at the expense of a reduction of the symbols which assured them that they were still British.”

As for Gaelic culture, many unionists, Ian Paisley Jnr (DUP) contends, “feel uncomfortable whenever the Irish language

is spoken". *He* feels uncomfortable, claiming that it has been "politically hijacked and [that] those who even don't use it ... [make of it a] political vehicle ... I don't identify with it, it is not mine and indeed I have a sense that it is hostile to me." Mr Paisley's interaction with Catholics is on the basis that "at the end of the day we are all English-speaking". He claims nationalists, including in such contexts as graduation at Queen's University, should "accept the national anthem because that is the nation's national anthem".

For all the moderation of the efforts of the republic's government, then, it is clear that unionists feel almost universal unease or even fear that what they see as symbolic expressions of their identity are being challenged in a zero-sum unionist-nationalist game.

**I**nstitutional forms of cultural expression in Northern Ireland range beyond flags and symbols, particularly in terms of policing and public order. Parades remain a flashpoint, as demonstrated during the successive Drumcree disturbances, in 1995 and 1996, which brought Northern Ireland to a standstill with widespread civil unrest. Issues concerning policing policies, structures and practices—and the administration of justice generally—have polarised Northern

Ireland since the establishment of the state, and they continue to divide the two communities.

On the one hand, most unionists see the various institutional arrangements and legislative frameworks for the maintenance of law and order as essential to the preservation of the constitutional *status quo*, faced with the threat of militant republicanism. On the other hand, most nationalists view the same institutions and legislation as yet more examples of the sectarian nature of the state. From the creation of the state, the RUC was trained to perform not only the normal functions of a civilian police force, but also a para-military role to counter the threat posed by the IRA. In that role it was to be supported by the Ulster Special Constabulary, from the outset viewed with suspicion, resentment and even hatred by most Catholics.

Following the communal disturbances of 1969, in 1970 the USC was replaced by the Ulster Defence Regiment and, to free the RUC from political control, a Police Act established a new Police Authority for Northern Ireland, intended to be representative of the main sections of the community. The RUC complement, previously limited to 3,500, was raised, leading ultimately to a full-time force of 8,478 by 1992, when there was also a full-time reserve of 3,160 and a part-time reserve

of 1,432. This increase was not, however, matched by increased Catholic participation: whereas in 1961 Catholics comprised 12 per cent of the force, this had fallen back to 7.7 per cent by 1992.

A mixed and polarised opinion has been recorded in surveys and polls on policing. A *Belfast Telegraph* poll in 1985 reported that while a substantial proportion of both Protestants (59 per cent) and Catholics (43 per cent) said the RUC carried out its duties fairly, the rest of the Protestants (37 per cent) said that the RUC carried out its duties very fairly, while the rest of the Catholics (53 per cent) said that it carried out its duties unfairly or very unfairly.<sup>6</sup>

The ‘security forces’ are one of the largest employment sectors in Northern Ireland, amounting in total to some 21,000 jobs. Some 11,500 are employed in the RUC and some 7,500 in locally recruited and locally deployed units of the Royal Irish Regiment, formerly the UDR. The remainder are employed in the prisons service and publicly financed security positions. In 1992, 87 per cent of these employees were drawn from the Protestant community, whereas only 7 per cent were Catholic (the remainder being in many cases recruited in Britain).

There is thus clearly a widespread Catholic perception that the institutional weight of the security apparatus in

Northern Ireland is tilted towards the Protestant community and fails to meet the aspiration for parity of esteem. It is also clear that a radical overhaul would be required to rise to this challenge—incremental change would simply be too slow and too limited. It is thus unfortunate that the widespread debate initiated by the Police Authority under its former chair, David Cook, was not translated into more innovative responses after Mr Cook was forced from his position by internal dissent.

But there is also no doubting unionist sensitivities. Dr Henry Allen affirms that unionists “at the present time ... would not want to give up the ‘Royal’ because the ‘Royal’ to them is an association with Britishness ... I mean to start trying to go against everything that is British is to me totally counter-productive.”

The policing question is itself entangled with the major parades issue. For those who support and oppose the right of parades to follow ‘traditional’ routes, which the RUC has to police, perceptions of what the events symbolise differ substantially. Jarman and Bryan argue that the formalised and routinised nature of parades and their repetitiveness over time gives the impression of social continuity—of tradition. As ritual events, they may convey a lack of change, and many

participants understand them as ‘traditional’, and therefore depoliticised, but they are clearly part of the present charged political situation. Indeed, it is precisely at times of change that communities require certain identifications with a past to be perceived as more secure. To many outside the bands and orders, it feels like the parades are a conspiracy to rule the streets of Northern Ireland each summer, whereas to those taking part each parade expresses a localised variant of an increasingly disparate loyalism.<sup>7</sup>

George Patton of the Orange Order denies that an Orange parade is triumphalist and sees it as an expression of religious and civil liberty for all Northern Ireland’s citizens:

People think we remember 1690 and the Battle of the Boyne because the Prods beat the Taigs, which is nonsense—they didn’t. Protestants and Roman Catholics fought on both sides ... There was an element of religion in that war as there was in every war during that century and many wars before and since, but what the Battle of the Boyne was all about was a system of government, James II, absolute power, or William and Mary, willing to co-operate with Parliament ... So that is why the ‘glorious revolution’ and the Boyne which secured the revolution is important to me, rather than a battle. If we wanted to be triumphalist we would actually celebrate

Aughrim, which was the bloody battle of the war and where it probably was more religion than anything else.

Many unionists see attempts to reroute parades as a deliberate and co-ordinated assault on their Britishness. Billy Hutchinson of the PUP believes the “parades issue is one that has been picked up particularly by republicans” whom he accuses of “a lack of recognition ... that the British presence is not the British government ... [but the] unionist population”.

Yet much about a parade can indeed be perceived as triumphalist. The banners carry images of battles and individuals deemed central to the Protestant cause. For many Catholics there is little religious about the Orange institution: it celebrates and represents political victories. Moreover, the order is seen in a broader context: it was, and to a certain extent still is, part of the Northern Ireland state from which many Catholics feel alienated.<sup>8</sup>

The republic’s government regarded Drumcree in 1996 as a devastating dismissal of parity of esteem, arguing that there has been no equivalent effort by nationalists to shove their values down the throats of unionists. It regards the reversal of the RUC’s original decision not to let the Orange parade down the Garvaghy Road in Portadown as a

massive surrender, raising fundamental questions about the institutions of the state and their attitude towards Orangeism and loyalism. The episode signalled, in Dublin's view, that while the British government might make certain assertions about parity of esteem, when it came down to it all that unionists had to do was to beat the drums and those assertions of neutrality would go out the door. Reacting to unionist fears about the cultural retreat of Britishness in Northern Ireland, the republic's government starts from the premise that in 1922 unionists were given 'a Protestant state for a Protestant people', and if unionists and nationalists are to share the Northern Ireland state then there is an element of cultural retreat involved in moving away from dominance to sharing.

For Jonathan Stephenson, the crucial element, especially after Drumcree, "is how this state will be policed ... [B]asically it is 'their' police force or 'our' police force, it is not an inclusive police force." In any political settlement, Mr Stephenson argues that the police would need to be responsible to the political institutions, whether through a minister of justice, in a devolved assembly, as the Alliance Party has suggested, or through a more broadly based, democratically accountable Police Authority. He also wants a debate as to whether it should

be one police service or, as the SDLP suggests, comprising three or four area police services with greater community input, perhaps within an all-Ireland context.

While recognising that "symbols are not unimportant" for him they "are not the be-all and end-all". Thus in Dublin "you have the Royal Dublin Show ... and I am sure if I looked hard enough I could find any number of 'Royals' in Dublin ... I think I could live with something like The RUC/Northern Ireland Police Service ... [with] each side calling it what it bloody well wanted."

Jim Gibney takes a tougher view. Rehearsing the events surrounding Drumcree, he describes the RUC as a "sectarian force that regards Irish nationalists as little more than criminals and treats them as such. So that force has to go." SF wants it phased out, replaced by a civilianised, localised, unarmed policing service. And he insists: "You see our primary demand is for the dissolution of this state."

**I**n Northern Ireland, economics has had knock-on effects on the basic political divisions. Social and economic factors have contributed to Catholic alienation before, and during, the current 'troubles', particularly in fuelling the perception among Catholics of unfair discrimination.

The 1991 census revealed once again how unemployment bore down heavily on the Catholic community: Catholic male unemployment was 28.4 per cent, compared with 13.9 per cent for Protestants and other categories; amongst women the equivalent rates were 14.5 per cent for Catholics and 8.8 per cent for Protestants. Evidence from other sources, such as the Labour Force Survey, showed similar results.

Because of their higher unemployment levels, Catholics have also been forced into greater dependence on state benefits. A 1988-91 survey found that 30 per cent of Catholic families were in receipt of income support, compared with 16 per cent of Protestant households. And although there has been a narrowing of the income gap between Catholic and Protestant households in general, the Catholic average remains lower.

For the British government, Sir David Fell argues that, although they can be distinguished, the general thrust of policy is to approach economic, cultural and political pluralism together. Nevertheless, the concepts of equality of opportunity and equality of treatment mainly relate to the economic realm. Here government's objective is to ensure all individuals can participate, without suffering disadvantage by virtue of community background, race or gender.

Anti-discrimination legislation is an important component in this, though here equality of outcome is not an objective. In relation to particular services or facilities, however, equality of participation and outcome for marginalised groups is often regarded as a desirable end and monitoring may be undertaken to confirm this is being achieved.

The Northern Ireland Constitution Act of 1973 outlawed discrimination by government and other public authorities on grounds of religious belief or political opinion. Subsequent legislation provided protection against religious and political discrimination in employment (1976 and 1989), on gender grounds (1976), and in relation to disability (1996) and race (1997).

The government's cultural traditions policy meanwhile aims to increase understanding and appreciation of all the complex strands of Northern Ireland's cultural heritage. In socio-economic policy, since 1991 government has been committed to 'targeting social need' (TSN), directing resources, as far as possible, towards areas and people objectively defined as being in greatest need. The government expects that TSN will, over time, help erode intercommunal socio-economic differentials.

Since 1994, Northern Ireland departments and other parts of the public

sector have applied Policy Appraisal and Fair Treatment guidelines when considering new policies or services, and reviewing existing ones. The PAFT guidelines require departments to identify potential discriminatory impacts and to consider whether they are justifiable. Categories of potential discrimination include religion and political opinion, gender, race and disability.

The government's main political objective remains a 'comprehensive settlement' which would both return greater power, authority and responsibility to all the people of Northern Ireland, on an agreed basis, and take full account of Northern Ireland's wider relationships with the rest of the UK and of the island of Ireland. Sir David and the government believe that the policies outlined above work towards that objective by signalling to the two main politico-religious communities that legal and administrative mechanisms can safeguard their political and cultural identities within a Northern Ireland context. The detail of such arrangements would be within the scope of the talks process initiated in the summer of 1996.

It has already been suggested, in the opening chapter, that the government's constitutional project is fundamentally incoherent. The limitations of the other key policy planks, of PAFT and TSN, are

explored in the conclusion.

The Fair Employment Agency initially concentrated its work on individual complaints of discrimination by employers. But relatively few complaints were made and it was very difficult to establish that there had been any direct discrimination. During the 80s, the agency shifted the focus of its work to more general investigations of patterns of employment in sectors or firms, notably the civil service. In almost all such cases it was found that more Protestants were employed than would have been expected and that some employer practices were failing to ensure Catholics equality of opportunity.

The results of this external monitoring eventually persuaded government that more could be done by all employers to provide equality of opportunity if they were required to monitor the composition of their own workforces. A formal obligation to this effect, supervised by a strengthened Fair Employment Commission (FEC), was imposed on all employers with more than 25 employees under an amending Fair Employment Act in 1989.

The practical result is that, though there are no quotas for the numbers of Protestants or Catholics in any workforce, there is considerable pressure on employers to take action to secure a reasonable balance. One of the major achievements of the FEC has been to make

it no longer acceptable in business circles to regard open or covert discrimination as either tolerable or unavoidable.<sup>9</sup>

Bob Cooper, FEC chair, believes government has a crucial role to play in securing parity of esteem. The commission, like other government agencies, is “part of the solution and part of the problem”. In the long term, he sees fair-employment legislation positively influencing Catholic attitudes to the state: “I think that the bulk of Catholics sometime would like to see a united Ireland, sometime in the future, but basically they want a decent situation ... a decent economic future.” He accepts that the FEC is “seen by the Protestant community as a threat”, as if “we are here to take jobs away from them and give them to Catholics”. He believes that one of the ways in which this fear can be removed is by much greater investment.

Terry Carlin (ICTU) concurs on this last point. He wants to see a devolved government where politicians in Northern Ireland co-operate on issues like housing, jobs, education, and health: “Somebody asked me one time what I wanted for Northern Ireland. I said 100,000 jobs, 30,000 houses.”

All aspects of Northern Ireland’s society are touched by its divisions. The games curriculum of many, if not most, schools is predominantly Catholic or Protestant. Gaelic sports prevail in most

Catholic schools, whereas games with British pedigree, such as rugby union, hockey and cricket, predominate in many Protestant establishments. There are, however, a group of sports—including soccer, basketball and netball—which cut across the denominational split. Nevertheless, simply playing a game which is played by people in the other community counts little towards integration if it is only done ‘against them’ and in the company of those from ‘your own side’.

Outside the school gates, a subtle sporting apartheid is sustained by a vast network of voluntary organisations and governing bodies through which separate community affiliation is confirmed, in terms of what games are played and watched, which teams are supported, and which clubs and societies are joined and patronised. Indeed, sport has developed as one of Northern Ireland’s most important symbols of national and community identity: it has been estimated that, outside of schools, up to a quarter of a million people are actively involved in sport in the region.<sup>10</sup>

The Sports Council of Northern Ireland attempts to ensure that sectarianism is removed from the sporting arena as far as is possible. For its director, Eamon McCartan, sport can be an “agent for good and an agent for not so good. We try to develop policies and strategies,

encourage people to undertake actions or programmes of work which are inclusive and cohesive, rather than exclusive and divisive.” A sports development officer is tasked with looking at community relations and the SCNI is in the process of completing a community relations strategy.

Mr McCartan describes the Sports Council as a non-sectarian organisation which seeks to develop sport in a non-sectarian environment. The SCNI looks at models of good practice which might be more generally deployed, but he recognises that while it can develop strategies “it is down to the club, down to the governing body, and one thing you couldn’t do is ... force people into it”.

He warns that Catholic-Protestant sporting encounters, such as those between schools, can actually accentuate tensions, if badly managed: “So you need to create an environment which is a positive environment where the competition is brisk and robust for the purposes of sport, because competition is the key element of sport, but you are being competitive because you wish to win the sport—not because you wish to knock the shit out of one or the other because of their religion.”

Mr McCartan stresses that change in Northern Ireland is very difficult because of its conservatism and so favours evolution over revolution, gradually planting

seeds in the governing bodies and in the clubs, about community relations, about improved relationships—because “that is what we are talking about, relationships between people, ordinary people”.

The televising of various sports, identified along communal lines, is only one of the problems broadcasters encounter regarding parity of esteem. Now BBC NI controller, Patrick Loughrey has been involved with community-relations initiatives such as the Cultural Traditions Group of the NICRC, which he argues was a far-sighted attempt to “grasp the taboos, because there is no doubt that we were crippled by our politeness to a large extent”. This drew broadcasters, print journalists, museums, publishers, institutes and universities into addressing identity issues.

Mr Loughrey expresses unease about an analysis of Northern Ireland which only recognises two traditions: “I have argued for a very long time that there are many traditions, many backgrounds, many identities and that to easily succumb ... to an analysis that is simple dichotomy ... is to take the political polarisation and to allow it to appropriate a far more diverse cultural historical group.” While he can see a danger of being accused of “escapism from the polarised truth”, he stresses that the future must be “one of true individualism rather

than this collectivism, because collectivism is a way to tribalism and danger ... there are not just two communities”.

Mr Loughrey believes that all broadcasters have an obligation to communication, dialogue and the avoidance of easy labelling, particularly since Northern Ireland has been a community lacking a common forum for discussion and debate, lacking a parliament, lacking opportunities for confrontation with issues—broadcasters can potentially, fill that gap. As to whether the BBC should ‘educate’ the community, he claims that its output reflects concerted attempts to open up for discussion, and awareness, that which is incomprehensible to each tradition.

But he also believes that, like education, broadcasting needs to be aware of its limitations and he worries there is a danger that either education or broadcasting can be expected to do rather more than it can. The information and entertainment roles of broadcasting are also hugely significant and “people take from us what they want and our role of ‘giving the people what’s good for them’ has changed dramatically ... so I don’t think we can effect certain change if society doesn’t want to accept it. What we can do is continue to offer opportunities for awareness, for debate and discussion and dialogue ...”

Dr Philip McGarry of the Alliance

Party also emphasises the diversity of Northern Ireland’s identities. Alliance again prefers to see identity as an individual matter, and to ensure that the unionist and nationalist traditions are not perceived as exhaustive. For the party, the ‘third tradition’ is the ‘liberal and democratic’ one, based not on land and nationality, but on freedom, plurality and internationalism. Its primary value is deemed to be respect for individual conscience and it stands for democracy, values minorities and distrusts the authoritarian tendencies of the big battalions. It welcomes diversity in all societies, as a source of strength and richness.

Quintin Oliver, of the Northern Ireland Council for Voluntary Action, recalls how, following Drumcree, he encountered an air of demoralisation in the voluntary sector: “We thought that there was a more progressive mood of tolerance but a lot of us are examining that, post-Drumcree, because we failed, because people went back into their trenches.” Although Northern Ireland is considered to have a strong civil society, Mr Oliver perceives that there remains “a gulf ... a chasm that still needs to be bridged”.

On the other hand, the positive aspect of voluntary and community life is that “we have done a lot, we have picked up the pieces from the ‘troubles’, we have

kept people talking, we have kept candles of hope glittering in both communities, we have developed a lively women's movement which is credited with having done a lot of the development and discussion work across the communities and emerged very positively during the peace as vehicles for negotiation at talks". Mr Oliver also cites some local anti-sectarian development work, and the broader community activity in Northern Ireland, "which is unrivalled and at the leading edge in UK and European terms".

He sees civil-society organisations as "absolutely critical" in developing a pluralist society in Northern Ireland. Where people say 'we can do nothing, it is the politicians', 'we can do nothing, it is the governments', 'we can do nothing, it is the men of violence', Mr Oliver counters that "there are lots of things that we in our various roles can do, in trade unions, in churches ... in business organisations, local councils, community groups, voluntary groups and so forth, and that is where we in NICVA are doing work with our counterparts at the Northern Ireland level, with the C[onfederation of] B[ritish] I[ndustry] ... and the farmers' organisations to build a Social Partners' Forum to underpin civil society, to strengthen the voices of civil society and business organisations and to give a lead on these areas where action can be taken

without major political or structural changes."

It is worth adding the rider, though, that from her community-relations, rather than community-development, perspective, Mari Fitzduff is a little critical of the voluntary sector in Northern Ireland. She argues that it has actually been reluctant to acknowledge sectarianism and deal with it.

Many of those interviewed, while recognising that parity of esteem involves an accommodation between the two main traditions, also emphasised that a genuinely pluralist society requires a wider tolerance and equity. In particular, the place of women in Northern Ireland has dramatically altered during the 'troubles', assisted by the expansion of service industries. Between 1952 and the 1990s, the female proportion of employees increased from 36 per cent to over 48 per cent in an expanded workforce. Women, have, however, been concentrated in a very limited number of sectors and in low-paid, frequently part-time, jobs. The most dramatic change has been the increase in married women in employment, from just under 30 per cent in 1961 to 59 per cent by the 80s.

Evelyn Collins of the Equal Opportunities Commission is quite heartened by the success of the Women's Coalition in

being elected to the Northern Ireland Forum and talks, as evidence of how there have been “tremendous energies put in by women into practical, non-constitutional political questions over the last 25 years ... in spite of what was happening and ... you can observe that quite clearly and I think that is interesting. Does that say that women aren’t interested in the constitutional question? Or that they are more interested in health care ...?”

Ms Collins claims that women do recognise that constitutional issues are important, but many realise that “we shouldn’t ... just ... not talk about anything else”. She feels that one problem with cultural identity in Northern Ireland is that it is used by many “not as a kind of general description of what they are but actually as an aggressive weapon against what somebody else is. So I think that is where incompatibility arises, when people go beyond saying ‘this is what I feel I am because of these reasons’ to ‘it is because I feel I am in opposition to what you are’. I don’t feel really hostile to anybody.”

Her thoughts on the Northern Ireland political situation are rather of frustration and depression and she sees the Women’s Coalition as “actually a good encapsulation of what I think [is] the way a lot of women feel, that people have to

talk, you have to get round the table, you have to put everything on the table and find a solution, as opposed to ‘we are not talking because we think there is no solution’, or ‘we are not talking because we don’t like the solution that we think you might have’.”

As regards ethnic minorities in Northern Ireland, Patrick Yu of the Northern Ireland Council for Ethnic Minorities feels that the inadequacy of government support indicates the low priority attached to their needs. Thus, the Chinese community has had to depend upon its own resources to set up a Chinese-language school, and a similar process has had to be undertaken by Indian, Pakistani and other Muslim communities. Mr Yu also insists that there are more than the two main traditions in Northern Ireland. On top of the new Race Relations Order, he urges a coherent policy to remove institutional racism—for example, through providing interpreters at health and social service access points.

He identifies a need for the police to be more receptive to ethnic minority needs. At some RUC stations, he claims, there is an ambivalence about the language difficulties ethnic minorities encounter when reporting crime, while at other stations, such as Donegall Pass in Belfast, a conscious effort has been made to be accommodating. He would like to

see an extension of this good practice, through the training of police officers, throughout Northern Ireland. And he calls for a “cultural programme” in schools, believing it to be “very important in life that any community should respect another community rather than ... emphasising one single perspective”.

Speaking on behalf of the travelling community, Michael Noonan summarises the reaction of the state as one of “straightforward repression”. He cites the Miscellaneous Provisions Order (NI) 1985, “in effect a law which can allow the imposition of a quota of travellers to a particular area if a local authority can satisfy the D[e]partment of the E[nvironment] that ‘adequate’ ... provision has been made for travellers who normally reside in, or resort to, a particular district. So once an area is designated ... whole areas can be declared off limits to travellers not camped on these official sites.” Mr Noonan argues that this is in contravention of the UN Charter and the Universal Declaration of Human Rights, prescribing that everyone has the right to freedom of movement and residence within the borders of each state.

Travellers, he contends, have not enjoyed parity of esteem in terms of equality of access to services. Historically, the education authorities “really didn’t give a damn whether travellers went to school

or not. Certainly there was no effort to examine how the delivery of education might be tailored to the needs of a nomadic group or indeed how their culture and so on might be reflected within the school curriculum.” Mr Noonan calls for all children to be educated, via the curriculum, about the various cultures of Northern Ireland, including the culture of travellers.

**T**he key theme to emerge from the focus groups was, again, the close relation with the interviewees’ responses. For example, while there were similarities in the outlook of women and their experiences, expressed in the Catholic and Protestant women’s focus groups, this comity ended with introduction of the subject of defining parity of esteem and its relationship to the community from which the women hailed. From this point onwards, the core myths about Britishness and Irishness expressed in the other focus groups re-entered the debate.

When the debate was restricted to women and gender identity, participants in the women’s groups argued that there was no ‘parity of esteem’ for them. And they could extend this to a lack of esteem, defined as respect and tolerance, enjoyed by other social groups, such as ethnic minorities, homosexuals or the disabled.

It was suggested that parity of esteem meant that men and women should have the same degree of authority and respect in society generally. It was felt, by both Catholic and Protestant women, that there was a stereotypical role into which women were placed, where they were expected to remain at home engaged in domestic housework and take primary responsibility for raising children.

Many felt that barriers were placed in the way of women achieving parity with men, such as lack of childcare preventing women utilising job or educational opportunities. It was felt that greater involvement in politics—in which the Women's Coalition appeared to offer some encouragement and a good role model—required political parties to take greater account of women's issues and perspectives.

Within the youth focus group, participants recalled positive experiences of meeting in a forum where they could encounter young people from the other community. The perception among this mixed, Protestant and Catholic, group was that meeting members of the other community broke down stereotypes and prejudices, making it easier to view people of differing religious groups on an individual rather than a communal basis.

Members of this group claimed,

moreover, that involvement in cross-community contact schemes led them to become more tolerant of the symbols and cultural identity of others. Protestants within the group spoke, however, of opposition they had encountered within their community to such schemes, apparently out of fear of their ultimate purpose.

Nevertheless, it was noticeable in this group that once a discussion of flags and symbols began divisions broke out along religious lines. This was also true of discussions about the Irishness of Catholics and the Britishness of Protestants, which reflected the views exhibited by adults in other groups. This appeared to indicate that even in a mixed environment where the participants knew each other well the introduction of issues revolving around a unionist-nationalist axis evoked a deeper response.

From both the Protestant focus groups, urban and rural, parallel claims emerged of a sense of being under cultural pressure. Some members of the groups were extremely opposed to initiatives such as EMU and cultural heritage. There was a very real apprehension that this was part of a government effort to 'Irishise' Protestants, with a view to the ultimate disengagement of the British state. By contrast, Catholics, from all focus groups, felt at ease with the notion

of increased cross-community contact.

Those Protestants opposed to EMU and cultural heritage were not, on the other hand, necessarily opposed to integrated education, which found widespread support among both Catholics and Protestants. There was a sense within the focus groups that while many people wanted to send their children to integrated schools they did not have the opportunity. The impression was that parents wanted to send their children to integrated schools which offered a high standard of education, but were often prohibited by lack of access to such schools locally.

From the focus groups it could be seen that many of the issues raised by politicians—flags, symbols and the Irish language—were concerns reflected within the society more broadly. Regardless of class or gender, Catholics expressed hostility to the monocultural British ethos of the Northern Ireland state. There was concern at the lack of funding for Irish-language schools and approval for the increased coverage of Gaelic games on television. Yet this angered many Protestants, who contended that the Orange Order was portrayed as a sectarian organisation whereas the Gaelic Athletic Association—which banned members of the RUC, the Royal Irish Regiment and the British army—was given substantial

and unquestioned coverage.

While some Catholics, including one republican, were prepared to accept limited use of British symbols, such as on government buildings, on certain days such as the Queen's birthday, they found it offensive that the Union flag flew over police stations—particularly in or near Catholic areas—and unionist-controlled councils. Nearly all Protestants, on the other hand, were very much opposed to any further reduction in the display of British symbols. The idea that there should be dual display of the flags of the UK and the republic on government buildings, while it found favour among Catholics (although many did not regard it as realistic in the short term), met total Protestant opposition.

Protestants only perceived attacks upon their symbols of Britishness, not on nationalist symbols of Irishness. Catholics argued this was necessary to establish an equilibrium between Irishness and Britishness in Northern Ireland. While Protestants consoled themselves that they had their Britishness recognised by their membership of the UK, they saw efforts to upgrade Irishness in conjunction with their fears about the framework document at one level and European economic and monetary union at another—all seen as geared towards loosening Northern Ireland's position

within the union. Protestants within the focus groups tended to react negatively to all expressions of nationalist Irishness.

Any suggestion that the RUC should have its name changed or be disbanded produced bitter comments. Yet while some Catholics wished to see the RUC

replaced, others were willing to accept substantial reform. This included suggestions that a new police service might have the dual title of The RUC/Northern Ireland's Police Service; introduction of a completely independent complaints procedure; and removal of controversial symbols of Britishness, such as the flying of the Union flag outside police stations, the oath of allegiance to the Queen and royal portraits.

Many Catholics emphasised, however, that they would now insist upon greater changes to the RUC since the Drumcree 'stand-off' of 1996, when it was seen to have been ineffective in standing up to the marchers, and to have used disproportionate force towards nationalists. Drumcree was seen as a fundamental attack on parity of esteem. Catholics rejected the claim that parades in controversial districts should be permitted because they were 'traditional', since they did not admit that these had been welcome on previous occasions. And it was accepted by most Catholics that Protestants were right to assume that concessions on symbols, policing and parades would not result in nationalists abandoning aspirations for far-reaching constitutional changes.

All Catholics in the focus groups argued that loyal-order marches should acquire the consent of residents in Catho-



Well, time for a name change?

lic areas through which the marchers had to pass. This was described as a human-rights issue. The marchers were seen as attempting to dominate local residents and emphasise that Northern Ireland remained a Protestant state. Most Catholics found it difficult to accept that Protestant culture was being discriminated against by the failure to march along 'traditional' routes, which were regarded as traditional only because they had been imposed on Catholic residents in the past, or because Protestants had once, but no longer, lived there.

For many Catholics, the coming of the Orange marching season recalled experiences of fear, intimidation and taunting by marchers. It was felt that decisions on proposed parade routes should be locality-sensitive, taking full account of the rights and feelings of the communities living along the routes. It was stressed that local communities had rights as well as the marchers and these should be recognised.

They held that people had the right to march but that right was not absolute and should be exercised with the sensitivities of others in mind. The residents of areas through which parades intended to pass had to have the right to withhold their consent to parades if they caused offence; if that consent was not given then march organisers should seek alternative

routes. March organisers should also give assurances about marchers' behaviour and those who associated themselves with parades had to ensure sectarian provocation was avoided. Permission for future parades should be dependent on those wishes being fulfilled.

For Protestant participants, on the other hand, the resistance of local resident groups to marches, in areas such as the Garvaghy Road in Portadown, was seen as a direct attack upon Protestant and British culture. To many Protestants within the focus groups, all the rhetoric of nationalists on parity of esteem was just that—rhetoric. As one person expressed it, he would love to see parity of esteem for his, Protestant and British, culture on the Garvaghy Road. For these Protestants, residents' groups were merely a cover for republicans who had needed another outlet for their anti-Britishness during the IRA ceasefire.

Most Protestants in the focus groups believed that there was an attempt to remove British culture from Northern Ireland. Protestants continually claimed that the loyal orders were not anti-Catholic. It was suggested that where Orangemen could not walk Protestants could not live, as illustrated by the boycott of Protestant businesses following Drumcree. The view was expressed that the issue of parades was far bigger than

walking down a stretch of road: it was about whether the British culture of Protestants was to survive.

This was not seen in isolation, but in conjunction with other examples of assaults on Protestantism, such as 'ethnic cleansing' on the border. The view was expressed that Protestants had been pushed eastwards from rural areas, near the border, and now an attempt was being made to exclude them from parts of Northern Ireland's cities and towns as well. It was felt that anyone should have the right to walk along the 'Queen's highway', along 'traditional' routes walked by their forefathers.

Many Catholics believed that, despite the changes which had come about since the fall of Stormont, they were still seen as enemies of the state, as being 'disloyal', and frequent reference was made to Lord Brookeborough's statements in the 30s. There was a perception that Catholics were not able fully to express their Irish identity. The true measure of esteem, it was suggested, was the respect, equality and justice accorded to the culture of one's 'enemy'. This absence of respect for Irish nationalist culture contributed towards Catholic alienation from the state.

With more than 3,000 marches every year, of which more than 90 per cent were loyalist, Northern Ireland was considered a Protestant place. Catholic marches, on

the other hand, were prevented from entering many city or town centres, contributing towards a feeling that Protestants still 'owned the place', that the 'public face' of Northern Ireland remained Protestant. Many Catholics found it intimidating that public places flew the Union flag, or that council buildings continued to display such signs as 'Castlereagh Still Says No'.

One person, who described herself as neither nationalist nor republican, but Catholic, complained that she was tired of continually hearing the same old rhetoric from unionists. For her, the important consideration was how would her rights be protected, as a non-political Catholic? She wished to hear some positive encouragement from unionist politicians that she, and people like her, had to a right to exist in the Northern Ireland state.

There was tension expressed by some members of the focus groups towards what they regarded as 'Castle Catholics', those middle-class Catholics who, it was felt, had compromised their nationalism to attain a certain status. It was felt that working-class Catholics had been constantly faced with violence, while middle-class Catholics had not had to live with a conflict on their doorstep. As one person put it, some people had lived in Belfast but for the last ten years had been unaware there was a war on.

Although both Catholics and Protestants expressed a desire to end segregated housing, it was also apparent that few thought much could be done in a practical way to achieve this, given the intercommunal tensions. Some Protestants expressed a fear of what they saw as the slow, but steady, colonisation of formally Protestant areas by Catholics. This was related to fear that the closing of ‘Protestant’—that is, state—schools in those areas was part of a deliberate attempt to drive Protestants out.

In a different vein, the Fair Employment Commission was seen as being a predominantly Catholic organisation. Protestants who accepted the need for fair employment legislation to reduce employment inequities warned that this in itself was creating a sense of injustice within their community. It was also suggested that if Catholics did have genuine grievances in the past, this was no longer so. Direct rule, it was argued, had materially and culturally shifted the balance towards Catholics, often on the back of IRA violence.

For Catholic group participants, by contrast, issues of employment and unemployment were closely wrapped up with their perceptions of the Northern Ireland state. There was a sense that Catholics did not have a fair and equal role in Northern Ireland. With various

instances cited of political, social, economic and cultural experience in Northern Ireland, reinforcing socio-economic grievances, for many Catholics fair employment legislation was not enough to remedy their sense of alienation: for them, the main source of grievance was the existence of the state itself.

The Northern Ireland state was regarded as inherently sectarian, having been established on the basis of a religious headcount to preserve an artificially large Protestant and pro-British majority. For these Catholics, the state was irreformable and the only way to achieve equality was through its dissolution and the establishment of an all-Ireland unitary or federal state. These Catholics felt that because of the British guarantee, the ‘unionist veto’, there could be no change within the UK, because this merely encouraged Protestants to adopt an intransigent attitude to change.

Those Catholics who welcomed such reforms as fair employment legislation nevertheless criticised the British government for their piecemeal character, in the context of an overall policy perceived as reactive with a priority of containing the security situation. Moreover, fair employment legislation would continue to have a limited impact if its benefits could not be demonstrated to more people in deprived areas. For many

Protestants, on the other hand, fair employment legislation was seen as primarily directed at them. Some believed it to be part of a general preparation for an ultimate British disengagement from Northern Ireland, part of a general running down of the material well-being of the Protestant community.

**T**his section has explored a wide gamut of sites of grievance and contention, from cultural expression to policing. Again, the proliferation of these sites and the gulf of understanding and aspiration are striking.

On the other hand, however, two positive conclusions emerge from this discussion. The first is that there are ways in which parity of esteem can be thematically addressed in a manner susceptible to tangible reform, and in some areas—such as fair employment—significant reform has already been made. And the second is that, outside of government and the parties, there is a wealth of individual and organisational talent in Northern Ireland, derived from experience and social networks, which has shown a capacity to think through the issues in a manner rather more adequate to their complexity. **DD**

#### Footnotes

1 Derick Wilson and Jerry Tyrrell, 'Institutions

for conciliation and mediation', in Seamus Dunn ed, *Facets of the Conflict in Northern Ireland*, Macmillan, London, 1995, pp 230-3

2 *ibid*, p241

3 Alan Smith, 'Education and the conflict in Northern Ireland', in *ibid*, pp 172-3

4 *ibid*, p175

5 Lucy Bryson and Clem McCartney, *Clashing Symbols*, Institute of Irish Studies, Queen's University, Belfast, 1994, pp 8-9

6 Andrew Hamilton, Linda Moore and Tim Trimble, *Policing a Divided Society: Issues and Perceptions in Northern Ireland*, Centre for the Study of Conflict, Coleraine, 1995, pp 13-16

7 Neil Jarman and Dominic Bryan, *Parade and Protest: A Discussion of Parading Disputes in Northern Ireland*, Centre for the Study of Conflict, Coleraine, 1996, pp 94-8

8 *ibid*, p99

9 Kevin Boyle and Tom Hadden, *Northern Ireland: The Choice*, Penguin, London, 1994, pp 45-6

10 John Sugden, 'Sport, community relations and community conflict in Northern Ireland', in Dunn, *op cit*, pp 200-2

# Conclusion and recommendations

**T**his report began with a presentation of the two-sided nature of parity of esteem: a potential solvent of conflict on the one hand, a potent weapon on the other. And our research has been sobering in this regard.

It is impossible to read the interview material, reinforced by the focus groups, without developing a deep sense of two ethnic groups, and their leaders, fundamentally talking past each other, inhabiting largely hermetically sealed discourses with a clear inner logic but utterly incompatible with each other. Close reading of the argument, particularly with the representatives of the parties, shows that, if anything, the gulf is wider than it appears on the surface: superficially similar words betray wholly different interpretations. And because of the radical nature of these disjunctures, and how they replicate themselves across a raft of concerns, they cannot be readily negotiated away—say by offering

nationalists a bit more north-south institution or unionists a bit more internal power.

And this, in itself, leads to the first policy conclusion. Parity of esteem has tended to be pursued in recent years, not as if it were a complement to pluralism, but as if it stood in contradiction. In other words, there has been little apparent concern as to whether measures seen to promote parity of esteem might inadvertently also consolidate stereotypical ethnic group roles and so attenuate pluralism, thereby further diminishing the scope for meaningful intercommunal dialogue.

In the international debate around this issue, such concern has been much more evident. A cynic would say that it suits both unionist-minded public officials and nationalist-minded activists for nationalism to receive a cultural booster—as long as it keeps to ‘its own’. It is remarkable that only Tom Hadden

and Kevin Boyle have really aired this concern domestically, in their presentation of the choice facing Northern Ireland as that between separation and sharing.<sup>1</sup>

Yet in an additional set of focus groups conducted recently for Democratic Dialogue, it became clear this was also a popular concern—that entrenching cultural identities was risky since opposed identities were the perceived source of the problem. And what this research project highlights, in the round, is that not only must the already extremely poor intercommunal communication not be further impoverished, but there is also an overwhelming need for the promulgation of greater intercommunal understanding. Frankly, there is no chance of moves towards a settlement getting off first base unless the different players feel at least some empathy for (rather than just hear or misinterpret) what others say.

As in every test of popular opinion ever done in Northern Ireland, in these latter, unrelated, focus groups, participants volunteered integrated education way ahead of anything else they could suggest as likely to encourage conciliatory intercommunal feelings. While, formally, government policy is now to promote integrated education, there is no evidence that the Department of Education, captured as it has historically been

by denominational (as well as class) interests, pursues this policy with any enthusiasm. It should be given much more, public and wholehearted, ministerial and other official endorsement, at every level.

Currently, there remain far too many parents for whom the integrated option is not a real one, as the focus groups for this project confirm. It must become just as ‘normal’ as the segregated choice. The goal must be to bring about a level playing pitch wherein a parent can choose an integrated school, and that choice be effected, as easily as a decision in favour of the denominational alternative.

The focus groups also confirm the desire for closer residential integration, tempered by concern about its realism. But there is no reason why pilot integrated schemes could not be developed, as suggested by the Opsahl Commission and the Standing Advisory Commission on Human Rights. This is an area where the growing involvement of the social sector in housing provision could be of innovative value, in the design of such projects. While allocation could still be on basis of need, as in existing segregated estates, tenants would thereby be able to express a choice for mixed housing. As both Opsahl and SACHR recognised, this would require some government financial support to counter-balance the uncertainties associated with integration.<sup>2</sup>

**T**he second major conclusion from this study is that it really is futile to hope that agreement on measures under the rubric of parity of esteem (or indeed much else) is going to emerge spontaneously from the inter-party talks, whoever is in attendance. The intellectual where-withal is simply not there, as our interviews show, for such agreement to be found by the participants.

The implication of this is at one level as Hurst Hannum reads the Northern Ireland case: “[T]he imposition of a *reasonable and responsive* solution from above may be a necessary first step towards a more permanent settlement, as a way of avoiding the ‘democratic’ stalemate that might result from uncompromising political extremes and intimidation.”

But this should not be read as a recipe for top-down ‘passive revolution’. Ernest Gellner rightly spots the potential (though no more than that) of civil society in making co-existence possible. “In fact,” he argues, “civil society is based on the denial of ideological monopoly, on the acceptance of compromise on deep issues concerning the nature of things, on doubt, irony and all kinds of adjustments.”<sup>3</sup>

Stephen Ryan stresses the role of non-governmental organisations in a ‘peace-building’ (rather than simply ‘peace-making’) strategy: “[C]ritical social

movements, in particular, can explore new political spaces, extend horizons and establish connections. They may develop a new language of dialogue to replace the language of conflict and sectarianism.”<sup>4</sup> In so doing, NGOs which embrace cultural diversity can provide an important counterweight to ethno-nationalist statism.<sup>5</sup>

The exigencies of equal opportunities legislation in Northern Ireland have rendered it common for organisations to have a defined equal opportunities policy and responsible senior officer. This policy could be extended to the wider objective of promoting cultural diversity both within the organisation and in dialogue with other cognate bodies. Community and voluntary organisations, in particular, should consider inclusion of such commitments in their constitutions and mission statements, where they have not already done so, with larger organisations designating a senior staff member as having particular responsibility for implementing the policy (though not to the exclusion of others). Even full and frank internal discussion of why such an initiative was required, sensitively handled, could be a valuable way of raising the issue.

The third major conclusion is about the significance of parity of esteem itself. Within one view, of course, it is a matter of no consequence—if everything in

Northern Ireland is, ultimately, ‘political’, then a political settlement agreed by the parties will resolve it. The very evident intellectual limitations of the thinking of the parties on parity of esteem, as evidenced by the interviews, itself implicitly reflects this ‘it will be all right on the night’ assumption—and one recalls how the power-sharing executive of 1974 rapidly agreed on the abolition of the old Community Relations Commission.

The implication of this study is the contrary: the significance of issues like parity of esteem lies precisely in that they are more manageable, discrete themes, amenable to positive and tangible innovation in policy and practice, including by non-governmental actors. Thus, as Ryan puts it, thinking particularly of NGOs, “The idea of a plurality of small moves forward rather than one breakthrough is an attractive one, not least because it recognises that peace is more than successful mediation.”<sup>6</sup>

One of the ways in which the issue can be manageably addressed is by incorporating, and rendering justiciable, existing minority rights guarantees into Northern Ireland’s embryonic constitution—the Northern Ireland Constitution Act of 1973. The second SACHR report suggested incorporating a statement into the act requiring government policies to deliver equality of treatment and

parity of esteem, allowing individuals/organisations thereby to seek redress through the courts or for non-complying government initiatives to be declared *ultra vires*.<sup>7</sup>

But since then the UN declaration, the Council of Europe framework convention and the minority languages charter referred to in the introduction have all been promulgated. So in addition to the general statement SACHR recommended, these more specific provisions should also all be incorporated into the act, so rendering them, merely exhortatory in their current form, also actionable in the Northern Ireland courts. This would mean that the key areas of concern about cultural recognition would not only be symbolically endorsed at the heart of the state but would also have real material effect. Whether it was felt that the existing courts system in Northern Ireland could address adequately this new jurisprudence or whether it was felt desirable to establish a specialist constitutional court would be a matter for expert debate.

Either way, this move would be a crucial indication that Northern Ireland’s constitution was indeed understood to be an evolving, pluralistic one, able to recognise all residents of the region as equal citizens in their diverse and equally legitimate ways. Such an initiative would

also have the merit of being easy to implement and being defensible solely on the basis of universal values as interpreted by bodies, like the UN and the Council of Europe, whose bona fides are unquestioned by any Northern Ireland faction. It would thus not need to attend upon inter-party agreement in talks.

Moreover, this approach would have the not inconsequential final advantage that these international conventions *are* universal—and so can be appropriated to address the concerns of all ‘persons belonging to’ particular national/ethnic minorities in Northern Ireland, including the Chinese community, travellers and smaller groups. It does not thereby fall foul of the ‘two teams’ syndrome, with the consequent unintended effects of enhanced polarisation and marginalisation of groups not defined in Protestant/Catholic terms.

In particular, this approach offers us the value base for innovative constitutional thinking on Northern Ireland. It provides a legitimation and clarification of the intercessionary role (rather than the famously vague ‘more than consultative but less than executive’) of the republic’s government in the region. And it provides a preferential focus on the concerns of the Catholic community, including the securing of redress against any deprivations of its rights—yet in a

manner non-threatening to liberal-pluralist Protestant opinion.

Similar principles apply to the policy-oriented arena, currently addressed by the Policy Appraisal and Fair Treatment ‘equality-proofing’ guidelines, introduced in 1994. Indeed here it is worth underscoring the scope of the PAFT guidelines, which not only embrace all potential national and ethnic minorities but considerations of gender (and sexual orientation and marital status), having/not having a dependant, age and disability. And they apply to the all government departments and ‘Next Steps’ agencies.

But the status of these equal-treatment guidelines, not defined by law, is unclear. As Osborne *et al* have reported, while the Central Community Relations Unit at Stormont has a ‘challenge role’ in equity issues, it has no power to insist that departments pursue any particular policy or action in the context of PAFT. The Lead Officers’ group established to co-ordinate departmental responses to PAFT has not functioned effectively. Not all departments have the information collection mechanisms to make PAFT judgments on the basis of adequate data. Implementation can vary from a positive approach based on ‘sensitivity’ to a negative, ‘checklist’ attitude. And the response of non-departmental public bodies has been

uneven.<sup>8</sup>

For all these reasons, it has been argued that PAFT should be put on a legal footing. But the issue has been clouded by being linked to a specific proposal by Christopher McCrudden. Dr McCrudden argues: “PAFT should become an anticipatory, participatory, and integrative tool for identifying where proposed actions are likely to advance or retard the achievement of the greater material equality of particular groups in Northern Ireland.”<sup>9</sup> This would include a statutory responsibility upon the Northern Ireland secretary to reduce progressively ‘material inequalities’.<sup>10</sup>

Dr McCrudden envisages the process, albeit delimited by screening and scoping, as covering a wide range of public bodies and a wide range of their actions. By a process derived from environmental impact assessments, he anticipates such bodies being required to subject proposals to assessments of their compatibility with the inequality-reduction criterion. He envisages this allowing scope for public participation, before and after PAFT impact statements are prepared.

Some of the practical problems of detail thrown up by Dr McCrudden’s paper—particularly the major challenge of screening and scoping to reduce the idea to manageable proportions—are aired in

a SACHR paper by Nigel Hutson.<sup>11</sup> But more substantive concerns about putting PAFT on a legislative footing in the manner he suggests have been advanced by Tom Hadden and others, some of them relating to the issues raised earlier in this conclusion.<sup>12</sup>

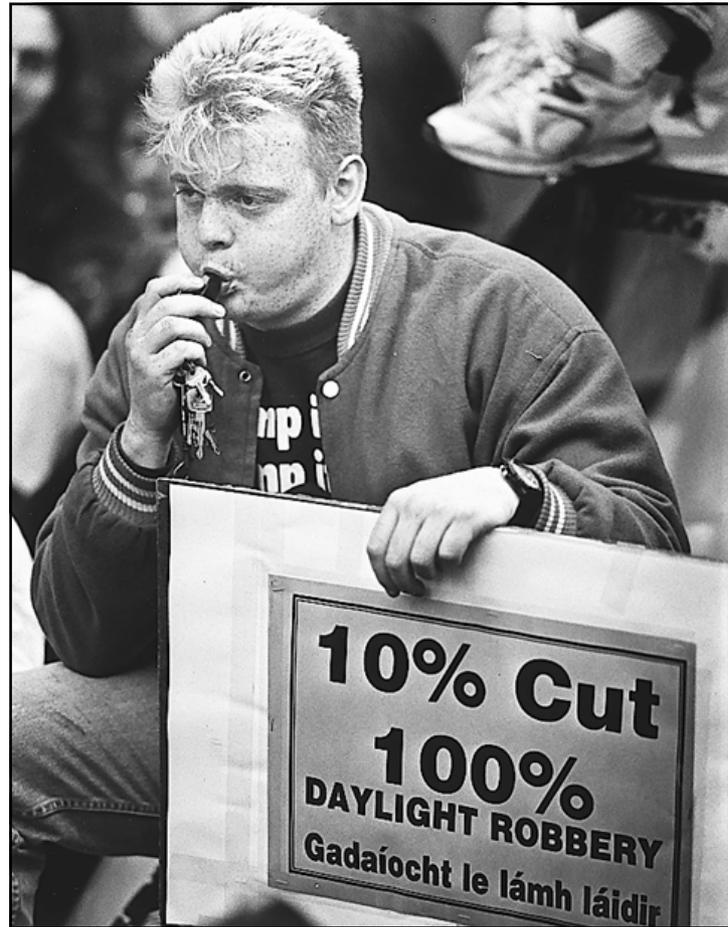
Prof Hadden points out that in fact PAFT arose in the context of a UK-wide equal-opportunity policy initiative (of limited political depth). This raises immediate problems as to giving real purchase to its application in the particular circumstances of Northern Ireland, especially given that differentiated approaches are required to address the different types of inequality in the region (without creating a hierarchy between them): many of the ‘parity of esteem’ concerns, for example, of those who identify themselves as Irish in Northern Ireland are decidedly *non-material*, being of a symbolic nature. Moreover, there is the challenge of ensuring coherence with the separate demands of the third public expenditure priority—specific to Northern Ireland—of ‘targeting social need’.

Secondly, the logic behind going beyond the equal-*treatment* focus of PAFT in the way Dr McCrudden suggests is to achieve substantively egalitarian *outcomes*—reducing ‘material equalities’. Outside of the former Soviet bloc, where aspiration and reality mightily conflicted,

such quasi-constitutional policy requirements have always been abjured. There is, therefore, a disturbing lack of models on which to draw: the case of environmental impact assessments is unique precisely because in that policy area there is a specific need to avert adverse *substantive* outcomes which to a developer represent a mere externality. This must raise real questions about the political realism of the idea.

Conversely, however, the attempt to extend a UK equal-opportunity scheme to achieving greater substantive equality between various groups in Northern Ireland suffers from the additional difficulty that the biggest source of substantive inequality does not fit into an anti-discriminatory policy framework—and so would be unaffected by placing PAFT on a statutory footing in the manner suggested.

That category is class. Research by Vani Borooah and others has demonstrated the self-evident point that class inequalities in Northern Ireland are significantly greater than sectarian inequalities.<sup>13</sup> Yet the problem is that class inequalities are not amenable to a discourse based on the notion of ‘discrimination’, linked as they are to other disadvantages, such as in educational qualifications, and so to poorer life-chances in the labour market. On the



contrary, equal-opportunity policies are largely about ensuring that those with the *same* qualifications, etc, enjoy the same labour-market opportunities.

Fourthly, the UK origin of PAFT makes it blind to the dynamic towards sharing

or separation referred to earlier. Parity of esteem allied to sectarian apartheid would hardly be a policy achievement to trumpet. Efforts to secure it must thus be allied to equal prosecution of the work of reconciliation, and patient commitment to build, house by house and school by school, more integrated community life. Thus, in his authoritative survey for the Forum for Peace and Reconciliation in Dublin of arrangements for group accommodation, Asbjørn Eide stresses:

The legitimate competing approaches to nationhood must not preclude the development of a civic society in Northern Ireland, in which each community can participate on an egalitarian basis ... It is assumed that any measures leading to further physical separation within Northern Ireland based on communal identity should be avoided. The experience in other parts of the world, including Bosnia, to divide [sic] land by ethnic or religious identity, is so frightening that it should be avoided at all costs.<sup>14</sup>

Prof Hadden therefore argues that, rather than moving to give the PAFT guidelines legal force, a new set of policy priorities should be formulated as follows:

- (a) parity of treatment and esteem between the two main communities;
- (b) less inequality between rich and poor;
- (c) reconciliation between the two main

communities;

(d) fostering communal sharing and reduction of communal separation; and

(e) equal treatment in respect of race, gender, and disability.

Prof Hadden's approach avoids the elision from equality of opportunity to equality of outcome—except where the latter is the appropriate focus, such as in the reduction specifically of inequalities of *income* across the board.

Legislation could certainly be introduced in this context to ensure that *procedures* for policy appraisal, ensuring they match these strictures, were both more determinedly pursued and more transparent than PAFT has proved, in the spirit of the Osborne *et al* research and the McCrudden and Hutson papers.

The advantages of this approach are that it would give civil servants clearer policy guidance: at the moment, as one senior Stormont official put it, “We haven't a clue what we're talking about on PAFT and how to take it forward.” And it would elevate TSN (redefined as (b)) above its current marginal status, where it is subordinated as a priority to ‘law and order’ and ‘strengthening the economy’.<sup>15</sup> It would, however, sustain the concern with a raft of inequalities and while recognising their different character—in particular how central ‘parity of esteem’ is to the religious dimension—establishes

no hierarchy between them.

But one has to recognise the limits of this endeavour. Ultimately, the challenge in Northern Ireland is one of generating, and sustaining, the *political will* to secure an egalitarian society, guaranteeing individual opportunity for all, with maximum public participation. That, however, is a matter for the interplay of political forces and democratic argument. It is an argument which its liberal-left advocates have to keep on making and winning, rather than expecting a once-and-for-all guaranteed outcome, reliant on administrative mechanisms thereafter.

Discussion of PAFT and TSN inevitably raises the issue of fair employment. This report has touched on the latter concern—perhaps even more in terms of the fears attached to it by some Protestants than the hopes of many Catholics. We do not, however, attempt in this conclusion to discuss it in more detail, as it is pointless to do so given (at the time of writing) the imminent publication of the quinquennial review of the legislation by SACHR.

Salutary indications are nevertheless available in the argument of Pete Shirlow *et al* that existing ‘group rights’ thinking has failed to address intra-group inequalities and unnecessarily fostered Protestant alienation from the very idea of fair employment. They point to a

broader attack on the so-called ‘structural factors’—class, educational disadvantage and so on—to achieve further progress in reducing intercommunal employment differentials, while similarly addressing the plight of socially excluded Protestant communities.<sup>16</sup>

Looming even larger in this report has of course been the issue of parades. But here the North review has done great service, not only for its specific recommendations but also for its wider discussion of the broader themes involved.<sup>17</sup> Indeed, the former need not detain us for long, because the new Northern Ireland secretary has committed a Labour administration to implement the North recommendations in full—notably that an independent commission should be empowered to issue binding adjudications on whether and under what conditions particular parades go ahead.<sup>18</sup>

It is the broader perspective which the review adopts which is revolutionary in its potential, once one recognises, as North does, that the parades controversy represents in many ways the Northern Ireland problem—and in particular the challenges of pluralism and parity of esteem—writ small. And it is the discourse it deploys which begins to offer the new language which this report has indicated is a necessary if not sufficient condition of

progress.

The first, dramatic claim of the review is its emphasis, rightly, on the internal nature of the conflict—not ‘internal’ in the sense of advocating a UK-oriented, unionist outcome, but internal in the sense of a recognition that, as with all such ethno-nationalist conflicts, it is the antagonism *between the communities involved themselves*, rather than the role of external actors, which is crucial to the problem and central to any settlement. It has been neglect of this fundamental truth that has allowed government to preside over the dramatic polarisation, most visibly manifested at Drumcree in 1996, almost without seeing it coming:

The sources of the problem lie within our society—not just within the deviant political behaviour of the few, but with the inability of the many to deal positively with difference and with shared time and space.

The solution to the problem equally lies within our society. The question is whether we have the will to bring forth from the reservoirs of goodness and integrity in this community the resources to deal with the pain and the pressures which arise out of living together yet apart, as we have done for so long.<sup>19</sup>

The second remarkable feature of the review is its refusal of relativism. As the first chapter of this report stressed,

relativism provides no basis for resolving conflicting group claims—on the contrary, it encourages the protagonists to pursue them more avidly, since *force majeure* will prevail, as both sides in the parades controversy have come to suspect in recent years. More generally, the whole principle that Northern Ireland’s conflict—and the problem of parity of esteem within it—will be negotiated away by the parties, by trading their existing incongruent positions, is rendered utterly incoherent by these relativist premises.

In this context, what the review does is not simply to juxtapose unionist and nationalist claims, but to mobilise a transcendent rhetoric of ‘fairness’ and ‘reasonableness’—to considerable effect, it might be said, given the opinion-poll support it demonstrates for its principal propositions—allowing government to adopt a much more proactive and potentially widely supported approach not attendant upon party vetoes:

We were given the very clear impression, from all the evidence available to us, that the great majority of people desire a peaceful and just resolution of these difficult issues. We hope therefore that most people will be prepared to accept what fair-minded people would accept as being reasonable solutions in local situations. We believe it is essential to encourage that constituency to be as broad as possible,

and that those who would seek to object to constructive and reasonable proposals are positively influenced by the fair-minded majority.<sup>20</sup>

Finally, the review, recognising as it does that parity of esteem obscures the sharp asymmetry of claims by each side, makes a fundamental break with what might be called a ‘rights absolutism’ guaranteed to lead, not to comity and reconciliation, but to endless protagonism and polarisation. The “civic values” it draws upon entail the following:

- a) recognising that rights carry responsibilities, and are not absolute, which is seen most clearly in the fact that neither what are often described as the ‘right to march’ nor the rights of residents are absolute,
- b) exercising rights with both restraint and responsibility, and with respect for the well-being of others in the community,
- c) working together to create a society that not merely tolerates but positively celebrates cultural diversity.<sup>21</sup>

These three key insights are in fact the most valuable way for this report to conclude, perhaps preserving a modicum of optimism that progress may be possible. They represent, together, a *Gestalt* shift on the part of government and a clarion-call to civic responsibility to all those social actors who can play a part in moving towards a Northern Ireland more at ease

with itself.

**W**hich brings us finally to the quest for a political settlement. It is a bizarre paradox that the determined prosecution for seven years of such a quest, ever since the Bangor speech in January 1990 by the then Northern Ireland secretary, Peter Brooke, has been matched with such apparent unconcern about the steady polarisation of society in Northern Ireland, before and since—polarisation which is so strongly manifested in the focus groups for this report and which by definition has rendered the possibility of ‘sufficient consensus’ on a settlement an ever-receding goal.

This polarisation is no accident. It ultimately arises because of the inability of government to transcend the language of the past which, as demonstrated earlier, is hopelessly obsolete in the context of ethno-nationalist conflicts in the 1990s. By merely laying side by side the majoritarian claims of unionism, *vis-à-vis* the constitutional status of Northern Ireland, to resist unification, with the long-term majoritarian alternative of nationalists, to secure the latter objective through ‘rolling integration’, far from ameliorating the terms of the conflict, government has merely institutionalised it.

And, as the interviews and focus

groups make clear, nationalists, mindful both of the weight of historic grievance and of their modern assertiveness and power, will not accept majoritarian concepts of Northern Ireland—even the qualified majoritarianism of more moderate unionists. Nothing less than full equality is any longer acceptable.

Equally, increasingly defensive and frightened unionists are not going to be rolled over into all-Ireland structures, via a ‘dynamic’ north-south body which looks increasingly like a proto-government of a united Ireland. Nor will they accept joint authority as a stepping stone.<sup>22</sup>

There is no doubt that if unionists insist—with considerable justification, in terms of international legal precedent—on the absolute principle of the inviolability of territorial integrity, then no accommodation is possible. There is also no doubt that if nationalists insist—again with many international conventions to call in aid—on the absolute right of the people of Ireland to self-determination, again no settlement can be achieved.

And so we come to another paradox: if the debate about parity of esteem has been characterised by ever more vociferous assertions of rights, on either side, its resolution actually depends, as the North review so insightfully realised, on a willingness *not* to prosecute rights to the ultimate, a willingness to temper

rights with restraint and responsibility.

In other words, a Northern Ireland settlement will only be possible when at least some unionists are persuaded that they would rather govern the region in full partnership with nationalists than have someone else (now Britain, perhaps eventually Dublin) do it for them. This would mean abandoning their ‘right’ to have Northern Ireland defined as unequivocally part of a sovereign and territorially bounded UK, but far from this entailing their further disempowerment it would *empower* them—on a par with their nationalist colleagues—in assuaging the ‘democratic deficit’.

Equally, a Northern Ireland settlement will only be possible when at least some nationalists are prepared to say that they *will* ‘set a boundary to the march of a nation’, that such a settlement is not simply a staging-post to somewhere else. Of course, it can and must involve strong north-south institutions for policy co-ordination island-wide, for its intrinsic mutual benefits and its recognition of the nationalist sense of an island-wide community. But if such institutions are, like their northern counterparts, to have a reconciliatory, trust-building character, it must be clear that one side is not simply there to make up the numbers—that there will be an optimal equilibrium reached well short of unification, as the

outgoing government in Dublin well recognises.<sup>23</sup> True, this means abandonment of the idea of an eventual nationalist ‘victory’, but the point of equilibrium is a never-before attained summit of real equality and parity of esteem.

What this means, for unionists and nationalists alike, is the positive achievement the North review envisions—of working together to create a society celebrating cultural diversity. But such a society is inconceivable unless both sides abandon absolutist insistence on ‘sovereignty’ *versus* ‘self-determination’ and come to embrace the idea of multi-cultural citizenship held out in the opening chapter. As Fr Eamon Stack, chair of the Garvaghy Road Residents’ Coalition, puts it,

Today we hold that liberal democracy, with its fundamental principle of free and equal citizenship, is the best form of government available to us. It has been able to accommodate, on the basis of equality, groups which are otherwise fundamentally divided on moral, philosophical, and religious grounds. In Northern Ireland, however, we cling to ideologies of romantic nationalism and confessional democracy, such as have led Europe to destruction in the past.<sup>24</sup>

And where does this leave the role of government? Again, the implications are revolutionary. Following the arguments

of Delanty earlier, government—both governments—need to forsake the opportunist ‘quick fix’ of indulging extremism in the hope of peace and accommodation: that way, as we now know, lie dashed hopes, polarisation and despair. It must turn to the determined long haul of building moderation: only that way can the widening intercommunal gulf of the past near three decades begin to be narrowed.

This is patient, footslogging work. It has no photogenic attractions, boosts no political egos, and is reducible neither to slogan nor soundbite. But like the fable of the tortoise and the hare, it is the only long-term guarantee that a Northern Ireland defined by pluralism and parity of esteem can be achieved—rather than, as now, appear an ever-receding horizon.

**W**hat does this mean in terms of practical agendas? Take symbols. In line with the North philosophy, Bryson and McCartney recognise the right of those acting provocatively or for sectarian reasons to express their views, while insisting they do not have the right to limit the free expression of others. Setting rights against responsibilities, they therefore recommend greater tolerance of *other* people’s display of their symbols and a recognition that one’s own should only be expressed in the least offensive way, bearing in mind the sentiments of

opponents.

It might be possible to develop symbols which would not replace anthems and flags, but which would manifest a sense of shared heritage and identity. Bryson and McCartney call for legal limitations to avoid excesses which interfere with the greater good and with the rights of others.<sup>25</sup> And the more detailed recommendations of the North review, such as the guidelines for whether parades should be permitted and codes of practice for parade organisers, fill this principle out. Surely it is not beyond the capacity of reasonable people to accept display of the Union flag only on a par with elsewhere in the UK of today (that is, hardly anywhere or ever), without nationalists demanding that the Tricolour (flown only on some national buildings in the republic) fill the gap.

Or take education. We have already mentioned above how, despite the merits of EMU, there is no substitute for enhancing integrated education. But we share the concern expressed earlier in this report about the lack of a requirement to learn history until the minimum school-leaving age and about the episodic engagement with the history of Northern Ireland that even then may apply. While there are risks in any policy that smacks of compulsion, it is surely evident in the context of the conflict that a good

grasp of whence we all, diversely, have come is a prerequisite of any resolution. The overriding public interest in such minimum political awareness on the part of citizens is surely at least as pressing as the individual labour-market demands of literacy and numeracy skills rendering other subjects compulsory.

Within such a core subject, schoolchildren would be expected, by age 16, to demonstrate an understanding of all aspects of the identities, ideologies and events which have shaped Northern Ireland. A model might be the current 'A' level Irish history syllabus covering the period 1912-23. In the absence of sustained cross-community interchanges, proactive use of the curriculum may be the only mechanism to counteract, in a limited manner, the prejudices schoolchildren inherit from their peers.<sup>26</sup>

A third area for progress is the 'partnership' experience, preparing as it does on a micro-scale for the macro-challenges of 'dialogic democracy' in Northern Ireland. Most developed are the district partnerships established under the European Union 'peace package'—drawing together as they do representatives from the district council in the area, the community and voluntary sector, the private sector, trade unions and local statutory interests. Some of the key ingredients of partnerships have been identified as:

- building trust, confidence and understanding between the different sectors ;
- developing a shared vision, common objectives and agreed goals, promoting equality between the partners;
- developing flexible structures to facilitate feedback and to foster the participation of the community;
- cultivating effective leadership skills, especially in coalition-building, amongst project leaders;
- decentralising the decision-making of state agencies; and
- developing effective links back to national policy-making.<sup>27</sup>

With a continuing absence of democratic regional government in Northern Ireland, the partnerships provide a model of how to involve different sectors in confidence-building, through exploring common socio-economic objectives. Partnerships also have the potential to introduce greater representation of the community, through the involvement of persons not motivated by the constitutional question alone.

Or, finally, take policing—one of the most fraught issues of all. Hamilton, Moore and Trimble advocate a number of reforms, including the principle—now accepted—of an entirely independent complaints procedure.<sup>28</sup> More contentious are their recommendations for a change in the name and removal of much of the

existing symbolism of the Royal Ulster Constabulary, to make the force more acceptable to nationalists.<sup>29</sup>

Yet, with a mixture of ingenuity and much goodwill even such contentious challenges can be addressed. Mgr Denis Faul, for example, having made the effort to understand the sense of loss and betrayal of dead relatives, friends and colleagues which a dropping of the current name would entail—and as our Protestant focus groups bear out—has come to propose a compromise alternative: ‘The RUC: Northern Ireland’s Police Service’. While doubtless many would still find this difficult to swallow, it is from such micro-, even personal, efforts at mutual understanding, through dialogue, that pluralism and parity of esteem in Northern Ireland will slowly, and patiently, be built. **DD**

#### Footnotes

<sup>1</sup> Kevin Boyle and Tom Hadden, *Northern Ireland: The Choice*, Penguin, London, 1994

<sup>2</sup> A Pollak ed, *A Citizens’ Inquiry: The Opsahl Report on Northern Ireland*, Lilliput, Dublin, 1993, p120; Standing Advisory Commission on Human Rights, *Religious and Political Discrimination and Equality of Opportunity in Northern Ireland: Second Report*, HMSO, London, 1990, p116

<sup>3</sup> Ernest Gellner, *Encounters with Nationalism*, I B Tauris, Oxford, 1994, 9173

<sup>4</sup> Stephen Ryan, *Ethnic Conflict and International Relations* (second edition), Dartmouth, Aldershot, 1995, p151

<sup>5</sup> *ibid*, p231

<sup>6</sup> *ibid*, p152

<sup>7</sup> SACHR, *op cit*, p119

<sup>8</sup> R Osborne, A Gallagher, R Cormack and S Shortall, 'The implementation of the Policy Appraisal and Fair Treatment guidelines in Northern Ireland', in Eithne McLaughlin and Pádraic Quirk ed, *Policy Aspects of Employment Equality in Northern Ireland*, SACHR, Belfast, 1996, pp 127-52

<sup>9</sup> Christopher McCrudden, *Mainstreaming Fairness?: A Discussion Paper on 'Policy Appraisal and Fair Treatment'*, Committee on the Administration of Justice, Belfast, 1996, p9

<sup>10</sup> *ibid*, p11

<sup>11</sup> Nigel Hutson, *Policy Appraisal and Fair Treatment in Northern Ireland: A Contribution to the Debate on Mainstreaming Equality*, SACHR, Belfast, 1996

<sup>12</sup> Tom Hadden, 'Possible structures for the development and implementation of Policy Appraisal on Separation and Sharing (PASS)', unpublished paper, February 1997; see also Paul Gorecki, 'A comment on *Mainstreaming Fairness?*', unpublished paper, March 1997.

<sup>13</sup> V Borooah, P M McKee, N Heaton and G Collins, 'Catholic-Protestant income differences in Northern Ireland', *Review of Income and Wealth*, series 41, no 1, March 1995

<sup>14</sup> Asbjørn Eide, *A Review and Analysis of Constructive Approaches to Group Accommodation and Minority Protection in Divided or Multicultural Societies*, Dublin, 1996

<sup>15</sup> Pádraic Quirk and Eithne McLaughlin, 'Targeting Social Need', in Quirk and McLaughlin eds, *op cit*, pp 153-85; Paul Teague and Robin Wilson, 'Towards an inclusive society', in *Social Exclusion, Social Inclusion*, DD report 2, Belfast, 1995, pp 79-97

<sup>16</sup> P Shirlow, I Shuttleworth and M Evans, 'FEC facts', *Fortnight* 361, May 1997, pp 21-3

<sup>17</sup> *Independent Review of Parades and Marches*, Stationery Office, Belfast, 1997

<sup>18</sup> Marjorie Mowlam, 'Towards genuine consent in Ulster', *Independent*, February 25th 1997

<sup>19</sup> *Independent Review ...*, p5

<sup>20</sup> *ibid*, p10

<sup>21</sup> *ibid*, pp 10-11

<sup>22</sup> It is worth noting that these arguments about the bottom-line positions of the two sides were also clearly rehearsed by the Opsahl Commission, on the basis of the widespread evidence submitted to it; see Pollak ed, *op cit*, pp 24-5.

<sup>23</sup> Indeed, a very senior source in the former government claimed that the scope for north-south institutions had in fact *diminished* since 1979, since so many governmental functions in the north had been transformed through privatisation and agentisation, creating disjunctions with still relatively conventional public-service arrangements in the republic.

<sup>24</sup> Eamon Stack, 'Major questions facing the Orange Order', *Irish Times*, May 27th 1997

<sup>25</sup> Bryson and McCartney, *op cit*, pp 184-8

<sup>26</sup> It is interesting in this context that a further set of focus groups conducted by DD, this time solely among young people, manifested a surprising appetite for political education in school and via the youth service. See *Politics: The Next Generation*, DD report 6, Belfast, 1997

<sup>27</sup> Northern Ireland Council for Voluntary Action, *Partners for Progress: The Voluntary and Community Sector's Contribution to Partnership-building*, Belfast, 1995, p16

<sup>28</sup> A Hamilton, L Moore and T Trimble, *Policing in a Divided Society*, Centre for the Study of Conflict, Coleraine, 1995, pp 155-7

<sup>29</sup> *ibid*, pp 151-2