

**NEGOTIATING THE GOOD FRIDAY AGREEMENT: AN IN-DEPTH  
EXAMINATION INTO THE NEGOTIATIONS THAT RESULTED IN THE  
CREATION OF NORTHERN IRELAND'S LANDMARK PEACE ACCORD AS  
RELATED TO TODAY'S LEADING APPROACHES TO NEGOTIATION**

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By

Erin Rebecca McEver, B. S.

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*For my family*

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## GLOSSARY

<b>Combined Loyalist Military Command (CLMC)</b>	A combination of four Protestant paramilitary organizations (the Red Hand Commandos, UVF, UDA, and UFF); have now disbanded.
<b>Continuity Army Council (CAC)</b>	A splinter group of the IRA; strongly opposed the GFA peace negotiations.
<b>Dáil Éireann</b>	The Republic of Ireland's Parliament; located in Dublin.
<b>Democratic Unionist Party (DUP)</b>	The second largest Unionist political party in Northern Ireland; founded and led by the Reverend Ian Paisley.
<b>Fianna Fail</b>	The largest political party in the Republic of Ireland; strongly Nationalist; currently led by Irish Taoiseach Bertie Ahern.
<b>Irish National Libertarian Army (INLA)</b>	A small Republican paramilitary organization; known for extreme violence.
<b>Irish Republican Army (IRA)</b>	The oldest and largest Republican paramilitary organization in Northern Ireland; paramilitary wing of Sinn Féin; most sophisticated and lethal of all paramilitaries on either side of the struggle.
<b>Loyalist</b>	A staunch anti-Republican Unionist; often engages in violent acts to attain political goals.

<b>Loyalist Volunteer Force (LVF)</b>	A splinter group of the UVF; a small extremist Loyalist paramilitary organization.
<b>Nationalist</b>	A person who opposes the British presence in Northern Ireland; desires a united all-island Ireland; attains political goals through democratic/non-violent means.
<b>Northern Ireland Civil Rights Association (NICRA)</b>	Organized the civil rights protests in Northern Ireland in the late 1960s.
<b>Orange Order</b>	A large Protestant organization dedicated to the advancement of Protestantism and the defense of the British Monarchy; staunchly Unionist in nature.
<b>Progressive Unionist Party (PUP)</b>	A Loyalist political party in Northern Ireland; associated with the Red Hand Commandos and the UVF paramilitary organizations; led by David Ervine.
<b>Provisional Irish Republican Army (PIRA)</b>	Resulted from the 1969 split of the IRA into the PIRA and the Official IRA; the PIRA is synonymous with the IRA today.
<b>Republican</b>	A staunch anti-British Nationalist; often engages in violent acts to attain political goals.
<b>Royal Ulster Constabulary (RUC)</b>	The Northern Ireland police force during the peace negotiations; was largely Protestant; has since been reformed to include more Catholics; now called the Northern Ireland Police Service.
<b>Sinn Féin</b>	The second largest Nationalist party in Northern Ireland; strongly Republican in nature; political wing of the IRA; led by Gerry Adams and Martin McGuinness.

<b>Social Democratic and Labour Party (SDLP)</b>	The largest Nationalist political party in Northern Ireland; founded by John Hume in 1970.
<b>Stormont</b>	Location of the Northern Ireland Government; site of the GFA peace negotiations.
<b>Ulster Defense Association (UDA)</b>	The largest Loyalist paramilitary organization in Northern Ireland; closely associated with the UFF and the UDP.
<b>Ulster Democratic Party (UDP)</b>	A Loyalist political party in Northern Ireland; political wing of the UDA and UFF; led by Gary McMichael.
<b>Ulster Freedom Fighters (UFF)</b>	A Loyalist paramilitary organization synonymous with the UDA; politically supported by the UDP.
<b>Ulster Unionist Party (UUP)</b>	The largest political party in Northern Ireland; Unionist in nature; dedicated to the maintenance of the union with Great Britain; established in 1920; currently led by David Trimble.
<b>Ulster Volunteer Force (UVF)</b>	A Loyalist paramilitary organization in Northern Ireland; supported politically by the PUP.
<b>Unionist</b>	A person who supports the continuation of the union between Northern Ireland and Great Britain; attains political goals through democratic/non-violent means.
<b>United Kingdom Unionist Party (UKUP)</b>	A smaller Unionist political party in Northern Ireland; close ally of the DUP; led by Robert McCartney.



## **CHAPTER ONE**

### **INTRODUCTION, PURPOSE, SIGNIFICANCE, AND THESIS ORGANIZATION**

#### *Introduction*

Ireland is a small island located off the northwest perimeter of Europe. The northern portion of the island is politically divided from the rest of the country, thus creating both a Republic of Ireland and Northern Ireland. For centuries, Northern Ireland, sometimes referred to as Ulster, has been the source of a great conflict that still continues today.

There are two major belief systems involved in the conflict. Each enjoys a mass following, each has contrasting views on the events of the past, each has a different vision of and hope for the future, and each believes that the same piece of soil is rightfully theirs. One group has gradually become inferior, while the other has become superior. Over the years, these two groups have been given many titles. A majority of scholars agree that the most accurate titles are Unionists and Nationalists. "Each claims to be part of a larger national group, British and Irish, though in reality they are now very different from these groups" (Hughes 1994, 1). Even though the two groups do have many similarities and both consider themselves to be Irish, they see themselves as very different and completely misunderstood by the other. The "concept of Irishness has been

vague and shifting for centuries” as neither group can define exactly whom they deem to be part of the Irish nation and whom they do not (Hughes 1994, 1).

There are two additional groups that have played a significant role in the Northern Ireland conflict. They are the British and Irish Governments, both of which have a stake in Northern Ireland because its population consists of both British and Irish citizens. These governments have been trying to solve the Ulster question for years.

The current Northern Ireland conflict actually began as an all-island conflict that dates as far back as the twelfth century. British foreign infiltration into Ireland resulted in the oppression and eventual displacement of the majority of the native Irish. Animosity swelled between the native Irish and foreign immigrants. Over time, the divide between them grew exponentially. Religion became the symbol of that divide as native Irish were predominately Catholic, and the British foreigners were mostly Protestant. In reality, there were many more factors working to forge the divide between the two groups than religion. The British invasion resulted in the social, economic, political, and cultural oppression of the natives, while the British way of life flourished. Catholic oppression and segregation became routine. From this deep schism, came years of bloodshed as Catholics fought to regain not only their lands, but also their dignity.

It is from this great divide that Unionism and Nationalism find their roots. The Unionists, who by this time represented an overwhelming majority in the Northern portion of the island, wanted to maintain the union with Britain, while the Nationalists wanted Ireland returned to a country of native Irish, which could only occur with the removal of the foreign factor. In 1921, the British Government divided the island into two distinct countries. Northern Ireland constituted the six northern most counties of Ireland,

while the present day Republic of Ireland was comprised of the remaining twenty-six counties. The division was made in an attempt to calm the violence that was continuously erupting on the island. In truth, it only worked to fuel the fire. Unionists and Nationalists alike were angry about the partition because both felt betrayed by their respective governments. A time referred to as “the Troubles” set in, and violence became a way of life in Northern Ireland. People on both sides of the conflict were in constant fear of death or injury, and with good reason, as hundreds of innocent people, including many children, senselessly lost their lives or were wounded every year.

The Good Friday Agreement of 1998 represented the first real chance for lasting peace in Northern Ireland. For the first time in the history of the conflict, all major political parties in Northern Ireland, as well as, the two governments, were included in the negotiations that resulted in the landmark agreement. This document was the first of its kind in Northern Ireland because it had the support of all sides of government, as well as, the majority of the people of the entire island of Ireland.

### *Purpose*

The purpose of this study is to closely examine Northern Ireland’s long journey towards peace, specifically, the crucial steps taken by the major parties involved to arrive at the Good Friday Agreement on April 10, 1998. Many important questions will be broached in my examination. For example: Why did this negotiation culminate in an agreement that spanned across all party lines, when others had failed? Was a specific approach adhered to in the course of the negotiations? If so, did it affect the outcome and in what ways? If not, could a negotiation approach have altered the outcome? In what

ways could it have altered the outcome? Has the Good Friday Agreement shown promising signs of effectiveness since its inception? Will the Good Friday Agreement prove to be effective over a long period of time?

Not only will the major and minor events surrounding the Good Friday Agreement negotiations be divulged, but also how these occurrences apply to a number of today's leading negotiation approaches. There is extensive literature available on both negotiation and the Northern Ireland conflict. I have selected materials from both genres that I believe effectively represent the majority of the works available.

### *Significance*

The significance of this study is that it will not only demonstrate what a truly extraordinary achievement the Good Friday Agreement is in the art of compromise, but also the importance of adhering to a step-by-step approach during a negotiation to increase the chances of success. It is also hoped that this research can extend beyond the situation in Northern Ireland, and be applied to other conflicts where negotiation is necessary to reach an agreement.

### *Thesis Organization*

There are six remaining chapters in the thesis. A historical background of the Northern Ireland conflict is presented in chapter two to illustrate the deep-seated roots of the current struggle. Chapter two is divided into four sections: The Origins, 1155 to mid-1500s; The Impact of Foreign Influence, 1584 to 1920; Partition and Life After, 1920 to 1970; and The Modern Struggle for Peace, 1970 to 1993. In each of these time periods,

critical events of the past, which bear significance on the current situation, are brought to light. In chapter three, the negotiations leading up the Good Friday Agreement are detailed. This chapter demonstrates just how extraordinary the attainment of an agreement was in such a difficult, long running conflict. Chapter four offers an in-depth look into the Good Friday Agreement itself to identify the negotiated compromises that became part of the final agreement. A survey of five negotiation approaches, formulated by leading negotiation experts, will be presented in detail in chapter five to provide examples of existing approaches to negotiation. From the consolidation of these five approaches, one negotiation approach will be derived. In chapter six, the newly formulated consolidated negotiation approach will be applied to the Good Friday Agreement negotiations. Each step of the consolidated negotiation approach will be discussed in relation to the specific events that occurred during the Good Friday Agreement negotiations. Chapter seven will conclude the thesis with a brief summary of my findings, the current situation in Northern Ireland, prospects for the future, and recommendations for further study.

## **CHAPTER TWO**

### **THE HISTORY OF THE NORTHERN IRELAND CONFLICT**

#### *The Origins, 1155 to mid-1500s*

The conflict in Ireland has been going on for nearly a millennium. The roots of the problem can be traced back approximately eight hundred and fifty years. In the early twelfth century, there was little political unity in Ireland because the island was divided between “a number of territorially jealous chiefs” (Darby 1983, 14). Consequently, internal wars and vendettas were commonplace. The politically divided nature of the country and the absence of a unified Irish state contributed greatly to the foreign infiltration that was soon to come. The foreign factor is vital to the problem in Ireland, especially the relationships that arose between Ireland and England, and later between Ireland and Britain. These two relationships are central to the conflict and are “the fundamental cause of the partition of Ireland” (Hughes 1994, 6).

In 1155, foreign influence was introduced into Ireland, through the interference of England. King Henry II obtained a papal bull (official document) from an English pope named Adrian IV, commissioning Henry to invade Ireland and reform it (Shivers and Bowman 1984, 99). This decree became the basis of England’s claim to Ireland. English control was initially tenuous and difficult to maintain. Their influence was “long restricted to the area around Dublin,” called the Pale, thus making their impact on Ireland

limited for several centuries (Hughes 1994, 6). Throughout the next few centuries, there was infiltration by many other foreigners, but they all worked quickly to acclimate themselves to the traditional Gaelic way of life. Therefore, Irish culture remained remarkably vigorous and able to assimilate newcomers up to the sixteenth century.

The first major turning point occurred in the mid-1500s, when real English control began to surface as a result of Henry VIII becoming king of England. The increased English interest in the dealings of Ireland resulted for two major reasons. First, the Irish Parliament did not support Henry VIII's ascension to the throne, which made the Tudors very nervous. The Tudors wanted to ensure that Ireland would not encourage any rival to their rule. Second, there was a growing concern that enemies might use Ireland as a back door through which to attack England (Hughes 1994, 6-7).

In response to these concerns, the early Tudors used a dual approach to exploit the deep divisions already looming within the Irish aristocracy. This dual approach consisted of strong military force and a "policy of divide and rule" (Hughes 1994, 6). The result was threefold: English royal servants were placed in positions of power as the overlords of Ireland, the Irish Parliament was persuaded to declare Henry VIII king of Ireland, and a system of plantation was put in place to slowly convert Ireland into a colony of England. Plantation refers to the "clearing of the native Irish population from areas of land, which would then be resettled with reliable immigrants" (Hughes 1994, 7). In effect, it is a form of ethnic cleansing.

*The Impact of Foreign Influence, 1584 to 1920*

The Reformation in England was another major turning point for the events in Ireland. It was a “great 16<sup>th</sup> century religious revolution in the Christian church, which ended the ecclesiastical supremacy of the pope in Western Christendom and resulted in the establishment of the Protestant churches” (Reformation 1999). As a result of the Reformation, the English overlords, now ruling in Ireland, ordered that the Church of Ireland break with Roman Catholicism. This demand added religious differences to the already existing ones of class and political loyalty. Thus, the Anglo-Irish became associated with Protestantism, and the Irish Gaels and Normans with Catholicism.

In 1584, the first major plantation was attempted in Ireland, under the rule of Henry VIII’s daughter, Elizabeth I. It was largely unsuccessful because the land was considered dangerous and uncivilized, thus making it difficult to attract English settlers. However unsuccessful early plantation efforts were, the Protestant Anglo-Irish still enjoyed complete dominance in Ireland as they were now in control of “both parliament and the established Church of Ireland” (Shivers and Bowman 1984, 101). The Irish Catholics, on the other hand, were subjected to civil disabilities, and deprived of their lands.

Between 1595 and 1607, there was a revolt in Ulster, a northeastern province of Ireland, against the English rulers. Ulster was traditionally the most rebellious, least pacified, and “most Gaelic part of the country” (Darby 1983, 14). The rebels were eventually defeated, the native aristocracy was exiled, the province was “taken over by the Crown,” divided into counties, and plantation was implemented (Hughes 1994, 7).



In 1609, the first widespread plantation scheme began in Ulster. “Twenty-three fortified new towns were set up, including Belfast, as a network of strong points to control the whole province” (Hughes 1994, 7). There were approximately 21,000 English, Scottish and Welsh immigrants in Ulster by 1622. The native Irish population was kept in the province only to serve as a labor force to work the land. Even though they were the elite class, the settlers feared the native Irish. These fears led the settlers to mistrust and ultimately repress the natives.

The situation in Ulster worsened in the mid-1600s. England was in a state of civil war as a result of the disputes between King Charles I and his parliament members, namely Oliver Cromwell, a staunch Protestant. The Gaelic Catholics, in the hopes of regaining their land, staged another uprising in Ulster in 1641. During the rebellion, many Protestant Ulster planters were killed, and were deemed Protestant martyrs. In response to these atrocities, the outraged Protestants enacted a campaign of bloody revenge under the direction of Cromwell. Irish hatred of the English was intensified by the “invasion and subsequent devastation of the Irish countryside” caused by Cromwell and his followers (Doumitt 1985, 25). The result of the reactionary acts of massacre and brutality by the Protestants was the proliferation of martyrs among the Irish Catholics. The lines of division were growing deeper and deeper.

Cromwell, who was victorious in his defeat of Charles I, displaced the majority of the remaining land-owning Catholic Irish, and gave the land to his loyal financiers and soldiers. The new landowners became the Protestant upper class in Ulster, and soon developed an attachment to the land as intense as that of the dispossessed Irish. As a result of the continued infiltration of Anglo-Protestants and expulsion of Gaelic-

Catholics, “Protestants soon became a majority in the six counties of Ulster”, and their increasing numbers made it easier to resist any future efforts to expel them (Doumitt 1985, 26). That is not to say that the Irish Catholics, who still retained a large majority in the remaining twenty-six counties of the country, would not make many more avid attempts.

In 1660, Charles II restored order in England, and gave some Ulster Catholics back their land, but not many. In 1641, Catholics had owned approximately three-fifths of the land in the northern portion of the island, and at the end of the Restoration period they owned no more than one-fifth (Shivers and Bowman 1984, 101).

James II became the British king in 1685. He was a Catholic, and therefore, extended “a policy of religious toleration and concessions to Ireland” (Hughes 1994, 8). Unfortunately, William of Orange dethroned James II in 1688. James II retreated to Ireland to gather troops to regain his throne. Once more the tides turned against Irish Catholics when at the Battle of the Boyne in 1690, William of Orange’s Protestant forces defeated the Catholic army under James II. The result was that a “minority Protestant business class dominated political and economic life throughout the [entire] island” (Doumitt 1985, 25).

In the course of the repression that followed their defeat, approximately 120,000 Catholics, called “wild geese,” went into exile (Shivers and Bowman 1984, 102). These geese were the thousands of Irish soldiers who had fought in the war. Along with these exiles, went the last of the leaders of the deprived native Irish, and thereafter “political, social and economic power in Ireland was in the hands of the Anglican Ascendancy” (Hughes 1994, 8).

In 1695, the Protestant ruling class enacted a set of penal laws that worked to further repress all religious minorities, especially the Irish Catholics. These penal laws were in effect from 1695 to 1829. The laws excluded Catholics from public life and office, and also from service in the army, navy, and law, “by prescribing qualifying oaths to the crown as head of the church which no Catholic could take” (Shivers and Bowman 1984, 103). The laws also made education, property and horse ownership, public meetings, and possession of weapons illegal for all Catholics. The Catholics responded to the prohibition against education by creating secret schools, called hedge schools. This odd name resulted from the fact that the classes were held outside, often hidden behind hedges.

The enactment and enforcement of these penal laws had three main effects on the conflict in Ireland. First, it cemented the divide between Catholics and Protestants. Second, it strengthened Irish Catholicism by adding a “political component” to it (Darby 1983, 16). And third, it drove several aspects of the Gaelic Catholic culture underground, most notably education and public worship.

The American Revolution in 1775 had a considerable impact on the situation in Ireland. While Britain was preoccupied with America, a reform movement in Northern Ireland was gathering in support of Irish Nationalism. The British Government was very shaken by its defeat and subsequent loss of the American colonies, which made it much more willing to make wide concessions to the reform movement in Ireland. By the 1790s, many of the penal laws had been repealed. The British Parliament renounced its claim to legislate for Ireland, retaining only veto and administrative powers. In theory, Ireland was “an independent kingdom sharing a monarch with the neighboring island” (Shivers and

Bowman 1984, 103). In practice, political power was still held by the Anglo-Irish, with little to none being granted to the Gaels.

From this tentative relationship between the Irish and British, many factions formed. For example, the Defenders were established in the 1790s to protect Catholics against the daily arms raids being performed by the Protestant Peep-O-Day-Boys. To counter the Defenders, the Protestants created the Orange Boys. This was the “origin of the Orange Order movement, which has been an important force in Northern Ireland for almost two hundred years” (Shivers and Bowman 1984, 103). The struggle for power and security between these factions carried on for years.

In 1800, the British Prime Minister, William Pitt, decided that the best way to deal with the continual uprisings in Ireland was to “force a union of Great Britain and Ireland by dissolving the Dublin Parliament and establishing a single parliament at Westminster” (Shivers and Bowman 1984, 104). Catholic leaders were in favor of the union because Pitt had promised “full Catholic emancipation” upon unification (Hughes 1994, 11). Ironically, it was the Anglicans that opposed the union, as they feared that too many concessions would be made to the Catholics, which would undermine their superior positions.

The Act of Union of 1800 consummated the merger. The Act dissolved the Dublin Parliament, created a “single parliament for Britain and Ireland” at Westminster, and united the Irish and English Anglican Churches (Hughes 1994, 11). In the Act, all laws affecting Ireland were to be made in London, in the House of Commons. Ireland only occupied 100 of the 658 seats in the House, which meant that they had very little influence in making the laws that would govern them (Shivers and Bowman 1984, 104).

Surprisingly, the Act remained in effect until 1921. Less surprising was the fact that full emancipation for Catholics was never realized.

Throughout the early nineteenth century, large protest rallies were held all over Ireland, in an effort to gain full emancipation for the Catholics from British repression, under the peaceful leadership of Daniel O’Connell. In 1828, although ineligible under the law, O’Connell became the first Catholic in centuries to be elected to parliament. By 1829, the Emancipation Act opened almost all public offices to Catholics. In the 1830s, O’Connell also attempted to lead a movement towards the repeal of the Act of Union with Great Britain. But the Westminster Parliament, which had been willing to grant emancipation, was “adamantly opposed to dismemberment of the empire” (Shivers and Bowman 1984, 105).

These events intensified the association between Nationalism and Catholicism. From this point on, the two would be forever connected politically. As Catholicism supplanted the dying Gaelic culture, the lines between religious freedom and political independence became so blurred that it was difficult to separate them. Ultimately, they became synonymous.

During this same period, the other Irish community, Northern Unionists, was also consolidating. Ulster experienced a surge in violence in the 1820s, resulting from a deep economic recession and the enfranchisement of Catholics.

Religious differences had become such a source of turmoil that segregation surfaced in Ulster. Children of different denominations were educated in different schools controlled by their own clergyman, and social life “revolved round the churches and associated organizations” (Buckland 1981, 4). The Orange Order, designed “specifically

to organize Protestant working-class Loyalism in response to a revival of Irish Nationalism,” had gained considerable influence since its inception in the late 1790s (Hughes 1994, 27). It became an integral part of political and social life in Ulster because it offered “cohesion to Protestantism and Unionism” (Buckland 1981, 5).

The Great Potato Famine that occurred during the mid-1800s had a great impact on the people of Ireland. For one, it marked the completion of the “destruction of Gaelic culture” (Hughes 1994, 13). Also, the population declined by over two million in just twenty years, either from emigration to the United States and Canada or starvation (Ireland: Island 1999). Three million of the remaining Irish were dependent upon public funds as their agricultural livelihoods had been devastated. Food was shipped in from England and several other countries, but there still was not enough to feed the millions suffering in Ireland. The Irish people became outraged with the British Government at their mismanagement of the crisis. They felt that the government had exhibited “callous disregard for Irish suffering” in their decision to still export food and grains overseas for profit during the height of the famine (Shivers and Bowman 1984, 105).

This new level of disgust with the British Government fueled the formation of several revolutionary groups, whose only goal was complete independence from Britain. An example was the Irish Republican Brotherhood (IRB), established in 1858, with large factions in Ireland, the United States, and Britain. The IRB planned to use violence to establish an independent democratic Irish republic.

In the 1860s, Charles Parnell initiated a constitutional approach to Nationalism, which was contrary to the IRB’s revolutionary tactics. Parnell’s focus was land reform, and later home rule. He enacted the Land League in 1879 to “prevent evictions, reduce

rents, and transform tenant farmers into landowners” (Shivers and Bowman 1984, 106). Then in the late 1880s, he created The National League, to push for all Irish creeds and classes to share equally in home rule. Parnell’s achievements had a lasting effect in Ireland. His demands for national independence, and “his willingness to gain it step by step within the system,” set an example and a standard of political brilliance for others to follow (Shivers and Bowman 1984, 107).

As is evident from these two groups, two forms of Nationalism were forming during this time: revolutionary and constitutional. Constitutional Nationalism (later referred to simply as Nationalism) focused on peacefully “persuading the [British] Government to restore the sovereign Irish Parliament and Home Rule,” whereas, revolutionary Nationalism (later known as Republicanism) used physical force and violent demonstrations to pressure the British Government to separate from Ireland (Hughes 1994, 12). Since it was peaceful in nature, both the Catholic Church and a majority of the Catholic populace of Northern Ireland preferred the constitutional approach to Nationalism.

A divide also developed between Unionists, one preferring nonviolent means of attaining their goals (Unionism), while the other chose violence (Loyalism). As with the Catholics, most Protestants preferred the nonviolent, democratic approach.

In the late 1800s, British Prime Minister William Gladstone, consistently supported justice for Ireland. He enacted the Church Act in 1869, the Land Act in 1870, the Ballot Act in 1872, and the Home Rule Act in 1886 (Shivers and Bowman 1984, 106). The Church Act worked to disestablish the Anglican Church in Ireland, making all religions equal under the law. There were actually several Land Acts issued from 1870 to

1903. These Acts worked to abolish the old landlord system of land ownership, and enable the peasant farmers to be owners of the land they worked. The Home Rule Act was intended to give the “Irish Parliament the right to appoint the executive of Ireland, although the taxing power was still supposed to be retained by the British Parliament” (Ireland 1999). Unfortunately, the bill did not pass in the House of Commons. Gladstone made another attempt at a Home Rule Act in 1893, but it failed to pass the House of Lords (Ireland: Island 1999). The Ballot Act established the secret ballot in the voting process. Voting increased dramatically as a result. Many of the peasant population, who had been too fearful to vote before the Act because the show-of-hands method was used, felt more comfortable in casting their vote. This new class of voters showed a proliferation in the desire for home rule.

The concessions made in these Acts did not end the demand for home rule. The late 1800s saw a major revival of Nationalism in Ireland. In the 1890s, many earlier Nationalist writings were reprinted, thus inspiring a new generation of young people to join in the fight.

Oscar Wilde, a famous nineteenth century Irish writer and poet, best sums up this period of the Irish struggle in the following quote:

If in the last century England tried to govern Ireland with an insolence that was intensified by race hatred and religious prejudices, she has sought to rule her in this century with a stupidity that is aggravated by good intentions. (Hughes 1994, 13)

Wilde was, of course, referring to the constant seesawing by the British Government between Catholic repression and concession that occurred during the 1800s.

The nineteenth century also witnessed the growth of “conscious separatism between Ulster and the rest of Ireland” (Darby 1983, 17). This growing separation was



the result of several events. First, a period of industrial growth occurred in Ireland throughout the 1800s, and was almost entirely confined to the northern part of the country. This worked to strengthen the “industrial and commercial dependency” of the northern portion of Ireland to Britain (Darby 1983, 18). Also, the southern portion of the island was deeply affected by the potato famine, and in-turn endured profound effects on its economic, political, and social development. In contrast, Ulster sustained little damage, and therefore, experienced far less dramatic repercussions.

By the turn of the century, the struggle between Unionism and Nationalism was at its height. The battle lines were deeply entrenched. The support for uniting with Britain was largely Protestant-based, while the Irish Catholics led a movement towards a nationalized, sovereign Ireland. It is around this time that strong resistance movements by “secret societies” organized campaigns of rural terrorism (Hughes 1994, 12). These secret groups began a tradition of resistance through conspiracy and violence that can still be seen today.

The Nationalist faction, Sinn Féin, which stands for “Ourselves Alone”, was established in 1905 under the leadership of Arthur Griffith, an Irish journalist (Shivers and Bowman 1984, 108). Griffith believed that the 1800 Act of Union was illegal, and proposed that Ireland return to a dual monarchy, by reinstating its own parliament in Dublin. Griffith engaged in peaceful approaches to reform, as he realized that a “violent revolution would be crushed” by British troops (Finnegan 1983, 30). This was distinctly different from the IRB’s belligerent approach. Griffith initially created Sinn Féin to promote Irish economic welfare, and to achieve the complete independence of Ireland. Over time, however, it became one of the most influential political parties in Ireland and

“a leading force” in the quest to attain ultimate independence from Britain (Sinn Féin 1999).

The IRB, which had fizzled in recent years, was reborn under new leadership in the early 1900s. The new leaders vigorously organized and recruited in Belfast. The IRB was “small and financially supported by the United States,” but was gaining momentum for a major revolution in Ireland (Finnegan 1983, 31). One way it prepared was by supporting the creation of the Irish Volunteers, a Nationalist citizen army.

During this same period, a Unionist faction of socialists and tradesmen was forming. The group was officially titled the Irish Transport and General Workers Union in 1913. They instigated bitter strikes against their employers, and “illegally established a citizen army to protect the strikers” (Shivers and Bowman 1984, 108).

The decade between 1912 and 1922 was a momentous one for Ireland. There was growing tension, resentment, and the ever-looming possibility of civil war between the Nationalists in the south and Unionists in the north. This threat was temporarily “averted by the outbreak of the first World War,” which began in 1914 (Darby 1983, 19). Representatives of both factions supported the British war effort against Germany. However, several splinter factions of the Nationalist movement, including extremists from Sinn Féin and the Irish Volunteers, refused to join the war effort. Instead, they staged a large-scale armed uprising in Dublin on April 24, 1916. This revolt came to be known as the Easter Rebellion. During the insurgence, the city of Dublin was captured and the Nationalist factions declared independence for Ireland. Ultimately, British forces prevailed and the rebellion was unsuccessful (Ireland 1999).

However unproductive the Nationalists were in gaining independence, all was not lost. Britain's severe response to the revolt (fifteen Nationalist leaders were executed by a firing squad) worked to greatly damage its reputation in Ireland. The Irish people were outraged with Britain's actions, thus setting the stage for the Nationalist group Sinn Féin to become the "dominant political party in Ireland" (Ireland 1999). Sinn Féin called for all of Ireland to become a republic, independent of Great Britain. In the 1918 election, Sinn Féin candidates won 73 of the 105 seats allotted to Ireland in the British Parliament (Hughes 1994, 47).

In January 1919, the Sinn Féin parliament members decided to set themselves up as the first Irish Parliament, Dáil Éireann, instead of taking their seats in the British Parliament at Westminster. They made an official declaration of independence, and formed a provisional government of the Irish Republic with Eamon de Valera as president, and Michael Collins as his second in command (Ireland 1999). De Valera and Collins were both devoted Sinn Féin Republicans who had proved their leadership abilities in the Easter Rebellion of 1916. The Sinn Féin revolutionary parliament also instated the Irish Republican Army (IRA), formally the Irish Volunteers, as their primary means of defense, thus forging a relationship that would forever bond the two organizations.

From 1919 to 1921, conflict erupted between the British forces and the IRA in southern Ireland. This conflict has been given several names, such as, "the Anglo-Irish war, the Irish war of independence and the Tan War" (Hughes 1994, 48). The conflict never really was a war; it was a series of IRA guerrilla attacks, organized by Collins, against British forces. These attacks and British retaliations resulted in hundreds of

deaths. The supposed war was “equally unwinnable for both sides” (Shivers and Bowman 1984, 109). Compromise of some type was necessary.

### *Partition and Life After, 1920 to 1970*

The first attempt at compromise came in the form of the Government of Ireland Act of 1920. In the Act, the British Parliament allowed for two home rule parliaments, one for the six counties of Ulster, and another for the remaining twenty-six southern counties. The Unionist majority in Northern Ireland “accepted this limited home rule and elected a separate parliament in May 1921” (Ireland 1999). This division finally gave them the opportunity to separate politically from the rest of Ireland and preserve close relations with Britain. The Ulster Unionist Party (UUP) was established in 1920, and was “dedicated to the maintenance of a union between [the northern portion of] Ireland and the United Kingdom” (Ulster Unionist Party 1999). The UUP became the governing party of the new Irish Parliament in the north in 1921, and maintained that position until 1972.

Although Sinn Féin delegates were elected to a majority of the new southern parliament seats, they opted to remain within the Dáil Éireann, thus demonstrating their continued commitment to the declaration of independence made in 1919. Sinn Féin’s blatant dismissal of the Government of Ireland Act and continued IRA violence made it clear to the British Government that a new compromise must be made with the southern portion of the island.

Collins, along with other Dáil Éireann members, met with British officials in 1921 to discuss a new deal. After four months, the negotiations culminated in the Anglo-Irish

Treaty. As a result of this new compromise, Northern Ireland and the Irish Free State (IFS) were created through partition. The partition line was the same as the divisions for the dual parliaments in the Act of 1920. The Treaty offered much more independence to southern Ireland than did the Government of Ireland Act. The Treaty also allowed for the IFS to maintain its own army, although it would remain a member of the British Commonwealth (The War of Independence and Partition n.d.).

Although the Anglo-Irish Treaty was put into effect through referendum, there were those who vehemently opposed it. Collins' acceptance of the Treaty not only split loyalties within the ranks of Sinn Féin, and the Dáil Éireann, but also the general public. Those in favor of the treaty supported Collins. Those who opposed the treaty followed de Valera, who was noticeably absent from the 1921 negotiations.

De Valera was adamantly opposed to the Treaty and led a campaign against it. He believed that Collins had sold out the Nationalist dream of an independent, unified Ireland. Although, de Valera had been elected to serve as the first Prime Minister of the IFS, he stepped down in protest. In 1926, he set up a new political party called Fianna Fail. The main purpose of Fianna Fail was to create an "all-Ireland republic, the restoration of the Irish language and the achievement of economic autarky" (Hughes 1994, 59). De Valera's vision was a rural, Gaelic-speaking Ireland. De Valera and his followers pursued a political agenda that emphasized only the Gaelic and Catholic character of Ireland. They believed these things to be the basis of true Irish Nationalism.

Fianna Fail gained momentum and became the leading political party in 1932. De Valera was once again elected president of the IFS, but this time on his own terms. Under his direction, the IFS renounced the partition of Ireland and officially laid claim to the

entire island in a new constitution commissioned in 1937. The new constitution also deprived Irish citizens of their British citizenship, named Irish as the official language, and changed the name of the state to Éire (Hughes 1994, 66). The new constitution was a completely Nationalist document, even though it never actually used the word. Éire was obviously not tolerant of the major differences, both cultural and religious, between the north and south. Consequently, the philosophy of Éire only worked to deepen the partition. The Unionist majority in Ulster would never agree to a union that would be to the detriment of their cultural and religious values.

Therefore, Northern Ireland consistently refused to consider reuniting. The boundary between the two had been permanently fixed in 1925, and Belfast was named capital of Northern Ireland. Most Protestants in Northern Ireland saw the partition from the Catholic south and the union with Britain as a safeguard of their religion and dominant position. Many of the Irish Catholics, however, saw the creation of Northern Ireland as the “latest British injustice inflicted upon the Irish” (Northern Ireland 1999).

From its inception, the new state of Northern Ireland experienced constant turmoil. The Nationalists and Unionists were continuing to polarize as a result of sustained outbursts of violence. Interaction with Great Britain and Éire, their two closest neighbors, became “increasingly dependent on economic ties and divisions” (Darby 1983, 21). A substantial Catholic minority refused to recognize the new state, participate on any committees, or perform any action that might lend support to the state’s authority. Economic and social discrimination was present at all levels. These strains were felt the worst by the Catholics, who had long been a “disadvantaged minority in matters of employment, housing, and effective political participation” (Northern Ireland 1999).

Unionist saw the Nationalists as inferior and disloyal, and began to see themselves as the “master race” (Hughes 1994, 71).

Northern Ireland was able to unite for a short time in the early 1940s, as participants in World War II. They supplied “over 50,000 Irishmen” as military personnel, and they produced ships, aircraft, and cloth for military uniforms (Finnegan 1983, 43). Also, several Northern ports, including those in Belfast and Derry, were of strategic importance to Allied shipping (Northern Ireland 1999).

In 1949, the British Parliament “passed the Ireland Act guaranteeing that Northern Ireland would remain part of the United Kingdom until the Northern Ireland Parliament decided otherwise” (Hughes 1994, 76). One month earlier, the British Parliament had granted Éire full freedom of allegiance to Britain, and formally removed them from the membership of the Commonwealth of Nations. Subsequently, Éire changed its name to the Republic of Ireland. Britain hoped that these decrees would bring an end to the Irish problem. In time, this would not prove to be the case.

In 1955, the IRA engaged in a campaign of terrorism aimed at securing the union of Northern Ireland and the Republic of Ireland. These acts of terrorism continued for the next few years, finally declining in the early 1960s. In 1962, the Republic of Ireland Government officially condemned the use of terrorism as a means of achieving unification, and called for forceful action against the IRA (Northern Ireland 1999). From this governmental pressure, the IRA denounced violence in the mid-1960s, and supposedly changed its focus to peaceful methods of “achieving a socialist electoral victory in both parts of Ireland as the basis for an all-Ireland state” (Hughes 1994, 82).

For the next few years, the IRA's violent characteristics were kept dormant, while Sinn Féin took the lead pursuing Nationalist agendas through political avenues.

Technically speaking, Northern Ireland was at peace in the early to mid-1960s. But in the late 1960s, tribulation began again. The problems that arose during this period are often referred to as "the Troubles" (Hughes 1994, 82). The Troubles are largely attributable to the demand of the Nationalist minority to attain equality within the state. In 1967, the Catholic minority created an organization called the Northern Ireland Civil Rights Association (NICRA). NICRA engaged in a civil rights movement to protest discrimination against Catholics in Northern Ireland. Their crusade tactics mimicked those of the "campaign for black civil rights" that was reaching its climax in the United States (Holland 1999, 11). These demonstrations often provoked violent reactions. Moderate Unionists/Protestants recognized "a need for governmental reform, but were strongly opposed by a right-wing faction" of the ruling UUP (Northern Ireland 1999).

Meanwhile, the IRA, which had dwindled in the early 1960s, was rejuvenated by a younger generation of "working-class Belfast Catholics" (Holland 1999, 19). In 1969, the movement split. There were now two sects- the Official IRA and the Provisional IRA (Holland 1999, 30). The first constituted a small following and was still committed to peaceful methods of reform, while the latter commanded a majority membership and resorted back to earlier tactics of violence as a means of achieving a united Ireland.

The Provisional IRA, now most commonly referred to merely as the IRA, joined NICRA in the fight for Catholic civil rights. For years, they maintained steady terrorist pressure in and around Belfast, and were matched by retaliatory acts of violence from some Protestant extremists. In 1969, Britain came onto the scene again for the first time



since 1922. British troops were deployed to Northern Ireland to help the besieged Royal Ulster Constabulary (RUC, local police) deal with the bouts of violence. The troops soon became a permanent presence. The Catholic minority initially welcomed the soldiers with “relief and enthusiasm” because they did not feel protected by the RUC, who were largely Protestant (Bell 1987, 151).

*The Modern Struggle for Peace, 1970 to 1993*

In the early 1970s, two important political parties appeared on the scene in Northern Ireland. The first is the Social Democratic and Labour Party (SDLP), established in 1970. The SDLP is a Nationalist party devoted to completely nonviolent means of pursuing their political goals, which as a Nationalist group, is the reunification of the entire island of Ireland. The SDLP is also committed to ending all forms of discrimination in Northern Ireland (Social Democratic and Labour Party 1999). The SDLP finally offered nonviolent Nationalists a voice in government. The second important political party of the 1970s is the Democratic Unionist Party (DUP). The DUP was created in 1971, and is not only committed to the maintenance of the union with Britain, but also the partition of Ireland (Democratic Unionist Party 1999). The DUP very openly criticizes all things Catholic, and vehemently opposes any governmental concessions made to Catholics and Nationalists. Both the SDLP and DUP played a critical role in the negotiations that led to the Good Friday Agreement in 1998.

Also in the early 1970s, two major events occurred that greatly increased the level of hostility felt by the Nationalist community towards the British Government, British security forces, and the Northern Ireland Government. First, in 1971, internment without

trial was introduced in Northern Ireland in an attempt to counter terrorism (Northern Ireland 1999). On the first day, 342 men were arrested, all Nationalists and Republicans (The Northern Ireland Conflict: Internment n.d.). Obviously, internment was completely one-sided. In addition to the blatant discrimination in the administration of the policy, the security intelligence was incredibly weak and unreliable. Therefore, many innocent men were put into prison with no way to exonerate themselves, i.e. by a trial.

The second significant event occurred on January 30, 1972, during a peaceful civil rights protest against internment, fourteen unarmed men were shot and killed by British troops (Seaton 1998, 64). This day came to be known as Bloody Sunday, and it sent waves of shock and outrage spreading throughout the world. The problem in Northern Ireland had reached an all time high, and the international community was now watching. The British Government was under a lot of pressure to remedy the situation. In response, they “abolished the Northern Ireland Parliament [at Stormont] and imposed direct rule” in March 1972 (Northern Ireland 1999). Violence continued throughout the year, making 1972 the most violent year in all of the Northern Ireland conflict (Seaton 1998, 66).

The next few years were plagued with failed attempts by the British Government to introduce some level of civil unity within Northern Ireland. For instance, in 1973, a referendum was held in which the citizens could vote to either retain ties with Britain or join the Republic. Since only Unionists showed up to vote, Northern Ireland remained a part of British Commonwealth. Of course, this referendum was not a clear voice of the people as the Catholic Nationalists had staged a boycott against it. An attempt was made in 1974 to unite Nationalists and Unionists on a fifteen member executive board, but was

quickly dissolved amidst a strike imposed by Protestant extremists. And later, in 1975, a Constitutional Convention was endeavored. It was a “government initiative to assist political parties in Northern Ireland to work together and form a workable government” (Shivers and Bowman 1984, 128). It was largely unsuccessful because Unionists and Loyalists held well over half of the convention seats. The inequality in representation predetermined the outcome.

By 1977, a cloud of despair had settled on Ulster. Civil rights efforts had dwindled, the destructive energy of the paramilitary groups had diminished, unemployment was on the rise, and peace still eluded everyone. On the positive side, the slowed paramilitary activity had resulted in a sixty-two percent drop in the death toll, which was the lowest in a decade (Holland 1999, 92).

However, in 1979, the IRA came back onto the scene in full force. It exhibited extreme violence when its members murdered Lord Louis Mountbatten of Burma and, on the same day, in a double bombing in the Northern Ireland county of Down, eighteen British soldiers were killed (Kelley 1982, 305). These killings were severely condemned by Protestants and Catholics alike. The IRA’s return to the use of extreme violence worked to not only weaken their power within the Nationalist community, but also that of their political party, Sinn Féin. A new tactic was needed to re-generate the sympathy and support of the Catholic community within Northern Ireland.

In 1981, the IRA and Sinn Féin found the way to renew the support they had lost in recent years. It came in the form of a hunger strike led by a high-ranking IRA member named Bobby Sands. Sands was being detained in the high security Maze prison in Belfast. The strike was held in an attempt to regain political prisoner status for all

convicted paramilitary groups, a “privilege” that had been revoked in the late 1970s. As a result of the hunger strike, which gained international attention, ten men died (Seaton 1998, 68). Each death “set off a new cycle of violence” (Northern Ireland 1999). Sands and the other hunger strikers were deemed martyrs because they were willing to die for a principle. Sinn Féin delegates began winning elections again and IRA recruitment numbers were at an all time high. The division lines between Protestant Unionists and Catholic Nationalists remained as strong as ever, with no solution in sight.

The mid-1980s proved to be a time of political change and peaceful negotiations. Northern Ireland had not had a “functioning provincial government” since Britain had imposed direct rule during the crisis of the early 1970s (Shivers and Bowman 1984, 137). In 1982, a new governmental body was established called the Northern Ireland Assembly. In the election, Sinn Féin successfully won five seats, but subsequently refused to take them (Hughes 1994, 85). Also important was the Anglo-Irish Agreement established in 1985 between Northern Ireland and the Republic of Ireland. It was thought to be an important step toward “cross-border cooperation on security, economic, and social issues, and eventual peace” (Northern Ireland 1999). The accord was, however, denounced by both Unionists and Nationalists.

As the 1990s began, the IRA was still engaging in anti-British terrorist activities, and British troops continued to patrol the streets of Northern Ireland (Northern Ireland 1999). Yet, amidst the enduring threat of violence and British military presence in Northern Ireland, efforts to achieve a peaceful resolution to the ongoing conflict were beginning to take shape.

## **CHAPTER THREE**

### **THE GOOD FRIDAY AGREEMENT NEGOTIATIONS**

In early April 1998, tensions were riding high in Northern Ireland. It appeared that peace might be possible for the first time in decades. A new, comprehensive and innovative agreement had been made within the all-party talks that had been taking place for the past two and a half years. For the first time in Northern Ireland's tumultuous history, all of the major players involved in the conflict had been included in the negotiations that led to this agreement. Two governments and eight political parties had come together to attempt what many believed to be the impossible. They set out to finally reach an agreement that could be acceptable to all. These men and women breathed new life into a peace process that had been caught in an impasse for many years. Peace had eluded these people for centuries. Many bridges had to be mended, and many obstacles had to be overcome. The negotiations were tenuous, and there seemed to be many more downs than ups, but in the end an agreement was made. Now it was up to the people of Northern Ireland and the Republic of Ireland to vote it into action (Mitchell 1999, 3).

The catalyst to this monumental peace agreement was the diplomacy between John Hume and Gerry Adams that began in 1988 and spanned into the early part of 1993. The men were the leaders of the two most influential Nationalist political parties in Northern Ireland. Hume was the leader of the nonviolent SDLP, and Adams of

Republican Sinn Féin, a group inextricably linked to the IRA (Endgame in Ireland 2002). Their discussions were aimed at reaching common ground and bridging the gap between them and their respective parties. By exhibiting cohesion within the Nationalist party organizations, they hoped that their Nationalist constituencies would follow in suit and unite in the goal common to all Nationalists: to bring about a united Ireland (Seaton 1998, 71). In time, their meetings expanded to also include the British and Irish Governments, creating “a complex set of four-way discussions” (Mitchell 1999, 17). These meetings ultimately led to the creation of the *Downing Street Declaration* in 1993. The *Declaration* was the first tangible evidence that a large-scale peace agreement might be possible, and was therefore, a momentous step forward on the journey to the all-party talks in 1996 and eventual agreement in 1998 (Mitchell 1999, 18).

British Prime Minister John Major and Irish Taoiseach (Prime Minister) Albert Reynolds issued the *Downing Street Declaration* jointly on December 15, 1993. It was “a statement of fundamental principles regarding the future of Northern Ireland” (Northern Ireland 1999). The primary purpose of the *Declaration* was to dictate the terms on which political parties associated with paramilitary organizations in Northern Ireland, such as Sinn Féin and the Progressive Unionist Party (PUP), could enter multi-party talks (Mitchell 1999, 18). Only democratically mandated parties that were willing to declare a permanent end to the use or support of paramilitary violence would be permitted to join the talks. There was to be a zero tolerance for paramilitary activity. If a ceasefire was lifted, the party associated with the violence was out of the negotiations.

Another important feature of the document was the inclusion of language on the part of both governments that the people of Northern Ireland would enjoy the safety of

self-determination (Seaton 1998, 71). Northern Ireland would be integrated into a united Ireland if and only if a majority of its people freely gave their consent to be united. The *Declaration* ultimately worked to lay the groundwork from which peaceful and inclusive negotiations could begin (Mitchell 1999, 18).

In early 1994, an unexpected ally came onto the scene in Northern Ireland. The President of the United States, Bill Clinton, was asked by the Irish Taoiseach (Reynolds) to grant Gerry Adams a visa to enter the United States. Reynolds believed that Sinn Féin was truly attempting to achieve its political agendas through exclusively democratic means. An American visa for Adams would be a clear sign that Sinn Féin was succeeding in the political arena, and therefore, might help persuade the IRA to call a ceasefire, thus permitting Sinn Féin to enter into inclusive political negotiations (Mitchell 1999, 113).

This was a very risky move for Clinton to make because the United States had a firm understanding with their strongest foreign policy ally, Great Britain, that a visa would never be extended to Adams or any other known members of paramilitary organizations. Not only was Clinton under pressure from Britain to say no, but also the majority of his White House advisors were telling him that it was a mistake. Clinton's rationale was:

I thought it was worth the risk to push the peace process forward. Look, in all these places in the world, nobody would ever get anything done if no one ever took a chance. (Endgame In Ireland 2002)

Clinton took that chance. He granted Gerry Adams a visa in January 1994, so that Adams could attend an American-Irish Peace Conference. This was the first time that Adams had ever been admitted into the United States, as his many previous attempts to gain a visa

had been denied. Clinton's gamble paid off. The IRA declared a complete cessation of military operations on August 31, 1994 (Endgame in Ireland 2002).

The IRA's decision to issue a ceasefire stemmed largely from two factors. First, they had been feeling internal pressure, as sentiments from their supporters seemed to be moving towards peaceful negotiations rather than violent revolts. Second, they had been feeling pressure from external sources as they had begun to lose more and more battles to their adversaries (Holland 1999, 189). Later that same year, the Combined Loyalist Military Command (CLMC), a coalition of four Loyalist paramilitary groups, also declared a ceasefire on the condition that the IRA maintained theirs (Seaton 1998, 73). As a result of the ceasefire agreements, British troops announced that they were limiting their patrol to the area around Belfast, and only in the evening hours (Northern Ireland 1999). Hopes were high in Northern Ireland; the peace process finally seemed to be moving forward.

Inclusive negotiations had still not begun in early 1995, but all forward momentum had not completely ceased. The British and Irish Governments had negotiated another joint document: *A New Framework For Agreement*. Major and John Bruton, the new Irish Taoiseach, unveiled the document in February 1995. The *Framework* document was essentially an expansion of the ideas put forth in the *Downing Street Declaration*. It was heralded by some as "the first political fruit of the peace process" (Holland 1999, 200). The document reiterated Northern Ireland's right to self-determination, and recommended that three new joint governmental institutions be put into effect. The first would expand Northern Ireland's autonomy through the establishment of a new Northern Ireland Assembly composed of Nationalist and Unionist leaders within Northern Ireland.



The second body would create a forum in which matters of shared concern, in relation to Northern Ireland, could be discussed between the governments of Britain and the Republic of Ireland. It was hoped that an institution of this sort might forge friendly relations between the East and West, i.e. Britain and the Republic of Ireland. The third institution, a cross-border parliament composed of leaders from Northern Ireland and the Republic of Ireland, was meant to encourage friendly North-South associations over matters of mutual interest. These three proposed institutions came to be known as the Three Strands, and the relationships identified in them would later be used to identify the major areas of focus for inclusive negotiations. It is important to note that the *Framework* document was not a settlement in itself, but merely an outline of what a settlement might look like (Holland 1999, 201).

In March 1995, Major and his Northern Ireland Secretary of State, Sir Patrick Mayhew, were still leery of the IRA's supposed commitment to a cessation of violence. For that reason, they demanded that the IRA begin a process of weapon decommissioning before Sinn Féin would be allowed to enter into negotiations with the British Government or any potential all-party talks regarding the political future of Northern Ireland (Mitchell 1999, 25). Decommissioning refers to the giving up or destroying of weapons. The British Government felt that unless there was at least a token gesture of disarmament from the IRA, the Unionists would never consider being party to peace talks that included Sinn Féin (Holland 1999, 201). The Unionists needed reassurance that their position was important, as they had been totally alienated from the *Framework* document proceedings. They were very apprehensive of the relationship forming between the British Government and the Nationalists. Token decommissioning was a crucial step towards

rebuilding Unionist trust and eventual support of all-party peace talks (Endgame in Ireland 2002).

The IRA bluntly refused to disarm. Martin McGuinness, a leading figure within both Sinn Féin and the IRA organization itself, made a public statement of disgust, directed at the British Government for their obvious attempt to “delay the all-party peace talks” (Holland 1999, 202). He went on to remind the British Government that the IRA had not been defeated by the British army, nor had the IRA surrendered, and therefore, asking Sinn Féin to deliver that surrender to them was completely ludicrous and not even remotely possible. Consequently, disagreements over decommissioning became the major topic of dispute, and an eventual stalemate, between the paramilitary organizations, the political parties, and the two governments (Holland 1999, 202).

In late 1995, George Mitchell, a recently retired United States senator, was asked by both the British and Irish Governments to come to Northern Ireland to help save the struggling peace effort. Being the Senate majority leader for the last seven of his thirteen-year Senate career, Mitchell has a strong background in negotiating difficult matters between strongly conflicting parties. Mitchell’s first task in the Northern Ireland peace process was to co-chair an International Body on Decommissioning. His fellow co-chairmen were John de Chastelain, a recently retired Canadian Defense Force Chief, and Harri Holkeri, a former prime minister of Finland. The British Government appointed de Chastelain, while the Irish Government selected Holkeri (Mitchell 1999, 26).

Decommissioning has been and continues to be a thorn in the side of the Northern Ireland peace process. Sinn Féin viewed Northern Ireland as a hostile, illegally occupied area. Sinn Féin considered Britain to be an invading enemy of the state because, to Sinn

Féin, Northern Ireland had never been legally separated from the southern portion of the island. Based on that assumption, the IRA was a legitimate army merely defending its people by trying to force the enemy off of their lands, and therefore, should not be forced to disarm. Unionists obviously did not agree with Sinn Féin's opinion of the status of Northern Ireland, and viewed Sinn Féin, and more specifically Adams, as "the political voice of a terrorist group" (Endgame in Ireland 2002).

In 1995, decommissioning was the major factor holding up the start of inclusive political negotiations. The British Government and the leading Unionist political parties demanded prior decommissioning to the talks, while the paramilitary groups from both sides refused to disarm until after favorable negotiations had been reached. The Irish Government and the SDLP were on the fence concerning the matter of disarmament. They preferred prior decommissioning, but not at the expense of holding up the peace talks any longer (Mitchell 1999, 29).

The International Body on Decommissioning was created in an effort to reach a reasonable agreement, specifically on the subject of decommissioning, between the disagreeing parties so that peace talks could begin. Mitchell, de Chastelain, and Holkeri met with most of the prominent men and women of both Northern Ireland and the Republic of Ireland from government officials and political leaders to business and religious leaders. In their research, the chairmen wanted to include the opinions and views of all important forces at work within the two countries. To them, compounding these multi-faceted opinions was the only way to reach a valid, unbiased recommendation on decommissioning to present to the governments in their report. The men ultimately concluded, through overwhelming consensus among the people they interviewed, that

prior decommissioning was an unworkable, impossible solution at the time. The peace process should not be delayed any longer over something that was not a feasible option (Endgame in Ireland 2002).

Their research culminated in the adoption of a common sense approach to the problem. If one side demands that decommissioning occur *before* negotiations begin, and the other side insists that decommissioning not occur until *after* negotiations are over, then the obvious compromise is *parallel* decommissioning (Mitchell 1999, 30). That is to say that both the decommissioning of weapons and the negotiations transpire at precisely the same time.

In their report, along with suggesting that the parties consider parallel decommissioning as a viable compromise to the problem, the men also set forth a list of principles that must be adhered to by each and every party wanting to participate in the inclusive negotiations. This doctrine of democracy and nonviolence would later come to be known as “the Mitchell Principles.” The final section of the report included a short paragraph that briefly mentioned and loosely supported the inclusion of a democratic election that would be held prior to the all-party talks commencement. David Trimble, leader of the UUP (the largest political party in Northern Ireland), and the British Government had largely supported the election process. The Irish Government and Hume, as well as, many other Nationalist leaders, felt that it was just another tactic being used to slow down the process and delay the talks even longer (Mitchell 1999, 33-38).

The report was completed and issued to the parties and the public on January 23, 1996. The political parties and governments received it with mixed reviews, but it secured positive feedback from the general public (Mitchell 1999, 38-40). The report

required concessions to be made both by and in favor of each group. The document was truly a compromise. Prime Minister Major was not pleased with the dismissal of prior decommissioning, but was pleased with the mention of an election process. He saw it as an avenue for compromise between the Unionists and Nationalists. Trimble had mentioned the idea of an elected body to Major as an alternative to prior decommissioning because all of the Unionist parties were clearly on record as saying that they would meet with any group as long as it was in the form of a democratically elected forum (Endgame in Ireland 2002). The Nationalists were opposed to elections because it held up the process, but if it was a way to get to inclusive negotiations without forcing disarmament as a precondition, then they would agree.

Major felt that the IRA could decommission prior to all-party talks, but recognized that they would not, so he used the one passage in the report in which an election process was mentioned to his full advantage. He hoped that by using a Unionist vehicle (an elected body) to carry Nationalist baggage (prior decommissioning) he could get everyone on board for inclusive negotiations. Therefore, Major focused on an election as the next key phase of the peace process (Endgame in Ireland 2002).

Therefore, public elections were held in May 1996 to select the 110-member assembly of representatives that would “discuss issues relating to the promotion of understanding in Northern Ireland” (Northern Ireland 1999). The assembly would also be responsible for electing the two representatives per political party that would participate in the inclusive negotiations. In addition, an official date was set for the all-party talks to begin: June 10, 1996 (Mitchell 1999, 42-43).

Unfortunately, this forward action had not been taken in time to please the IRA, who had agreed to a ceasefire over eighteen months before. On February 9, 1996, a bomb was detonated at Canary Wharf in London, England. Two people were killed and over a hundred were injured (Elliott and Flackes 1999, 85). The IRA immediately took credit for the blast. Their ceasefire agreement was built upon the belief that inclusive negotiations, including Sinn Féin, were to begin immediately (Mitchell 1999, 40-41). Of course, the stalled negotiations were a direct result of the debate over the decommissioning of paramilitary organizations. Now with the ceasefire terminated, Sinn Féin would not be allowed to participate in the negotiations, even though they had received the fourth highest number of votes in the elections (Mitchell 1999, 43). Sinn Féin would, however, be allowed to enter the negotiations if and when the IRA firmly reinstated a ceasefire.

Nevertheless, the negotiations were still to begin on June 10, 1996. In addition to Sinn Féin, the election had resulted in nine other parties securing a place at the negotiation table. They were the UUP, DUP, SDLP, Alliance (All), United Kingdom Unionist Party (UKUP), PUP, Ulster Democratic Party (UDP), Northern Ireland Women's Coalition (NIW), and Labour (Lab). The British and Irish Governments again requested that Mitchell, de Chastelain, and Holkeri serve as the independent chairmen of the talks. All three men agreed to serve. Initially, there was some disapproval of Mitchell serving as the lead chairman, mainly by the DUP and the UKUP. They feared that he might show favoritism to the two governments during the negotiations because he had been appointed by the governments to serve in the position. Eventually, they conceded (Mitchell 1999, 43-46).

The partially inclusive negotiations (Sinn Féin had been denied access to the talks because the IRA had not yet renewed a ceasefire) began on June 10, 1996. After the initial disputes over the position of lead chairman, things got under way, albeit very slowly. The majority of the meetings that were to take place over the next twenty-two months would be held in an office building adjacent to the Northern Ireland Parliament located in Stormont, a suburb of Belfast.

The first piece of business was to get a solid commitment from all parties that they would strictly adhere to the Mitchell Principles. A commitment was mandatory, and if at any time a party was found in violation of the Mitchell Principles, it would be expelled from the talks. All parties, including the representatives from the two governments, agreed to comply without reservation (Mitchell 1999, 53). Next, they would need to adopt rules of procedure, as well as, “an agenda for the remainder of the opening plenary session of the negotiations” (Mitchell 1999, 56).

The negotiations were soon rocked by another paramilitary attack, this time in Manchester, England. The IRA again claimed responsibility for a large bomb that had been detonated in the city center. It is highly likely that this bomb was a retaliatory act against the British Government for not allowing Sinn Féin to be included in the talks. Unfortunately, this sinister act, along with several more, would work to keep Sinn Féin far from the negotiation table for well over a year (Endgame in Ireland 2002).

Less than a month later, the tides would turn, and the Protestants/Unionists would be blamed for a major uprising. July is the marching season for Protestants in Northern Ireland, a tradition that has been passed down for generations. An annual parade that usually included hundreds of marching Protestants was scheduled for July 7, 1996. The

parade route, originating at the Drumcree Church in Portadown, would veer down Garvaghy Road, alongside which lived hundreds of Catholic families. For years, this parade had annually resulted in rioting between the discordant groups (Mitchell 1999, 57-58).

In an effort to lessen the chance for a major disturbance in 1996, the RUC chief constable, Hugh Annesley, announced that the procession must be rerouted around Garvaghy Road. Instead of alleviating the chance for a disturbance, Annesley guaranteed one. Unionist leaders were immediately up in arms about the announcement. Thousands of Protestants were at the Drumcree Church within days to defend their right to peaceful assembly (Mitchell 1999, 58).

The protest was anything but peaceful. Cars were burned, buildings destroyed, and hundreds of Catholics were forced to flee their homes to escape the violence. In the end, the inevitable happened, an innocent Catholic man was killed, shot in the back of the head. This sent chills running through Northern Ireland. Was the Loyalist ceasefire over? In response to the escalation of violence, Annesley reversed his decision four days later. Now instead of the RUC preventing the Protestants from marching, they were forcibly removing Catholics from their homes so that the march could proceed. Unionist protesters were quickly replaced by angry Nationalists, who felt that the police had betrayed them. The Drumcree crisis is proof positive that violence can and does work. This was proved when the RUC succumbed to Unionist and Loyalist aggression by reversing the initial decision to not allow Protestants to march down Garvaghy Road (Mitchell 1999, 58-59).



Despite the obvious tensions created by the sectarian violence continuing around them, the nine parties still eligible to participate in the talks trudged along. They did not find much success in the remaining months of 1996. It took seven weeks for them to agree on the procedural guidelines, and four months to set the preliminary agenda for the remainder of the opening plenary session (Mitchell 1999, 68, 84). Within the guidelines, a complex voting procedure called “sufficient consensus” was put in place. “It required four separate tests for approval of any measure- the support of parties which together represented at once the majority of the overall electorate and a majority from within both Unionist and Nationalist communities, based on the results of the May [1996] election; it necessitated the support of a majority of the political parties present, with each party getting one vote; and it required the approval of both governments (except for Strand One matters, which were within the exclusive jurisdiction of the British Government)” (Mitchell 1999, 62). This voting system ensured that any agreement met would enjoy broad support.

Sporadic surges of sectarian violence continued. Decommissioning was again at the forefront of debate, with no possible resolution in sight. To make matters worse, the Unionists refused to move forward into substantive discussions in the Three Strands until the question of disarmament had been resolved. So as the meetings came to a close in 1996, the peace process seemed to be at an impasse (Mitchell 1999, 85).

As 1997 began, progress within the negotiations was still slow. But in May 1997, the peace process was revitalized by the landslide victory of Tony Blair and his Labour Party in the British Parliamentary elections (Northern Ireland 1999). Soon after taking office as the new British Prime Minister, Blair named the Northern Ireland peace

negotiations a top priority on his agenda (Seaton 1998, 75). To show that he was sincerely committed to the peace process, Blair made Northern Ireland his first official visit as Prime Minister. In a speech he gave in Belfast, Blair reassured the Unionists that Northern Ireland was “safe in the hands of this Government” (Mitchell 1999, 101). He also presented Sinn Féin with an ultimatum- either ensure an IRA ceasefire and join the peace talks or get left behind. His exact words, spoken directly to Sinn Féin, were to become infamous:

The settlement train is leaving. I want you on that train. But it is leaving anyway and I will not allow it to wait for you. You cannot hold the process to ransom any longer. So, end the violence now. (Mitchell 1999, 101)

In the same speech, Blair pledged to enforce a time limit on the talks. The negotiations were to end in May 1998, hopefully with an agreement. It was thought by most people involved in the process that a deadline must be placed on the talks or they would drag on until eventually everyone lost hope and let the process die. Setting a firm time limit on the negotiations was also a tactful move on Blair’s part to entice the IRA into a renewed ceasefire because an enforced time limit had been one of Sinn Féin’s main demands for the talks (Mitchell 1999, 103).

Soon after Blair’s speech, private meetings began between Sinn Féin and the British Government in an effort to gain an IRA ceasefire. Blair was determined to make the talks truly inclusive, and to do that he needed Sinn Féin represented. He was willing to back down from the previous administrations ardent demands of prior decommissioning, as long as, an IRA ceasefire was renewed and enforced. Substantive negotiations were set to begin in early September 1997, and if an IRA ceasefire was intact, Sinn Féin would be allowed to participate (Mitchell 1999, 104).

The Unionists were furious when word got out that the British Government had been meeting privately with Sinn Féin. Ian Paisley, leader of the DUP, repeated again and again that the minute Sinn Féin was allowed to participate in the negotiations, he was out for good. The UKUP leaders conveyed the same sentiments. This left David Trimble and the UUP in a precarious position. If they walked out with the other Unionist parties there would not be enough Unionist representation to get any legislation passed thereby allowing the peace process to die, but if they stayed they risked losing the support of their constituents (Mitchell 1999, 104).

Trimble would soon be forced to make that decision because on July 20, 1997, the IRA publicly issued a renewed cessation of violence. If the ceasefire held, Sinn Féin would be allowed to enter the substantive talks in September. All of the DUP and UKUP representatives walked out two days later, never to return. The fate of the entire peace process now was set on the shoulders of David Trimble. His decision would affect the lives of thousands. If the peace process broke down now, a return to violence was inevitable. Many more innocent lives would be senselessly taken, and the Unionists would surely be blamed. In the end, Trimble did not walk out with the other Unionists. He decided to stay and work towards a compromise that he could take back to the Unionists with some confidence that it would be met with approval (Mitchell 1999, 107-109).

The UUP had not been the only political party with big decisions to make. Gerry Adams and Sinn Féin were also placed in a delicate situation, receiving mixed reviews from their constituencies for the continual requests for an IRA ceasefire. Any type of peace agreement made would surely not include a united Ireland. Therefore, many

Republican supporters were opposed to the renewed IRA ceasefire, and felt that Sinn Féin was selling out the hundreds of men and women who had died for the sacred Nationalist/Republican cause (Holland 1999, 213). Adams, like Trimble, took a big gamble and decided to stick with the peace process in spite of a great deal of advice to the contrary. The strength and valor of these two men, in the face of much opposition, would prove to be crucial to the survival of the peace process (Endgame in Ireland 2002).

The peace process continued. The pending admittance of Sinn Féin into the negotiations pushed the unresolved debate over decommissioning to the forefront of discussion once again. The arguments were basically the same: The Unionists were still adamant that prior decommissioning was a necessary precursor to substantive negotiations. The paramilitary groups (PUP, UDP, and Sinn Féin) were still opposed to prior decommissioning. The remaining parties, now including the British Government, who would prefer prior decommissioning, refused to let it be the reason that the talks failed, and therefore, were willing to proceed into substantive negotiations without it. A reasonable solution, agreeable to all, continued to elude the negotiators as many proposals were brought to the table only to be discarded. Decommissioning was still proving to be the thorn in the side of the peace process. The issue was left unresolved yet again as the group broke for a six-week interlude. It was the hope of most that when they met again in September, substantive negotiations in a truly inclusive manner would begin. Unfortunately, that would not be the case (Mitchell 1999, 108-109).

On September 9, 1997, talks resumed. Sinn Féin was admitted, thus marking the first time in over seventy years that “IRA representatives engaged in direct negotiations with the British Government” (Holland 1999, 211). But as often happens in the Northern

Ireland peace process, it was one step forward, and two steps back. When the meeting was called to order, it was instantly obvious that the UUP and Loyalist parties were not present. Since the DUP and UKUP had left in July 1997, this meant that no Unionist parties were represented. Although Sinn Féin was finally present and had committed to upholding the Mitchell Principles, inclusive negotiations had still not begun (Mitchell 1999, 111). The UUP, UDP, and PUP did want to re-enter negotiations, but finding a feasible way to do that, without alienating their constituencies, was proving to be “a difficult and delicate task” (Mitchell 1999, 111).

The British and Irish Governments created an Independent International Commission on Decommissioning in an effort to appease the Unionists. The Unionists had strongly supported its creation. The main function of the Independent Commission would be to oversee the decommissioning process once it got underway. It looked as though the Unionists would be at the negotiating table again soon. But then disaster struck again, as it so often does in Northern Ireland (Mitchell 1999, 113-114).

In a statement released in Sinn Féin’s newspaper, *An Phoblacht* (Republican News), an IRA leader was quoted as saying “... the IRA would have problems with sections of the Mitchell Principles. But then the IRA is not a participant in these talks” (Mitchell 1999, 115). This sent the Unionists on the rampage again. There is overwhelming evidence to support that Sinn Féin and the IRA are absolutely, without a doubt, very closely linked. Both Tony Blair, and the new Irish Taoiseach, Bertie Ahern, spoke out against the IRA claims. They made the fact clear that if the IRA violated any of the Mitchell Principles, Sinn Féin was out (Mitchell 1999, 115).

The governments were back at square one with the Unionists. Appeasement would not be as easy this time. The governments worked furiously trying to devise another possible resolution to decommissioning so that the process could finally move into the substantive negotiation phase. They came to the table with a new motion: In addition to the creation of the Independent Commission, they proposed the establishment of a subcommittee of the plenary to deal solely with the subject of decommissioning. They also stressed the importance of setting a final agenda and a timetable for the substantive negotiations involving the Three Strands. The chairmen and the governments hoped that this could all be accomplished by September 15, 1997. That deadline was not met as too many issues were still in dispute within the negotiations, especially decommissioning (Mitchell 1999, 116-117).

Just minutes after the UUP decided to re-enter negotiations on September sixteenth, a bomb was detonated in Northern Ireland. This time the IRA did not take credit for the blast that exploded outside the RUC station in Markethill, a Protestant village. The Continuity Army Council (CAC) was suspected to be the culprit. The CAC is a splinter group of the IRA that severed ties when Sinn Féin entered into private negotiations with the British Government. Even though the IRA was not held accountable, Trimble and the UUP demanded that Sinn Féin be expelled from the talks (Mitchell 1999, 117).

Mitchell, de Chastelain, Holkeri, and the two governments took this demand under consideration. Trimble and the Loyalist party leaders did attend the discussions held on the twenty-third of September regarding the eligibility of Sinn Féin to remain in the talks. This encounter marked the first time that Trimble and Adams had ever sat

down, face to face, to discuss issues. After a lengthy debate, the meeting was adjourned so that the governments could make their decision. In the end, it was decided that Sinn Féin would be allowed to remain in the negotiations because the IRA was holding its ceasefire. The main defense for this decision was that Sinn Féin had no contact or connection with the CAC, and the CAC had never issued a ceasefire. Therefore, any action taken by the CAC was completely independent of, and uninfluenced by, Sinn Féin (Mitchell 1999, 118).

After the excitement over the newest crisis had abated, the motion that had been presented earlier by the governments was approved. Although Sinn Féin rejected the portion pertaining to decommissioning, the other parties outvoted them. All other portions were accepted with no disagreement. Finally, after fifteen months, the peace process was ready to move into substantive negotiations with all of the major players in tow (Mitchell 1999, 119).

Substantive discussions began in early October 1997. The major focuses of debate were to be the Three Strand issues. Strand One would center on the political situation within Northern Ireland, Strand Two aimed at finding areas of consensus between the Republic of Ireland and Northern Ireland, and Strand Three dealt with strengthening the relations between the governments of Britain and Ireland. The agreed upon method of meeting was that one day of every week would be reserved for each strand: Monday- Strand One, Tuesday- Strand Two, and Wednesday- Strand Three. Paul Murphy, a representative from the British Government, chaired Strand One meetings; Mitchell chaired Strand Two, and the British and Irish Governments conducted Strand Three meetings privately (Mitchell 1999, 120).

Strand Two negotiations were definitely the most difficult. Mitchell suggested that the ambiguous wording of the agenda be dealt with first. He felt that it should be more detailed and precise. The broad version consisted of the following general category headings: Principles and Requirements; Constitutional Issues; Nature, Form and Extent of New Arrangements; and Rights and Safeguards. Mitchell hoped that over the next several weeks, by tackling one topic a week, all could be made more specific. It was obvious by the close of the first meeting that these negotiations were going to be particularly difficult. Not only were the obvious resentments and clashes of policy between parties still evident, but also Mitchell was forced to be the liaison between Trimble and Adams, as Trimble refused to speak directly with Adams until IRA decommissioning had begun (Mitchell 1999, 121).

In November 1997, all parties had submitted position papers covering each of the agenda topics, but consensus was nowhere in sight. The one thing everyone did agree on was that a more detailed, comprehensive agenda was required. The parties needed to know in what areas to give a little in order to gain elsewhere. The next several weeks were full of private meetings between the chairmen and the governments, between the parties themselves, and between the chairmen and the parties (Mitchell 1999, 123). There was still no consensus by the Christmas break in December. The deadline was quickly approaching, only five months away, and no serious resolutions had been made.

When the parties reconvened for the last time in January 1998, tensions were high and hopes rather low. During the Christmas break in late 1997, violence among the paramilitary groups had raged once again. This time it was between the Loyalist Volunteer Force (LVF) and the Irish National Libertarian Army (INLA). These two



dissident paramilitary groups, one Loyalist and the other Republican, both strongly opposed the peace process and had broken from the larger paramilitary groups when they had agreed to a ceasefire. Both saw the peace process as a sell-out of their sacred plights: one of a sustained union with Britain, and the other of a united Ireland. The INLA had struck first in late December, killing a prominent LVF member being held in the Maze prison in Belfast. The LVF immediately struck back, killing a man in a Catholic area of Belfast. For several months, retaliatory acts of sectarian violence between the two groups ensued. With each gunshot fired, the fragile peace process was placed in more and more danger (Holland 1999, 214-215).

The British Government responded to the continued violence by sending troops to patrol the streets of Northern Ireland. Loyalist prisoners, being held in Maze prison, also responded by taking a vote on whether to support or oppose the continuation of the peace process. Over sixty percent of them voted against the continuation of the process. This was a very significant occurrence because “prisoners play an important role in the politics of Northern Ireland” (Mitchell 1999, 131). Many command a great deal of respect, as they were obviously willing to put their freedom on the line defending the cause of their people. Their views and opinions are of special importance to the paramilitary organizations and political parties associated with them.

Even with forty percent of the prisoners still supporting the peace process, the Loyalist paramilitary groups participating in the negotiations (PUP and UDP) could not ignore the majority vote against it. It could also not be ignored by Trimble. He needed the two paramilitary parties to remain at the negotiating table with him as fellow Unionists. If they were out, as were the DUP and UKUP, the UUP would be the lone Unionist party

participating in the negotiations. And although Trimble did represent the largest single group of Unionists, the other four combined represented a larger percentage of Unionist supporters. He could not stand alone against all of them, for it would surely bring about the demise of not only his leadership role, but also the entire UUP. And without Trimble, the Northern Ireland peace process would be dead (Mitchell 1999, 131).

In an attempt to persuade the prisoners to change their vote, Trimble made a visit to Maze prison. His attempts proved unsuccessful. Then in a courageous move, the new Northern Ireland Secretary of State, Marjorie Mowlam, visited the prisoners herself. She was widely criticized for what many saw as selling out to violence and giving these vicious men credence they did not deserve. The visit paid off however, as Mowlam was able to secure not only the prisoners' continued support for their parties' participation in the peace process, but also a sustained ceasefire. Again, the peace process survived a near miss (Endgame in Ireland 2002).

Over the break, the chairmen and the governments had devised an "outline of an acceptable agreement" entitled *Propositions on Heads of Agreement* (Mitchell 1999, 133). The two-page document was submitted to the party members on January 12, 1998. It was short, but substantial, and something that the parties could work from. Everyone, except the delegates from Sinn Féin, accepted it. Sinn Féin did not approve of the language regarding the creation of a new Northern Ireland Assembly. Since they did not recognize Northern Ireland as a country, it would be very difficult to support the creation of a government for it (Mitchell 1999, 133).

The positive steps toward peace being taken within the talks were countered with an escalation of bloodshed outside. The LVF and INLA were still engaging in retaliatory

acts of violence. Many more innocent Catholics and Protestants were to be killed over the next few months. To make matters worse, just as talks began on a follow-up to the *Propositions* document, the UDP was brought under suspicion of violating the Mitchell Principles. The Ulster Freedom Fighters (UFF), which is the paramilitary group represented by the UDP, was accused of involvement in one of the recent murders of a Catholic man in Belfast. The UFF admitted it was responsible for the killing, forcing the UDP to leave the talks in late January 1998 (Mitchell 1999, 134-135). If they were expelled for good, the peace process would be finished, as there would not be enough Unionist representation at the debates to satisfy the voting requirements. Fortunately, the UFF ceasefire was renewed in early February, and the UDP rejoined the talks in late February.

The peace process was again jeopardized when Sinn Féin was expelled in early February 1998 after the IRA participated in the killing of a Loyalist in Belfast. Sinn Féin brought legal action against the chairmen for allegedly denying them equal rights within the meetings. They dropped their legal action when it was announced that they could re-enter the talks in early March if a legitimate IRA ceasefire was reenacted. The newest ceasefire held, and Sinn Féin was back at the negotiating table in March. Incidents such as these worked to slow the process greatly, as substantive discussions had to be put on hold so that the situations could be dealt with (Mitchell 1999, 141-142).

Finally, in late February and all throughout March 1998, serious issues were debated with a conscious effort made at finding common ground and negotiating workable compromises. The Unionists wanted to maintain the union with Great Britain; “a strong, majority-run Northern Ireland Assembly;” a minimal number of North-South

institutions subordinate to the Assembly, therefore, possessing no real power; and the criminal justice and policing systems left as is (Mitchell 1999, 148).

The Nationalists wanted the exact opposite. They desired a united Ireland free from Britain, which they realized was unrealistic at this time; a Northern Ireland Assembly based on shared power between Nationalists and Unionists; strong North-South institutions, established directly by the British and Irish Parliaments, thus possessing power independent of the Assembly; and both the criminal justice and policing systems drastically reformed (Mitchell 1999, 148-149).

In addition to the demands made by the Nationalists, Sinn Féin also had a few Republican-based demands. The first was the early release of all paramilitary prisoners, whom they viewed as political prisoners, within one year of the adoption of an agreement. The second was the removal of all British troops from the streets of Northern Ireland (Endgame in Ireland 2002). The Unionists were, of course, adamantly opposed to both Republican demands.

The British and Irish Governments were also debating their differences in the Strand Three negotiations. The Irish Government pushed for meaningful North-South institutions in exchange for amending the Republic's constitution. Ahren was not only willing to recognize Northern Ireland's right to self-determination, but also to relinquish the Republic's territorial claim to the entire island of Ireland. Blair realized that Ahren was putting a lot on the table, and therefore, agreed to support North-South institutions with real power. At this point, the debates were mainly about the number and scope of the institutions that would be created (Endgame in Ireland 2002).

The issues surrounding the North-South institutions, the Northern Ireland Assembly, and the prisoners were places that Mitchell could foresee potential for real compromise. All of the major issues had been debated at length; it was now time for decisions to be made. He felt that setting a firm deadline was the only way to force the parties to get serious about compromising. He decided on April 9, 1998, the Thursday before Good Friday and Easter weekend, a significant holiday in Northern Ireland. This date had other significance as well because it would allow for a referendum to follow in May and elections to the Northern Ireland Assembly, which was inevitably going to be created, to take place in June. That would conclude the final stages of the agreement just before the marching season began in July. It was hoped that with an agreement in effect, the parades of 1998 would not result in outbreaks of violence as they had in the years past (Mitchell 1999, 143-144).

Mitchell presented the new deadline to the delegates; everyone agreed. Therefore, from March thirtieth to April ninth the parties met every day, staying through the night in some instances, in an attempt to reach a workable compromise. In the final hours leading up to the deadline, tensions were very high among the participants as there were still several potential deal breakers that had to be resolved.

The first was the debate over North-South institutions. Blair and Ahren had been involved in intense negotiations regarding the details of the North-South institutions for several days. On April 6, 1998, just four days before the agreement deadline, Blair and Ahren produced their draft dealing with North-South institutions. The draft included three annexes that listed over sixty areas for potential North-South cooperation, such as, agriculture and tourism, which would be overseen by a new institution called the

North/South Ministerial Council. The draft was also “precise on the independent authority of the so-called ‘cross-border bodies’ that were to be set up to implement the decisions of the new North/South Ministerial Council” (Mitchell 1999, 159).

After a quick review, it was immediately obvious that the Nationalists would be quite happy with the draft and would readily accept it, whereas, the Unionist could not and would not agree to this draft as part of a final agreement. The annexes were much too long and detailed for the Unionists to swallow. Trimble demanded that Strand Two be renegotiated, or else the UUP was out of the all-party talks, and without them the talks were dead. Blair and Ahren could not allow the peace process to break down now that the end was in sight, so they agreed to renegotiate. They worked feverishly, very much aware of the approaching deadline, to make enough modifications to appease the Unionists without losing the support of the Nationalists (Mitchell 1999, 159-171). The entire peace process hung in the balance. Blair and Ahren were under a great deal of pressure, walking a narrow line between Unionist and Nationalist demands, to reach a new agreement in a very short amount of time. Blair conveyed the magnitude of these last few crucial days in a quote he made to the press during the Strand Two renegotiations: “I feel the hand of history upon our shoulder” (Endgame in Ireland 2002).

The final draft of Strand Two was a significantly pared down version of the first. It only contained one annex with twelve subject areas for potential cooperation. This pleased the Unionists. The North/South Ministerial Council and the cross-border bodies, created to implement the Council’s decisions, were still going to be established directly by the British and Irish Parliaments. This satisfied the Nationalists. It was agreed that the Northern Ireland Assembly, North/South Ministerial Council, and the new British/Irish

Council (developed in Strand Three) were to begin operations “simultaneously and cooperatively,” with any expansions of these arrangements requiring the approval of the Assembly (Mitchell 1999, 175). The final draft was much more realistic and feasible, which drastically improved its chances to endure. Realizing this, all parties readily accepted it.

Once the Strand Two issues were resolved, the focus shifted to the ongoing debate between Unionists and Nationalists over the details of the Northern Ireland Assembly. The Unionist would agree to a system of shared power only if a safeguard was included that would effectively keep members of paramilitary organizations out of the Assembly until a commitment to exclusively peaceful means was made by each, i.e. a ceasefire. The Nationalists accepted the Unionist offer, and the deal was sealed (Endgame in Ireland 2002).

The next issue requiring a last minute resolution involved the early release of all paramilitary prisoners. This demand was number one on Sinn Féin’s list of priorities going into the negotiations. They demanded that the British Government release all paramilitary prisoners within one year of an agreement. The British Government initially offered three years, and eventually agreed to meet Sinn Féin half way with a compromise of two years. Sinn Féin would not accept the compromise because they felt that the early release of prisoners was a crucial step to get Republicans to support an agreement. It looked as if this issue would keep Sinn Féin out of any agreement reached, which would more than likely give way to a renewal of IRA violence. Sinn Féin had come too far to walk away, literally on the last day (Endgame in Ireland 2002).

Prime Minister Blair asked President Clinton to intervene and use his influence to convince Sinn Féin to accept the compromise. Clinton readily accepted the challenge, and succeeded. Clinton was able to help Adams understand the position that the early release of prisoners put Blair in. If these prisoners were granted early release, and then committed more acts of violence, the British Government, and Blair in particular, would be blamed. Adams respected Clinton a great deal. By granting the visa to Adams in 1994, Clinton had proved that he was totally committed to facilitating meaningful peace in Northern Ireland, and not just trying to help out his British allies. Adams conceded to the compromise of two years. Sinn Féin was back on board (Endgame in Ireland 2002).

The final major issue left on the table was decommissioning. Sinn Féin had negotiated a last minute compromise with the British Government, unbeknownst to Trimble and the UUP. Sinn Féin could not accept decommissioning as a precondition to joining the executive of the Assembly, but they were willing to accept the obligation to decommission as a process, and to use their influence to help facilitate the progress. The British Government, realizing that decommissioning was going to have to occur as a process as opposed to a one-time deal, accepted Sinn Féin's compromise (Endgame in Ireland 2002).

When Trimble got the final draft on the last day of negotiations, he was furious. Decommissioning was barely mentioned in the document. Trimble felt betrayed by the British Government because Blair had previously promised to support the UUP in the demand to make decommissioning a precondition for participation in the Assembly executive. It now looked as if that promise had been broken. Blair and Trimble argued for hours. Blair pointed out that the Unionists had attained everything else they wanted. They



had gotten a Northern Ireland Assembly, as well as, North-South Institutions they could live with and have veto power over, and they had effectively secured the union with Britain. Blair also indicated that he did not believe that decommissioning should be the only issue singled out as a precondition for participation in the executive (Endgame in Ireland 2002).

Trimble consulted with his fellow UUP delegates, and it looked as if they would have to refuse the agreement. They did, however, realize that by walking away now, solely based on the issue of decommissioning, meant the surrender of many things they had fought hard to secure. Therefore, they were quite anxious to reach some type of solution, even if it was temporary. In a last ditch effort to appease the Unionists, Blair wrote a letter to the UUP promising to support amendments to the agreement if the current decommissioning provisions proved ineffective (Mitchell 1999, 179). Again, Trimble consulted with the top UUP leaders; most seemed satisfied with the letter. Trimble called George Mitchell and told him that the “Ulster Unionists ‘were ready to do the business’” (Mitchell 1999, 180).

Mitchell could hardly believe his ears. They had finally done it. Everyone was on board. The hard work and dedication of these men and women had, at last, paid off. Two and a half years of blood, sweat, and tears had culminated in an agreement of historic proportions.

After dozens of setbacks, any one of which could have crushed the peace effort, parties representing every viewpoint in Northern Ireland politics, came together on Friday, April 10, 1998, to present their coveted agreement (Endgame in Ireland 2002). It was a day that many never dared dream would come true. Who could blame the

skeptical? For generations, their lives had been filled with hate, discrimination and death. Their hopes had been crushed countless times, as treaty after treaty failed to bring peace to their land. Luckily, there were those that still believed. Those that knew that somehow peace could be attained. And after a difficult two and a half year crusade, those men and women showed the world that they were not merely dreamers but revolutionaries, for an agreement was reached. The Good Friday Agreement was no longer fantasy; it had become reality.

The Good Friday Agreement (GFA) is a document full of compromises. Although the GFA did not create a united Ireland, the Nationalists still triumphed in many areas. For example, the new Northern Ireland Assembly would constitute a system of shared power. In addition, a host of North-South institutions were created, which would allow the Republic of Ireland to have influence on the creation and implementation of certain Northern Ireland governmental policies. The document also states that all prisoners of the political struggle will be released within two years, and that an independent commission will investigate the current policing service to uncover areas needing improvement (The Belfast Agreement n.d., 18, 36).

The Unionists enjoyed great success as well. Most importantly, the union with Britain had been effectively secured. Also, the desired Northern Ireland Assembly was created to replace the British direct rule of the province that had been in effect since 1972 (Northern Ireland 1999). Furthermore, the GFA called for the Republic of Ireland to amend its constitution by dropping its territorial claim to Northern Ireland (Northern Ireland 1999). This was a big win for the Unionists, as they had been demanding for

years that the Republic relinquish its claim and recognize Northern Ireland as an independent country.

The political leaders of both Northern Ireland and the Republic of Ireland moved swiftly to gain acceptance for the agreement, once the majority within each political party had endorsed it. On May 22, 1998, in separate referendums, the GFA was approved through the overwhelming support of a majority of the voters in both countries (Dixon 2001, 273). The people of Ireland had spoken. Their message was clear. Hope over hate.

## **CHAPTER FOUR**

### **AN IN-DEPTH LOOK AT THE GOOD FRIDAY AGREEMENT**

The GFA, sometimes referred to as the Belfast Agreement, is a document based on compromise and cooperation. It offers solutions that can be feasibly implemented in the social and political climate that Northern Ireland finds itself in today. The GFA is not perfect, but it has a much greater potential to succeed than any previously attempted peace settlement in Northern Ireland. This is due to the fact that, for the first time, the negotiations that led to the GFA included all of the major players in the Northern Ireland political arena.

The document is divided into eleven major sections: a declaration of support; constitutional issues; Strand One: new Northern Ireland institutions; Strand Two: North/South issues; Strand Three: East/West issues; rights, safeguards and equality of opportunity; decommissioning; security; policing and justice; prisoners; and validation, implementation and review.

In the opening pages of the document, the negotiating parties make an official declaration of support for the GFA. The declaration states that all participants in the multi-party negotiations believe in the potential effectiveness of the GFA to offer the people of Northern Ireland a new beginning, and are committed to adhering to the guidelines set forth in it. Also, they pledge to maintain totally democratic and peaceful

means of pursuing their respective political aspirations. Finally, the declaration notes, “all of the institutional and constitutional arrangements [put forth in the GFA] are interlocking and interdependent” (The Belfast Agreement n.d., 3). Meaning that all individual parts must work together harmoniously in order to create an effective whole.

As part of the GFA, both the British and Irish Governments agreed to amend their respective constitutions. This commitment is addressed in the constitutional issues section of the document. Both governments agreed to recognize and accept as legitimate any decision made by a majority of the people of Northern Ireland regarding their national status. The citizens of Northern Ireland would now decide the fate of their country. Whether Northern Ireland was to remain part of Great Britain or join with the Republic and become a sovereign united Ireland was now solely the peoples’ decision.

This section continues by stating that it is the current wish of the majority of the people of Northern Ireland to maintain the union with Britain. But, if the opinion of the majority changes in the future, both governments would completely support the change and legislate as necessary to facilitate it. This section also states that the people of Northern Ireland can choose to be a British citizen, an Irish citizen, or both. The chosen citizenship will be maintained regardless of any future change in the national status of Northern Ireland.

There are two annexes at the end of this section of the GFA that contain drafts of the proposed amendments to be made to the Constitution of Ireland and the British legislation pertaining to Northern Ireland to reflect the changes put forth in the GFA. In the British draft, majority consent is recognized, the Government of Ireland Act of 1920 is repealed, and the Secretary of State is given the authority to conduct periodic polling

(approximately every seven years) to determine the will of the people. The Irish draft incorporates the requirement for majority consent of the people of both Northern Ireland and the Republic in order to achieve a sovereign united Ireland. This new section replaces Articles two and three of the Irish Constitution that laid claim to the whole island of Ireland as part of the Republic's national territory (Seaton 1998, 161).

Strand One institutions are the next subject area discussed. The GFA creates a democratically elected 108-member regional assembly for Northern Ireland called the Northern Ireland Assembly. The Assembly replaces the British Government's direct rule over Northern Ireland that had been in effect since 1972 (Northern Ireland 1999). The Assembly is meant to be the primary source of authority of the Northern Ireland Government. Members of the Assembly are elected by proportional representation, and majority domination is avoided through the use of a complex system of checks and balances (Dixon 2001, 269). The Assembly has legislative authority over a "wide range of issues, including agriculture, health, and economic development, and is overseen by a cabinet with executive authority" (Northern Ireland 1999).

Following the initial Assembly election, the executive cabinet, made up of twelve members, is elected/appointed to oversee the activities of the Assembly. The First Minister and Deputy First Minister are jointly elected by a procedure that requires cross-community support, while the remaining ten Ministers are appointed through the use of the d'Hondt system that reflects party strength within the Assembly (Dixon 2001, 270). This method of selection ensures that all parties possessing ample public support will have a voice in the executive branch of the Assembly. The main functions of the First Minister and Deputy First Minister are to oversee the activities of the executive cabinet

and the Assembly as a whole, as well as, represent the Northern Ireland Assembly in all external relationships (The Belfast Agreement n.d., 12).

Each Minister of the executive cabinet will head a departmental committee. There will also be a Chair and Deputy Chair, for each departmental committee, elected on a cross-community basis. Membership to the committees is based on party strength within the Assembly. Each departmental committee oversees one main function of the Assembly, such as, education or agriculture. The committees play a crucial role in policy development and budget allocation for their respective departments.

Strand One also includes voting safeguards to ensure that cross-community representation occurs on all key decisions made by the Assembly. There are two possible voting options. The first is parallel consent, meaning that not only a majority of the members present must vote in favor, but also a majority from both the Unionists and Nationalists designations present and voting. The second option is a weighted majority, where sixty percent of the members present vote in favor, “including at least forty percent of each of the Nationalist and Unionist designations present and voting” (The Belfast Agreement n.d., 11). For decisions not requiring a cross-community vote, a simple majority vote will suffice to pass legislation.

The last important section in Strand One is the role of the Secretary of State. The British Parliament at Westminster will still play a major role in the Northern Ireland Government with the Secretary of State acting as the liaison between the two. The Secretary also represents Northern Ireland in the United Kingdom Cabinet.

Strand Two of the GFA creates a North/South Ministerial Council. The Council links the executive branch of Northern Ireland with that of the Republic of Ireland on

matters of mutual interest. The chief purpose of the Council is to promote cooperation, the exchange of information, and the adoption of common policies, in areas where there is a mutual cross-border and all-island benefit (The Belfast Agreement n.d., 18). The GFA offers twelve major subject areas in which consultation, cooperation and policy coordination between the two countries might be beneficial. These areas are: agriculture, education, transport, environment, waterways, social security/social welfare, tourism, relevant European Union (EU) programs, inland fisheries, aquaculture/marine matters, health, and urban/rural development (The Belfast Agreement n.d., 21). All decisions made by the Council require complete agreement between Northern Ireland and the Republic. Each side of the Council remains at all times accountable to the Assembly and the Oireachtas (Republic's bicameral legislature) respectively. Therefore, the Assembly and the Council are interdependent, and need each other to function effectively.

Strand Three deals with the creation of two British/Irish institutions. The first is the British-Irish Council (BIC), the purpose of which is to “promote the harmonious and mutually beneficial development of the totality of relationships among the people of these islands” (The Belfast Agreement n.d., 22). In addition to British and Irish representatives, the BIC will also incorporate representatives from the Northern Ireland, Scottish, and Welsh legislative bodies. Similar to the North/South Ministerial Council, the BIC is meant to reach agreements through the exchange of information, consultation, and discussion over matters of mutual interest. The GFA offers several possible areas of mutual interest, such as, transport links, agricultural issues, environmental issues, and approaches to EU issues. The idea of enacting common policies and actions in areas of



mutual interest is encouraged, but members of the BIC are not required to participate or initiate any legislation within their respective governments.

The second institution created in this section of the GFA is the British-Irish Intergovernmental Conference. The purpose of the Conference is to “bring together the British and Irish Governments to promote bilateral cooperation at all levels on all matters of mutual interest within the competence of both governments” (The Belfast Agreement n.d., 24). The Conference gives permission to the Irish Government, recognizing their special interest in Northern Ireland, to offer advice and proposals on non-devolved Northern Ireland matters of mutual interest and concern in meetings to be held within the Conference. These meetings are also the venue in which cooperation on all-island and cross-border non-devolved issues will be discussed. The Conference also calls for cooperation on the facilitation of security matters not yet devolved to the Northern Ireland administration, such as, prisons and policing (The Belfast Agreement n.d., 24).

The next section addresses rights, safeguards, and equality of opportunity. The first matter dealt with is human rights. Basically, the GFA affirms that all people of Northern Ireland are entitled to mutual respect, civil rights, and religious liberties. Also, the GFA states that the British Government will not only incorporate the European Convention on Human Rights (ECHR) into Northern Ireland law, but will also grant power to the courts to remedy any breaches of the ECHR. In addition, a specific Bill of Rights for Northern Ireland will be established and integrated into law. Also, the British Government pledges to create a statutory obligation on all public authorities in Northern Ireland to carry out their duties with due regard to the need to promote equality of opportunity in relation to religious orientation, political opinion, gender, race, disability,

age, etc. (The Belfast Agreement n.d., 25). The Irish Government also makes a pledge to take further steps to promote the protection of human rights within the Republic of Ireland through the creation of a Human Rights Commission.

Several new institutions will also be introduced in Northern Ireland in an attempt to safeguard human rights and equality of opportunity. A new Northern Ireland Human Rights Commission will be created to oversee the adequacy and effectiveness of laws and practices as they relate to human rights, introduce and review human rights legislation, and when necessary bring cases of human rights misconduct to court (The Belfast Agreement n.d., 26). Furthermore, an Equality Commission will be implemented to advise, validate, monitor, and investigate complaints of default on matters related to discrimination. Lastly, a Northern Ireland Victims Commission will be established to aid the victims of violence in Northern Ireland, which is a crucial aspect of the reconciliation process.

In addition to human rights, this section of the GFA also deals with economic, social and cultural issues. Ultimately, it states that the British Government will make all possible attempts to sustain economic growth and stability in Northern Ireland, promote anti-discrimination legislation, encourage the use of the Irish language where appropriate and desired, and lessen the divided nature of the society through new and improved policies.

Decommissioning is the next subject addressed in the GFA. This section is quite brief and elusive. It states that progress is being made within the Independent International Commission on Decommissioning to develop workable schemes to achieve the decommissioning of illegal arms in the possession of paramilitary groups. It also

affirms that all participants are completely dedicated to accomplishing the “total disarmament of all paramilitary organisations” within two years following the endorsement and subsequent implementation of the GFA, and will use any influence they possess to achieve this goal (The Belfast Agreement n.d., 30). This section concludes by stating that both the British and Irish Governments will continue to receive regular progress reports from the Independent Commission, and will take all steps necessary to facilitate the process of decommissioning.

In the security section of the document it is noted that with the endorsement and implementation of the GFA, a more peaceful environment should result in Northern Ireland. Therefore, the British Government pledges to make progress towards returning Northern Ireland to normal security arrangements, i.e. a reduction in the number of armed troops, the removal of security installations, and the elimination of emergency powers in Northern Ireland. The Secretary of State will oversee the progress, and consult with the Irish Government and the political parties when appropriate.

Policing and justice are the next topics broached in the GFA. It is recognized that policing is essential in any society, and that the policing system in Northern Ireland has been the root of much suffering and sacrificing over the years. This agreement is the opportunity for a new beginning. It is the unequivocal duty of the policing service to, at all times, protect the human rights and professional integrity of those they serve. An independent commission will be established to investigate the current policing system in place in Northern Ireland and make recommendations for possible improvement. The GFA also affords the opportunity to reform the criminal justice system in Northern Ireland. It is of critical importance that a fair, impartial, effective criminal justice system

be put into place so that all people are guaranteed an unbiased trial and judgment. The British Government is obliged to conduct an in-depth review of the current criminal justice system in Northern Ireland, and report their findings to the Secretary of State.

The goal of the policing and criminal justice system reviews are to make both institutions more diverse and representative of the entire community of Northern Ireland. Any recommendations resulting from either review will be discussed with both the political parties and the Irish Government before steps toward implementation are made. This section concludes with the insertion of two annexes, each of which offers a more detailed description of the purpose and guidelines of its respective review.

The next area of discussion pertains to prisoners. The GFA provides that both the British and Irish Governments will engage in an arrangement of accelerated release of all prisoners convicted of scheduled offenses in Northern Ireland, or similar offenses if sentenced elsewhere. The accelerated release arrangement is reserved for those prisoners affiliated with paramilitary organizations that are maintaining a complete and unequivocal ceasefire. Prisoners not meeting this requirement will not benefit from this arrangement. Both governments will review the status of all qualifying prisoners, carefully taking into account the seriousness of the offenses for which each person was convicted. From this review process, each prisoner's prospective release date will be determined. All qualifying prisoners still in custody two years after the onset of the accelerated release arrangement, whose commencement deadline is June 1998, would be released at that point (The Belfast Agreement n.d., 36). In addition to early release, the governments also commit themselves to assist all qualifying prisoners in a process of

reintegration into the community by aiding them in such areas as employment and education.

Validation, implementation, and review are the last subjects mentioned in the body of the document. This section states that the GFA will be subject to a referendum (set for May 22, 1998) in both Northern Ireland and the Republic of Ireland. If a majority of the votes are in favor the GFA in both areas, then the two governments will introduce the necessary legislation to their respective parliaments to give effect to all aspects of the agreement. In addition, the date for the Northern Ireland Assembly elections is set as June 25, 1998.

Review procedures following implementation are also laid out in this section, which in essence states that any small problems that arise are to be handled by the affected institutions, while the two governments, in consultation with the parties in the Assembly, will deal with any large problems that either affect many institutions or require amendments to the GFA. This section also includes a requirement that each institution must publish an annual report on its operations. Also, both governments and the parties in the Assembly must attend a conference, four years after implementation of the GFA, to review and report on its operation (The Belfast Agreement n.d., 37).

The GFA concludes with the incorporation of the *Agreement Between The Government of the United Kingdom of Great Britain and Northern Ireland and The Government of Ireland* in an annex. This is a formal agreement between the two governments. It, more or less, reiterates the commitments already made in the constitutional issues section of the GFA, as well as, both governments obligation to support and implement the provisions of the GFA, such as, the North/South Ministerial

Council. Also, this new British-Irish Agreement, once implemented, will replace the Anglo-Irish Agreement of 1985.

## **CHAPTER FIVE**

### **NEGOTIATION APPROACHES**

In this chapter, a survey of five negotiation approaches, developed by experts in the field, will be disclosed. The survey will include a detailed description of the specific steps listed within each approach. The focus has been on an interactive/mutual benefit approach to negotiation rather than a distributive/bargaining method. All of the authors agreed that this approach usually results in a more positive agreement and a better working relationship. The chapter will conclude with the formulation of a consolidated negotiation approach, which will be applied to the GFA negotiations in the following chapter.

In several of the books used to acquire the information for this chapter, the author(s) included a mediation approach, as well as, a negotiation approach. Negotiation and mediation are closely related fields of study within the broader context of conflict resolution. The only major difference is that mediation includes a mediator, which is an active third party participant/facilitator. There is still a negotiation taking place, and the mediator has no real power, except to help the conflicting parties flow through the steps of a negotiation process. Negotiation can occur without mediation, but mediation requires negotiation. Mediation is simply negotiation with an impartial liaison acting as a buffer and facilitator between the conflicting sides. Whether a mediator is present to conduct the

negotiation or not, it is still a negotiation. Mediators are most often needed when the disagreeing parties cannot move forward on their own. Their differences and animosity are too great. A mediator simply helps smooth over the differences and ease the negotiation process along.

The literature on negotiation and mediation varies in terminology, but otherwise exhibits considerable consensus. The differences are in the wording and the number of steps involved in the negotiation/mediation processes. One approach might be broken down into more detailed steps, whereas, the other combines several into one. But the same basic principles are there. In my research, the addition of a mediator made no difference; therefore, I often blended the two approaches to formulate one merged approach. The steps of each approach are still completely founded in the research of the author(s) who created them.

Before the survey begins, it is important to note that each approach detailed in this chapter, including the consolidated negotiation approach, is based on the core concepts of the Rational Actor Model of decision making (RAM). This model was developed and discussed in Graham Allison's book entitled *Essence of Decision: Explaining the Cuban Missile Crisis*. I have referenced his updated (second) edition, which is coauthored by Philip Zelikow.

In the RAM, "*rationality* refers to consistent, value-maximizing choice within specified constraints," and the term *actor* simply refers to the decision maker (Allison and Zelikow 1999, 18). The RAM is obviously based on an assumption of rationality, meaning that it assumes that the actor is rational, and therefore, will make a rational value-maximizing choice. The definition of a rational decision, within the context of the



RAM, does not attempt to determine whether or not a choice is ethically or logically rational; instead, it merely determines if the decision is rational in terms of the actor's objectives, perceived alternatives, and estimated consequences. Therefore, if an actor chooses an alternative that maximizes expected utility and minimizes negative consequences, in relation to his or her objectives, the decision is considered rational.

There are four core components in the RAM: goals and objectives, alternatives, consequences, and choice. Allison asserts that these four components are fundamental to rational decision making, and therefore, require careful assessment in order to reach a rational choice regarding a particular situation. Goals and objectives refer to the interests and values of the actor. These interests and values are translated into a utility function, which represents "the desirability or utility of alternative sets of consequences" (Allison and Zelikow 1999, 18). Alternatives are the options that the actor has to choose from in order to attain his or her goals and objectives. The pros and cons of each alternative represent the consequences. Each alternative possesses "a set of consequences or outcomes of choice that will ensue if that particular alternative is chosen" (Allison and Zelikow 1999, 18). Choice simply refers to the rational decision made by the actor when he or she selects that alternative whose consequences rank highest in the utility function.

The RAM is pertinent to my negotiation research in that all six negotiation approaches rely on the following basic RAM assumptions and logic: all negotiators are "actors with specified objectives" that are "rationally value-maximizing in context" (Allison and Zelikow 1999, 53, 34). In addition, each approach defines the four core components of the RAM (goals and objectives, alternatives, consequences, and choice) as crucial elements of their respective negotiation methods. Each author states that their

approach is derived from personal experience in the field of negotiation. This further supports the claim that the four core components of the RAM are fundamental to rational decision making because the authors drew the same basic conclusions, with regard to decision making in a negotiation environment, from varied experiences. Although each approach varies in terminology, and no direct reference to the RAM is made, the similarities between the core concepts of the RAM and various steps within the six negotiation approaches are clearly evident.

#### *Approach One*

The first approach to be discussed was developed by Myra Warren Isenhardt and Michael Spangle. Their approach is called the mutual gains negotiation approach, and is introduced in their book entitled *Collaborative Approaches to Resolving Conflict*. The approach has been merged to include six major steps: establish ground rules and agree on an agenda, share information, generate options and trade-offs, create packages and evaluate each, agree on best option, and draft and implement the agreement. Isenhardt and Spangle assert that these steps must be taken in order to achieve a positive outcome from a negotiation.

The first step involves establishing ground rules and agreeing on an agenda. This is an important phase of the process because it lays the groundwork for the entire negotiation. All further discussions will be based on what occurs in this initial interaction. Examples of typical ground rules offered by Isenhardt and Spangle are: one person speaks at a time, no interruptions while someone else is speaking, no personal attacks will be allowed, and information shared during the session is confidential. There are numerous

others. These rules should be debated and agreed upon by all members of the negotiation, and put down in writing. Agreeing on an agenda is also key because it “set[s] the stage for transforming negative conflict into a productive experience” (Isenhart and Spangle 2000, 80). By agreeing on priorities within the agenda, conflicting parties begin a process of rebuilding the relationship that disputes have undermined.

The next step in the process is to share information. There are many different types of information that must be communicated. First, there must be an agreement made on the definition of the problem. It should be discussed and unanimously agreed upon. Without clearly defining the problem, how can the parties begin to negotiate? The answer is, they cannot. Also, it is important to ascertain the interests, concerns, and goals of all conflicting parties. From this valuable information, common ground can be discovered, and major issues brought to the forefront for debate.

With the problem clearly defined and all of the pertinent information put forth, the parties are ready to move into step three of the process, which is generating options and trade-offs. Options are any and all possible solutions to resolving conflict that are mutually acceptable to all parties. Options often include a number of trade-offs, which are necessary to alleviate the conflict in a way that suits all parties. The authors state that “rarely can a complex issue be reduced to a forced choice between two options”, therefore, trade-offs are an inevitable part of most negotiated solutions (Isenhart and Spangle 2000, 50). In this phase of the negotiation, it is essential that all discussion be done without any type of commitment. This is simply brainstorming, getting all viable ideas on the table.

From generating options and trade-offs, the process moves into step four, creating and evaluating packages. A package is a combination of options and trade-offs that maximize gains for all parties, and offers a viable solution to the conflict. It is more comprehensive than any one option or trade-off. This is the phase of the process in which real negotiation begins. Whereas options and trade-offs are discussed without commitment, packages are deliberated with an eye towards a binding agreement. After the packages have been produced, all disputants should evaluate each thoroughly for costs and benefits, and discard any that are found to be impractical.

From the remaining packages, serious group discussion should ensue. This moves the negotiation into the next step, which is to agree on the best plan for implementation. Before a plan can be chosen, criteria for what constitutes the ideal plan must be set. Criteria are simply a set of evaluations that each package can be measured against. For instance, is this package legal, feasible, cost-effective, fair for all parties, etc.? Again in this phase, as in the last, merging often occurs. Many times one package does not meet the needs and interests of all parties, but the combination of portions from two or even three might. Remember that the ultimate goal is to produce a final plan that is agreeable to and accepted by all parties.

The last phase of the Isenhardt and Spangle approach is to draft and implement the agreement. This is the stage when the agreed upon plan becomes formalized in the form of a contract or memorandum of understanding. Either is considered to be a legally binding document, however, the authors are quick to note that it does not guarantee compliance. The “strength of the document will rest in how well the agreement meets the interests of the disputing parties” (Isenhardt and Spangle 2000, 83). The ultimate goal of

the entire negotiation process is to have the parties leave believing that in satisfying the requirements of the contract their best interests will also be satisfied.

### *Approach Two*

The second negotiation approach to be examined was devised by Roy Lewicki, David Saunders, and John Minton for their book entitled *Essentials of Negotiation*. The approach is comprised of four major steps: identify and define the problem, create a free flow of information and identify interests and needs, generate alternative solutions to the problem, and evaluate those alternatives and select among them.

The first step in this approach is to identify and define the problem. The authors note that this is frequently the most difficult step because opposing parties often perceive situations differently. Actually pinpointing the root causes of the problem is easier said than done, and often requires long discussions. The problem should be defined in a manner that is mutually acceptable to all members of the negotiation.

Once the problem has been adequately identified and defined, it is time to move to step two, create a free flow of information and identify interests and needs. The authors state that ample evidence is available which indicates that the level of information shared during the course of a negotiation directly correlates to the success of that negotiation. Simply put, the more productive information offered during the negotiation, the better the final agreement. The best way to facilitate a free flow of information is to create an environment that is conducive to open discussions of all relevant topics. The authors also note that getting to the root of each party's specific interests and needs, rather than their general positions only, is key to unlocking doors

further down the negotiation road. Interests are the underlying factors that motivate a negotiator to take a particular position. Interests include, but are not limited to, specific objectives, issues of concern, needs, desires, fears, and goals. Uncovering these smaller pieces of the bigger picture is crucial because they become the basis for compromise and eventual agreement.

After the problem is clearly defined, and everyone's interests are understood, the generation of possible solutions begins. This is the third step in the Lewicki, Saunders, and Minton approach. The authors call this step the creative phase of the integrative negotiation process. The purpose is to create a list of possible solutions to the problem that meet the goals and objectives of all sides. There are several ways to invent or generate options. For example, in cases where the conflict is the result of a shortage of resources, a process called *expanding the pie* can be used. In this process, resources are added to allow for everyone's needs to be met. Another example is *logrolling or trading-off*. This technique can be used if the larger problem is actually made up of several smaller conflicts. The disputing parties simply trade-off on different issues so that each party walks away a partial winner. When generating alternative solutions, each negotiator must be "firm about their primary interests and needs, but flexible about the manner in which these interests and needs are met" (Lewicki, Saunders, and Minton 2001, 91). Also, remember that outcomes are measured by the degree to which they meet all parties' goals. Therefore, keeping in mind the interests and needs of the other party(s) is important. Integrative negotiations aim for a win-win, rather than a win-lose, solution.

The last step of this negotiation approach is to evaluate the alternative solutions generated during the previous phase and select the best one to implement. The first task is

to agree on the specific criteria for evaluating each option. Then each option should be measured against it. The authors state that there are two final criteria that every option should be tested against: quality and acceptability. Quality refers to how well the option measures up to the other set criteria. Acceptability determines how satisfactory the option will be to those implementing it. It is often necessary to engage in further trade-offs during the evaluations to make an option more feasible to all members of the negotiation. The authors note that trade-offs are “effective not only in generating options but also as a mechanism to combine options into negotiated packages” (Lewicki, Saunders, and Minton 2001, 103). Finally, the option most satisfactory to all parties should be finalized in the form of a written document. Once this is done, implementation can begin.

### *Approach Three*

The third approach to be disclosed was formulated by Dudley Weeks. The Weeks approach is drawn from his book entitled *The Eight Essential Steps to Conflict Resolution*. He calls his approach a conflict partnership. It involves eight basic steps: create an effective atmosphere, clarify perceptions, focus on individual and shared needs, build shared positive power, look to the future/learn from the past, generate options, develop “doables”: the stepping-stones to action, and make mutual-benefit agreements.

Weeks believes that these eight steps are critical to reaching a favorable agreement in any conflict situation. As stated above, the first step is to create an effective atmosphere. Weeks emphasizes that this step is crucial to achieving a successful negotiation, but is often overlooked. The atmosphere sets the tone of the entire negotiation; therefore, constructing the appropriate environment is essential. An effective

atmosphere comprises more than the ideal location and time of the meeting. It also encompasses personal preparation, and the initial opening remarks from all involved parties. The ultimate goal of the atmosphere is to promote the feeling that the negotiation is a partnership and that the interests of all parties involved have been taken into consideration.

The next step is to clarify perceptions. Weeks states that perceptions “are the lenses through which we see ourselves, others, our relationships, and the situations we encounter;” therefore, perceptions can and do play a huge role in negotiations (Weeks 1994, 89). Weeks believes that there are three major areas in which perceptions should be clearly defined in a negotiation situation. The first is one’s perception of the conflict. It is important to not let the conflict become the basis of your perception of the entire relationship with the conflicting party, if the association is to be ongoing. The conflict is only one facet of the relationship. Also, carefully analyze the problem with your conflict partners. Never assume that your perception of the conflict is shared by all of the parties involved. It is a common mistake to assume that everyone is clear on the exact nature of the problem. The second area to examine is one’s perception of the self. Assess what you feel is the source of the conflict, what your needs are, what your goals are for the negotiation, and whether your needs and goals are realistic. The third area of importance is to clarify your perceptions of your conflict partners. The same assessments you made about your own ideas, needs, and wants should be asked of your conflict partners. Again it is important to remember that your own perceptions of what the needs and goals of the conflicting parties should be are not necessarily accurate. Through open discussion, the truth can be identified and misconceptions dispelled.



The third step of Weeks approach is to focus on individual and shared needs. Weeks states that there are at least four sets of needs involved in every relationship: personal needs, the partner's needs, relationship needs, and shared needs. From the previous step, all conflict partners should have identified their major needs and desires. These should now be divided out and prioritized. A need is something that is crucial to your acceptance of the final deal, and desires are things you would like to see occur but might be willing to concede on if necessary. Relationship needs should be considered along side personal and partner's needs because maintaining a working relationship is crucial to negotiating any type of resolution. If the relationship is neglected, then there will be no hope for a successful agreement. Last are shared needs, which simply are needs that all parties have in common. Weeks believes that shared needs are "perhaps the most critical single component of the conflict partnership process" (Weeks 1994, 143). Obviously these needs should be of great importance because they benefit everyone. No one loses or concedes anything in having these needs addressed. Shared needs are the glue of the relationship. They represent the common ground between the otherwise conflicting parties.

The fourth step is to build shared positive power. Weeks believes that power can be negative or positive, and it is up to the one with the power to decide. He has formulated his own definition of power because most dictionary definitions suggest power only in its negative term of having control over others. Weeks' definition is as follows: "Power consists of the attitudes, perceptions, beliefs, and behaviors that give people and groups the ability to act or perform effectively" (Weeks 1994, 148). People have the choice to either use power to produce negative or positive results. It all depends

on the type of attitudes, perceptions, beliefs, and behaviors that person chooses to engage. Negative power works to disempower others, while positive power helps to build up those around it. Negative power promotes the behavior of constantly fighting for the upper hand over others, which allows for very little constructive progress to occur within a negotiation. Positive power avoids taking advantage of the other group members as it encourages the attitude of power *with* the other parties, instead of power *over* them. Weeks believes that shared positive power is the key to transforming a conflict into a successful resolution.

The fifth step of Weeks approach is to look to the future, then learn from the past. The future reaps what the present sows. Blending the past, present, and future together is key to gaining a positive outcome in a negotiation. Past conflicts can have an indelible influence on present and future situations. It is up to the conflicting parties to decide if that influence is good or bad. Many people allow past mishaps to dictate their present, which in turn, affects their future. It is very important to avoid this vicious cycle. Learn from past mistakes, but do not let it be the basis of all that is to come. If you have had an unsuccessful negotiation with the same conflict partner in the past, do not let it hamper your efforts in this negotiation. Learn from the mistakes made in the past incident, while also allowing yourself to see this new experience as a fresh start.

The sixth step is to generate options. Weeks states that each conflict partner should have created a list of options or possible solutions prior to the meeting, while remembering to focus on shared needs and building solutions that involve shared positive power. Once the negotiation has progressed to this step, there is a starting point. All viable options should be combined into one list. Discuss each option thoroughly and

make adjustments as necessary to accommodate all parties' needs. Remember that this is a partnership and all decisions must be made within that partnership process. If none of the options available seem to fit, then put them aside, and brainstorm together for new ones. In the end, there will hopefully be several alternatives that fit your situation. These are the group's key options. A key option must meet some shared needs, as well as, some individual needs. It also should promote shared positive power and be acceptable to all members of the negotiation.

Weeks seventh step is to develop "doables," which are the stepping-stones to the successful resolution of a conflict. They are the steps that conflicting partners can take to begin to bridge the gap between them. Sometimes these steps are very small, but if they are moving in a positive direction then they are worthwhile. Weeks defines doables as "specific acts that stand a good chance of success, meet some individual and shared needs, and depend on positive power, usually shared power, to be implemented" (Weeks 1994, 204). Each doable brings the conflict parties one step closer to each other, and in turn, creates an improved relationship. Doables are most often created by successfully completing the previous six steps of the process. They are naturally developed during the course of the negotiation, although most doables arise during the generating options step. Key options can often turn into doables, as they focus on individual and shared needs, as well as, shared positive power.

The last step of Weeks approach is to make mutual-benefit agreements. This step definitely builds from the preceding seven steps. This is the time in the negotiation where agreements are made. All of the information gathered throughout the negotiation is now culminated into an actual resolution. Weeks identifies an ideal mutual-benefit agreement

as one that can meet “some of each party’s needs, accomplish some shared goals, and establish a precedent in which power is defined as positive mutual action through which disagreements can be dealt with constructively” (Weeks 1994, 224-225). Once an agreement has been implemented, it is important to keep the conflict partnership process alive. Keep lines of communication open, make adjustments to the agreement as needed, and alleviate confusion by clarifying the specific responsibilities of each conflict partner.

#### *Approach Four*

The fourth approach to be discussed was developed by Patrick J. Cleary in his book, *The Negotiation Handbook*. Cleary’s negotiation approach was not presented in a traditional manner, as the important aspects and phases were not offered in a set order or list of steps. He often jumped back and forth between important aspects and phases of a negotiation. To make the approach more manageable, and to preserve a level of consistency in the presentation of the approaches for this paper, Cleary’s ideas have been melded into a step-by-step method. The approach contains six basic steps: set the tone, clearly define interests and priorities, find common ground, brainstorm for alternatives, make realistic proposals and take the long view, and agreement.

In the first step, the atmosphere that will carry throughout the remaining negotiation is created. Cleary refers to this initial step as setting the tone. He believes that it is very important to create an environment in which discussions can be conducted in an open, earnest, cooperative manner. The friendlier the atmosphere, the better the negotiation will flow. The goal is to reach an amicable solution to a problem that affects everyone. It is also important for the overall attitude of the parties to be positive, being

confident in the fact that the process is worthwhile, and will conclude with a solution that is acceptable to all parties.

The next step is to clearly define interests and priorities. Interests are the underlying, often hidden, concerns of any given party to the conflict. They are the driving force behind the major positions of each party surrounding the problem. A position is simply where a party stands on an issue. Each party has a specific set of interests, and therefore, positions. Interests shape the mindsets of the parties and, in turn, their decisions. Therefore, obtaining a firm understanding of all the interests surrounding the problem is crucial because they directly affect the outcome of the negotiation. A party's priorities are their goals for the negotiation. Interests shape priorities. Before entering a negotiation, it is important to already have a firm understanding of one's own priorities. Cleary notes that it is also helpful if the priorities are divided into two lists: "gottas" and "wannas." The gottas are the items that must find their way into the final solution, and wannas are the items that one would like to see in the final solution. This is the stage of the game when one's priorities are divulged to the other parties, and vice versa. Sometimes parties are unwilling to disclose their priorities as they feel that it makes them vulnerable. It is important to overcome this obstacle, and get all priorities on the table. Once all interests and priorities have been disclosed, they should be clearly defined so that everyone has the same basic understanding of them.

The third step is to find common ground. Cleary states that this step is crucial to "relationship-building" (Cleary 2001, 41). From the valuable information gathered in step two, the parties can begin to see where, in terms of interests and priorities, possible commonalities lie. Sometimes there is no obvious common ground, but Cleary states that

it is present at some level in every negotiation, and that the parties should not give up until they find something of significance to build from. At the very least, the parties share the problem that initiated the negotiation. Hopefully, this will not be the only common ground uncovered, but even if it is, it is a start. Remember that a small alliance can often lead to a larger one.

The next phase of Cleary's negotiation approach is to brainstorm for alternatives. Cleary notes that "it is *your* problem- not your counterpart's- to find a solution" (Cleary 2001, 97). Do not count on anyone else to do the work for you. If all members of the conflict approach the process of finding a solution in this manner an abundance of alternatives should begin to roll in. Brainstorming can occur as a group, separately, or both. Creativity should be used during the brainstorming phase to help uncover any and all possible solutions. The goal is to maximize the number of viable options, so that the likelihood of success is also maximized.

From the brainstorming session, all practical alternatives should be separated and examined. This moves the process into step five, which is to make realistic proposals and take the long view. A realistic proposal is one that all parties can agree to, that truly addresses the problem, and that can feasibly be implemented. It can either be a single alternative or a combination of several. Cleary notes that all too often parties either aim too high in their proposals or offer lame proposals in an attempt to bury their counterparts. Either is dangerous. Both of these methods not only overstate the gap between the conflicting groups, but also heighten frustration, and can damage the relationship. Taking the long view simply means that in a continuing relationship the negotiation should be viewed as more than a one-time deal. There are probably several

more negotiations in your future with these same people. Therefore, the well being of the relationship should be put at a higher priority than any one negotiation. The long term affects of a solution should be taken into consideration when proposals are being made. Sometimes a party might have to give a little more than it wants in one negotiation, in order to gain more in the next. It is important to remember that not everything has to be acquired in one deal. Confidence and trust are built in this way. Bending is not a sign of weakness; it actually strengthens the relationship and possibly your leverage in the next negotiation. Cleary stresses that relationships are “a marathon, not a sprint” (Cleary 2001, 47).

From the realistic proposals identified, the best option should be selected for implementation. Cleary refers to this step as agreement, and it is the last stage of his approach. All parties must agree on the solution chosen, and as mentioned above, it should be a plan than can be feasibly implemented. Once the selection has been made, a formal agreement should be drafted and implemented. With that being said, Cleary points out that a party should never feel pressured to make a bad deal. Throughout the negotiation, momentum should be in favor of an agreement, but never at the expense or to the detriment of any member of the negotiation. Before an agreement is finalized, all parties should step back and assess the value of the deal from their position, its net gains and losses. Does it meet all of the gottas, and enough of the wannas? If after careful analysis it does not add up, then do not sign on the dotted line. This is a rare occurrence as most negotiations end in an agreement that is acceptable to all. Nevertheless, say no if you must. Go back to the negotiating table knowing that a solution, satisfactory to all, is possible.

### *Approach Five*

The fifth approach comes from John W. Keltner's book entitled *The Management of Struggle*. The approach has been merged to include aspects from his negotiation and mediation approaches. It includes seven steps: contact and identification of the problem, goals and positions, rule setting, exploration of the issues, identify alternatives, evaluation of the alternatives, and agreement and implementation.

As stated above, the first step in Keltner's approach is contact and identification of the problem. Contact is when differing views become a dispute between two or more parties, thus a problem is brought to light. The conflicting parties should engage in a thorough discussion of the problem in an attempt to identify and define it in a manner that all parties can agree upon. Having a firm, consistent understanding of the problem is the first step in the process of finding a solution to that problem. Also, by clearly identifying and defining the problem, the areas that require a resolution will be discovered.

The second step of Keltner's negotiation approach is the stage in which objectives are set for the negotiation, and "an overview of the goals, positions, and feelings of each party along with a review of background significant to the issues" is made (Keltner 1994, 70). Keltner also notes that it is within this phase that an agenda should be set. The main goal of this stage is to create a comprehensive outline that will be used for the duration of the negotiation.

In step three, rule setting, the negotiating parties agree on the rules of conduct for the negotiation. This stage can also include setting some general criteria regarding the final settlement. For instance, the parties might agree that coercion will not be allowed. Each party will be allowed to make its decision free from any outside pressure. Another



example is for the disputants to agree that no settlement will be made unless the needs of all parties are considered.

Steps one, two and three lay the groundwork for the rest of the negotiation. Once those steps are completed, the negotiation moves into active discussion and debate. Step four is exploring the issues. This is the stage at which most of the information is gathered that will culminate into a settlement. Areas of agreement and differences become more clearly defined. All previously identified issues, as well as, any new ones, should now be explored and expanded upon further. All issues introduced should be prioritized into varying degrees of significance. Then an issue agenda is formed, which is a prioritized list of all the issues that separate the parties. Obviously, the most important issues should be discussed first, and so on, until all have been adequately covered. In addition to the issues surrounding the negotiation, the goals, positions, interests, and needs of each side should be openly discussed. The goal of this stage is not only to get all pertinent information out in the open, but also to begin to move the parties “from their highly adversarial and contentious approach to a more cooperative effort at solving their problems” (Keltner 1994, 125). The last component of this phase is for the parties to begin a process called criteria-setting. Keltner believes it is critical to set the basic criteria that all alternative solutions will be measured against at this phase of the process. Having agreement on the basic standards for the alternatives begins to form a bridge between the conflicting parties. By encouraging an attitude of agreement, criteria-setting begins clearing the path to a final solution that is acceptable to all parties.

The fifth step in the Keltner approach is to identify alternatives. Alternatives are the possible solutions to the problem or conflict. With all the pertinent information

divulged in step four, and the lengthy discussions of the major issues surrounding the problem, the parties are well prepared to begin talking about potential solutions. All viable options should be brought to light and explored at length. Both private and group brainstorming is encouraged to generate as many feasible solutions to the problem as possible. The more options that emerge, the greater the chance is that one will be agreeable to all parties.

The sixth step is to evaluate the alternatives generated in step five. Keltner notes that this stage is where “compromise, cooperation, and other forms of joint decision making become important to the process and where the ‘trade-offs’ are developed that will lead to a settlement” (Keltner 1994, 126). The evaluations can either be open discussions involving all disputants or private. Either way, each option should be measured against the criteria set in step four. As each option is evaluated, parties should begin to offer trade-offs when possible to make an option more feasible, and also realize where their limits are.

The seventh and final step in Keltner’s negotiation approach is to reach agreement and implement a plan of action. A final option should be generated from the alternatives offered in step six. The final solution can either be one or a combination of several of the options, and it must meet the majority of the needs and interests of all parties. Once all members have agreed upon a plan of action, and the agreement has been formalized in the form of a written document, implementation should be set in motion.

*Approach Six*

The last negotiation approach to be introduced is one that I have formulated by consolidating the dominant themes from the approaches discussed above, as well as, adding some new ideas. This consolidated negotiation approach will be used for the remainder of the thesis. There are seven steps: create an effective working environment and identify and define the problem, exchange information, find common ground, generate potential options and trade-offs, evaluate options with an eye to the future, develop an optimal package to serve as the final solution, and finalize with a formal agreement and implement. The goal of each step is to bring the negotiation closer to a final solution that is agreeable to all involved parties. In addition, it is important to remember that these steps should be followed in a sequence, as each new step builds from the one before it. This will significantly increase the chances for a successful agreement to be achieved.

The first step is to create an effective working environment and identify and define the problem. An effective working environment is one that encourages openness, honesty, and cooperation among the conflicting groups. Another crucial element in creating an effective working environment is to ensure that all necessary parties are present and actively involved in the negotiation. It is also very important to make certain that all negotiating parties actually have the authority to make decisions when required. The environment not only sets the tone for the early stages of the negotiation, but also can carry throughout the entire negotiation. It should, therefore, be addressed in the first meeting. The importance of this step is frequently underestimated, or worse, completely overlooked. It is the backdrop of the entire meeting. It often can dictate the level of

comfort and ease with which the entire negotiation flows. Without an effective working environment established early on, a negotiation will be doomed from the onset.

During the initial meeting, it is also important to clearly identify and define the problem that has brought the parties to the negotiation table. The problem may include many facets or one central issue. The problem should be discussed until all members of the negotiation agree on a single definition. A clear understanding of the problem allows the negotiation to begin on firm ground.

Once the environment is in check and the problem has been agreeably defined, the process can move on to step two, exchange information. Information encompasses any and all data that is pertinent to a particular negotiation. Therefore, the information required in one negotiation might be unnecessary in the next. With that being said, there are certain pieces of information that should be exchanged in every negotiation. For example, the interests, needs, concerns, goals, and priorities of each party are crucial in any negotiation. From these basic insights, the groundwork is laid for actual negotiating to begin. It also is a vital starting point to finding common ground between the conflicting groups, and identifying possible trade-offs that may be offered later in the negotiation. Getting this fundamental information on the table early on will save time, and possibly a lot of unnecessary debate, during the course of the negotiation. It is imperative that this information is shared freely among all involved parties, although that can sometimes be difficult to accomplish. Often, one or more parties believe that by revealing their real interests, needs, etc., they become vulnerable to the other parties. This misconception must be dispelled, as this information is vital to the success of the

negotiation. A mutually beneficial agreement cannot be built on an incomplete foundation.

The third step is to find common ground. From the information gathered in step two, finding common ground should be relatively easy. Common ground is important because it emphasizes the commonalities between the parties while minimizing the differences. Common ground is anything that the conflicting parties share or are in agreement on. The range is vast. It can vary from a single idea or goal to an employer or neighborhood. Common ground bridges the gap, thus making the conflict appear smaller and more manageable. It brings the otherwise disputing parties together on the same side. Even if it is on something small, it is a step in the right direction. If nothing else, each member to the negotiation shares the initial problem that started the conflict, and has a vested interest in the outcome of the negotiation. At the very least, work from the position that each member is striving to find the best possible solution to the problem.

The next step is to generate potential options and trade-offs. An option is any solution that has the possibility of resolving the conflict, and is mutually acceptable to all involved parties. As many potential options as possible should be uncovered to ensure that at least one will suffice as the final agreement. Brainstorming is the method most often used to generate the maximum number of alternatives. Options often include a number of trade-offs between the parties. Trade-offs are the concessions or compromises made by one party to another, and are necessary in most negotiations. Rarely is an option initially acceptable to all parties, therefore, trade-offs are made in order to convert an option into a more viable solution. It is important to note that all options and trade-offs should be discussed without commitment in this step. Commitment is premature at this

stage, and can only work to hinder the brainstorming activity. Free, open discussion is the only way to produce a maximum number of options, which is the main goal of this step.

Also in this step, the general criteria that all options will be evaluated on should be set. A list of criteria is usually a series of questions. Here are some examples: How many of the needs does this option meet? In who's favor does this option lean? Does it meet all of the required areas, and enough of the desired ones? Does it solve the major problem(s)? Is this option acceptable to all parties? Can it be feasibly implemented? The list can vary in size and scope depending on the scale of the problem. It is important to set the criteria before the evaluation phase begins to ensure unbiased results.

The fifth step is to evaluate the options with an eye to the future. All options generated in step four should now be individually assessed based on the set criteria. The evaluation should serve as a weeding out process; so that at the end, the options are scaled down to only include those that are truly viable. Consequently, options that do not meet the criteria should be discarded. The remaining options should be compiled into a list that will be used in the next phase of the approach. Step five is the turning point in the consolidated negotiation approach, and therefore, the negotiation itself. It moves the debate from a broad base to a more narrow one, by paring down the options to only include those that actually have the potential to appear as part of the final solution.

This is also the step in which remaining options and trade-offs are discussed with commitment. Meaning that they become real, vital pieces of the potentially final solution. Furthermore, all remaining options should be viewed with an eye to the future, namely the future of the relationship. Since most relationships are continuing, it should always be viewed as a priority. Preserving the future well being of the relationship should be a

factor in the decisions being made today. This encounter is probably one of many, which makes leaving something behind, or offering concessions, a worthwhile endeavor. It is a sign of good faith that will not soon be forgotten by your counterparts, and just might benefit you in future negotiations. In any negotiation, what is decided today, affects us tomorrow.

Once all of the options have been evaluated, and a list containing all remaining viable options is prepared, it is time to develop an optimal package that will serve as the final solution. This is step six. The problem driving a negotiation is generally multifaceted, and therefore, requires the incorporation of more than one option to be fully resolved. In these cases, a package is developed, which is a combination of several options and trade-offs. The package constructed must meet the major requirements of all involved parties. Otherwise, it will never gain full acceptance, which is mandatory. It is crucial that all parties not only agree with the chosen package as the final solution, but also have the capacity to implement it. If the final solution does not meet these requirements, then re-evaluate the options and work with them until a package is produced that does meet all of the major requirements.

When the final solution has been agreed upon, it is time to finalize the negotiation with a formal agreement to implement. This is the last step in the consolidated negotiation approach. The agreement can be formalized in the form of a legally binding document, such as, a contract or memorandum of understanding. As mentioned earlier, even a legal agreement cannot guarantee compliance. Compliance rests in the hands of the ones who are left to implement the solution. The ultimate goal of any negotiation is to conclude with an agreement that can not only be feasibly

implemented, but that also successfully addresses and effectively resolves all major issues. If that goal is accomplished, then compliance will surely follow.



## **CHAPTER SIX**

### **APPLYING THE CONSOLIDATED NEGOTIATION APPROACH TO THE GOOD FRIDAY AGREEMENT NEGOTIATIONS**

Thus far, four important topics have been broached. In chapter two, the background of the entire Northern Ireland conflict was detailed, in an attempt to illustrate the deep-rooted, complex foundation from which the current struggle originated. In the next chapter, the particulars of the negotiations leading up the GFA were offered to show how difficult the path to peace was. Then, a summary of the GFA itself was incorporated to detail the “fruits” of the negotiation process. Lastly, a survey of five negotiation approaches, formulated by leading negotiation experts, was presented to provide examples of existing approaches to negotiation. These examples were also offered to clarify the derivation of the consolidated negotiation approach that will be used in this chapter.

It is at this point that all of the pieces of the puzzle, laid out in the previous chapters, will be brought together to form a complete picture. In this chapter, the consolidated negotiation approach will be applied to the negotiations leading up to the GFA. Through this analysis, it will be demonstrated how a successful agreement would not have materialized had the steps in the consolidated negotiation approach not been followed.

As previously stated, there are seven steps in the consolidated negotiation approach. They are as follows: create an effective working environment and identify and define the problem, exchange information, find common ground, generate potential options and trade-offs, evaluate options with an eye to the future, develop an optimal package to serve as the final solution, and finalize with a formal agreement and implement. The goal of each is to bring the negotiation one step closer to an agreement. Following the steps of the approach in a sequence is critical because each new step builds from the previous one. The chances for success are significantly diminished if any of the steps are taken out of order, or worse, skipped altogether. Imagine each step as one rung on a ladder, with the top rung representing a successful agreement. Your best chance of making it to the top safely is by stepping on each rung in succession. You may still make it to the top by skipping a rung or two along the way, but you have also greatly increased your chances of slipping and falling back to the bottom.

The first step in the consolidated negotiation approach calls for an effective working environment to be created, as well as, the problem clearly identified and defined. In the GFA negotiations, a working environment that was truly effective actually took several years to create. Although negotiations technically began in June 1996, they did not proceed into any type of substantive discussions until October 1997, when for first time in the course of the entire negotiations the leaders of both Sinn Féin and the UUP were at the negotiating table at the same time. This proves how critical it is to include all of the major players, either contributing to or affected by the problem, in the negotiations aimed at solving that problem. All other previous attempts at finding a peaceful settlement in Northern Ireland failed, largely due to the fact that at least one major player

had been left out of each set of negotiations. For example, the Unionists were left out of the *Downing Street Declaration* and *Framework* document proceedings, and therefore, did not support the results. Leaving a critical player out of a negotiation would be like playing a football game without a quarterback; the chances of a win are drastically reduced. Until all involved parties are present and willing to work together to attain the common goal of resolving the problem, the negotiation will not produce an effective resolution because any agreement made will not be inclusive.

Bringing George Mitchell in to facilitate the negotiation process was another key step to creating an effective working environment in the Northern Ireland peace talks. All of the parties considered Mitchell to be a trustworthy, unbiased ally of the peace process. He worked very hard to create an environment in which all animosities, vendettas, and private agendas were left at the door. Furthermore, once Mitchell had everyone at the same negotiating table, he was able to serve as the bridge between them.

The problem was also effectively identified and defined in the Northern Ireland peace negotiations. In essence, there was no end in sight to the conflict, and worse yet, nobody seemed to be winning. This had become painfully obvious to most in recent years. The situation had become a lose-lose situation as the death toll continued to rise on all sides. Therefore, all sides now saw peace as the best option, but did not know how to achieve it because the fundamental beliefs and ideals that divided them were so great. No one knew how to bridge the gap in order to attain desired peace. No one could see the forest for the trees because the trees had been planted hundreds of years ago, thus making them quite large by now. The forest represented the larger problem- the ongoing conflict, while each tree symbolized a specific area of dispute. With each generation becoming

more entrenched in the fight, the forest had come to resemble something more like a wilderness.

To begin the process of “clearing the woods,” all of the specific areas of dispute were identified. It was imperative to identify these areas during this phase of the process since they directly contributed to the problem, i.e. the ongoing conflict. These areas were: decommissioning, the Northern Ireland Assembly, North-South institutions, the early release of all paramilitary prisoners, reforms to the policing and criminal justice systems, removal of British troops from Northern Ireland, maintain the union with Britain or create a united Ireland, constitutional amendments by both Britain and Ireland to recognize Northern Ireland’s right to self determination, and also the additional amendment to be made by Ireland to drop its territorial claim to Northern Ireland.

How could these groups, who had suffered from years of constant bloodshed, fear, and oppression, find a way to cross a divide so deep? No one knew for sure, but for the first time it was possible. Restoring peace within Northern Ireland was now achievable because the appropriate political leaders finally wanted the same basic thing (lasting peace) and had the power to accomplish it.

Step two of the consolidated negotiation approach involves the exchange of information. Again, information refers to any and all data that is pertinent to a particular negotiation, such as, concerns, goals, and priorities. In the Northern Ireland peace process, the information was relatively easy to attain once all of the parties sat down together. The participants were more than willing to offer their positions on all of the specific areas of dispute previously identified, through both oral and written statements. There is a myriad of examples that can be drawn from the Northern Ireland peace process

to support this assertion. For instance, the UUP very openly stated that it wanted decommissioning as a precondition to sitting on the executive of the new Northern Ireland Assembly, whereas, the SDLP did not find it to be necessary. Sinn Féin and the Loyalist parties clearly asserted that the early release of all paramilitary prisoners was the number one goal on their agendas, while the Unionists pushed for full prison sentences. The SDLP wanted the Northern Ireland Assembly to constitute shared power, the UUP and other Unionist parties wanted it to be majority run, and Sinn Féin did not want an Assembly created at all.

One situation that created additional tension and difficulty in the exchange of information was that David Trimble refused to speak directly to Gerry Adams, consequently forcing Mitchell to be their go-between. However, Mitchell was able to overcome the obstacle. The result of Mitchell's ability to cajole the situation was that this step in the negotiation process was highly effective.

By the end of the information exchange, each party's full range of information, namely their concerns, goals, and priorities, were well documented. The Unionists wanted to maintain the union with Britain, as well as, create a Northern Ireland Assembly with a strong, majority-run leadership. They also wanted a minimal number of North-South institutions that would be completely subordinate to the Assembly, the current Northern Ireland criminal justice and policing systems left as it was, all convicted paramilitary prisoners to serve their full sentences, and for British troops to remain in Northern Ireland until all paramilitary organizations had disbanded. On the other hand, the Nationalists still held on to their ultimate long-term goal of a united Ireland free from Britain. They also desired a Northern Ireland Assembly based on shared power between

Nationalists and Unionists, North-South institutions with power completely independent of the Assembly, and drastic reforms to be made within both the criminal justice and policing systems in Northern Ireland. In addition, Sinn Féin insisted on the early release of all paramilitary prisoners, and that all British troops immediately be removed from the streets of Northern Ireland.

The third step in the consolidated negotiation approach is to find common ground, and in the case of Northern Ireland, there was very little. Common ground is a critical aspect of negotiation because it bridges the gap. Although there was little consensus among the disputing parties in Northern Ireland, they all did have at least two things in common: the problem and the goal. The participants agreed that the ongoing conflict must end, and that they all wanted lasting peace in Northern Ireland. Even though the common ground uncovered represented a very small step, it was a step in the right direction.

Another area of general consensus was the *Propositions on Heads of Agreement* submitted by the chairmen and both governments to the parties in January 1998. The *Propositions* document was merely an outline of a potentially acceptable agreement, and not a real agreement itself. Nevertheless, it did appeal to an overwhelming majority of the participants, as Sinn Féin was the only party to reject the document, and therefore, represented a starting point for further common ground to be uncovered.

The introduction of the *Propositions* document thrust the Northern Ireland peace negotiations into the next phase of the consolidated negotiation approach, which is to generate potential options and trade-offs. In this step, the main goal is to identify as many potential options as possible that might serve as part of the final agreement.

The *Propositions* document initiated the process of brainstorming for potential options and trade-offs. The brainstorming process continued from late February and all throughout March of 1998. From the outline presented in the *Propositions* document, the political parties, chairmen, and both governments introduced a number of prospective alternatives in the form of working drafts. Of course, none of these alternatives were discussed with commitment.

Although the parties were divided on all of the specific areas of dispute, Mitchell had become completely convinced that they could and would find workable compromises on all of them. He was particularly certain that the issues over prisoners, the Northern Ireland Assembly, and North-South institutions could be resolved in a manner that was acceptable to all. Also, it had become clear that the British and Irish Governments would reach an agreement on the constitutional issues, as they had begun to offer several potential compromises over the constitutional amendments in exchange for meaningful North-South institutions.

It is also at this stage that the criteria options will be evaluated against are set. In the Northern Ireland situation, the general criteria were relatively easy to identify. A few examples are: Does this option resolve all of the major issues within the conflict? If not, could it be combined with others to achieve that goal? Can all involved parties agree on this option as part of the final solution? Could this option be made more viable with additional trade-offs? If so, can those trade-offs be obtained? Does this option represent a true compromise, meaning that both sides got a little, as well as, gave a little? Can this option be implemented effectively? If any given option did not meet these basic

requirements, it would have had an extremely diminished chance of actually being chosen as part of the final solution in the Northern Ireland conflict.

After all potential options and trade-offs have been identified, it is time to evaluate them with an eye to the future. This is the fifth step in the consolidated negotiation approach. The main purpose of this step is to evaluate the options against the criteria, discard the impractical options, thus retaining only those with the most potential. It is also important to remember that all remaining options should be discussed with commitment, while keeping the future well being of the relationship as a focus.

The critical trade-offs that were made in the days leading up to the final agreement are evidence that this step in the consolidated negotiation approach did take place in the Northern Ireland peace process. The working drafts, which represented the options generated for specific areas of dispute in the Northern Ireland negotiations, were initially evaluated and debated to determine whether they were viable as potential solutions for agreement, or if there were too inadequate to pursue further. During the evaluation of the drafts, it was discovered that modifications would be required to make several of them more viable. There were four key areas, in which significant trade-offs with commitment were made, that allowed for a final agreement to be reached. These areas were: North-South institutions in Strand Two, the Northern Ireland Assembly in Strand One, prisoners, and decommissioning.

In the Strand Two debate, there were essentially two sides to the argument: the Unionists/Loyalists/British Government and the Nationalists/Republicans/Irish Government. The trade-offs that were made are obvious upon review of the final draft of Strand Two. The Unionists, Loyalists, and British Government wanted fewer North-



South institutions with less defined scopes. They got that because the final version only contained one annex with twelve subject areas, as opposed to the three annexes with more than sixty subject areas identified in the working draft. The Nationalists, Republicans, and Irish Government wanted the North/South Ministerial Council to be established directly by the British and Irish Parliaments. The final draft clearly stated that this was to be the case. Therefore, it was a true compromise because both sides conceded on one aspect of the arrangement in order to gain in another.

The next trade-off negotiated to make an option more viable, involved the Northern Ireland Assembly. There were again two main sides to the argument: Unionists and Nationalists. The Unionists wanted the Northern Ireland Assembly to be majority run, which would mean they would control it, just as they had the former Stormont Government. The Nationalist wanted all minorities represented in the decision making process, and for that reason demanded that the Assembly constitute shared power. The final agreement was a compromise because even though it appeared that the Nationalists prevailed since the Assembly would include a system of shared power, they did concede on something as well. By agreeing to the paramilitary safeguard that had been imposed by the Unionists, the Nationalists potentially agreed to not have all sectors of the people represented. Again, both sides gave a little to get a little.

The third major trade-off concerned the issue of paramilitary prisoners. This debate mainly involved the British Government and Sinn Féin, although the Unionists did have a stake in the decision as well. This area of dispute is an example of a very straightforward compromise. Sinn Féin wanted all prisoners released within one year and

the British Government would initially only offer three. The obvious compromise was two years, which after further debate, was the agreed upon time frame.

Of course, the Unionists did not want any sort of trade-off to be negotiated in this area, but since it was Sinn Féin's number one concern, it had to be done. Without this trade-off, Sinn Féin would have left the negotiations. Their absence would have not only weakened the chances of the final agreement being reached, but also would have resulted in an increase of violence, as the IRA ceasefire would have certainly been lifted. Difficult negotiations almost always call for difficult concessions to be made in order to reach an agreement. In the case of Northern Ireland, the stakes were very high, as an agreement equaled a chance for lasting peace in a country that had suffered from centuries of violence, abuse, and oppression. By looking to the future, and seeing the potential peace that an agreement would bring, the Unionists decided that the early release of prisoners was a trade-off worth making.

The last specific area of dispute requiring a large-scale trade-off was decommissioning. This had been the biggest source of disagreement throughout the entire negotiation, and therefore, required the most attention. It is clear upon examination of the final agreement that no ideal option was uncovered to solve this particular area of dispute. The option that found its way into the final agreement was little more than a promise by the parties to use their influence to encourage and facilitate a process of decommissioning to occur through the Independent International Commission on Decommissioning. The process by which this was to occur was not even clearly defined.

The mere fact that this issue received so little attention in the final agreement proves that both the Unionists and British Government made a huge concession, as both

groups had continuously demanded that decommissioning be a definite condition of agreement. The original decommissioning trade-off, which is the one that can be found in the final agreement, actually represents a deviation from the procedures recommended in the consolidated negotiation approach because all parties were not included in the discussions that led to its creation. The initial trade-off was negotiated privately between the British Government and Sinn Féin, without consulting the UUP, who had on many previous occasions voiced their strong opinions on the subject. In addition to forcing the topic of decommissioning to be broached twice, the exclusion of the UUP from the first debate almost sabotaged the entire negotiation by creating a situation in which the UUP would have had sufficient grounds to walk out. The British Government remedied the situation by negotiating a second trade-off directly with the UUP. This second trade-off came in the form of a side letter to the final agreement, in which the British Government pledged to support amendments to the agreement if the provisions included did not prove to be effective within a reasonable timeframe. This scenario demonstrates the importance of including all involved parties in the development of final options and trade-offs.

As mentioned above, this step also calls for the future well being of the relationship to be taken into account when evaluating options and trade-offs. There are several prime examples of this taking place in the Northern Ireland peace process. For instance, by recognizing Northern Ireland's right to self-determination, the Nationalists, Republicans, and Irish Government gave up the chance for a united Ireland to be realized anytime in the immediate future. This was done to facilitate an agreement, as well as, promote an effective working relationship with the Unionists and Loyalists. The previously mentioned concession made by the Unionists, involving the early release of

paramilitary prisoners, is another example that relationship building was considered in the Northern Ireland peace negotiations. Also, the UUP showed a sign of good faith when it gave in on decommissioning as a precondition for agreement. The UUP trusted that its counterparts would live up to their end of the bargain, i.e. either decommissioning would occur in a timely manner or amendments would be made to the agreement.

The sixth step of the consolidated negotiation approach calls for an optimal package to be developed that will serve as the final solution. In the Northern Ireland peace process, this step occurred on April 10, 1998, when all of the negotiated trade-offs and options were combined to develop the final solution, the GFA. All of the parties realized that they had reached the best agreement possible under their difficult and unique circumstances.

The GFA was a well-negotiated document, and as can be seen from the previous step, required a number of significant trade-offs and concessions to be made by all those involved. Each party gained and lost in various areas of the agreement. The Unionists did not walk away with the issue of decommissioning resolved to the degree they would have liked, and there were going to be a number of North-South institutions created that would possess actual power. However, the union with Britain was effectively secured through the constitutional amendments made by both governments to recognize Northern Ireland's right to self-determination. The number and scope of the North-South institutions was significantly reduced. Also, participation in the Northern Ireland Assembly was limited to those delegates whose political party was committed to exclusively peaceful means, therefore, safeguarding against any paramilitary

organizations still engaging in acts of violence from enjoying representation in government.

On the Nationalist side, the GFA did not call for a united Ireland, and the Irish constitution was amended to drop its territorial claim to Northern Ireland, but the self-determination provision in the document did preserve the possibility for unification to occur in the future. The Catholic population has increased in recent years to bring it closer to a forty percent minority. If this trend continues, the Catholics in Northern Ireland might very well become the majority within the next few generations, and could therefore potentially overturn the vote to stay within the British Commonwealth. The GFA also insured that a system of shared power was secured in the Northern Ireland Assembly, and the creation of the North/South Ministerial Council allowed for the Republic of Ireland to acquire various cross-border powers. In addition, the GFA called for the Northern Ireland criminal justice and policing systems to both undergo investigation. Significant reforms to combat discrimination and inequality have resulted from these investigations. For example, the RUC is now the Northern Ireland Police Service (NIPS), and is required to recruit and hire Catholics to serve on the police force. Also, Sinn Féin achieved freedom for all qualified paramilitary prisoners to occur within two years of the agreement, and in time, the British military presence would be reduced in Northern Ireland.

The concluding step in the consolidated negotiation approach is to finalize with a formal agreement and implement. In the case of Northern Ireland, the GFA was finalized when it was signed by all of the delegates on April 10, 1998. However, before it could be formalized and implemented, the GFA had to first be endorsed by the majority within

each political party, and then approved in referendums, both North and South. The referendums were set to occur simultaneously on May 22, 1998. The GFA was passed by seventy-one percent to twenty-nine percent in Northern Ireland, and ninety-four percent to six percent in the Republic of Ireland (Northern Ireland 1999). This day marked a historic event for the island of Ireland. The GFA was now formalized and ready to be implemented. Lasting peace was now possible.

## CHAPTER SEVEN

### CONCLUSION

#### *The Significance of the Good Friday Agreement*

Northern Ireland has been traveling down a rocky road fraught with violence, mistrust, and oppression for centuries. Compromise is the only way to pave a smoother course for the future. The GFA is not only an extraordinary achievement, but it is also definite proof that true compromises are being made in the interest of peace. The attainment of this groundbreaking document demonstrates that even radically differing opinions and positions can and will collaborate in an effort to attain a more peaceful coexistence. Religious, social, economic, and political aspects have all played their part to forge a divide between the people of Northern Ireland. Equality, trust, cooperation, and tolerance are the keys to bridging that gap. The GFA represents the first significant step forward on the pathway to complete reconciliation in Northern Ireland, and the foundation from which lasting peace will grow and eventually prosper.

There is strong evidence to suggest that reconciliation is gaining momentum in Northern Ireland, and although rages of sectarian violence do still occur, they are fewer and farther between. One event in particular demonstrates a distinct shift away from the acceptance of violence as a necessary evil of the Northern Ireland conflict, even by those most closely associated with its source. The “single deadliest event in the long history of

sectarian violence” occurred in Northern Ireland on August 15, 1998, just months after the approval of the GFA (Northern Ireland 1999). A bomb was detonated in the market town of Omagh, claiming the lives of twenty-nine innocent people, including nine children. A splinter group of the IRA, calling themselves the Real IRA, took credit for the atrocity (Endgame in Ireland 2002).

This event marked a turning point in the way sectarian violence was handled in Northern Ireland for two significant reasons. First, this deadly act of aggression did not result in Loyalist retaliation. Second, it was quickly condemned by all of the political parties in Northern Ireland, including Sinn Féin (Northern Ireland 1999). This was the first time in the history of the conflict that Sinn Féin publicly denounced a Republican act of violence, and called for the splinter group to disband (Endgame in Ireland 2002).

As can be seen, the GFA does not possess the power to instantaneously cure a conflict that has plagued a civilization for centuries. There is no simple solution to Northern Ireland’s plight. The GFA is a working document, requiring periodic review and updating to remain effective in the changing political climate. In the five years since its inception, portions of the GFA have required additional debate and amendment as problems have arisen. The issue of decommissioning has proved to be the major source of discord. Decommissioning was loosely resolved in the final agreement, and did require several last minute trade-offs to even get to that point. Consequently, further negotiations were imminent from the day the GFA was introduced.

Implementation of the GFA has consistently been delayed due to disagreements over decommissioning. David Trimble, who was elected First Minister in 1997, refused to appoint Sinn Féin members to the executive cabinet of the Northern Ireland Assembly



“without prior decommissioning” by the IRA (Timeline of IRA Decommissioning 2001). He was quoted many times as saying: “No guns, no government” (Endgame in Ireland 2002). Yet, the GFA only called for the members of paramilitary organizations to commit to decommissioning as a process. The IRA refused to disarm on the terms of the Unionists or the British Government. The IRA’s decision was supported by Sinn Féin, who believed that IRA decommissioning should take place only when matched by the “demilitarization” of Northern Ireland, which refers to the British military presence in the province (Timeline of IRA Decommissioning 2001).

A stalemate ensued, and George Mitchell returned to Northern Ireland to break the deadlock. Trimble and the UUP were the first to bend, as they voted to go into government with Sinn Féin without prior decommissioning in November 1999. The IRA eventually gave up a minimal number of guns in early 2000. Unfortunately, it proved to be too little too late for the Unionists. The British Government stepped in and suspended the Northern Ireland Assembly on February 11, 2000, in an effort to force the parties to reach an agreement (Endgame in Ireland 2002).

No real progress was made until October 2001, in the aftermath of September eleventh, when the IRA finally put “a quantity of arms and explosives completely and verifiably beyond use” (Endgame in Ireland 2002). Within hours of the IRA disarmament, the British Government began a process of dismantling the military border watchtowers in Northern Ireland, drastically reducing their presence in the province. The IRA again “put more of its arms beyond use” in April 2002, further proving their commitment to peace (The IRA has Twice Decommissioned 2002). In its own words, the IRA stated that its desire was to “stabilise, sustain and strengthen the Northern Ireland

peace process” (Reid Denies Deal 2002). These events marked a drastic change in the Northern Ireland political scene. IRA guns and British military were at long last beginning to be removed from Northern Ireland politics, making way for a new style of government, one in which problems would be resolved with words, not guns (Endgame in Ireland 2002).

Although a process of disarmament has begun, many unanswered questions and concerns remain. As mentioned above, decommissioning was left relatively unresolved in the GFA, primarily due to the fact that a satisfactory agreement simply could not be reached at that time. As a result, negotiations regarding the issue have continued. To date, no final agreement on decommissioning has been reached, a system of devolved government has still not been realized in Northern Ireland, and full implementation of the GFA has not been achieved. However, the Northern Ireland political parties and the British and Irish Governments are optimistic and unrelenting in their pursuit of a reasonable compromise that will be acceptable to all.

Trials and tribulations will continue to arise in Northern Ireland, as they do in any civilized nation. With such a long, painful history fueling the conflict, and the complexity of the conflict itself, it would be illogical to imagine that one document could magically solve everything. Nevertheless, the progress that has been made is proof positive that politics is working. The GFA has provided the people of Northern Ireland with “a new hope and a renewed vision of peace” for their troubled lands (Endgame in Ireland 2002).

In conclusion, the GFA is not a perfect panacea, but it is the best hope Northern Ireland has for lasting peace. It is the foundation from which cooperation, tolerance, and finally genuine trust, will blossom. Even if the GFA were to eventually fail, the

fundamental principles outlined in the document would most certainly be the cornerstones from which any future resolutions would be built. Over time, I believe that the GFA will prove to be the reed that bends so as to survive, and that ultimately, it will stand the test of time.

### *The Significance of the Consolidated Negotiation Approach*

The long history of the Northern Ireland conflict demonstrates that reaching any sort of relative agreement was a monumental achievement in itself. The GFA is a testament to the determination and dedication of the negotiators, as well as, George Mitchell as mediator. As demonstrated in the previous chapter, close adherence to the consolidated negotiation approach was a key factor in the formulation of the GFA. Success required that each step be followed in a sequence. Mitchell's ability to effectively guide the participants through the steps that constitute the consolidated negotiation approach was paramount to attaining that success. He ensured that the ladder was climbed one rung at a time. In my opinion, the GFA is a direct result of Mitchell's ability to effectively facilitate the strongly conflicting groups through the seven steps of the consolidated negotiation approach.

The importance of following the consolidated negotiation approach in a sequence cannot be emphasized enough. Building the foundation one layer at a time is crucial, as it determines the stability of the final product, which in most cases is an agreement or understanding. The consolidated negotiation approach operates much the same way as a mathematical formula and a recipe.

The approach is like a mathematical formula because the sequence with which steps are undertaken can drastically affect the results. For instance, five plus five divided by five equals two, whereas, five divided by five plus five equals six. Just by altering the sequence slightly, very different answers are produced. This is much the same in the consolidated negotiation approach. Altering the sequence of steps, even slightly, can result in varied, unwanted outcomes. For example, pressing for commitments too early could work to deepen the divide rather than bridge it. In the GFA negotiations, this would definitely have been the case. It was very important to first establish the groundwork by getting the environment set and information exchanged long before any types of trade-offs were discussed. A certain level of trust and understanding had to be established first.

The consolidated negotiation approach is like a recipe in that each ingredient is crucial to the successful outcome of the product. If the eggs are left out when baking a cake, the end product will be virtually uneatable. Even if the recipe is followed exactly, a perfect cake is still not guaranteed, but the chances for one have been drastically increased. Similarly, the consolidated negotiation approach requires that all steps be included to produce the best possible outcome. Of course, there is no guarantee that a mutually acceptable agreement will be attained through the use of the consolidated negotiation approach. But more importantly, without one, the chances for success are significantly diminished. Without any one of the seven steps in the consolidated negotiation approach, I firmly believe that the GFA negotiations would never have brought such an all-encompassing, mutually agreeable document to fruition.

Beyond the GFA negotiations, I conclude that adherence to the steps detailed in the consolidated negotiation approach vastly improves the probability of success in any

negotiation scenario. The approach appears to offer a very basic, common sense method of negotiating. Yet, sometimes the most obvious concepts are actually the hardest to grasp and follow. If only common sense was required to negotiate effectively, then why do so many negotiations end badly? Just as a roadmap is crucial for a cross-country drive, so is a detailed, step-by-step approach to a negotiation. You may arrive at your destination eventually, but without a map you have severely limited your chances of success.

As mentioned above, although a planned approach, such as the consolidated negotiation approach, greatly increases the chances for a negotiation to culminate with an agreement that is acceptable to all, it does not guarantee one. There will always be the exception to the rule, those instances where the divide is just too great, with no effective means available to bridge the gap. In these cases, not even the best-laid plan would allow for an agreement to be reached. But even in these instances, the chances for an agreement to be reached are increased significantly if a planned approach is used.

#### *Recommendations for Further Study*

First, I recommend that additional research is conducted in an attempt to either confirm or deny that strict adherence to the consolidated negotiation approach vastly improves the probability of success in any negotiation scenario. To accomplish this, both successful and unsuccessful negotiations should be applied to the consolidated negotiation approach. The results of these applications should prove whether or not the assertion is accurate.

Second, there are a number of other areas in the world, such as Israel and Bosnia, where a very similar situation to the Northern Ireland conflict, in its pre-GFA stages, can be found. It would be very interesting to conduct an in-depth analysis of one or even several of these unresolved conflicts, engaging the consolidated negotiation approach, in an attempt to arrive at a potentially peaceful settlement similar to the GFA.

Third, I believe that another relevant study would be to continue to closely follow the unfolding events in Northern Ireland since the inception of the GFA. Although the agreement has provided a foundation for peace, there has already been and will continue to be barriers that must be overcome to attain lasting peace and harmony in a society where turmoil and discord have been commonplace for centuries. The way in which the GFA is ultimately implemented, and how the continuing challenges are met, will provide interesting and useful information for future negotiated settlements.

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## **VITA**

Erin Rebecca McEver was born in Paris, Texas, on August 8, 1977. She is the daughter of Michael and Sharon McEver. She received her high school diploma from North Lamar High School in Paris, Texas, in 1995, and earned the degree of Bachelor of Science in Retail Merchandising from the University of Texas at Austin in 1999. Upon completion of her bachelor's degree, Erin worked for two years as an assistant buyer for the Zale Corporation in Las Colinas, Texas. In August 2001, Erin entered the Graduate College at Southwest Texas State University in San Marcos, Texas.

Permanent Address: 300 Chestnut Lane  
Paris, TX 75462

This thesis was typed by Erin Rebecca McEver.