

MISUNDERSTANDING ULSTER

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Foreword

For almost three decades the name of Northern Ireland was synonymous with violent conflict. The ‘Troubles’ that racked the province were viewed by many as an intractable and permanent feature of life there. And yet, today the IRA’s violent campaign has ended and a political solution is in place.

With hindsight, everyone can now see that the ending began with the paramilitary ceasefires of the mid-1990s. From there, a key moment was the multi-party agreement that was reached on 10 April 1998 – now commonly called the ‘Good Friday Agreement’. Even the most inveterate enemies of that Agreement have come now to realise that there was and is no alternative to it: that it is, to borrow a much hackneyed phrase, the ‘only game in town’. Thus, politicians of all stripes in Northern Ireland now operate within the framework created by the Agreement. And it would seem there is no appetite, within any section of the community, for a return to violence. A dark chapter in our history is being closed.

To reach this point, it was necessary and justified for peaceful, democratic politicians to take risks. The Agreement was not easily made and it took determination to stick with it, in the face of often fierce opposition and moments of despair.

With that said, the peace process was not a gamble or a wild stab in the dark; instead, it took place on the basis of a calculated reading of the political, economic and security situation in Northern Ireland and beyond. Of course, there were dangers and difficulties in doing so and the path to peace was not necessarily one that the peacemakers had envisaged. For one thing, events contributed to a weakening of the parties of the political centre ground and a trickle of support towards those who had traditionally been ‘the extremes’. Yet at the same time, those extremes have repositioned themselves in ways that represent a complete break with their past. After many years of miscalculations by local parties, as well as many different British administrations of different political stripes, it would seem that by and large, we eventually got it right.

The nature of the achievement, however, has become increasingly clouded by inaccuracy and misunderstanding. In some quarters of the British establishment, pride in the state's role in the Northern Ireland peace process has gradually developed into something resembling over-confidence. It is now increasingly common to hear Northern Ireland held up as an example for the rest of the world, as a beacon for peacemaking and a guiding light for areas where violence has dominated political life. The lessons of the Good Friday Agreement have been mentioned in relation to Sri Lanka, Spain, the Israel-Palestine question and even Iraq. At one level, I was heartened to see a delegation of Northern Ireland politicians recently meeting with representatives of Iraqi political parties in Finland in September 2007, if mildly amused at the presence of a determined opponent of the making and implementation of the Agreement.¹ At the same time, I was also intrigued and concerned as to just what message the Iraqis received. What are the lessons of the Northern Ireland peace process? Are they the same to everyone or do they differ depending on whom you talk to? Can they really be applied beyond a small and contested corner of the United Kingdom?

My purpose in writing this pamphlet is twofold. The first is to provide some account of the peace process as it developed over the course of the 1990s and in the early years of the new century. I have had a long career in politics which stretches back to the early 1970s – some of the most bitter and violent years of 'the Troubles' – and I have witnessed tragic mistakes, in terms of government policy, along the way. When the peace process of the 1990s began to gather momentum, I found myself as leader of the Ulster Unionist Party, at that time the largest single party in Northern Ireland. I saw developments at close quarters and had an intimate involvement with everyday events. From the start, I had access to the crucial players, up to and beyond the making of the Belfast Agreement in Easter 1998. By putting my reading of events on the record, the hope is to contribute to a more rounded understanding of what really happened in Northern Ireland.²

¹ 'NI figures boost Iraq peace talks', BBC News Online, 4 September 2007, http://news.bbc.co.uk/1/hi/northern_ireland/6977190.stm

² I have given an account of the multi-party talks, focussing on the final week, in the first Antony Alcock memorial lecture, (University of Ulster, 24 April 2007). The text is available at <http://davidtrimble.org>

The second reason for writing the pamphlet is to express a word of caution about the growing tendency to set up Northern Ireland as a model for conflict resolution, without due reference to the context in which the peace process there occurred. Over the course of the last year I have become increasingly concerned that this has been done in a way which does not accurately represent what really happened. The model that I sometimes hear in relation to Northern Ireland is not one that I always recognise. In particular, the more I hear ‘the lessons’ of Northern Ireland applied to the Middle East, the less I am sure that those lessons have been properly understood. In some quarters, it would seem that there has been a selective reading and application of key events, revealing more about contemporary agendas in the Middle East than serious analysis of the recent history of Northern Ireland.

Above all, there has been much spoken about the need, or otherwise, to ‘engage’ with those who we regard as terrorists. If negotiations with the IRA led to the peace agreement in Northern Ireland, we are often told, Israel must be prepared to take the same approach with Hamas. It is, of course, very tempting to assume that it is always ‘good to talk’ and – working from this assumption – to set aside moral and personal objections and past grievances for the greater good. This abstraction is often heard in conjunction with the sentiment that ‘dialogue is the only way forward’ – another statement which sounds eminently reasonable and is very difficult to argue against. For this reason, it is critically important to unpack exactly what ‘talking’ and ‘dialogue’ actually mean and to remember that timing and context are critical to any initiative. Unfortunately, this is rarely done, to the extent that the risks of getting it wrong are not seriously considered. I hope that this pamphlet goes some way towards correcting this imbalance.

Introduction

Speaking to a Chatham House audience in June 2007, Peter Hain, the then Northern Ireland Secretary of State offered up the province as a “model for conflict resolution”. The peace process there, he asserted during his unsuccessful campaign for the Deputy Leadership of the Labour party, should stand “as an inspiration – and perhaps guidance – to others as they go about the business of conflict resolution”. Central to Hain’s thesis was his understanding of the key factor that had brought success in Northern Ireland: the willingness of the British Government to ‘talk to terrorists’. In his own words: “At the heart of this process – and arguably as its ultimate objective – has been the development of dialogue at every level.”³

In speaking as he did, the Secretary of State articulated a set of guiding principles that have become increasingly fashionable in recent times. At the heart of these is the notion that only unfettered ‘dialogue’ can offer a way out of what are deemed to be ‘intractable’ conflicts. Governments should initiate such dialogue, the argument runs, with all parties to a given conflict, without preconditions and with an emphasis on bringing in the ‘extremes’, because only by so doing can lasting peace be achieved. Again, to cite Hain:

Dialogue brings in those elements of the ‘extremes’ in a conflict or process which are capable of delivering the most obdurate constituencies... bringing the most polarized parties to the point of agreement can be absolutely critical to ensuring any deal sticks.

For the adherents of such a view, it is considered ultimately inevitable that a successful peace process must include those who might otherwise be labelled “terrorists”; if they are part of the problem, it is reasoned, they have to be part of the solution. In line with this, much emphasis is placed on finding those apparently ‘moderate terrorists’ with whom one can ‘do business’. As Hain put it, “The key challenge for the Government was to identify the positive elements within the opposing communities and to encourage and sustain them... Identifying key leaders is critical to success”.

³ Peter Hain, ‘Peacemaking in Northern Ireland: A model for conflict resolution?’. The speech, made on 12 June 2007, was published in pamphlet form by the Northern Ireland Office

Increasingly, this kind of ‘model’ has been taken up and applied to conflicts beyond Northern Ireland. Speaking in London recently, for instance, General David Petraeus – the man charged with overseeing the American troop ‘surge’ in Iraq – spoke of the influence that the Northern Ireland paradigm had had on US policy there – particularly in relation to the effort to reconcile those people (specifically the Sunni Sheikhs of the ‘Anbar Awakening’ movement) who were formerly involved in the anti-Coalition insurgency. Much intellectual support for that policy, he claimed, had been derived from the British experience of Northern Ireland – as relayed by senior British military figures to their American counterparts.⁴ Elsewhere in Iraq, both Muffaq Al-Rubaie and a key lieutenant of Abu Mussab Zarkawi (interviewed in early 2005 in *Time* magazine) took note of events in Northern Ireland (and Al-Rubaie even visited the province personally) – as an example of how insurgent movements purporting to represent minority groups in society could simultaneously enter democratic political systems, whilst keeping up the pressure for concessions through the continued use or threatened use of violence. In Rubaie’s view, the Northern Irish precedent was obviously negative; in the above-mentioned jihadist’s view, it was obviously encouraging. But there was little analytical disagreement between them as to what the Northern Irish experience means and how it might be applied to Iraq.

Nowhere is the analogy applied more vigorously, though, than in the case of the Israeli-Palestinian conflict. For those eager to inject a ‘creative breakthrough’ there, the lessons from Northern Ireland are often cited as an inspiration.⁵ The foremost expression of this can be seen in the response of many to the growing status and influence of Hamas in recent years. An emerging consensus holds to the belief that peace can *only* be achieved if pre-conditions for dialogue are significantly diluted, making it easier for Hamas to be brought into the process. For this reason, there has been a determination to identify the ‘moderate’ elements within that movement – to single out those who might be biddable in a future peace process. Repeatedly, the parallel drawn is to the evolution of Sinn Fein/IRA and Northern Ireland’s ‘path to peace’.

⁴ For the comments of General Petraeus, see ‘part 2’ of his comments to the Royal United Services Institute in London, 18 September 2007, available at, <http://www.rusi.org/research/studies/transatlantic/commentary/ref:C46E65267D917E/>.

⁵ Carl Strenger, ‘Applying lessons from Northern Ireland’, *Haaretz*, 3 July 2007, <http://haaretz.com/hasen/spages/877080.html>

Obviously, the search for ‘biddable extremists’ is tempting, but the potential pitfalls of such an effort are often ignored. Foremost among these is the fact that it often puts centre stage those who have been a great part of the problem – at the expense of those who have spent the same period in search of a solution. In Northern Ireland, this has helped to create an account of the past as Irish republicans would have it. The British Government, notwithstanding its achievements in Northern Ireland, has been remarkably acquiescent in this process; indeed, at times it has even encouraged it. In this regard, it is striking that the temptation to ‘buy off’ the loudest and most bombastic is also in evidence in the Government’s approach to the Muslim community in the United Kingdom. After 9/11, as Martin Bright has shown, the Government embarked on an “engagement” with the British Muslim community that rested on choosing interlocutors who were not genuine moderates, but radicals, often of foreign-origin.⁶ In an attempt to achieve the quiet life, it has made short-term and unsustainable deals, undermining more moderate partners on whom it must rely in the long-term.

Nevertheless, despite evidence that such moves might be counterproductive – wherever they are made – this mode of behaviour endures and Northern Ireland is held up as example *par excellence* of its successful application. An increasingly prominent advocate of this approach, for example, is Conflicts Forum, a think tank fronted by the former British intelligence officer, Alistair Crooke, which has been vocal in urging western governments to engage politically with Hamas and other Islamist political movements, without a set of rigid pre-conditions.⁷ A member of the advisory board of this organisation, Gabrielle Rifkind, argued in a recent policy paper for the Oxford Research Group that the West’s current ‘conditions-led’ approach to Hamas was counter-productive. Asserting that, in Ulster, ‘a number of thorny issues’ were postponed to a later date in order to facilitate negotiations between the British

⁶ Martin Bright, *When Progressives Treat with Reactionaries: The British State’s flirtation with radical Islamism* (Policy Exchange: London, 2006)

⁷ Alistair Crooke, ‘From conflict to politics’, *The Guardian*, 28 July 2005. For Conflicts Forum, see <http://conflictsforum.org>

government and the IRA, she argued that a comparable approach needs to be taken with Hamas.⁸

A similar line of thinking can also be seen in the work of Forward Thinking, a charity founded in April 2004 by William Sieghart and Oliver McTernan, which lists amongst its aims, a desire “to promote a more inclusive peace process in the Middle East”. As to what this means in practice, its mission objective is described as:

engaging the religiously motivated Palestinian and Israeli political parties who have been previously excluded from ‘track two’ dialogue...The Initiative aims to promote an environment of constructive dialogue between Israelis and Palestinians, by implementing a series of unilateral dialogue activities among religiously motivated and conservative political leaders on both sides. The objective of the Initiative is to focus on bringing leaders who have hitherto been excluded from the “dialogue community” into a process of internal examination of contentious issues outstanding between the sides, and to provide them with the tools and knowledge to engage in a constructive bilateral process...⁹

Under the surface of the familiar language, the logic of this point is clear. The reality is that Israeli “religious” factions have never been excluded from any dialogue – particularly when they have been members of an elected government (as is currently the case with the Sephardi political party, Shas). In other words, it would seem that the reference here to “religiously motivated” parties, “on both sides”, is mainly concerned with bringing in Hamas. They are the “conservative political leaders”, whose entry into peace talks the organisation seeks to encourage. Once again, the echo here is of what was assumed to be the British approach in Northern Ireland. There, the Government was careful to include ‘extremists’ from both sides of the political divide – pro-British loyalists as well as anti-British republicans. Indeed, the 1996 elective process that decided who could take part in peace talks (see below) was carefully designed to ensure that the otherwise-politically marginal loyalist parties, the Progressive Unionist Party (PUP) and the Unionist Democratic Party (UDP), won enough seats to participate. It thereby ensured that the Government could engage with Sinn Fein under the flag of talking with ‘all sides’; it was the ‘fig leaf’ that allowed the British government to pursue its real agenda – to enter into talks with

⁸ Gabrielle Rifkind, ‘What Lies Beneath Hamas’s Rhetoric: What the West Needs to Hear’, March 2006, *Oxford Research Group*,

http://www.oxfordresearchgroup.org.uk/publications/briefing_papers/online/hamasonline.php

⁹ See ‘Forward Thinking’, <http://www.forwardthinking.org/>

the IRA's representatives. Just as was then, so it is now: references to the need to bring in Israeli 'conservatives' as well as Palestinian 'conservatives' are about legitimating Hamas' entry into proposed peace talks.

Very much of a piece with this is the attitude of Daniel Levy, a former senior policy adviser to the Israeli Minister of Justice, Yossi Beilin, Director of the Prospects for Peace Initiative at The Century Foundation, and the son of Tony Blair's former Middle East envoy, Lord Levy. Together with Beilin, Levy was a key architect of the 2003 Geneva Initiative that sought to re-start the Middle East peace process by moving directly to 'final status' issues. Levy told *The Sunday Telegraph* recently that: 'For any process to have sustainability, legitimacy, and to guarantee security, it will have to be inclusive, not divisive and to bring in Hamas over time'. 'Mr Blair, he added 'with his Northern Ireland experience, may understand this better than most'.¹⁰

Perhaps most surprising is the fact that the impulse to draw on this analogy has proved tempting even for those with direct experience of events in Northern Ireland. Thus in July 2007, Michael Ancram, the senior Conservative MP and former Minister in the Northern Ireland Office, argued that the British had 'danced with wolves' in the search for a settlement in Northern Ireland. The British Government had, he asserted,

opened communications with the IRA, which even as we did so was killing our soldiers and maiming and murdering civilians. We did so because we had rightly concluded that there was no answer to "the Troubles" that did not encompass and eventually include Irish republicanism... I began dialogue with fundamentalist Irish republicanism nearly 15 years ago. The primary lesson of Northern Ireland was that while you might militarily contain national terrorist movements you could not defeat them and more significantly you would never eradicate them. In the end you need to engage with them.

In order to achieve peace in the Middle East, he asserted, the West must adopt a similar approach, 'engaging' with Hezbollah and Hamas.¹¹ What Ancram failed to make clear, however, was whether the anticipated engagement with Hamas and Hezbollah should, in his view, be based on the same conditions as existed in Northern

¹⁰ Tim Shipman, 'Blair "will fail unless he talks to Hamas"', *The Sunday Telegraph*, 22 July 2007.

¹¹ Michael Ancram, 'To succeed, Blair must dance with wolves', *The Sunday Telegraph*, 1 July 2007

Ireland, or should it be ‘unconditional’ – of the sort recommended by Hain and others..

Against this background it is surely worth asking: what is the essence of the Northern Ireland ‘experience’ for those who would seek to deploy it? Are there lessons that can be derived from it and worked into a cohesive model of ‘conflict resolution’? And is this model necessarily applicable elsewhere – particularly in the Middle East?

It is in the hope of providing some answers to these questions that this pamphlet re-examines the Northern Ireland peace process ‘model’ that we increasingly hear so much about. This Ulster model – as it is being sold in the Middle East – can be seen to rest on a number of key intellectual pillars: first, that the process was only possible because the British Government changed tack in the early 1990s and was prepared to engage in an ‘inclusive’ dialogue with terrorists – of the sort it had previously rejected; second, that this dialogue only took place because the government did not insist on previously held ‘pre-conditions’ that would-be participants had to meet; and third, that the outcome of that dialogue and, indeed, the process as a whole, has been an unqualified success story – and one of which the British Government can be justifiably proud. Each of these propositions will be subjected to critical analysis in the pages that follow. The aim is to revisit the question of what it was that actually happened in Northern Ireland and to ask how it was that the province ended up where it is today. While the story is largely one of success, it is undoubtedly the case that mistakes were made along the way and it is equally important to establish when and why these occurred.

1. Why did a peace process emerge in the 1990s?

A popular myth that has developed around the origins of the Northern Irish peace process is that it was the British Government that altered its position in the late 1980s and early 1990s. The narrative runs as follows: realising that the security forces could not conclusively defeat the IRA, the Government instead shifted its position and opted to explore dialogue with that organisation, something which it had previously rejected. At best, this understanding rests on a poor chronological understanding of the genesis of British policy towards Northern Ireland over thirty years. At worst, such a view is misleading and demonstrably false.

Before proceeding, however, it is important to note that ‘engagement’, ‘talking’, ‘dialogue’ and ‘contact’ and are all very different terms and need to be rigorously defined. For example, there is a substantive difference between the state wishing to maintain ‘channels of communication’ with a terrorist organisation and it opting to enter into formal negotiations with the latter. In the early 1990s, for example, it emerged that the British Government had, for some time, been involved in some form of communication with the IRA, by which messages were passed back and forth between both parties. At the time the word that John Major’s government used to describe this process was ‘contact’. Partly, this was done to refute the suggestion it had opened formal dialogue with a still-violent IRA; but also it reflected the fact that, it was not engaged in official negotiations with Irish republicans. Certainly, it was a distinctly different type of communication from the sustained and face-to-face talks, which subsequently took place at the end of the 1990s between Tony Blair’s Government and Sinn Fein, as the political representatives of the IRA.

That fact notwithstanding, it is important to recognise that the decision to talk to the IRA in the early 1990s did *not* represent a revolutionary shift in British policy. In reality, successive British governments had explored the possibility of engaging republicans in some form of negotiating process. While it was always careful to tread delicately around the issue, the idea of pursuing these contacts was never an anathema to the British Government’s fundamental position on Northern Ireland: that violence in the province should be curtailed and stability be restored. Instead – and here is an

important point – the most important variable was the context in which ‘engagement’, ‘contact’, ‘negotiation’ or simply ‘talks’, took place.

The truth of this was made clear by the debacle that surrounded the IRA’s 1972 ceasefire. On that occasion senior members of the IRA were invited to talk directly with representatives of the British Government (although both sides were careful not to use the word ‘negotiation’ as a description of the meeting). A high-ranking IRA delegation (including both Gerry Adams and Martin McGuinness) was assembled with the government’s acquiescence and flown (in secret) to London by the RAF for talks with the Northern Ireland Secretary, William Whitelaw. However well intentioned Whitelaw’s motives were, this move proved disastrous. The bar had been set low for IRA participation: the meeting took place only a few days into a flimsy and temporary ceasefire and Gerry Adams, the future leader of Sinn Fein, was even released from custody in order to take part. Seeing all this (in a context in which Northern Ireland’s devolved parliament at Stormont had recently been suspended), as a sign of British weakness, the IRA arrived, issued an ultimatum and left. The conclusion of the organisation’s leadership was that even if the British failed to deliver on their demands this time around, one ‘last push’ would do the trick. Consequently, when the ceasefire subsequently broke down, the IRA launched an explosive campaign of violence – culminating in the ‘Bloody Friday’ attacks which saw 22 bombs detonated in under an hour and a half in Belfast. Nine people were killed and over a hundred injured in what proved to be one of the conflict’s most horrific attacks. Furthermore, ‘Bloody Friday’ was only one incident in what proved to be the worst year of ‘the Troubles’. More people were killed in 1972 than any year before or after, as the IRA campaign was matched by a ferocious onslaught from loyalist paramilitaries. Both sides had perceived British actions as indicative of a waning British commitment to the preservation of Northern Ireland’s position within the UK. Those actions, intended to bring peace, merely deepened the sense of constitutional uncertainty and generated new levels of violence; sensing that everything was ‘up for grabs’ all sides had intensified their battle for the ‘spoils’.

In his Chatham House lecture pushing the case for dialogue as the way to end conflict, Peter Hain made what might be regarded as a largely uncontroversial claim: “trying is almost always worthwhile”. Frankly, the experience of the past thirty years in

Northern Ireland suggests that this is not necessarily the case and it can be a dangerous thing to believe. ‘Trying’ might be well – intentioned, as was the case in 1972, but it is not ‘always worthwhile’ and it can, in fact, be extremely counter-production. It is crucial to establish, therefore, that, while this option might never be entirely discounted, it is awash with risks. And if such an endeavour is to be undertaken, the most important thing is to get the timing and the context right.

What, then, had changed in the late 1980s and early 1990s that allowed the British Government to test this avenue again, with, eventually, more success? Above all, the bar was raised for the IRA’s direct participation in the peace process, as it began to emerge at the start of the 1990s. It should be said that recent investigative journalism has suggested that the origins of the peace process can be dated back into 1980s. Indirect contacts appear to have been underway as early as 1986-7, with letters bearing the imprimatur of the Sinn Fein President, Gerry Adams, passed to both the British Secretary of State, Tom King, as well as the Irish Taoiseach, Charles Haughey.¹² Crucially, however, it was soon made clear that there were certain conditions that had to be met if the British were to engage *officially* with the representatives of the IRA.

Foremost among these was the underlying requirement that IRA violence be brought to a halt. The British Government refused to countenance talks with an IRA that was simultaneously involved in an active military campaign. Alongside this, the British were also adamant that there could be no *predetermined* outcome to any negotiations involving the IRA. In other words, the British state (despite recent evidence that it may have flirted with abandoning this tenet in the mid-1970s) refused to push for Irish unity – to become in the early 1990s phrase often used by republicans, ‘persuaders’ for Irish unity. Instead, the Government continued to defend the ‘consent principle’ – in public *and* private communications – which held that the future of Northern Ireland could only be decided with the consent of the people of the province (the majority of whom were, and still are, Unionists, who prefer to remain within the United Kingdom).

¹² See Ed Moloney, *A Secret History of the IRA*, 2nd edition (London, 2007), pp. 246-280

These two principles, then – that talks must be held in the absence of violence and that the results of dialogue could not be set in advance – formed the ‘bottom line’ of the British position. In the absence of these, behind-the-scenes contacts were permissible (of the sort that we now know went on during the mid-to-late-eighties and early nineties) but *formal* dialogue remained out-of-bounds.¹³ Indeed, it might even be said that the IRA’s refusal to accept British conditions on such dialogue was at the heart of the conflict between 1972 and 1994 - a refusal that ultimately had to be set aside in the early 1990s. By calling the first ceasefire when they did (in August 1994), republicans were *de facto* accepting the British state’s parameters for talks. This, in turn, relates closely to the second point of contention here – the issue of preconditions.

This point cannot be emphasised enough. By the early 1990s, it was the IRA – not the British Government – that was forced to alter its approach in order to secure ‘inclusive’ talks. And as to why this should have been so, it was the squeezing of the ‘military context’ in which republicans were operating – above all else – that proved decisive. On the one hand, the more militant and active sections of the IRA had been met forcefully by the sharp edge of the British state’s security apparatus in Northern Ireland. The most prominent example of this was the Loughgall ambush in May 1987 that saw eight senior IRA Volunteers killed by the SAS – the organisation’s biggest single loss during the conflict. Loughgall, however, was not an isolated episode. During the late 1980s and early 1990s, a series of similarly violent encounters brought the death of some 21 IRA Volunteers – the vast majority from the organisation’s notorious Armagh and East Tyrone brigades.¹⁴

On top of such successful counter-terrorist operations, it seems clear that the British security services were also waging an extremely effective ‘behind-the-scenes’ intelligence war. As the revelations in recent years as to the activities of people like Freddie Scappaticci and Denis Donaldson reflect, the IRA had been heavily infiltrated by informers and was subject to a strategy of slow ‘containment’. Crucially, it would also seem that this was a fact of which the IRA leadership was itself only too well

¹³ *Ibid*

¹⁴ Information and figures gathered from ‘Chronological List of Deaths’, CAIN (Conflict Archive on the Internet), available at <http://cain.ulst.ac.uk/sutton/chron/index.html>. See also, Moloney, *A Secret History of the IRA*, pp. 318-9

aware. There was a growing sense among senior republicans that the organisation's 'armed struggle' had reached a point of deadlock. The account of former RUC Special Branch Superintendent, Ian Phoenix, supports this. Therein, it is claimed that by 1994, eight out of ten operations planned by the IRA's Belfast Brigade were being thwarted by the RUC.¹⁵ Indeed, no British soldier died on duty at the hands of the IRA in Belfast after August 1992. Furthermore, the last major bombing of commercial targets in the city was in May 1993.¹⁶ It was clear, therefore, that in Northern Ireland's capital, which had always been the key crucible for the conflict, the IRA was, in essence, being brought to a stand-still – a point well-attested to by Martin McGartland's account of his later years in the IRA as a British agent.¹⁷

Thus, while it retained the capacity for the occasional 'spectacular' attack (as it demonstrated with major bombs in the heart of London in 1992 and 1993), the IRA's operational capacity was steadily undermined. Of course, the extent to which the IRA was actually defeated will be debated for many years. And it is difficult to measure the importance of the 'secret war' against other variables. Either way, though, setting aside for a moment the moral and legal controversies that are often associated with them, it is clear that counter-terrorism operations were taking a heavy toll on the organisation. In their own best estimate, the IRA would admit to a 'stalemate' with British forces. On the surface, this would seem to be an achievement of sorts for a terrorist organisation. Unlike the IRA, however, the British security sources did not need outright victory to achieve political progress. The British were always willing for the IRA to come to them; the question was when would the IRA make the calculation to use their remaining chips – to cash in the terrorist campaign for potential political opportunities?

It is this reality that forms the crucial background to the IRA ceasefires – of both 1994 and 1997 – as well as the peace process that followed. And it is this that the current obsession with the rhetoric of 'inclusive dialogue' frequently fails to take into

¹⁵ J. Holland & S. Phoenix, *Phoenix: Policing the Shadows: The Secret War Against Terrorism in Northern Ireland* (London, 1996), p. 391. Phoenix's 'memoir' was written by Jack Holland and Ian Phoenix's wife, Susan, based on his diaries, following his death at the Mull of Kintyre Chinook Helicopter crash on 2 June 1994

¹⁶ *Ibid.*, p. 393

¹⁷ Martin McGartland, *Fifty Dead Men Walking: The Heroic True Story of a British Secret Agent Inside the IRA* (London, 1997)

account. Inclusive dialogue only became viable when the IRA shifted position and agreed to operate within the British Government's parameters for talks.

2. Pre-conditions: the basis for inclusive dialogue

The notion that the British Government entered into talks with the republican leadership in the early 1990s, without any preconditions, is, as has already been demonstrated, false. Yet this argument subsequently gained momentum because of the way in which the issue of paramilitary weapons decommissioning played itself out in Northern Ireland.

Before the decommissioning issue came to blur the agenda, a series of indispensable building blocks for any potential deal were put in place. In this regard, the Downing Street Declaration of 1993 was an important moment. It served as a key foundation stone for the peace process that followed. Article 9 of this document, a joint initiative, announced by the British and Irish governments on 15 December 1993, established that the conditions for peace negotiations were as follows:

The British and Irish Governments reiterate that the achievement of peace must involve a permanent end to the use of, or support for, paramilitary violence. They confirm that, in these circumstances, democratically mandated parties which establish a commitment to exclusively peaceful methods and which have shown that they abide by the democratic process, are free to participate fully in democratic politics and to join in dialogue in due course between the Governments and the political parties on the way ahead.¹⁸

Pre-conditions were established, therefore, but were subject to interpretation. What in any given situation constituted ‘a permanent end to the use of, or support for, paramilitary violence’ and ‘a commitment to exclusively peaceful methods’?

After the first IRA ceasefire of 1994, the republican leadership complained bitterly that they had been gulled by the British state into calling a cessation of hostilities, only to have “preconditions” inserted into the process after the event – namely the decommissioning of weapons prior to entry into all-party talks. Nationalist Ireland largely accepted the republican complaint, whilst the media, and President Clinton’s administration did not, to say the least, display much sympathy for the position of John Major’s Conservative British Government. Furthermore, in the face of this criticism, Major’s Government failed to make its own cast-iron case about its

¹⁸ The full text of the Declaration is available at <http://cain.ulst.ac.uk/events/peace/docs/dsd151293.htm>

intentions in dealing with the IRA over the longer-term. Indeed, it is often forgotten that Adams had been complaining for months *before* the 1994 ceasefire that the British had been demanding that very act of decommissioning.¹⁹

Either way, the IRA had been left under no illusion that serious criteria had to be met before they were allowed to join the process. Indeed, it was actually the Irish Government that had first been so insistent on the decommissioning issue. On 15 December 1993, the day of the publication of the Downing Street declaration, the then Tanaiste, Dick Spring, had spoken of the importance of paramilitary groups handing over their weapons following the end of violence. ‘Questions were raised on how to determine a permanent cessation of violence’, Spring had noted. ‘We are talking about the handing over of arms and are insisting that it would not be simply a temporary cessation of violence to see what the political process has to offer’, he asserted by way or reply.²⁰

Thus, by agreeing to a ceasefire in this context, the IRA had appeared to indicate their acceptance of the terms; the outrage that they subsequently expressed over decommissioning was bogus. The press secretary for the Irish Taoiseach, Albert Reynolds, recorded how in late 1994, ‘Martin McGuinness spoke frankly about the need to dispose of armaments’ in Reynolds’s office. ‘We know the guns will have to be banjaxed’, he had conceded.²¹ Despite subsequent allegations, therefore, it is not true that decommissioning was a purely symbolic gesture, insisted on by Unionists, who were unnecessarily trying to create the impression of an IRA ‘surrender’.

Decommissioning became so important because it could provide the tangible evidence that republicans had given up violence for good. It rose to mainstream prominence in late 1994-early 1995, because of concerns that the word ‘permanent’ had not been included in the IRA ceasefire. Such a situation created a very difficult environment

¹⁹ For example, as Gerry Adams put it in an interview with the *Irish News* on 8 January 1994: “This is what they [the British Government] want. They want the IRA to stop so that Sinn Fein can have the privilege twelve weeks later, having been properly sanitised and come out of quarantine, to have discussions with senior civil servants about how the IRA will hand over their weapons”. See P. Bew and G. Gillespie, *The Northern Ireland Peace Process, 1993-1996* (London, 1993), p. 41

²⁰ *Ibid*, p. 35

²¹ Sean Duignan, *One spin on the merry-round* (Dublin, no date), p. 151

for dialogue; decommissioning was seen as the way around this. The hand-over of weapons was to confirm that the IRA had indeed definitively ended their violent campaign. To have proceeded with talks in its absence, it was then felt, would have created a situation in which one side – namely the IRA – would be in position to negotiate with guns ‘under the table’, with the option of returning to violence if the talks process failed to deliver their objectives. That the IRA ceasefire did indeed break down in February 1996 – because of what the IRA described as an ‘unacceptable’ lack of movement in the process – confirmed that anxieties on this front were far from unfounded. Seeing that political means were failing to deliver the gains that they had anticipated, the republican movement returned to violence.

It has since been claimed that the decommissioning ‘obstacle’ was subsequently dropped in 1997 by the New Labour Government of Tony Blair. In favour of such an argument there is a *prima facie* case; prior to winning that year’s General Election, Blair had indeed stated that decommissioning would no longer be allowed to hold up the peace process. Furthermore, the republican leadership did enter talks in September 1997, with, in the words of the West Belfast graffiti writers, ‘not a bullet, not an ounce’ having been handed over. Crucially, however, so simplistic a view ignores the key role played by the Mitchell Principles in the autumn of 1997.

The Mitchell principles emerged out of a three man commission, set up in November 1995 and headed by the former US Senator, George Mitchell, to facilitate and oversee the decommissioning of terrorist weapons.²² In January 1996, the commission produced a report based on the understanding that the IRA was unlikely to give up its weapons before it was admitted into negotiations. It instead recommended that each of the participants had to ‘affirm their total and absolute commitment’ to the following six principles, as listed in point 20 of the Report:

- a. To democratic and exclusively peaceful means of resolving political issues.
- b. To the total disarmament of all paramilitary organisations
- c. To agree that such disarmament must be verifiable to the satisfaction of an independent commission

²² It is interesting to note that after concluding his work in Northern Ireland, George Mitchell himself moved on to the Middle East where he took up the invitation of President Clinton in November 2000, to chair a “fact-finding mission” in to the violence between Israelis and Palestinians.

- d. To renounce for themselves, and to oppose any effort by others, to use force, or threaten to use force, to influence the course or the outcome of all-party negotiations
- e. To agree to abide by the terms of any agreement reached in all-party negotiations and to resort to democratic and exclusively peaceful methods in trying to alter any aspect of that outcome with which they may disagree.
- f. To urge that 'punishment' killings and beatings stop and to take effective steps to prevent such actions.²³

Evidently, the Mitchell report had deviated from the previous insistence of John Major's Conservative government that decommissioning must precede the entry of the IRA into the talks.

The republican argument, taken up thereafter in many other quarters, was that the Major Government subsequently 'binned' the Mitchell report after it was published in early 1996 – and this was the immediate *causus belli* for the return to war in February of that year. The reality was more complicated. First, plans for the resumption of the IRA campaign were laid long before Mitchell produced his report (which itself went down very badly among grass-roots republicans – a truth that sits uncomfortably with the notion that the IRA went back to war following the dishonouring of Mitchell by the British). If anything, the likelihood is that the return to violence would have happened earlier, but for the republican desire to keep the Americans 'on side', which led them to delay the operation until after President Clinton had visited Belfast in November 1995.

More fundamentally, it is clear that the Government had not abandoned Mitchell. If the requirement of decommissioning had been a way of sidestepping the demand that the IRA declare a 'permanent' end to violence, the Mitchell Principles were, in turn, about manoeuvring the peace process around the decommissioning issue. They came to be used as device to get the republican leadership off the 'hook' that they had put themselves on. The new strategy for the Government was to be decommissioning in parallel with a talks process, the latter to be defined by an elective process, which would give a mandate for those who were to take part. Far from abandoning Mitchell, the Government endorsed this model and called elections for a Northern Ireland

²³ The full text of the Mitchell report is available at, <http://cain.ulst.ac.uk/events/peace/docs/gm24196.htm>

Forum as a prelude to beginning talks. That Sinn Fein found themselves ‘locked out’ of the Inter-party Talks that began in June 1996, was a function of their refusal to move decisively away from violence – as defined by Mitchell.

To put it another way, the pack had been shuffled, but the fundamentals – pre-conditions and a framework for future negotiations – remained in place, albeit in a different order. Correspondingly, Sinn Fein was allowed to enter the talks in September 1997 – but *only* when the IRA had ‘restored’ its ceasefire and the republican leadership had subsequently announced that it accepted the Mitchell Principles. In this regard, it is instructive that a small crisis was created when, within days of Sinn Fein’s apparent acquiescence in the Principles, an IRA spokesperson declared in an interview with the republicans’ in-house newspaper that the IRA was not a signatory to them and thereby not a participant to talks – a preposterous claim that the Government ignored on the basis that, in the later words of two senior Irish Government Ministers, there were no “Chinese walls” between SF and the IRA and the movement as a whole was “indivisible”.²⁴ In real terms, no matter how hard the republican leadership tried to spin it – with an eye on a republican base that was uneasy with the move – the endorsement of the Principles was a significant step for republicans. The truth of this was soon underlined by the serious internal ructions it caused within the republican movement. Critics of the Adams-McGuinness strategy attempted to prevent them from endorsing the Principles and, having failed in this endeavour, departed to form the ‘Real IRA’ in October 1997. Those who founded this latter organisation directly cited the IRA’s acceptance of the Mitchell Principles as the immediate basis for their defection.²⁵

²⁴ Michael McDowell, then Justice Minister, cited in ‘Anger over minister’s attack on SF funding’, 22 January 2004, UTV Online, available at, <http://www.u.tv/newsroom/indepth.asp?id=41711&pt=n>; Willie O’Dea, then Defence Minister, cited in David Lister, ‘Adams is a top leader in IRA, Irish minister says’, *The Times*, 21 February 2005

²⁵ Moloney, *A Secret History of the IRA*, pp. 473-9

3. The Good Friday Agreement: peace on whose terms?

The key to understanding the Good Friday Agreement of Easter 1998 is to recognise that it was a triumph for moderation over extremism. The initial success of the deal, ratified by a majority of people north and south of the Irish border, depended on its attempt to bring together the moderates from the unionist and nationalist communities in Northern Ireland. The logic was that it would provide some sustainable and workable basis to local political life: it created a system of shared responsibility that was to facilitate the existence of a functioning, devolved government in the province.

While the short-term criteria for republican involvement in the talks were set down in the Mitchell Principles, the most important long-term building block for the Good Friday Agreement – later fulfilled in the referenda that ratified it - was the notion of ‘sufficient consensus’. This concept, initially borrowed from South Africa, was set in place as early as the ‘Brooke-Mayhew talks’ of 1991/2 and remained non-negotiable after that point.²⁶ The idea of ‘sufficient consensus’ meant that unanimity on the part of all parties was not needed in order to achieve a settlement. Thus, it was deemed ‘sufficient’ to have the support of the two governments,²⁷ and a majority of unionists and a majority of nationalists – the latter subsequently determined by reference to the support achieved by the parties in the elections held to the Northern Ireland Forum in 1996. The effect of this was that, as far as unionism was concerned, the UUP could, with the support of the smaller loyalist parties, the PUP and the UDP, meet this requirement without the support of Ian Paisley’s DUP. Equally, the assent of John Hume’s SDLP – which at that point still had more electoral support within the nationalist community than Sinn Fein – could deliver nationalist support for any deal.

In other words, Sinn Fein and the DUP found themselves in a position where they could not exercise a veto on any agreement. In removing themselves from the political process in July 1997 – in protest at the prospect of the admission of Sinn Fein to the talks – the DUP were unable to bring the talks down. Even more important, as the

²⁶ The ‘Brooke-Mayhew’ talks were a series of negotiations between the province’s constitutional parties organised by successive Secretaries of State for Northern Ireland, Peter Brooke and Patrick Mayhew.

²⁷ Though the agreement of the UK Government *alone* was required for Strand One issues that dealt with the internal governance of Northern Ireland.

DUP walked out and Sinn Fein walked in, the latter were acceding to a process which they could not control.

How did this work out in practice? The arrival of republicans into the peace process in late 1997 did make negotiations more difficult. But the importance of the fact that the peace negotiations could proceed, independent of any Sinn Fein veto, became obvious in the events which preceded the Agreement of Easter 1998. Indeed, although the eventual outcome was impossible to predict, we have already seen how a number of key elements in the Agreement had been put in place over the previous years. Most important among these was the ‘consent principle’, of the term used to describe the basic democratic principle that it was for the people of Northern Ireland to determine their constitutional destiny – something that had long been enshrined in both domestic British legislation and international treaties.²⁸ While some previous government-led initiatives had seemed, to many, to fall short of a full recognition of this principle, both the British and Irish states placed an increasing emphasis on it as Easter 1998 approached. In this regard, Tony Blair was a significant improvement on his predecessors.

The Brooke-Mayhew talks of 1991/2 had been preceded by a statement that the talks would consist of three strands. In Brooke’s own words, as stated to the House of Commons on 26 March 1991:

It is accepted that discussions must focus on three main relationships: those within Northern Ireland, including the relationship between any new institutions there and the Westminster Parliament; among the people of the island of Ireland; and between the two Governments. It is common ground between all the parties that hope of achieving a new and more broadly based agreement rests on finding a way to give adequate expression to the totality of the relationships I have mentioned.²⁹

²⁸ This principle is in articles 11 and 12 of the 1921 Treaty which brought the Irish Free State into existence, which Treaty was given the force of law by the Irish Free State (Agreement) Act 1922. The consent principle subsequently appears in section 1 of both The Ireland Act 1949 and the Northern Ireland Constitution Act 1973, in differing formulations which are not material at this point.

²⁹ Brooke cited in *Hansard* (online), available at http://www.publications.parliament.uk/cgi-bin/newhtml_hl?DB=semukparl&STEMMER=en&WORDS=peter%20brook%20three%20strand%20three%20strands&ALL=three%20strands&ANY=&PHRASE=%22three%20strands%20%22&CATEGORIES=&SIMPLE=&SPEAKER=peter%20brooke&COLOUR=red&STYLE=s&ANCHOR=Debate-1_spmi0&URL=/pa/cm199091/cmhsrd/1991-03-26/Debate-1.html#Debate-1_spmi0

This formulation guaranteed to the Irish that they would have a structured relationship with any new institutions in Northern Ireland (notwithstanding that, difficulties had emerged when the Irish Government tried to predetermine the detail of that relationship by negotiating the so-called Frameworks paper with the Northern Ireland Office. 'Frameworks' was to cause considerable problems and an agreement only became possible following its drastic revision). More broadly, the three strand approach served as a definitive statement of the parameters for future negotiations and provided the template for the Agreement that would later emerge.

The most drastic example of the way that the Government subsequently insisted upon these parameters and certain other realities came in late 1997-early 1998. The talks broke up on 16 December 1997 for Christmas with no agreement reached on a future agenda. The last few sessions had been very bad tempered, with Sinn Fein refusing to accept even the mere mention of an Assembly for Northern Ireland. Sinn Fein's chief negotiator, Martin McGuinness was even reputed to have told senior Irish officials that there would be "bodies in the street" if an Assembly was discussed. The SDLP, although privately in favour of an Assembly, was reluctant to force the issue. It is important to remember that the prospect of a return to violence was still fresh in the air. The IRA had only re-entered the process a few months and fears of a return to darker days was increased by the murder of loyalist leader Billy Wright in prison on 27 December.

Unknown to the public and most participants in the talks, however, the Prime Minister Tony Blair had started to take a direct interest well before the Christmas recess. Downing Street had begun to give firmer indication of what might be contained in any agreement. Moreover, after Christmas, Blair decided that the talks needed an injection of momentum and resolved to produce an outline document for a putative accord. Responding to this, the Dublin government made suggestions on possible Irish constitutional changes, as well as the possible contours of future north/south relations. The text of the document – what became known as the *Heads of Agreement* paper – was finally confirmed after a series of telephone conversations between myself, Blair and the Taoiseach, Bertie Ahern, over the weekend of 10/11 January 1998. Blair's determination was evidenced by the fact that he was in Tokyo, making the calls in the middle of the night. I remember being particularly pleased with a conversation I had

with Ahern late that Sunday night when we agreed language on the north/south ministerial council which anticipated precisely what appeared in the final agreement. There were probably similar conversations between the Prime Ministers and the SDLP, but I have no knowledge of them, or indeed, if there were any contacts with Sinn Fein – something I doubt though as the terms of *Heads of Agreement* made it brutally clear that the republican leadership’s concerns would not be prioritised.³⁰

What that document enshrined more than anything was Blair’s firm belief – which I shared – that the principle of consent necessarily had to be the cornerstone of any deal. Thus, while *Heads* was presented as a paper from the British and Irish governments, Sinn Fein knew that, because of the sufficient consensus rule, it could not prevent the talks proceeding on that basis. On the one hand, this did leave an important issue still unresolved and it would cause difficulties later on; but on the other, I do regard this episode as crucial to the successful outcome of the subsequent talks, as it prevented the debate from becoming focused on the perceived needs of the terrorists, as opposed to the moderates, in the run-up to the final round of talks. In this atmosphere, constitutionalists and democrats could come into their own.

The Belfast Agreement, then, did not emerge ‘out of the blue’ in April 1998. Neither was it simply the result of the 1997-8 talks. Rather, the basic shape of the outcome was clearly prefigured by events over the previous eight years and beyond.³¹ To suggest, therefore, that the talks were, in any meaningful way, open-ended, is to disregard reality. An outline of what was on the table was clearly on offer years in advance and it was this outline that was ultimately implemented. *Heads of Agreement* made it quite clear that constitutional arrangements based on consent and a Northern Ireland Assembly would be the essence of any deal, whatever the IRA had to say about it.

³⁰ See Appendix Two for the full text of *Heads of Agreement*.

³¹ The Brooke-Mayhew talks had made significant progress on the first strand. The Strand One Committee Report of 1992 was treated as the virtual starting point for strand One in the 1996-8 talks.

4. Failure to uphold the fundamentals of the process

The 1998 Belfast Agreement was subsequently heralded – quite rightly – as a major event in the history of Northern Ireland, as well as in the broader scope of Anglo-Irish relations. May 2007, finally brought the ‘bedding down’ of the institutions established by the Agreement (albeit some nine years after the event), with the creation of a new power-sharing Executive, under the aegis of Ian Paisley and Martin McGuinness. Though the faces may have changed, the basic principles of the Agreement remain unaltered.

Against this backdrop, it is hard to answer in the negative when the British Government when asks rhetorically, ‘is Northern Ireland not a better place today than it was ten, fifteen, twenty years ago?’ The answer, manifestly, is yes. The Agreement and the peace process that surrounds it has saved lives that would otherwise have been lost had the conflict continued. That, however, does not mean that mistakes were not made along the way. Northern Ireland may be a success story, but that does not mean that one can simply read across from it and adopt exactly the same measures elsewhere. To quote from Edmund Burke:

Circumstances give in reality to every political principle its distinguishing colour and discriminating effect. The circumstances are what render every civil and political scheme beneficial or noxious to mankind.

The particular schemes we adopted have proved beneficial. But introduced in a different context, or at the wrong time; or indeed, handled maladroitly, these may well prove noxious. In this context, it is important to acknowledge that the peace process was scarcely mistake-free over the last decade.

Outstanding issues reared their head after Easter 1998. Decommissioning had been postponed, but, in the wake of the Agreement, it still had to be tackled. As mentioned earlier, decommissioning stemmed from the requirement for all parties to the process to be committed to exclusively peaceful means, as set out in the Downing Street declaration of 1993. That requirement was repeated again and again in the Good Friday Agreement. As the Agreement came to be implemented, so the room for manoeuvre with that requirement became more limited. Republicans seemed to think

that decommissioning could again be shunted in to the future, relieving them from the need to explain to the foot soldiers that the “armed struggle” was now over and the IRA was to be wound up in exchange for a settlement which fell far short of their “war” aims.

It was vitally important not to lose sight of the ‘non-negotiables’ of what had been put in place by the Agreement. The mainstream parties had made their bargain, produced a settlement and put it before the electorate who had endorsed it. It should have gone without saying that it was incumbent upon the Government to push for its implementation. And that implementation required a swift resolution of the decommissioning issue.

If the Government had maintained its condition-led approach – as evidenced in the run-up to the Agreement – I believe that this issue could have been handled satisfactorily after Easter 1998. Instead, by shifting away from a structured approach to political progress, it allowed decommissioning to fester as a sore within the political process and in the eyes of the electorate.

Thus, despite the fact that an end to full-scale violence seemed to have been achieved in 1998, the ‘shadow of the gunman’ continued to hang over Northern Ireland. The simple reality was that the moderate parties could not deliver guns because they did not have any. Inevitably, in the absence of paramilitary decommissioning – particularly by republicans who also wished to sit in the new government of Northern Ireland – the weapons issue served to destabilise the political ‘centre ground’. In the months and years after the Agreement, the Government resorted to a series of ‘inch by inch’ negotiations over ‘guns and government’. These eroded popular support for the Agreement, weakened the moderate parties on both sides of the communal divide and repeatedly prevented the establishment of durable institutions in the province. Increasingly, the peace process appeared as a bilateral negotiation between the Government and terrorists. The result was the haemorrhaging of electoral support from the centre ground parties.

In fact, Sinn Fein/IRA had not been the driving force behind the deal. Even at the final day of negotiations, they abstained in the vote in which the parties endorsed the

deal in the final plenary session on 10 April 1998. Thus, they were last of the negotiating partners to accept the provisions of a deal in which the burden of negotiation had been carried by more moderate parties. Moreover, Sinn Fein were only supposed to be welcomed into that arrangement on the basis that they accepted and would deliver on the fundamentals of that Agreement. By the same token, Ian Paisley's Democratic Unionist Party, the only large party which claimed to maintain an explicitly Anti-Agreement position, were left on the sidelines. This remained the case until they later transformed their position to one of acceptance for the Good Friday Agreement, in all but name. Although the main unionist and nationalist parties who negotiated the deal – the Ulster Unionists and the SDLP – would not have predicted that Ian Paisley and Martin McGuinness would end up at the helm of this new arrangement, the fact is that they are now playing ball within a restrictive framework set for them in 1998.

Could things have turned out differently? Perhaps so. In the final stages of the talks, the Prime Minister had issued a letter to myself and my team of negotiators, reassuring us on an important grey area that we were deeply concerned should be dealt with before we ratified the deal. Our worry was that, to exclude one of the parties from office, we would have to seek cross-community support. In the event of a serious republican infraction, we were not sure that this would be forthcoming from the SDLP, who might consider it difficult to justify such a step to the nationalist electorate. In reply, the Prime Minister reassured us that if 'during the course of the first six months of the shadow Assembly or the Assembly itself, these provisions have shown to be ineffective, we will support changes to the provisions to enable them to be properly effective in preventing such people from office'. In addition, we were also told that with decommissioning schemes coming into effect in June 1998, 'the process of decommissioning should start straight away'.

In this regard, I believe that the Prime Minister erred in not holding republicans to the requirement in the Agreement to decommission. Running along side this, another key, emotive provision in the deal concerned the issue of prisoner releases. As part of the settlement, loyalist and republican prisoners were to be released on to the streets. In the eyes of the vast majority of the electorate this was, to say the least, distasteful. I believe that the Government could and should have made prisoner releases –

something the paramilitaries were desperate to achieve – conditional on acts of decommissioning. Early decommissioning of weapons linked to early release of prisoners would have indicated clearly to the public that the paramilitaries were really changing. There was implicit linkage in the Agreement for this process: the two-year period for prisoner release paralleled the two year period for the completion of disarmament. Had the government insisted on that linkage – and it was clearly open for it to do so – then the implementation of the Agreement would, I believe, have gone smoothly. Decommissioning would have begun long before the inclusive Executive would have been formed. The unionist electorate, in particular, would have seen the giving up of weapons as an explicit statement that the terrorist campaign was over and an implicit statement that it had been wrong. This would have achieved some sense of reciprocity over what was a highly charged issue. What actually transpired proved to be very different. Republicans and loyalists were allowed to greet triumphantly their newly released comrades, while repeatedly denying that they had an obligation to decommission.

At the heart of this issue was a departure from the condition-led policies that had framed the process up until 1998; instead, here was the state doing things for terrorists and getting little in return. Moreover, once the prisoners were out, the Government had irretrievably lost a golden opportunity to exert leverage over the still-truculent paramilitaries. Yet, it didn't have to be that way. Precedent suggested that the IRA had responded to a tougher Government line in the run-up to the Agreement of 1998. In his Belfast speech in May 1997, Blair had told republicans that the settlement 'train' was leaving, that he wanted them on it, but that it would leave without them if they did not get on. That had been followed by the second IRA ceasefire and republican adherence to the Mitchell principles. Then in January 1998, Blair had faced down republicans over *Heads of Agreement*. What enabled him to do so was not his charm and enthusiasm, but the "sufficient consensus" rule and Sinn Fein's minority position within nationalism.

After Easter 1998, however, a similarly tough stance was not maintained with regard to the formation of the Executive. For reasons that can only be speculated, Blair proved unwilling to exclude republicans when the IRA refused to deliver on decommissioning. And having given up the leverage of prisoners, no amount of

eloquent persuasion on Blair's part would make republicans do something so painful as admitting that their "war " had ended in failure, without the threat of exclusion from the process.

Consequently, it was left to me to try to achieve that leverage on republicans over the decommissioning issue by other means. If they could not be excluded from the Executive, I resolved to make the continued existence of the Executive itself conditional on decommissioning. I thus made the formation of the Executive at the end of 1999 dependent on a promise by Blair and others that if the IRA did not begin decommissioning by the end of January 2000, legislation would be introduced enabling the British Government to suspend devolution. In this instance, to his credit Blair kept that promise, even though virtually all other parties (and the Irish and American governments) rounded on him for doing so, in some cases in breach of promises to me. That action produced a clear promise by the IRA to decommission with an immediate confidence building measure of international inspection of some of their arms dumps. This enabled the reformation of the Executive in May 2000. Again, standing firm had yielded results. Unfortunately, though, this remained a neglected truth in the years that followed. The IRA did not keep its promise, and, only after giving them a whole year to do so, I determined it was necessary to take action once more. However, it became clear that some of those who should have defended the Agreement had no stomach for the fight.

Furthermore, sometime around the turn of 2000, influential elements within the British, Irish and American governments grew frustrated by the fact that the political centre ground in Northern Ireland appeared increasingly vulnerable. As support for the moderate parties began to wane, they gradually shifted towards a new dispensation: to hang the future success of 'power-sharing' on ensuring that Sinn Fein and the Democratic Unionist Party (DUP) were moved centre stage, at almost any price. The policy that had once sought to 'safeguard the moderates' before 1998 now shifted to one of 'bringing in the extremes'. It was whispered that the SDLP and the UUP had served their purpose in getting an agreement and the time had come to bring in the DUP and Sinn Fein. As far as we could tell these whispers began in the Northern Ireland Office and Dublin's Department of Foreign Affairs; it was also

echoed in Washington, and then taken up by Permanent Secretaries and a Secretary of State for Northern Ireland.

This line reinforced the tendency to regard keeping Sinn Fein on board as the priority. This meant that when republicans misbehaved through continued paramilitary activity there was a reluctance to sanction such wrongdoing, further reducing support for the moderate parties.³² What we do not know is the extent to which the shift in policy had encouraged republicans to think they could misbehave and get away with it.

To his credit, Blair was probably amongst the last to accept fully this shift of emphasis. But he had clearly done so by the summer of 2003 when he promised certain parties that there would be Assembly elections that year, in circumstances in which it was clear that the DUP and Sinn Fein would be the beneficiaries. That promise was concealed from me.

It could be said that the shift of policy had been justified with the return of the institutions in May 2007, under the aegis of the DUP's Ian Paisley on the one hand and Sinn Fein's Martin McGuinness on the other: the co-premiers of the 'new Northern Ireland'. But the widespread astonishment at Paisley's *volte-face* is a reflection of how risky that policy was. Moreover, the shift of policy caused a breakdown in the institutions from October 2002 until then – a five year vacuum. A policy of firm adherence to the principles of the Agreement would have produced stability, if not in 1998, then very soon after, and it would have avoided what has been described, with some justice, as Ulster's "Hitler/Stalin pact", the full consequences of which have yet to be seen.

Looking beyond Northern Ireland, it would also mean there would be no current advocacy of what I consider to be the wrong lessons from our experience. Of course, the question may be asked, if the Blair government was following the wrong approach, then why *did* republicans decide to decommission, declare that the "war"

³² 'Misbehaviour' here is taken to mean, not just the low level criminality used to retain control of "their" neighbourhoods (so-called punishment beatings etc.), but also acts such as the raid on the Castlereagh police station, the IRA co-operation with the FARC narco-guerillas in Colombia and various major robberies, culminating in the £25 million plus raid on the Northern Bank in Belfast in December 2004.

was over and state that they would now support the police? The answer is that it became to be in republicans' own interests to wind up paramilitarism. It became clear that their criminality was having a negative impact on their electoral prospects in the Republic of Ireland. Moreover, republicans had high hopes for the Irish Republic's general election in 2007 and wanted the clean bill of health that entry into government in Belfast, with the approval of British and Irish governments, would give them. The only surprise in that context was that the DUP did not make republicans pay a higher price. But then republicans had effectively chosen the DUP as their partner back in 2003, presumably because they expected that Paisley would be easier for them to live with than myself.

Conclusion: The limits of the analogy

As described at the outset of this pamphlet, a growing body of commentators, politicians and ‘experts’ stand ready to deploy the perceived ‘lessons’ of the Northern Ireland peace process. From Peter Hain to Michael Ancram, advocacy of the Northern Irish ‘model’ has become a popular past-time. Yet it is clear that not everyone is convinced. Writing in the *International Herald Tribune* in August 2007, for example, the Israeli Ambassador to Ireland, discussing whether there existed a Northern Irish model that might be applied to the Israeli-Palestinian conflict, wrote as follows:

While there are similarities between these two complex and protracted conflicts, and indeed some lessons can be learned, it is a dangerous exercise to conclude that they are the same because of their largely different historical, geopolitical and cultural circumstances.

Central to the divergence between them, he argued, were the contrasting ideological impulses between the IRA and Hamas, with the latter still driven wholeheartedly by,

the desire to create an Islamist state based on Islamic law over all the land, not just the West Bank and Gaza, but Israel as well.... Hamas officials continue in their refusal to recognise Israel’s right to exist.

It was this, the Ambassador concluded, that made the launching of dialogue with Hamas impossible for Israel.

It is clear that there are other pertinent dissimilarities as well; one, for instance, concerns the issue of ‘deliverability’. Thus, it was crucial in Northern Ireland that, behind their formal structures (Sinn Fein and the IRA), the Irish republican movement has a single integrated paramilitary and political command which has remained remarkably stable over the last 25 years. This has enabled the movement to pursue policies with a degree of decisiveness over the long-term. It also distinguishes them from other groups such as ETA, whose fractured leadership and sudden policy shifts have bedevilled attempts to develop a process similar to that in Northern Ireland. The question is whether the putative interlocutors in a Middle East peace process are as cohesive as the IRA; or whether they more resemble the ETA model. With regards to Hamas in particular, for example, question marks remain as to whether it is the Gaza, West Bank or Damascus-based leaderships of the organisation that predominate; or

indeed, whether the political or military wings are in the ascendancy. The answers to such questions – largely ignored by those who promote the Northern Irish model – will have a crucial bearing on that model’s applicability.

Allied to this, it is important to recognise that another key factor underlying the Northern Ireland peace process – which is not necessarily replicated elsewhere – concerns the attitude of the state parties to the conflict. The two state actors involved in that conflict, held a shared interest in achieving stability and ending the violence in Northern Ireland. The Irish Government, notwithstanding a serious wobble at the outset of the violence, was consistent in its approach in two important respects: its opposition to violence and its support for the moderate nationalists of the SDLP.³³ At the bottom line, it proved itself a force *for*, rather than *against*, stability. As Garret Fitzgerald stated in 2007, “IRA violence forced a fundamental Irish rethink of the counter productive and provocative anti-partition policy to which all our political parties had foolishly committed themselves between 1949 and 1969. It also forced a recognition that the security interests of the Irish state required a stabilisation of the Northern Irish polity within the United Kingdom”.³⁴ If the Irish Government had given its support to the militants rather than the moderates – as some governments do in cases often regarded as analogous to Northern Ireland – it is unlikely that the peace process would have turned out as it did.

Beyond this, another crucial difference exists in the underlying ‘sub-structures’ to the respective conflicts. It is thus important to recognise the huge power discrepancy between the British state and its terrorist adversary. Ideologically, the UK’s position on Northern Ireland had been legitimated repeatedly at domestic and international level. Militarily, meanwhile, the unspoken truth was that the British Government could, if it wished, deploy overwhelming force to the province: it enjoyed total dominance of the territorial waters around Northern Ireland, the airspace and – save for a small area adjacent to the Irish border where South Armagh’s “bandit country” prevailed – the land. The same cannot be said for Israel vis-à-vis those who face it

³³ In 1970 several Ministers in the Irish government were dismissed from office and charged with the illegal importation of weapons into the Republic with the intention of supplying them to militant republicans in Northern Ireland. All were acquitted, but the facts disclosed at the trial and subsequently would merit harsher language than “wobble”

³⁴ *Irish Times*, 19 May 2007

with hostility. Even considering the support it receives from the United States and other allies in the region, it scarcely be said to be in a position of incontestable dominance.

It is essential to recognise, therefore, that Northern Ireland's peace process operated within a distinct context – and one scarcely repeated elsewhere. Furthermore, it reached a largely successful conclusion because it established a structure and framework for negotiation and certain rules of engagement. It is all too easy to imbibe the idea that the key dynamic in the search for peace was a bi-lateral process between the terrorists and the government. This narrative, which has been transported – often uncritically – to the Middle East, is fundamentally misleading about the true achievements of the Northern Ireland peace process – very much a *process* – as structured on certain principles and long-established building blocks. If there is one lesson to learn from Northern Ireland's experience – contrary to what is often recommended in relation to dialogue with Hamas – is that 'pre-conditions' were crucial in ending the violence and producing a settlement.

Peter Hain, with an eye trained on the Middle East, has argued that “pre-conditions can strangle the process at birth”. Instead, it is hard not to avoid the conclusion that, with regard to Northern Ireland, they were the only basis on which the peace process could have successfully proceeded. It is possible that Hain failed to appreciate the true nature of the Northern Ireland process because the basic principles were established by John Major's Conservative government, and Hain's misunderstanding of our experience may have flowed from an excessive attention to the issue of decommissioning. As noted above, the basic building blocks of ending violence and establishing a commitment to exclusively peaceful and democratic means, were contained in Article 9 of the Downing Street Declaration of 1993 and decommissioning and the “Mitchell principles” were deployed means of implementing those basic principles and building confidence. True, while there was an insistence on the basic principles, there was also flexibility about the secondary, essentially tactical measures. But as one government gave way to another, there times it looked as if government had lost sight of the basics and assumed that flexibility was the key principle. In addition, we often wondered if Labour Ministers had been fully briefed on the factors that pushed and pulled republicans towards the political path in

the early nineties. Even late in the too long transition some in the Labour administration seemed to believe that there was still a risk that the Adams/McGuinness leadership could be displaced by elements who would return to “armed struggle”. In our view, a complete misreading of the situation which stemmed from the willingness of some in the Blair government to accept the republican narrative at face value, led them to misunderstand the underlying realities.

In any event, as we have shown, the truth is that the more the governments were flexible over frameworks and pre-conditions, the more difficulties they faced. Over generous flexibility is like giving sweets to a spoilt child in the hope that it will improve his behaviour. It usually results in worse behaviour, as it did in Northern Ireland. Our experience suggests that while some flexibility is desirable, there have to be clear principles and boundaries; a failure to recognise this runs the risk of learning the wrong lessons from the recent history of the province and fundamentally misunderstanding Ulster.

Appendix One

The Northern Ireland Peace Process: Key Moments

1990-2 – Brooke-Mayhew talks involving the British and Irish Governments, together with the main Northern Irish parties (the Ulster Unionist Party (UUP), the Democratic Unionist Party (DUP), the Social Democratic and Labour Party (SDLP) and the Alliance Party of Northern Ireland (APNI); Sinn Fein were excluded on account of the IRA's ongoing campaign of violence).

November 1993 – It emerges that secret 'back-channel' communications between the British Government and the IRA have been going on over the previous three years.

December 1993 – Downing Street Declaration announced by the British and Irish Governments

August 1994 – IRA announces "complete cessation of military operations". The British Government's response focuses increasingly on the absence of the word "permanent".

October 1994 – Combined Loyalist Military Command (CLMC) announces loyalist paramilitary ceasefire

February 1995 – The two Governments launch the Framework Documents for talks

March 1995 – Patrick Mayhew articulates 'Washington 3' preconditions for Sinn Fein's entry into substantive talks

January 1996 – Mitchell Report on decommissioning. Includes six 'principles' on non-violence and calls for a twin-track approach to talks, with paramilitary weapons decommissioning occurring in parallel

February 1996 – IRA bombs Canary Wharf, London, ending the ceasefire

June 1996 – All-party talks begin involving those parties elected to the Northern Ireland Forum a month earlier. Sinn Fein is 'locked out' of the talks because of the IRA's resumption of violence.

July 1997 – The IRA 'restores' its ceasefire

July 1997 – The DUP and the smaller United Kingdom Unionist Party (UKUP) walk out of the talks (never to return) in protest at Sinn Fein's being allowed in to Stormont

September 1997 – Sinn Fein accepts the Mitchell Principles and the party enters all-party negotiations

October-November 1997 – The republican movement splits over Sinn Fein's acceptance of the Mitchell Principles

January 1998 – The two Governments lay out their 'Propositions of Heads of

Agreement' for the talks

April 1998 – The Belfast Agreement is agreed in Belfast

May 1998 – The Agreement is endorsed in referendum on both sides of the Irish border. The results were: for Northern Ireland, 71.12% said Yes, as opposed to 28.88% saying No (on a turnout of 81.10%); for the Republic of Ireland, 94.39% said Yes, as opposed to 5.61% saying No.

June 1998 – Elections for a new Northern Ireland Assembly. The UUP and the SDLP emerge as the two largest parties with 28 and 24 seats respectively. The DUP win 20 seats and Sinn Féin 18.

July 1998 - First meeting of the 'Shadow' Assembly; David Trimble of the UUP and Seamus Mallon of the SDLP are elected 'First Minister Designate' and 'Deputy First Minister Designate' respectively.

September 1998 – First paramilitary prisoners are released 'on license' under the Agreement

October 1998 – Deadline for the formation of a new Northern Ireland Executive passes without Agreement, because of continued disagreements over weapons decommissioning

July 1999 – After a Spring and Summer of talks another attempt to form an Executive collapses after the UUP refuses to participate because of the continued absence of IRA decommissioning.

November 1999 – the Northern Ireland Executive is finally formed

February 2000 – the Assembly and the Executive are suspended by Secretary of State for Northern Ireland, Peter Mandelson, as Trimble threatened to resign in light of the failure of the IRA to begin decommissioning

May 2000 – The institutions are restored after successful talks; the IRA agrees to allow independent inspectors to examine their weapons dumps.

July 2000 – The last of the paramilitary prisoners to be released under the Agreement are set free; bringing the total number to 428.

July 2001 – Trimble resigns as First Minister because of the continued absence of actual decommissioning. The institutions were subsequently suspended as talks failed to resolve the impasse.

October 2001 – the IRA carries out its first act of decommissioning

April 2002 – the IRA's second act of decommissioning

October 2002 – The institutions are suspended following the exposure of a republican ‘spy ring’ operating within the Stormont parliament building; the move followed a summer of concern over republican intentions.

May 2003 – Talks aimed at restoring the institutions collapse; the planned Northern Ireland Assembly elections are suspended indefinitely

October 2003 – Renewed talks to achieve a deal collapse as the IRA, while decommissioning further weaponry, fails to deliver a sufficiently transparent process. The British Government nevertheless announces that a new election to the Assembly will go ahead

November 2003 – Elections to the Northern Ireland Assembly. The DUP overtakes the UUP as the largest Unionist party, winning 30 seats to the latter’s 27. The subsequent defections of 3 UUP MLAs shifts the balance to 33-24. On the nationalist side, Sinn Fein overtakes the SDLP, taking 24 seats to the latter’s 18.

December 2004 – talks involving the DUP and Sinn Fein to achieve a ‘comprehensive agreement’ to re-establish the institutions collapse amid acrimony

May 2005 – British General Election confirms that the DUP and Sinn Fein are now the ‘majority shareholders’ of their respective communities. The former secures 9 seats (to the UUP’s 1), while Sinn Fein takes 5 (to the SDLP’s 3).

July 2005 – The IRA announces the ‘official end’ to its armed campaign

September 2005 – It is announced that the IRA has completed the weapons decommissioning process to the satisfaction of the international oversight body and in the presence of two clerical witnesses (one Catholic, the other Protestant).

October 2006 – Talks at St. Andrews in Scotland reach agreement for a timetable to restore the institutions

January 2007 – Sinn Fein agrees to support the Police Service of Northern Ireland

March 2007 – New elections are held for the Northern Ireland Assembly. The DUP wins 36 seats to the UUP’s 18. Sinn Fein takes 28 to the SDLP’s 16. In subsequent talks, the leaders of Sinn Fein and the DUP reach agreement on the formation of a new Executive.

May 2007 – Ian Paisley of the DUP and Martin McGuinness of Sinn Fein take up their positions as First Minister and Deputy First Minister of a new Northern Ireland Executive.

Appendix Two

'Propositions on Heads of Agreement', issued by the British and Irish governments, 12 January 1998³⁵

Balanced constitutional change, based on commitment to the principle of consent in all its aspects by both British and Irish governments, to include both changes to the Irish Constitution and to British constitutional legislation.

Democratically-elected institutions in Northern Ireland, to include a Northern Ireland assembly, elected by a system of proportional representation, exercising devolved executive and legislative responsibility over at least the responsibilities of the six Northern Ireland departments and with provisions to ensure that all sections of the community can participate and work together successfully in the operation of these institutions and that all sections of the community are protected.

A new British-Irish agreement to replace the existing Anglo-Irish Agreement and help establish close co-operation and enhance relationships, embracing:

- An intergovernmental council to deal with the totality of relationships, to include representatives of the British and Irish governments, the Northern Ireland administration and the devolved institutions in Scotland and Wales, with meetings twice a year at summit level.
- A North-South ministerial council to bring together those with executive responsibilities in Northern Ireland and the Irish Government in particular areas. Each side will consult, co-operate and take decisions on matters of mutual interest within the mandate of, and accountable to, the Northern Ireland assembly and the Oireachtas respectively. All decisions will be by agreement between the two sides, North and South.
- Suitable implementation bodies and mechanisms for policies agreed by the North-South council in meaningful areas and at an all-island level.
- Standing intergovernmental machinery between the Irish and British governments, covering issues of mutual interest, including non-devolved issues for Northern Ireland, when representatives of the Northern Ireland administration would be involved.

Provision to safeguard the rights of both communities in Northern Ireland, through arrangements for the comprehensive protection of fundamental human, civil, political, social, economic and cultural rights, including a Bill of Rights for Northern Ireland supplementing the provisions of the European Convention and to achieve full respect for the principles of equity of treatment and freedom from discrimination, and the cultural identity and ethos of both communities. Appropriate steps to ensure an equivalent level of protection in the Republic.

Effective and practical measures to establish and consolidate an acceptable peaceful society, dealing with issues such as prisoners, security in all its aspects, policing and decommissioning of weapons.

³⁵ The text of the document is available from, <http://cain.ulst.ac.uk/events/peace/docs/hoa12198.htm>

Acknowledgements

I would like to thank Conservative Friends of Israel for giving me the opportunity to write this pamphlet. I have explored some of these points before in my Antony Alcock Memorial lecture at the University of Ulster (24 April 2007), available at davidtrimble.org, but this is the first time I have collated my thoughts on this issue in published format. While the views expressed herein are entirely my own, I should say that I also benefited from conversations on the historical context with John Bew and Martyn Frampton, who were kind enough to show me an early manuscript of their forthcoming book, *Talking to Terrorists: The search for peace in Northern Ireland and the Basque Country* (with Iñigo Gurruchaga, to be published by Hurst in 2008). Thanks must also go to Dean Godson of Policy Exchange for being the driving force behind this pamphlet.