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IMPLICATIONS FOR THE NORTHERN
IRELAND PEACE PROCESS**

Christopher Farrington

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ABSTRACT

MODELS OF CIVIL SOCIETY AND THEIR IMPLICATIONS FOR THE NORTHERN IRELAND PEACE PROCESS

A number of authors have argued that civil society was important in bringing about political change in Northern Ireland in 1998. Through the Opsahl Commission in 1992 and the 'Yes' Campaign in 1998, civil society offered new challenges to the established political parties, enabled a level of public participation and ownership of the peace talks and eased the path to a negotiated settlement. This empirical observation was coupled with the literature on ethnic conflict, which stressed the importance of 'bottom-up' peace building, giving civil society a potentially strong role in a post-Agreement Northern Ireland. However, this did not seem to have been realised and this working paper asks why this might be the case. It argues that civil society has to be conceived as a wider phenomenon, in that it performs a multitude of roles in relation to conflict resolution, governance, support structures for institutions and democracy in general. The paper then further argues that the 1998 Agreement fundamentally changed the context in which civil society operated and the apparent subsequent decline in civil society activity was merely a shift in focus.

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INTRODUCTION

In the search for an explanation of a negotiated settlement to an apparently intractable ethnic conflict, several authors looked beyond the political elites in Northern Ireland. They argued that, as the political elites had not changed (in either personnel or ideas) over the course of about 20 years, we must look to other social and political actors and other structural changes in order to explain the successful conclusion of the negotiations in 1996-98. One of these was the international environment and actors and the other was civil society within Northern Ireland. Guelke, in particular, has stressed the importance of two civil society initiatives in the 1990s: the Opsahl Commission of 1992 and the "Yes" Campaign for the 1998 referendum (Guelke, 2003). However, in the five years since the Agreement was concluded, civil society seemed less prominent in agitating for political change. An obvious question that was raised was, if civil society was important in the successful conclusion of the agreement, then how has it influenced or failed to influence the crises of the implementation of the agreement? This paper seeks to respond to this question.

At the outset it must be stressed that the contribution of civil society to the peace process has been "indirect rather than direct, gradual rather than dramatic...the role of such organisations has been osmosis-like, and almost imperceptible in its effect" (Cochrane and Dunn, 1997). Even those who are most enthusiastic advocates of the position outlined above do not credit civil society with causal importance. As one member of an Intermediary Funding Body (IFB) stated: "the worst-case scenario is that we created the mood music for progress to be possible."¹ Thus, civil society contributed to the environment in the 1990s that led to the agreement but was not a determining factor. It must also be pointed out that the role of civil society is infrequently considered in academic analyses of the peace process, as these tend to rely heavily on accounts of journalists, who have underplayed the role of civil society organisations and formulated a highly elitist account of the process. The attempt to extend the narrative of the peace process to include civil society has, however, been made at the expense of maintaining a narrow and elitist view of the peace process. This view is maintained by the focus on the relationship between civil society and the formal political process but this has been at the expense of a proper understanding of the contribution of these civil society initiatives and the wide array of functions and roles which it performs. The Opsahl Commission's contribution to Northern Ireland was in the development, if not crea-

¹ Interview with Intermediary funding body (IFB) representative, Belfast 11th February 2004.

tion, of a public sphere. This contribution was then continued by organisations inspired by this process, such as Democratic Dialogue and Community Dialogue.² The “Yes” Campaign, while connected in terms of personnel and motivations, can be seen as part of an activist discourse connected to ideas within civil society about their connection to the peace process and the democratic process.

However, even these civil society-centred accounts fail to account for civil society in its totality. There must be a holistic account of civil society’s role in Northern Ireland in order to appreciate its impact and influence on the practice of politics. In some instances this may seem unrelated to the formal peace process conducted behind the gates of Leeds Castle or Weston Park but that process has become elitist in the extreme and the practical import of that elitist approach is affecting civil society groups, which have altered their thinking on their role within the political system. Indeed, there is a disjunction between the legal and administrative framework of devolution, which necessitates a high level of civil society input, and the political negotiations, which have deliberately sought to exclude as many people as possible.

The central argument of this paper is the importance of political change to civil society and as an explanatory factor in the seemingly diminished role of civil society in the Northern Ireland peace process. This can be seen by examining a variety of different ideas of civil society and their corresponding outlets in Northern Ireland. In this way, the agreement is shown to be an important juncture not merely for its significance as an historical deal between unionism and nationalism and the respective implications but because it fundamentally altered the administrative framework and necessitated a fundamental change within civil society in terms of how it interacted with political institutions and political actors.

DISCOURSES OF CIVIL SOCIETY

The concept of civil society can be thought of in two ways: “civil” as an adjective to “society” or “civil society” as a noun. The first is the concern of much of the theoretical literature on civil society and is linked with historical and theoretical notions of “civility” and “barbarity” (see essays in Keane, 1988) and is connected to the question of violence within society (Keane, 1998), which is obviously relevant for Northern Ireland.³ The second idea, civil society as a noun, is more complex and includes a range of philosophical and empirical definitions and problems. It is well noted that the concept had fallen into disuse in the nineteenth century but was revised by movements in Eastern Europe during the collapse of communism, most notably Solidarity in Poland. Since then the concept has become utilised as an explanatory factor in the study of democracy, ethnic conflict, globalisation and public policy. It is this second notion which will be the concern of this paper.

² Representatives of Democratic Dialogue and Community Dialogue both described their origins in the Op-sahl process; see <http://www.democraticdialogue.org/aboutus.htm>.

³ This is the sense in which the phrase is used in the title of NIVT 1999

The definition of civil society depends much upon which area is under investigation. The common definition is that which appears in the *Oxford dictionary of politics*: the “set of intermediate associations which are neither the state nor the (extended family); civil society therefore includes voluntary associations and firms and other corporate bodies” (McLean, 1996: 74). This is obviously an exceptionally wide definition and encompasses virtually all avenues of social, economic and political life and, as Michael Edwards observes, “an idea that means everything probably means nothing” (Edwards, 2004: 3). Political theorists who have addressed the abstract connotations of civil society have also been unable to effectively narrow the subject. Michael Walzer, for instance, echoes the dictionary definition: “The words ‘civil society’ name the space of uncoerced human association and also the set of relational networks—formed for the sake of family, faith, interest and ideology—that fill this space” (Walzer, 1991: 293). Within this it is possible to discern several further analytical distinctions. Charles Taylor, for instance, argues that there are three modes of civil society: a minimal sense, where civil society is not under the tutelage of state power; a stronger sense, where civil society exists where society can structure itself and co-ordinate its actions through such associations; and as a supplement to the second, where the ensemble of associations can significantly determine or inflect the course of state policy” (Taylor, 1990: 98).⁴ It is important to make these distinctions because definitions are crucial to assessing the influence or otherwise of civil society in political processes. Research on Britain suggests that it also has high levels of associational life and social capital and, although there is no specific data on Northern Ireland (Hall, 1999), it would seem likely that it would follow British trends. It is forgotten too often that Northern Ireland has a network of Rotary Clubs, Lions Clubs, Credit Unions, St. John Ambulance Divisions, charity shops, local football, rugby, cricket clubs, Gateway clubs and so on. However, these have little or no impact upon political life or developments. Similarly, definitional problems occur with some particularly uncivil organisations that exist in Northern Ireland, such as the Ulster Defence Association or the Provisional Irish Republican Army, to name two. It is therefore necessary to distinguish between types of civic engagement. If civil society consists of these associations, the question then becomes: what does civil society do? Here it is then necessary to integrate a normative idea into the definition of civil society, which links associational life with other notions of democracy and the “good society”.

As recent books by Mary Kaldor and Michael Edwards have argued, there are several different discourses of civil society, which rarely engage with each other. These discourses are mirrored by discourses within Northern Ireland, although they are frequently not expressed as such. Moreover, the case of Northern Ireland necessitates an integration of these approaches because it problematises many of the underlying assumptions. Kaldor identifies five versions: *societas civilis* (civil as an adjective), *bürgerliche Gesellschaft* (Hegel and Marx’s ideas that civil society included all organised life between the state and the family), activist (civil society is about political emancipation and is connected with Eastern European and Latin American

⁴A similar distinction between private, civic and political associations is made in Young, 2000, and in Kymlicka, 2002.

notions), neoliberal (associational democracy) and postmodern (civil society as an arena of pluralism and contestation and includes elements of incivility as well as civility; Kaldor, 2003: 6-12). These theoretical discourses of civil society are also complemented by vernacular discourses. In particular two are relevant in Northern Ireland: civil society as a site of conflict transformation and the “third way” discourse on civil society’s role in public policy. This paper will address four discourses which are relevant:

- The neoliberal discourse—civil society (broadly defined) is important for the promotion of democracy.
- The activist discourse—civil society is in tension with the state and has the possibility to be an important agent of change.
- The public sphere discourse.
- The conflict transformation discourse.

It should be acknowledged that these categories are far from exclusive and that a strong notion of the role of civil society would integrate these discourses (see Edwards, 2004) and, indeed, activists and practitioners within Northern Ireland frequently do integrate these ideas. The distinctions are therefore analytical. In addition, the noticeable feature of the interviews for this study is the consensus exhibited about where civil society is situated and its role in the political process, although clearly not about specific issues, which is the result of a long process of dialogue and discussion.

THE NEOLIBERAL DISCOURSE

Putnam’s thesis on civil society’s importance needs serious consideration, as Northern Ireland contains many organisations that are not usually considered politically significant and yet may have important implications. Putnam defines civil society in the broadest possible sense, as associational life (Putnam, 2000); several interviewees also defined civil society in this way. Putnam talks in terms of social capital, which is the bond of trust and reciprocity generated by the positive benefits of group membership. There are two problems with applying Putnam’s work to Northern Ireland, which necessitate refinements. Firstly, holding to such a wide and undifferentiated definition can lead to the inclusion of uncivil groups, such as the UDA or IRA (Cochrane, 2002). However, this is not necessarily the case, as such groups are not involved in “voluntary association” and do not create social capital. A more ambiguous case would be the Gaelic Athletic Association (GAA) or the Orange Order and this leads to the second problem: the distinction which Putnam only makes in passing, between bridging and bonding social capital, is of acute relevance in Northern Ireland, as it is in other divided societies (see Varshney, 2003). There is an increasing volume of literature addressing this issue, which will be considered later. Nevertheless, there are possible refinements to Putnam’s the-

sis that may shed more light on conceptualising the importance of civil society in its broadest possible sense in Northern Ireland.

Putnam's work has attracted much attention and not a small amount of criticism. The critique of the nature of civic engagements will be discussed later but the institutional critique is pertinent here. This critique argues that Putnam fails to appreciate the relationship of the state and civil society.⁵ Putnam's initial work on Italy argued that strong associational life led to a better quality of democracy (Putnam, 1993). However, the experience of Northern Ireland, for example, shows that civil society was essentially reactionary to the periodic suspensions of the Assembly.

Well for the community sector obviously, I think almost unanimously, people will respond that that's pretty bloody disastrous, irrespective of the political slant of individuals within the community sector but that does not necessarily reflect the feelings of wider society and that's a very important statement to make because the community sector has its own particular agenda and a concern not just for what's happening in wider society but for its own future. The stop-start nature of this process spreads confusion widely throughout our sector that makes planning for the future extremely difficult and it has an impact on funding hence employment.⁶

Moreover, Putnam's thesis would seem to have been refined by Berman's work on the Weimar Republic, which found that Germany at this time had a strong associational life but which ultimately ended in a totalitarian dictatorship. It was thus suggested that it was not civil society *per se* that was important but that it may help if political institutionalisation was strong and be neutral or even a hindrance if political institutionalisation was weak, as happened in Germany (Berman, 1997). In Northern Ireland democratic ideals have been enshrined within the political culture and the political parties, thus ensuring that totalitarian dictatorship was an unlikely outcome.⁷ However, since the proroguing of Stormont in 1972 there have been no real local representative political institutions.

Northern Ireland therefore seems an ideal test case; it has a strong civil society but with new political institutions. It is worth briefly reflecting on the monumental changes that the agreement introduced to the governance of Northern Ireland. Indeed, the agreement was as big a change to the governance of Northern Ireland as the proroguing of Stormont in 1972. There is perhaps an argument to be made that it introduced governance *per se* into Northern Ireland. The direct rule structures, while assuming the appearance of permanency, were imperfect, highly unaccountable, undemocratic and, ultimately designed to be short term and temporary. Moreover, the governmental framework of Northern Ireland was not designed for direct rule structures and therefore there was a very weak local government system, a proliferation of quangos, very little scrutiny of legislation and part-time ministers.

⁵ For instance, Lowndes and Wilson (2001) argue that he overlooks the state's role in creating and promoting social capital.

⁶ Interview with member of cross-community group, Belfast, 10th May 2004.

⁷ Despite the violent conflict, one author has claimed that even politics in the 1970s was marked by strong claims to democratic ideals: Bourke, 2003).

The agreement, if it was about nothing else, was nothing short of a major overhaul of this system. Nearly 30 years of political behaviour had to be changed, quite dramatically and quite quickly, in all parts of the administration of Northern Ireland. Institutional rules and conventions disappeared; old relationships were rendered meaningless and new ones had to be constructed. Moreover, for many civil society groups which were connected with the political parties, the dynamics of those relationships changed: politicians now had power and responsibility and were no longer in the same position as those in civil society, whose position on the outside of government had not altered. In addition to the changing status of relationships and the changing situation of civil society groups, the agreement also heralded significant changes to the *practice* of government through Section 75 of the Northern Ireland Act and the establishment of various other institutions such as the Northern Ireland Human Rights Commission, the Equality Commission and the Civic Forum.

Civil society, in all its forms, was affected by these changes, perhaps to a greater degree than the political parties. As one interviewee described the situation before devolution:

Civil society played a more advanced role in the governance of Northern Ireland than I think would be the case in other areas. I think it really did fill for a long time that democratic deficit whereby Northern Ireland most of the way through direct rule has really been a technocracy—basically . . . run by civil servants with some oversight from British ministers.⁸

Another described the change:

The changeover was challenging we probably had an easier ride under a direct rule administration because those ministers had much less time to spend here ... and needed to find out what the situation was and what was going to work and what wasn't going to work and what hadn't worked in the past; a lot of civil servants were quite approachable in than it was easier for them to do their job if they were actually finding out from us what we knew and what we would suggest and so changing from that to what was a slightly more ... potentially suspicious environment with politicians that we probably hadn't paid a great deal of attention to before. Some organisations worked very closely with local councils on local issues but political representatives who weren't working on social and economic issues at local council level were very much focused on constitutional and security issues at Westminster and there was no meeting point for us there, it was only when they started to turn their eyes towards the actual governance of Northern Ireland that we came into their radar and they came into our radar.⁹

What then was civil society's effect on the new devolved institutions? Firstly, a comprehensive assessment requires a different research project, which would look to track suggestions and proposals from civil society into the legislation. Anecdotally there is evidence to suggest that civil society was important in initiatives such as

⁸ Interview with member of community education group, Belfast, 10th May 2004.

⁹ Interview with IFB representative, Belfast 11th February 2004.

as the Children's Commissioner. However, it could be hypothesised that civil society's existing relationship with direct rule institutions would not provide the required support for the new institutions established under the agreement. This hypothesis, however, is not confirmed by this research. Civil society has shown itself to be flexible and adaptive, if nothing else, during the periodic suspensions and, by most accounts, politicians and members of civil society had developed good working relationships and the progress of those relationships were frustrated by suspension.

The one exception to this, which is telling, is the Civic Forum. The Forum was initially the subject of much excitement and attention. As one interviewee noted, there had been "bizarrely more debate about the Forum than the Assembly or the Executive".¹⁰ The blame for the failure of the Civic Forum can be laid at many doors—the politicians, the members of the Forum, the various sectors that were represented on or nominated to the Forum, the civil service—but the arguments of many is that the Forum failed, at least in part, because civil society was ambivalent about it. The Civic Forum was the institution established by the agreement, over which civil society was able to have a direct influence. It was proposed by the Women's Coalition, a party firmly informed by a civil society ethos (Fearon, 1999), and was effectively left to its own devices by the politicians when it was established. This is not to underestimate the effects of the politicians when they were given tasks in relation to the Forum, specifically constructing the composition: "Well it wasn't a perfect design. It was given to us in its current form. We wouldn't have selected people from our sector under the 18 categories that were handed down to us by the First and Deputy First Minister."¹¹ In addition, there were wildly different ideas as to how it should function. Members of civil society had discussed the possibilities of the Forum:

After the agreement the thing I was involved in was the idea of a Civic Forum and New Agenda drew up a consultation document, got some key people together to talk about it ... and we got some responses from people which basically proposed a Civic Forum, as we described it, based on a model of negotiated governance ... but what actually emerged was ... a different animal which was somehow about representing all works of civil society life. Whereas ... in my mind representation came through voting not through something like this so ... basing it on section 75 groups and PAFT and that kind of thing; there was a lot of talk of those kinds of equalities and representations and so on, which to my mind didn't make an awful lot of sense. I think as a result Business, for example, didn't take it seriously or didn't take it as the most serious Forum for them to be involved in, where they would sit down with trade unions and others and hammer out what it is that society needs; they'll do their negotiating elsewhere and there is an Economic Development Forum which is run by the DETI and that was a shame I thought because it was a missed opportunity.¹²

The chair of the Forum described the process:

¹⁰ Interview with member of policy and research group, Belfast, 19th April 2004.

¹¹ Interview with IFB representative, Belfast 11th February 2004.

¹² Interview with member of New Agenda, Belfast, 5th May 2004.

Through Democratic Dialogue there was a group of people meeting who obviously discussed the aftermath of any agreement that we came to and I think it was through that. And the idea of a Civic Forum came through the Women's Coalition who took that up and put it into play politically. So it came in from left field if you like to the negotiations and almost at the 11th and the half hour if you look at the record. So it was an idea which was around that civic society needed some connectivity with the new political scene and with the new assembly and with the new devolved government and administration.¹³

The Democratic Dialogue discussions came to the conclusion that any Civic Forum should aim to embody principles of negotiated governance, providing the Executive with information and inputs from people affected by the policies it was implementing.¹⁴ While civil society appeared to be well versed in this rationale, the politicians—even those favourable towards the institution—did not appear to buy into (or be involved in) these discussions. Ideas on its role varied from including all relevant sections of society, which led to some meaningless categories, to providing ownership of the process for civil society to providing some kind of unformulated opposition in the absence of an opposition in the Assembly.¹⁵ In the end the Forum did none of these things. It was affected more than any other institution by suspension. While North-South bodies and the Assembly were given maintenance funding, the Forum was treated crudely and had its resources pulled immediately. Some members argue that the Forum should be put into the same status as the North South bodies but not all members, particularly the Chair, endorse this suggestion.

However, the Forum became entangled in a wide array of vested interests, some of which were from civil society. The prominence of the community sector clashed with its established lines of influence. The community sector representatives were not those with the greatest political clout and those individuals continued to have access to ministers (direct rule and devolved). Moreover, the importance of the Forum was compromised by the consultation process, which almost negated the need for such a body. Civil society was thus offered a wide variety of possible avenues of influence, of which the Civic Forum was the least attractive. Therefore, while the Forum had its own internal divisions, the politicians may have been suspicious and the civil service awkward, the Forum ultimately failed because civil society found other ways of fulfilling the role which they had assigned to it and which did not involve their interests being mediated through a body which they did not control.

What is significant about the nature of the relationships between civil society and the politicians is that they centred on policy issues, as opposed to the broader political issues involved in getting to the agreement in the first place. This change is entirely due to the changing context created by the institutionalisation of the agreement but is merely a change in the relationship rather than a change in the role of

¹³ Interview with Civic Forum representative, Belfast, 14th January 2004.

¹⁴ See Democratic Dialogue, 1999. Academic analysis also tended to stress the role potential role of the Civic Forum in the governance of Northern Ireland; see McCall and Williamson, 2001

¹⁵ See the debates in the Northern Ireland Assembly, available at www.niassembly.gov.uk.

role of civil society. One of the legacies of direct rule has been that civil society has developed sophisticated public policy experience, which the political parties have not.

What we are trying to do is try to feed into the nascent political process the social policy expertise on social and economic issues that we have built up over the years. Because we're not elected, we will always have a role in a democracy but we're not the politicians and it was never our intention to provide an alternative political process. What we want to be able to do is to step back into our role as the healthy watchdog voice and allow politicians to take over their jobs. There's a certain amount of hostility and suspicion there but there's no denying that a great deal of the policy expertise resides in this sector rather than in the political sector in Northern Ireland because a lot of people came to work in the sector rather than move into mainstream politics. So, there's been a rebalancing of relationships post agreement and a lot of pro-active work trying to influence politicians and gear them up to specific issues and on the other side sometimes a great willingness to learn and to see what policy needs to be undertaken and, sometimes, a great suspicion kind of "oh, well hands off, the professionals are here now; we don't need to hear that from you".¹⁶

This was particularly noticeable when the policy manifesto of the Northern Ireland Council for Voluntary Associations (NICVA) is compared with the manifestoes of the political parties.¹⁷

The policy role of civil society in Northern Ireland links the neoliberal discourse on civil society to the "third way" ideas that came to prominence in Europe in the middle of the 1990s. Whereas Putnam saw the lines of influence reaching from civil society into politics, Giddens argued that the lines of influence ran in both directions: "State and civil society should act in partnership, each to facilitate, but also to act as a control upon, the other" (Giddens, 1998: 79). Civil society was the mechanism by which the state could "democratise democracy": "Downward democratisation presumes the renewal of civil society" (Giddens, 1998: 77). This discourse on civil society is perhaps more conservative than the radical and optimistic versions contained within the Eastern European discourse and is closer to what theorists such as Taylor or Young would understand by the concept. Here, the relationship with the state is kept in focus; civil society is not about replacing or providing opposition to the state as it is recognised that the state is the most important player in allocating resources and in adjudicating between various factions within society. Instead, civil society is able to influence state policies and goals through a variety of mechanisms. When theorists were analysing the possibilities for such influence in the 1990s, media campaigns and lobbying were the most effective avenues for civil society groups. However, the context has changed since the late 1990s; Tony Blair's Labour Government and his ideological "third way" project have placed additional emphasis on the input from civil society. This has been built upon by devolution in the UK, which has altered the legislative framework of public policy decision

¹⁶ Interview with IFB representative, 11th February 2004.

¹⁷ For NICVA's manifesto is available at see NICVA, 2003; the political parties' manifestoes can be found at <http://cain.ulst.ac.uk/issues/politics/election/manifestos.htm>.

making; government is now legally obliged to consult with all relevant groups when it is making legislation.¹⁸

THE ACTIVIST DISCOURSE

The emergence of civil society in Eastern Europe in the 1980s was a cause of great excitement and enthusiasm for the possibilities of civil society. The Eastern European discourse influenced a number of inter-related areas. Some authors have suggested that Eastern Europe, and particularly Hungary, demonstrates how private business is a force for political change by horizontally integrating civil society and therefore empowering it *vis-à-vis* the state (Wank, 1995: 60), which, incidentally, is very different to the use of civil society by Gramsci, who argued that civil society was the means by which economic hegemony could be maintained. Others, examining Poland, have argued that there was a political programme underlying Solidarity which had a holistic critique of the Communist system but which also had a communal ideology (Wesolowski, 1995: 113). The actual nature and development of civil society in Eastern Europe is perhaps less easily generalised to places where the state is more benevolent to civil society¹⁹ but the conclusions which seem to have been drawn concern the possibilities of civil society, particularly as an agent of social and political change. Civil society was seen as providing a plural space in tension with hierarchical forms of government and therefore intrinsically deepening democracy. In Eastern Europe the very existence of civil society groups provided an alternative locus of political power and an intrinsic challenge to the state. This has been taken even further by the Zapatistas in the Chiapas region of Mexico, who have formulated a radical conception of democracy based solely on civil society and involving the removal of the state (Baker, 2003). Academics are also prone to endorsing this optimistic view of civil society; as John Keane points out, many who work in or study civil society are uncritical optimists about its potentialities and tend to privilege it over ideas of the state (Keane, 1998). The Eastern European model can be seen as the originator of much of this optimism, which was continued by some of the modest but important successes of trans-national civil society groups (Florini, 2003: 119-42). However, there are other ways in which civil society can be influential and an important agent of change without necessarily being in opposition or tension with the state. Civil society bodies can be agents for change within the society they operate.²⁰ In the Eastern European discourse this primarily relates to changing the political system, rather than wider societal change, which will be considered later.

Northern Ireland experienced civil society activity on this level during the civil rights campaign but the subsequent polarisation meant that the tension between the state

¹⁸ For an examination of the process of consultation in Wales, see Hodgson, 2004. Interestingly, Hodgson's research demonstrates a remarkably similar experience of consultation in Wales and Northern Ireland.

¹⁹ For an examination of the role of the state and its treatment of civil society, see Hadenius and Uggla, 1996.

²⁰ I take this from Young, 2000.

and society was not mediated by civil society groups but descended into violence. During the course of the Troubles any peaceful tensions that existed between society and the state were focussed on sectional and not on plural interests. In the 1990s elements of civil society began to utilise the Eastern European example and challenged the prevailing notions of the conflict and the interpretations by political elites and paramilitaries. This was done through a variety of ways. Initiatives such as the Opsahl Commission were the beginnings of altering the public sphere in Northern Ireland, while a variety of other organisations formed the G8. These created public pressure for a peace process and a conflict resolution process independent of political machinations. It has also been crucial in giving ownership of the peace process to “the people” of Northern Ireland (Oliver, 2002). For those who credit civil society with an important role in the Northern Ireland peace process, this has been the primary role that it performed (Guelke, 2003).

Civil society’s ability to be an agent for change is also severely circumscribed by the type of political change it envisages and the methods by which this change is to be realised. Civil society in Northern Ireland is as divided as the society within which it is embedded. Those elements of civil society actively lobbying for an agreement between unionist and nationalist parties had two main avenues to pursue: they could publicly agitate for an agreement or they could privately lobby for an agreement. They did both, but the private role was perhaps more significant than the public role. Various civic society organisations, such as ECONI and Democratic Dialogue, were involved in track two diplomacy, organising meetings between political parties and between unionists and nationalists, to encourage dialogue and to alter perceptions. Some of this took place on an international level but equally private discussions occurred in Northern Ireland. The intensity of this private role appears to have diminished over the course of implementation:

It comes down to some pretty stark things about who's going to trade off what with whom and I think there are maybe some in the background ... some individuals and so on outside of politics who are helping to lubricate things along but I think they've got all the contacts they need. If the Ulster Unionists want to speak to the IRA or whatever it is that's all there really and it's not as though we don't really know what the answers are. I think now it is well clear to most people what the nature of how are we going to move forward it's just getting them to that point and it seems to be an ... issue entirely for the political parties.²¹

One person who is currently involved in such initiatives stated:

Once we got up and running, all the crisis over Patten, policing, would Sinn Fein join the policing Board and Weston Park, we constantly get sucked back into those things. We kept saying: “they'll get on with it now, they'll talk to each other” and then we get a phone call saying “can we help?” Certainly over the last year we've been less involved in that sort of stuff as the sort of stalemate because no one is going anywhere and I suppose we, at the moment, feel ourselves we sit ready to serve as needed those who know we're there know we're there and ... we don't go knocking

²¹ Interview with member of New Agenda, Belfast, 5th May 2004.

and pushing but people know who to phone and we're always there to help so in the long-term no our role hasn't changed.²²

The public role was much less than a maximalist “people power” argument might suggest. The agreement was essentially a political deal concluded by elites in “smoke-filled rooms”. Civil society may have provided some lubrication for the process through public discussions, billboard campaigns and an active campaign in support of the agreement for the referendum but the limits of its input are shown by the reduction of the scope of the “Yes” campaign from its initial optimism of cross-community public support to a more limited and strategically targeted campaign (see Couto, 2001). This has been reflected in the role of civil society since the agreement in relation to the implementation of the agreement. Many interviewees expressed frustration with the politicians for effectively closing off avenues to participation, echoing one commentator’s analysis of the peace process as a “pacification process” in 1998 (Gilligan, 1997). Implementation has been focused at elite level to a much greater degree than even the negotiations. The lack of transparency, the confusion over deals and the general cynicism at the whole process prompted several to remark that there were two peace processes going on—one for the politicians and one for the community.

It's like two things happening at the same time. Two very different things and I'm not sure those two things are going to meet properly ... even though I think there's very good work being done on the ground. We're an inter-community project so this is our job to talk across the wall but not all projects are like that but I still think they are creating a stability and creating development and capacity within organisations and then you have the politicians making new structures at Stormont, which I'm not sure how that will translate on the ground ... I think there's two actually different processes going on and I think I hope at least in our area ... that the work that has been done on the ground can then feed into the political level so that we can at least have a some sort of relationship locally with the politicians that can influence their parties to cease in the sectarian dynamic that keeps going on, to work with us, keep supporting our good work that is being done here. We would have activists that ... are taking a lot of risk and some of the things are a secret and some other things are quite public right now and then those hush-hush things become more public as they develop here on the ground. Those things are feeding into a political level into parties. How much then is translated into the political arena I'm not sure that's happening very well so I am not sure there's a lot of link-up between the two processes.²³

This is in marked contrast to a discourse on civil society which stresses potentialities of a civil society when it is connected with political processes.

However, the activist role of civil society goes beyond this. Many peace and conflict resolution organisations, as discussed in the next section, would see themselves as part of this discourse but there is also a wide array of other NGOs lobbying for political change of various descriptions. Two sectors will be discussed here because

²² Interview with member of a civil society group, Belfast, 19th January 2004.

²³ Interview with cross-community group, Belfast, 9th February 2004.

of their importance generally but also because they draw out some themes in this civil society discourse: the human rights sector.

The activist discourse within civil society has also included a normative drive on issues such as human rights and equality that have been part of the discourse of global civil society. Thus, there have been a significant number of groups which have taken on an advocacy role, as opposed to the large amount of service provision in which civil society is involved. Kaldor has argued that the international NGOs (INGOs) involved in advocacy roles in the rest of the world are now tamed new social movements. They are tamed in so far as “the authorities open up access to social movements and even take on some of their demands, and movements become institutionalised and professionalized” (Kaldor, 1988: 145). A similar process can be seen in some of the more activist strains of civil society in Northern Ireland, particularly in the human rights advocacy groups. The Campaign for the Administration of Justice (CAJ), for example, has seen the mainstreaming of human rights and the creation of a quasi-governmental human rights watchdog body. The creation of the Northern Ireland Human Rights Commission was something for which they had lobbied and many members and former members applied to and were appointed onto the Commission. However, it simultaneously neutered the cutting edge of some of the demands and agitation of the human rights organisations. The problems of the Commission notwithstanding, it is yet another example of how the establishments of the institutions of the agreement fundamentally changed the context of civil society groups. In the case of some of the advocacy groups, which had been vociferous in their criticism of the state, they were brought into a much closer relationship.

THE PUBLIC SPHERE DISCOURSE

Civil society cannot be divorced from the idea of the public sphere, as formulated by Jürgen Habermas (Edwards, 2004). However, the public sphere is not synonymous with civil society; it attempts to go beyond civil society “and to introduce a discussion of the specific organisation within civil society of social and cultural bases for the development of an effective rational-critical discourse aimed at the resolution of political disputes” (Calhoun, 1993: 269). The peace process has been littered with attempts and initiatives to expand the public sphere; it has already been noted that the Opsahl Commission was the most important but this has been a preoccupation of civil society throughout the process and the lack of transparency about political deals and negotiations is a constant cause of frustration. As one interviewee argued:

I think there is a big problem because one of the things that ... was helpful about the initiatives that took place over the Nineties was that it did have some kind of public character, as anything civic in some sense has to have. Now things weren't, I'm not being romantic about this, the deliberations that took place in the New Agenda network, for example, including particularly discussions with the parties were quite sensitive and were under the Chatham House rule but those deliberations led to ... a public advertising campaign to hopefully encourage wider debate and the Opsahl Commission, one of its greatest strengths was the public hearings which took place over 17

days plus 2 days ... for sixth-form school students; those were open to the media and the public and I think that was actually very helpful and obviously the “Yes” campaign was very public ... and you can't really expect to treat people as foot soldiers who you deign to bring on the stage when it suits you. If people are going to be engaged, they've got to be engaged and can't be treated in that way and that has been a problem.²⁴

Whether the Opsahl Commission stimulated the public sphere in Northern Ireland or not, there has been a significant development of public forums of everyday debate on agendas driven by the public during the 1990s. The importance of *Talkback* on Radio Ulster or Stephen Nolan's phone-in show on Belfast CityBeat should not be underestimated. Similarly, *Sluggie O'Toole*,²⁵ as an internet cybersalon, fulfils the criteria for a non-hierarchical public space. The print media have also provided forums for the expansion of the public sphere. Journals such as *The Other View* or *The Blanket* provide regular forums with the explicit rationale for the expression of divergent views and for the debate between Republicans and Loyalists.²⁶ Moreover, as the title of Colin Irwin's book, *The People's Peace Process*, suggests, there were people outside the formal political process working to sell the process and the agreement and also providing an input for “the people”. Irwin's opinion polls, formulated in conjunction with the political parties, were an attempt to bring the public into the secret deliberations of the multi-party talks, even if they were unaware of it (Irwin, 2002). This does not quite satisfy the conditions for a public sphere but the efforts to publicise the results are the closest that the negotiations came to a public process.

Members of civil society connect the public nature of politics with participation in political decisions. Almost all the interviewees for this research stated, unprompted, that civil society offered mechanisms for participative democracy. Participative democracy appears to be understood in the context of structured input into policy making, rather than the more classical sense of direct democracy:

There's no doubt about that because with the absence of ordinary politics a kind of participative democracy arose, which meant that there was a fair degree of influence on policy by voluntary community sector organisations and I think that continued right through until the assembly came on and then it was one of the key phases which the assembly and the sector had to get to grips with the change of relationships and think that was quite difficult for people to let go. I think there was a big willingness in the voluntary and community sector to let the politicians have their day and get on and really do the business in terms of a representative democracy but I think then there were some problems too.²⁷

Participation is thus understood to provide an adjunct to representative democracy and the changing balance between representative democracy and participative

²⁴ Interview with member of policy and research group, 19th April 2004.

²⁵ www.sluggierotoole.com.

²⁶ See *The Other View*, or *The Blanket*, <http://lark.phoblacht.net>.

²⁷ Interview with member of community education group, Belfast, 3rd February 2004.

democracy is significant in how democracy, and thus civil society, functions in Northern Ireland:

I think the battle was starting to be won these days that democracy is not purely representative that participative democracy is an important part of governance and so there will often be space at the table for social partners stroke civil society where big decisions are being made when your talking about P F I or any of those things; still not when your talking about political process so still not during the review, they're still not saying we need to broaden this out to civil society in terms of how the review is going to work but the Opsahl Commission started to put a foot in that door, started to say "well we're not going to prescribe what the way forward for Northern Ireland is but here are some suggestions from people who are actually living and working in areas close to the ground who have thoughts about these things". So, I think the Opsahl Commission is a bit of a watershed moment in that; that's when the politicians started to say "oh these people actually have something to say". Not so much our local politicians but certainly the British and Irish governments started to say "hmmm clearly there's some expertise resident here that we need to tap into", which is why I think the yes campaign eventually came about.²⁸

Some even stated that Northern Ireland advanced in the avenues it offered for participation:

My sense is that there is a growing awareness in the modern world should Northern Ireland become more normal in inverted commas. Should we have elections every few years, it's not enough to just let politicians decide it's very useful to have this complementary process to make sure politicians really are informed about the views across their electorate and that people who don't ever consider voting for them and that that influences the decision-making. It's more complex decision-making process but I think it is representative and participative democracy working hand-in-glove and that's why it, again, I think Northern Ireland is ahead of the game and we could dump the participative approach by saying No. We might be able to have normal politics but I think that would be a loss. We actually have something that we should be exporting to other people and similarly I would feel very strongly that it's not a question that everybody should be at the table and therefore you don't need elected politicians.²⁹

It should be noted that it is participation rather than deliberation which is the central concern here. Nevertheless, it seems that the establishment of the Assembly in 1998 was seen by all as a real opportunity for normal democratic politics involving political representation and policy debates to operate in Northern Ireland. For civil society, this opportunity meant the widening of the public sphere and more opportunities for political participation. In terms of public policy and social and economic issues this was possible but where issues concerning the political process were concerned the public sphere and the avenues for political participation narrowed and this has created apathy and disillusionment.

²⁸ Interview with IFB representative, Belfast, 11th February 2004.

²⁹ Interview with member of human rights group, Belfast, 12th January 2004.

THE CONFLICT TRANSFORMATION DISCOURSE

Mary Kaldor argues: "Civil society has an important humanitarian role to play in conflicts. But civil society can only be sustained in the framework of a rule of law ... Moreover, the effects of new wars, and Bosnia is a good example of this, is to destroy civil society. Because new wars represent a form of political mobilization, extremists are generally strengthened in war and civil society greatly weakened" (Kaldor, 2003: 135). There are two corollaries to this. First, a key part of transforming conflicts lies in rebuilding civil society. Second, civil society is uniquely placed to address relationships between communities at an individual level. The ethnic conflict literature on civil society attaches great importance to its potential to alleviate or prevent conflict. Perhaps the most systematic treatment of the two subjects is Ashutosh Varshney's study of riots in India. His conclusion was that civil society was an explanatory factor in presence or absence of Hindu-Muslim riots in Indian cities. Where Hindus and Muslims were involved in the same formal organisations and had everyday contact with the other community, riots did not happen (Varshney, 2001). His research has prompted some in Northern Ireland to suggest that cross-community work is therefore more likely to be beneficial than single-identity work (Bryan, 2003) but Varshney's work is not as conclusive as that reading would suggest. Indeed, I would contest that all Varshney demonstrates is that in certain Indian cities Hindus and Muslims are integrated to a degree which prevents conflict. His understanding of the possibilities of cross-community work to integrate communities after conflict is not clear and Northern Ireland actually presents a better case study in that sense than India. However, what Varshney does raise is the relationship between bridging and bonding social capital in divided societies. For example, church attendance, which is a major source of social capital in Putnam's America and is exceptionally high in Northern Ireland, is one of the major markers of communal division. As Nelson, Kaboolian and Carver argue: "bonding social capital, which connects similar individuals and lubricates action within a social network, can simultaneously reinforce the differences and social distance between members of the network and 'others'" (Nelson et al, 2003). This is a fairly commonplace critique of Putnam's neo-liberal version of civil society. Putnam does not consider the possibility that the *type* of civic engagement is important rather than just the *fact* of them. One critic made the distinction between social and unsocial capital (Levi, 1996), while another has argued that it is important to contextualise the relationship between civic engagement and social and political outcomes (Cochrane, 2002).

Can civil society provide integration of communities? The literature of ethnic conflict resolution, while not giving a resounding "yes", does privilege civil society over political structures. A consociational system of government is subject to particular criticism but there are differences between the criticisms. Donald Horowitz, for example, would remedy the deficiencies he would see with the system by way of other political structures, particularly the electoral system (Horowitz, 1985). However, others would argue that consociationalism reifies identities which should be deconstructed. Political structures are unable to do this and this necessitates an approach based on the transformative capacities of civil society (Taylor, 1994, 2001). There are initiatives within civil society that are actively working toward inte-

gration, with integrated schooling as the best example (O'Connor, 2002). Most of the projects funded by European Peace and Reconciliation money are funded to work on the individual and micro-community level to alter attitudes between and among communities, to break down the system of sectarianism. Frequently this sort of work builds on psychological and not political concepts (see, for example, Francis, 2002). In Northern Ireland, the tendency has been to pursue both types of conflict resolution approaches at the same time, for instance the British Government sponsored both talks on political structures and the development of civil society approaches at the same time (Bloomfield, 1996).³⁰

Nevertheless, civil society in Northern Ireland is as divided as the wider society and reflects the divisions within that society and, while the peak organisations hold to integrative tendencies, this is not necessarily the case of all groups:

In my own view ... civil society got hijacked by a number of key players and you're talking now about your Quintin Olivers ... and it's still very difficult to be not pro-agreement and I'm not even saying anti-agreement to be not pro-agreement because the main sources of money for the community development sector the community sector you can't go in with anything but pro-peace ... peace and reconciliation money is a clearly about peace building all the horizontal principles all the application process is all about how you're going to one address the legacy of the conflict and to take opportunities arising from the peace, which I have an issue about as well. So you've got to buy in. Other people who are in stronger positions say: "if you can't buy into what we think don't bother". We have to administer that. If you put say that up against something like the money we have a from our anonymous American donor for the ex political prisoners they get the money on account of being groups of ... political ex-prisoners ... so they are brought in immediately and they get the money because of who and what they are now we have some influence on their workload but surprisingly little because Atlantic don't really, it's changed Atlantic are being more pedantic and putting in a lot more processes, but essentially we got a consultant to do a bit of work and it was pretty much what we need money for. So it was in their current workload. Coiste needed a director and a deputy director to be paid core for another couple of years ... which is fine because Coiste have a big peace building in Ireland programme so you would want to buy into that any way. But that [ex-prisoners] bridges everything through the UVF side the UDA side there's no LVF side because we didn't go and talk to them, so those are the kind of small decisions you're making so you're not overtly saying you've got to buy into the peace scheme but if you only talk to X Y and Z you're moving the goalposts. So I suppose if you have to analyse it we are pro agreement but not a big player in the formation of consensus I would argue. Although we do have 28 odd million of peace two money; it's a big stick we could hit people with ... I cannot see where civil society played a big role and I can't see where civil society was supposed to play a big role, or any role, this is consociationalism it is about elites. I think the war weariness, people's desperation for an end to the conflict and their hopes post 94 for some sort normality meant you've got to be a fool not to mobilise that sort of body of opinion.³¹

³⁰Bloomfield argues that these two approaches are complementary but this is not widely endorsed in the literature.

³¹ Interview with IFB representative.

As those who advocate an elite driven solution for Northern Ireland and are sceptical of the social transformation approach argue, with a certain amount of glee:

It is not even true that the political preferences of Northern Ireland's "civil society", that is, its large numbers of civic associations, differ from those of its political parties. The most popular civil society organisations in Northern Ireland, the Orange Order and the Gaelic Athletic Association, are solidly unionist and nationalist, respectively (McGarry and O'Leary, 2004: 21).

This is slightly facetious, as, while the Orange Order and the GAA may be two of the largest associational organisations in Northern Ireland, neither is representative of the type of work which is conducted under the ambit of the community sector. However, the question as to how to work with existing community structures is a serious one for peace and conflict resolution organisations and one which has been unsatisfactorily answered. The sector is informed by a vernacular communitarianism;³² this is perhaps unsurprisingly given it is called the "community sector" but there is a lack of definitional rigour enshrined in this terminology. Perhaps the most coherent exposition of the rationale of the sector, which illustrates many of the themes throughout this paper, comes from NICVA's policy manifesto of 2002:

The voluntary and community sector is a major force for change in Northern Ireland. What the sector has to offer is a profound experience of civic life — of a world where everyone is equally valued as an individual, where individuals come together for the common good, and where the everyday concerns of "normal" politics are to the fore. A vibrant civic culture is critical to a well-functioning, inclusive society. Civic associations have the capacity to achieve virtuous circles of growing trust, confidence and cohesion. Government increasingly depends on NGOs (non-governmental organisations) in complex societies where it can neither know nor do everything. Research shows that NGOs enjoy greater trust on the part of citizens than governments or the private sector. If supports are not put in place to enable excluded groups to participate in democracy, then inequalities are exacerbated. The voluntary and community sector fulfils this role through providing such supports. The not-for-profit ethos of the sector means that it actively seeks to build collective or community profit (capital) within economically and socially deprived communities when it is delivering services. The sector's ethos—treating everyone as an individual, involving users and constantly evaluating—can offset the dangers of one-size-fits-all bureaucracy and stagnation that many big state organisations suffer. The voluntary and community sector also has a role to play in reconciling Northern Ireland's divided society. Strong civic networks can offset sectarian divisions and work at community level has the potential to encourage outward-looking and outward-reaching development rather than inward-looking competitive communities (NICVA, 2003: 4-5).

Community is obviously, for NICVA and others, a positive concept, bound up with many of the notions which define social capital but it is not clear from the statement above what relationship between bridging and bonding social capital is envisaged. Neither, for example, the GAA or the Orange Order are considered part of the

³² For a discussion of this see Fraser, 1999. It seems more appropriate to call it vernacular communitarianism as it does not have any of the rigour of the philosophical or political communitarianism.

community sector and yet there are many comparable organisations which are. Community can mean small localities, “the Lord Street community”, larger estate size communities, “the Short Strand community”, even larger constituency size communities, “the East Belfast community”; it can mean non-territorially defined communities, “the working class community of West Belfast”; it can mean the “traditional” communities, “the Nationalist community”; it can mean several of these definitions at the same time, “the Protestant community of East Belfast”, “the Catholic community of East Belfast”. Rarely are any of these communities thought of in a cross-community fashion. They are always thought of as positive and they are always thought of as embodying close social bonds between members; areas where there are few “community organisations” are referred to as areas with “weak community infrastructure” and these tend to be rural or Protestant areas. We have already confronted the problems with assuming that social networks can alleviate problems and it seems that the community sector is unable to resolve these issues because communities are allowed to define themselves and with the level of social segregation, locality becomes synonymous with communal identities. Indeed, this is the major difficulty that Elizabeth Fraser has identified with communitarian projects; she argues that communities should be thought of as territorial and not psychological areas because of the potentials for in and out groups which the latter creates (Fraser, 1999: 141-72.)

Where this conflict transformation discourse links with the activist discourse is in the women’s movement. The women’s sector in Northern Ireland in particular has seen civil society as a plural space where concerns that could not be articulated in the formal, male dominated political arena could be addressed and discussed. Indeed, the women’s sector did what civil society in general discussed prior to 1998 and formed a political party.³³ Moreover, the women’s sector represents a move away from ideas associated with community and embodies what a social movement which Ernest Gellner might describe as “modular”, i.e. allowing a variety of identities to coexist (Gellner, 1996). The literature on the women’s sector in Northern Ireland is increasing in volume but the integrationist approach is a central part of its agenda and one which is not theoretically muddled by the prominence of bonding social capital.

In addition, there are strong class elements to the conflict resolution organisations. This correlates with the class dimensions of the conflict and is reflected in a variant of standpoint theory which informs this sector. Marxist standpoint theory stated that only the proletariat had access to the truth because they were oppressed and therefore uniquely situated to see the structures of oppression in society, while the feminist variant on this replaced the proletariat with women. In Northern Ireland, there is the assumption that those who lived with the conflict are in a better position to understand the structural sectarianism and inequalities in society and therefore are better able to address those issues. Because community development and community relations work address the issues of conflict within these areas, it there-

³³ Interview with member of New Agenda, Belfast, 5th May 2004.

fore sees itself as the most progressive element of Northern Irish society, frequently expressing frustration with politicians. Indeed, politicians are seen as the bearers of sectarian politics in Northern Ireland, uninterested in addressing sectarianism and the causes of the conflict. Indeed, for such groups the tension is not on the state-civil society axis but rather the civil society-political society axis.

John Paul Lederach has argued that a successful reconciliation process must include dialogue and connections between politicians, civil society and the masses. Lederach's work in particular has become popular in Northern Ireland and he suggests that resolving conflict should involve all sections of society and can be thought of in terms of a triangle. Civil society provides the important secondary level, which can, if lines of communication are properly developed, negotiate and communicate to both the political leaders (at the top of the triangle) and the grass roots (at the bottom; Lederach, 1997). Overall, it is difficult to argue that civil society has consistently played this role. Civil society has played an important role in translating difficult political decisions taken at an elite level to the ground on a number of occasions: the ceasefires, the "Yes" campaign. Moreover, ex-prisoner groups would be the most proactive in providing the conduit between elites and their constituents. However, because civil society interprets its interests as jeopardised by those of the politicians, frustration rather than dialogue is the result.

CONCLUSION

In order to understand the impact of civil society on the peace process (including negotiation and implementation) it is necessary to appreciate two aspects. The first is civil society's worldview, which is bound up in notions of openness, transparency, participation, empowerment and plurality. The second is to understand the nature of political change in Northern Ireland from a civil society perspective. The elite peace process embodies few of the ideas which encompass civil society's worldview and there has been a genuine and perceptible disconnection of civil society with the political process. On the other hand, the framework for the role which civil society has played during the period of direct rule has fundamentally altered, offering a more expansive and influential role than previously but changing the rules of the game. The result is that civil society has an ambiguous relationship with the political institutions; it is simultaneously supportive and critical. It is only when we examine the conflict transformation role of civil society that we can see an unambiguous and primary role. However, if we are to maintain a focus on the relationship between civil society and the formal political process then a proper contextual analysis is needed.

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