Northern Ireland has experienced conflict since the creation of the country in 1921. The conflict was historic, deep seated and at times appeared to be intractable. The most intense years of conflict were in the early 1970s and violence continued until the mid 1990s, when a political settlement, that is known as the Belfast/Good Friday Agreement was concluded in 1998. The Northern Ireland peace process has been widely written about and analysed. The role which mediation processes and techniques played is widely acknowledged.

In this article consideration will be given to some of the mediation strategies and techniques used during the course of the negotiations which resulted in the Belfast/Good Friday Agreement, and further to whether this experience has influenced developments in commercial mediation in Northern Ireland over the past 13 years.

INTRODUCTION AND BACKGROUND

In 1920 the Government of Ireland Act provided for the partition of Ireland into a 6 County north and a 26 County south. The 6 County north, or Northern Ireland, and the 26 County south each had their own separate Government and Parliament. In 1921 the Anglo Irish Treaty created the Irish Free State as a self-governing unit within the United Kingdom. This position continued until 1949 when the Irish Free State became a Republic and left the British Commonwealth to become the Republic of Ireland. The Westminster Parliament in London adopted the Ireland Act 1920 which confirmed the status of Northern Ireland as part of the United Kingdom of Great Britain and Northern Ireland.

Tensions existed between the majority Protestant population in Northern Ireland and the minority Catholic population living mostly in the Western counties in Northern Ireland. This at times resulted in conflict. A rising sense of continuing injustice and grievance amongst large sections of the Catholic population in respect of issues such as housing and employment
resulted in the growth of the Civil Rights Movement in 1968. Demonstrations and marches organised by the Civil Rights Movement often resulted in violence. Intercommunal violence spread throughout Northern Ireland and when British troops were deployed in an effort to restore law and order, heightened tensions in Nationalist areas often again resulted in violent clashes. Unfortunately circumstances deteriorated and the period of Northern Ireland’s history known as the ‘Troubles’ commenced.

In 1972 the local devolved administration in Northern Ireland operating from Parliament Buildings, Stormont, was suspended and Northern Ireland became directly ruled from Westminster, London. Over the next 20 years many were killed and considerable social and economic disruption was caused by violence, bombings, ambushes and sectarian attacks. The attacks and violence sometimes crossed the border from Northern Ireland into the Republic of Ireland and also, on occasion, significant violence occurred in mainland Britain. In the early 1990’s a number of politicians in Ireland, England and elsewhere, together with church and community leaders were engaged in behind the scenes talks and initiatives to resolve the conflict. These bore fruit with the Provisional IRA declaring a ceasefire in August 1994 and the Combined Loyalist Military Command following suit in October of the same year.

Against a decreased but still present threat of violence, the Governments of the Republic of Ireland and the United Kingdom undertook a number of initiatives aimed at underpinning the peace. In February 1995 the Government’s published a joint document entitled ‘A New Framework for Agreement’ and announced the creation of an international body to assess the issue of decommissioning and general disarmament. This progress was set back by the ending of the IRA ceasefire through the explosion of a bomb in the Docklands area of London on 9th February 1996.

Whilst the IRA carried out acts of violence, Northern Ireland did not descend into sectarian violence and the Combined Loyalist Military Command maintained its ceasefire despite a number of breakaway loyalist splinter groups. In an effort to kickstart what became known as the Peace Process, it was decided that a 110 member forum should be elected, from which

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