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**Explaining settlement in Northern Ireland:  
power, perception and path dependence**

*Joseph Ruane* (University College Cork)  
Jennifer Todd (University College Dublin,  
Geary Institute)

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## **Abstract**

This paper criticizes four typical explanations of settlement of internal conflicts, showing that they fail to give an adequate explanation of the 1998 settlement in Northern Ireland. Instead of inductively searching for recurrent proximate factors or proceeding deductively by applying general theoretical models to settlement processes, it suggests that it may be more fruitful to search for underlying path dependent processes which regulate how the factors highlighted in the other approaches function.

**Keywords:** ethnic conflict; settlement processes; path dependence, Northern Ireland; Good Friday Agreement; temporality; power stalemate.

Spelling: English

## **Explaining settlement in Northern Ireland: power, perception and path dependence**

Internal communal conflicts vary so widely in their form that valid generalisations are not easily found (Brown, 1996; David, 1997;). Settlements are even more difficult to explain, for they vary not simply in the type of conflict, which they settle, but also in their status and stability (Darby and MacGinty, 2003, pp. 1-6). Most contemporary scholarship either searches inductively for recurrent proximate factors (or clusters of such factors) which explain settlement in a particular range of cases ( Brown, 1996; Stedman, 2003; King et al, 2005), or proceeds deductively by applying general theoretical models drawn from other fields of study to settlement processes (David, 1997; Lake and Rothchild, 1998). We argue that it may be more fruitful to search for underlying path dependent processes, which regulate how the specific factors highlighted in other approaches function. As we show below, this is not a rejection of comparison or generalisation but a shift in its focus.

We begin with four competing explanations of settlement, which highlight, respectively; relations of power, cognitive framing, social networks and institutional opportunities.<sup>1</sup> Using the test case of Northern Ireland, where a protracted conflict was brought to an agreed (if unstable) settlement in 1998, we show that none is sufficient to explain settlement in this case. Each, however, reveals factors that are relevant to the settlement process. We show that these factors are closely interlinked and that the effects of each vary with their context and interlinkages. This is precisely the type of phenomenon where process, temporality, pattern and sequence are decisive (Pierson, 2004). Rather than search for factors that explain settlement in general, we draw on approaches which build temporality into explanation, identify sequences of social mechanisms and path-dependent ‘lock-in’ of patterns, and point to the modes by which they may be interrupted (Mahoney, 2000; Pierson, 2000). This type of approach is increasingly important in discussions of ethnic conflict.<sup>2</sup> Explanation of settlement then becomes a matter of identifying the sorts of processes and interventions

which impact on and interrupt these sequences and patterns, making settlement possible at particular critical junctures; the stability of settlement would depend on the extent to which conflict-generating patterns are interrupted, countered or reconfigured. Using the Northern Ireland case, this paper suggests that it is indeed possible to identify long-term processes, which interrupt patterns of conflict. The case-study highlights the impact of long-term state trajectories on patterns of conflict, their interrelation with actors' categorisations, and the impact of wider geo-political processes in provoking trajectory change and in legitimating it for the actors.

### **Competing explanations of settlement processes**

Theoretical explanations of settlement processes tend to prioritize one of the following four factors: power relations, cultural distinctions and cognitive frames, social networks (and their role in forming community boundaries) and institutional opportunities.

A focus on changing power relations has typified rational choice and neo-realist models of ethnic conflict and settlement processes (David, 1997; Lake and Rothchild, 1998). These approaches typically take as given the self-definition of the actors and their categorisation of their aims, and focus on their resources and strategies. Power is the key resource, and if power instability gives incentives for conflict, power stalemate – where actors can prevent each other from attaining their ends – gives incentive for settlement; settlement in turn is unstable without a credible guarantee that the weakening of one party's resources by compromise (disarmament etc) will not be exploited by the other (Zartman, 1989; Lake and Rothchild, 1998; Walter, 2001). The clarity and relevance of these arguments in highlighting factors, which foster, or subvert, the quest for settlement are clear. But they provide less than a complete explanation of settlement. They assume actors' awareness of power stalemates, recognition of long-term objectives, belief in external guarantors, thus putting

categorizations and perceptions back at the heart of analysis (Zartman, 2003). Moreover, distinctions between different orders of time – the potential tension between short-term power stalemate and projected long-term shifts in the power balance – which are routinely made by actors in their calculations tend, insufficiently, to be brought into this explanation.

A focus on cultural distinctions and cognitive frames is typical of ‘new international relations’ theories and cognitivist approaches to ethnic conflict. Some argue that the central factor in moving from conflict to settlement is perceptual - a perception of a hurting stalemate, a recognition that a win-win situation does, or can, exist - and that this can occur at any stage of conflict (Hauss, 2001, p. 218). This approach also informs analyses of micro-processes of conflict which study how and when actors adopt or reject ethnic labels, link or de-link ethnic categories to personal dignity (Kakar, 1996; Brubaker, 2002, Petersen, 2002). Yet why such re-categorisations occur when they do is seldom adequately explained. One typical explanation appeals to the role of ideologues (or political entrepreneurs) as key agents in the process of collective self-definitions (Brubaker, 2002; McAdam et al, 2001). Yet this fails to explain why some political entrepreneurs are effective, and others not. Another explanation goes beyond the cognitive to point to the importance of experienced cooperation with ‘enemies’ in exemplary micro-interactional contexts, for example informal diplomacy (Arthur, 1999). Yet this does not itself explain the changes in public attitudes necessary to sustain settlement processes. This approach points to mechanisms relevant to settlement processes but does not explain why and when they become effective.

A third strategy is to focus on civil society and social networks, showing how institutionalised interactions at the local level may provide incentives towards, or safeguards against, the escalation of conflict (Varshney, 2001). A complementary tack, which links the cognitive with the interactional, is to see how communal boundaries are constituted as ‘bright’ or ‘blurred’ in everyday interaction, and how this defines the range of choices which

actors face (Alba, 2005). These approaches build on theories of ‘bridging’ social capital (Putnam, 2003) and theories of how boundaries and distinction are challenged and maintained (Lamont, 2000). While this, however, may explain constraints on conflict and local variations in its form, it appears at best to form only a part explanation of a move to settlement.

A fourth approach focuses on institutions and the opportunities that they may give for compromise settlements. In some forms, this constitutes a robust turn away from analysis of predisposing causes of settlement to analysis of proximate causes, holding that properly designed institutions will themselves act as effective incentives for actors to compromise, although most theorists focus also on the conditions which motivate actors to take up these incentives (McGarry and O’Leary, 2004). This type of approach may also focus on changing long-term institutional opportunities, which form the context for settlement (Keating, 2001). This approach sees institutions as the key factors which define power relations, frame policy and action and determine the distribution of resources (Hall and Taylor, 1996, pp.937-40). As such, it goes some way towards integrating the previous views. Yet an institutional approach tends to neglect the ways in which informal shared understandings, power relations and continuing practices of power struggle subvert formal rules and ‘convert’ old institutions to new functions, or new institutions to old (Thelen, 2003, pp. 228-230).

These four sets of factors are distinct and irreducible, one to another. For example, the institutional opportunities for compromise are not constituted by cognitive shift, nor is this a mere by-product of changing power relations or changing social networks. Yet they are also interrelated. Without appropriate institutional opportunities, there is no incentive for categorical shift, and plenty of incentive to keep fighting to change the power balance. Without change in social networks, perceptual shifts are fleeting and lack social grounding, and without perceptual shift, even a stable power balance will be seen as potentially variable

in the future. An unstable power balance means that any relaxation of cultural or communal opposition brings the danger of defeat; yet sometimes it is only the prospect of future, potentially still more dangerous, power shifts that gives an incentive to compromise.

The approaches sketched above prioritise one or another factor, taking it as the only variable whose change requires close analysis. We have suggested that the factors are interlinked, with the effects of each varying with its context and combinations. In this paper we focus on one case where a settlement was finally reached after a quarter century of conflict: the case of Northern Ireland. This allows us to show not only the failure of any one of these factors to explain settlement, but also the variation in their interrelations and effects over time, and to propose a different type of explanation of settlement.

### **Northern Ireland: explaining settlement**

Agreement was reached between most of the main political parties in Northern Ireland on Good Friday, April 10, 1998. What were the conditions, which brought settlement, what explains its timing, and how stable is it? How did unionists (at least a majority of them) come to agreement with republicans (extreme nationalists who had only recently ended a campaign of violence) when six years earlier they had failed to reach agreement with moderate nationalists? (see Bloomfield, 1998; 2001) How did republicans come to accept a settlement that, formally at least, appeared to offer fewer constitutional gains than did the Sunningdale Agreement, which they had violently rejected a quarter century earlier (Wolff, 2001)? How could actors who in the recent past had declared conflict, and even violence, to be inevitable, a rational and justified response to threat, injury and insult, now begin to speak as if it were unthinkable, irrational, a feature of a distant past?

The factor most often cited in explanation of the settlement process in Northern Ireland is power, and in particular power stalemate. By the mid 1990s there was a mutually recognised stalemate between the IRA and the British army. There was also recognition that neither unionists nor nationalists could hope immediately to achieve their maximal aims. This gave impetus to all parties to negotiate. This is the explanation suggested by English (2003, pp. 307-13) who takes republicans' inability to fulfil their goals at either the military or the political level as the main factor motivating them to call a ceasefire and to negotiate a settlement (see also Schultze, 1997 ). The problem with this explanation is that neither the military nor the political stalemate was new. The military stalemate distinguished the situation in 1998, when republicans negotiated a settlement, from that in 1973, when they had no intention of so doing; but some republicans had perceived a stalemate as early as 1975, and others in the movement recognised a military stalemate by the mid-1980s (English, 2003, p. 307). On the political level, too, stalemate was no more evident in the late 1990s than in the 1980s. Why then did it become relevant only in the 1990s? We might explain this in terms of the actors' new recognition of emerging long term options, and of the changing character of state trajectories and international constraints (Arthur, 2000). But this is to move to a different form of explanation of settlement.

Some authors focus on a shift of cognitive frames and cultural distinctions as the key factor explaining settlement. Changing ideologies preceded negotiations: all political parties adopted new discourses, which converged around internationally acceptable concepts of pluralism, equality and regionalism (Coakley, 2002; Bourke, 2003; English, 2003). Was settlement then a product of shifting ideological frames, which allowed actors to recognise the possibility of compromise? Eventually, among some actors, there would emerge a conceptual shift away from a zero-sum notion of conflict.<sup>3</sup> This shift was relevant to settlement, for some key actors it was coterminous with the process of settlement and it has strengthened the stability of the settlement. But the direction of causality is not clear: is the



conceptual shift a cause of negotiations or a product of it, or a product of other practices altogether? It was not simply a product of the new political language, which was used as a strategic resource to mask conflictual aims as much as an indication of intent (Ruane and Todd, 1996, pp. 99-108; 2003).

A third perspective holds that an important factor permitting and sustaining settlement lies in the social networks of interaction and civil society organisations where communal boundaries are blurred. This explanation suggests that it was the build-up of bridging social capital that finally did the trick: it was ‘people power’, a public increasingly able to see beyond ethnic divisions towards everyday interests which sometimes converged and seldom directly conflicted, which impelled politicians towards settlement (Irwin, 2002). Some explain the crises of implementation of the Good Friday Agreement by the failure of politicians to prioritise these civil society institutions and allow their voice to predominate (Wilson and Wilford, 2003). While there is evidence that cross-community civil society organisations can restrain conflict and even provoke identity shift in settlement-sustaining directions (Hargie and Dickson, 2003), there are two problems with the proposed explanations. First, there was a relatively small increase in institutionalised contexts of cross-community interaction in the decade preceding settlement.<sup>4</sup> Second, voting behaviour shows that the public, far from pressing the parties to maintain the agreement, have rewarded those parties least likely so to do.<sup>5</sup>

For some scholars, the key factor permitting settlement was the willingness of the British and Irish states to collaborate in proposing a new institutional structure – consociational, egalitarian, neo-federalist, with double protection for minorities in either British or Irish jurisdictions (McGarry and O’Leary, 2004). While we argue below that the broad shape and long-term trajectory of state policy was indeed a crucial factor, the detailed institutional and constitutional provisions suggested by the states (and later formalised in the GFA) are

insufficient to explain settlement for three reasons. First, the detailed institutional provisions are insufficiently different from previous initiatives to explain the radical difference in outcome. Second, there is no unambiguous institutional configuration which can serve to explain settlement, as is seen by the fact that there is no uncontested reading of the provisions of the 1998 Agreement, as the parties to it were well aware (Ruane and Todd, 2001; 2003). Third, neither community (nor their leaders) wholeheartedly accepted the shape of this institutional-constitutional deal even after agreement was reached: pro-Agreement unionists objected to key features of the internal restructuring of Northern Ireland, while pro-Agreement republicans (who wanted to develop further this restructuring) were careful to accept neither the legitimacy nor the stability of the British role in Northern Ireland.<sup>6</sup> The institutional-constitutional provisions on offer were most certainly relevant to settlement, but how and why is not self-evident on the basis of the provisions alone.

Nor is it satisfactory simply to add these factors together in explanation. What is important for settlement is not simply their co-presence but the manner of their co-presence. In the 1970s and 1980s they coexisted and yet conflict was reproduced. Extended periods of power stalemate (where neither side could attain their ends) were seen as phases in a 'long war' and led to increased communal mobilisation and intensified cultural opposition. The radical change in power relations after 1969 provoked perceptual shift: Protestants moved in mass from Irish and Ulster identifications to British (Trew, 1996); Catholics and nationalists of all political hues rethought what it meant to be Irish. But these shifts were in conflict-generating directions. Cross community networks collapsed, only to be built up by state funding which itself served as a new source of contention. A series of new political institutions were proposed and polarised opinion within, as well as between, the communities. Northern Ireland underwent almost constant economic or political restructuring between 1945 and 1995, but change in any one factor (core industries, a political stalemate, a ceasefire, the 1974 power-sharing executive, public shock at another atrocity, peace movements, a process

of ideological and identity change) did not initiate a benign sequence of changes in other factors. More often it intensified conflict. Why? What were the mechanisms by which settlement-favouring changes were continually subverted? And what happened in the 1990s so that these factors suddenly came to facilitate settlement? To answer these questions requires a different form of explanation.

### **Path dependent patterns and the conditions of settlement in Northern Ireland**

How did settlement come about? Why did factors, which had been present for some time without leading to settlement, now work together to make settlement appear ever more rational and probable? The answer lies in a change in the context in which they operated. We conceive of this context in terms of deeply-entrenched, slow-moving *longue durée* processes (Pierson, 2004, pp. 79-83), path dependent patterns and sequences locked in at an early stage (Mahoney, 2000; Pierson, 2000), and threshold effects, whereby gradual change builds to a point where it finally breaches patterns, producing seemingly sudden and radical effects (Lustick, 2001; Pierson, 2004, pp 83-87). This context conditions the way individual institutions or mechanisms function, such that changing contextual patterns can ‘convert’ the same institutional design to different functions (Thelen, 2003). This approach leads us to explain the persistence of the conflict as the ‘lock-in’ of a path-dependent pattern (or ‘system’ (Ruane and Todd, 1996; 2004). That pattern was weakened only in the 1990s by the intersection of two *longue durée* processes of change, which allowed the factors above to be ‘converted’ to a new significance.

The origins of the pattern lie in the early modern period when English state re-conquest of Ireland happened to coincide with the period of religious reformation and empire building.<sup>7</sup> The resulting stark power disparity and inequality locked in and partially fused a complex set of cultural oppositions (religious, ethnic, cultural, colonial) and created a situation where

rational self-interest (for security or economic livelihood or influence) led individuals to band together as Protestants or as Catholics, with the state systematically relying upon the former for the maintenance of order and economic development. Interests, emotions and values converged: socialization patterns, the 'moral economy' of conflict, the repertoires of reaction and riot, also locked 'human capital' into the pattern, engaging emotions and values, mobilizing religious fears, producing a tendency to 'essentialise' differences and mobilize different groups into totalising communities (Farrell, 2000; Hirst, 2002).

The conflict-generating pattern long outlasted the colonial period, it was embedded in British state institutions in Ireland, it was embodied in the habitus of both communities and it became the accepted mode of territorial management whereby the British state relied on the local loyal community for administration and security. Stark inequality between Protestant and Catholic created a pattern whereby each rise in Catholic power-resources led them to challenge the existing institutional order in a quest that stimulated a cycle of communal organization, mobilization and antagonism (Wright, 1987, pp. 1-20; Wright, 1996, pp.1-22; Hirst, 2002). After 1921, the British state continued to certify Protestant British culture in Northern Ireland and to reinforce the inequality of power resources in the region. The imbalance of power relations was legitimated in terms of British cultural binaries which equally served to increase the cultural resources of Protestants: the Catholic reversal of the binaries and attempt to overturn the power relations reinforced the Protestant perception of them as 'treacherous', 'backward' and a threat to Protestants' values and identity, thus in turn justifying Protestant and British defence of the state. Interests, values, and communal bonds converged. The pattern created strong incentives for individuals to reproduce the pattern, and strong disincentives to step outside it.

These incentives were sufficiently strong to override emerging interests in compromise in the 1960s, or in settlement through the 1970s and 1980s. The pattern of conflict meant that

the broad frame of governance – British rule with its implications for cultural capital and security – affected communal interests much more than did any specific form of representation (consociational or otherwise): constitutional conflict was therefore highlighted at the expense of institutional compromise. Power struggle was endemic; after the initial phase of conflict, through most of the 1970s and 1980s, military and political stalemate existed but all parties thought in terms of a longer war where victory might become possible when conditions changed; in the meantime they struggled over each resource and perceived inequality in a battle of wills intended to wear down the other side (Wright, 1987). Compromise, whether institutional settlement, ideological change or interactional boundary-blurring, was dangerous because it weakened determination and communal solidarity, opening a wedge for the enemy's long-term victory. The traditional feedback patterns (driven primarily by situated rational self interest) continued to link power relations, communal solidarity and cultural frames of opposition, keeping the conflict at a high level of intensity. What changed in the 1990s was precisely this interrelation of communal solidarity, power relations and oppositional frames. As soon as rights and interests were guaranteed irrespective of state sovereignty, and without the need for communal mobilization, compromises could be considered without giving up on long-term aims or values. To achieve this, though, required a breach in the entrenched pattern of relationships.

This break of the pattern was a product of two interrelated slow-moving processes of change. One was the slow rise in Catholic power-resources which had eventually brought independence for 26 counties, and which continued within Northern Ireland.<sup>8</sup> The other involved a process of repositioning by the British state, which culminated in the 1990s in a definitive break with the past. The form of the British conquest of Ireland in the 17<sup>th</sup> century had locked it into patterns of territorial management very different from those in Great Britain and resembling in some respects the divided colonial societies of the empire (Ruane,

1992; Howe, 2000). The union was an attempt at repositioning as a neutral arbiter between the communities: the establishment of Northern Ireland saw the state again positioning itself on the side of one community. The Catholic challenge of the 1960s initiated the first steps of a new phase of repositioning, though it was slow, halting and prone to reversal.

The break with the pattern began in the 1980s. The first steps were the Anglo-Irish Agreement of 1985 and the subsequent intensification of the reform programme, in particular the Fair Employment Act of 1989. The process passed a crucial threshold in the 1990s when for the first time the British and Irish governments committed themselves to undoing the now centuries old pattern.<sup>9</sup> Instead of using its power to underpin unequal communal access to resources, power and status, the British state would now use it to undo it. There is another *longue durée* frame in which this can be viewed: as the British state shifting ground to complete its long retreat from an imperial role in Ireland. This did not require – although it could involve - British state withdrawal from Northern Ireland. For the moment it was to be achieved by a reconstitution of Northern Ireland as a region of British-Irish overlap, an interface periphery between the British and Irish states, open at its borders to British and Irish influence and also to input from outside mediators (the US, the EU), with egalitarian and bi-national policies and with sovereignty decreasingly important in the daily run of affairs. The British state had always been prepared to countenance different institutional arrangements for Northern Ireland, consistent with its asymmetric institutional structure: it had never been willing to weaken the key constitutional tenets that were central to state authority in the United Kingdom (Todd, 2003). The new factor was its willingness to do this, expressed in its increasingly close involvement with the Irish government in co-management of conflict (from 1985), in its affirmation that it was a facilitator of agreement on the island, without 'selfish strategic or economic interests' in Northern Ireland (1991-3), and later in its welcoming of US intervention (Owen, 2002).

The change in the British trajectory occurred in a wider geo-political context. Its trigger was the imperative to reconfigure state institutions to succeed in the new global economy (Krieger, 1999) and, more immediately again in the 1990s, to restore the special relationship with the US. Within Britain this entailed a restructuring of the British polity (devolution-all-around, multi-culturalist reconfigurations of 'official' British identity) which also impacted directly on the public culture in Northern Ireland and on the interactional patterns deemed acceptable in institutional settings: traditional unionist notions of the sovereignty of the 'Crown in Parliament' and the hope of full integration in the United Kingdom were becoming politically irrelevant.

There was a corresponding Irish dimension. The Irish government's post-1950s strategy of openness first to economic, later to cultural and political impacts had developed, by the 1980s, into a distinctive self-conscious project of adapting to the new global environment by playing off powerful British, US and European forces against one another to national advantage. This led to major socio-economic changes; the 'Celtic tiger' economy (O Riain, 2004) and secularisation weakened the entanglement of religious and cultural differences and interests with national categories, encouraging some unionists (most prominently the business class) to reconsider their relationship to the Irish state. There was also a direct impact on the Irish state's Northern Ireland strategy: sovereignty was no longer of core importance, borders were permeable and Irish unity came to mean ever-greater island-wide integration while keeping an openness to Britain in both parts of the island. Through the 1970s and 1980s, the Irish state poured major diplomatic resources and energy into promoting this as the way to settle the Northern Ireland conflict and their rhetoric of European regionalism became the language of the peace process in Britain, Europe and the US (Fitzgerald, 1991).

The new state strategies and the 'peace process' itself were justified in terms of emerging international norms which no longer held borders sacrosanct (Guelke, 2002). There is debate on the direct effects of international influence on party strategies in Northern Ireland.<sup>10</sup> Indirectly, however, the wider geopolitical context was crucial in legitimating and guaranteeing the changes in state strategies for the actors in Northern Ireland: that British (and Irish) state repositioning was a rational response to a new international order, and seen as such by major actors like the US, showed that the change was set to deepen and broaden for the foreseeable future, indeed to be the future. The political actors in Northern Ireland intuitively thought in terms of long-term patterns of conflict: these patterns were now visibly changing. That also changed the functions and significance of institutions and ideas which most of the parties had long rejected: consociationism took on a new appeal.

With the states' commitment no longer to underwrite communal power, but rather to guarantee rights and interests irrespective of power relations, the salience of communal power decreased and the cost of continued power struggle was increasingly felt. The interim power stalemate thus began to become a compelling reason for changing strategy. By the same token, as state sovereignty came to be seen to be less important for rights and interests, the attraction of consociational institutions increased, particularly as they were now presented in the context of an open-ended constitutional future consistent with opposed long-term aims. As communal solidarity began to relax, existing cross-community networks could increase in prominence. The process also had a cognitive dimension, with change in the beliefs, which in the past had defined what it meant to be a republican or a unionist. Classic tenets of republicanism (that the British government was an imperial presence in Ireland which could not be negotiated with; that only violence would persuade it to withdraw) were now put in the balance, jettisoned or overturned (Ruane, 2004). Unionists recognized that to secure the Union they had to accept that it would inevitably be looser,



with a changed form and cultural substance and a different concept of Britishness, and that an Irish dimension was inevitable (Aughey, 1999; Patterson, 2004).

There was, however, ambiguity. These state changes converged with a long-term shift in power-relations internal to Northern Ireland whereby Catholics were approaching but had not yet attained demographic, economic and political equality. Was the British government committed to sustaining an egalitarian communal balance in a bi-national Northern Ireland for the long term, or was this part of the *longue durée* process of imperial disengagement, a gradual handing over to the rising indigenous community? This ambiguity has lain at the heart of the Good Friday Agreement and the divisions and political cross-currents it has generated have been a primary source of the crises that have bedeviled it (Ruane and Todd, 2001). It also underlies one line of republican strategic thinking, that the Agreement is an opportunity to amass power resources for renewed struggle in the future.

The structure of our argument is as follows. Existing explanations identify four factors that there is good theoretical reason to believe *should* contribute to settlement: power relations (in particular power stalemate), cognitive frames (perceptual and ideological shifts), social networks (of a cross-community form) and (consociational) institutional opportunities. We showed their presence in Northern Ireland from the 1970s without any apparent impact on the conflict, although in the 1990s it seems incontrovertible that they played a role in settlement. This change in their effects was brought about by slow-moving *longue durée* processes which, intersecting to reach threshold effects, disrupted a path dependent pattern of conflict and ‘converted’ the significance of these factors for the actors. Two interlocking *longue durée* processes were particularly important: one was the British state’s re-positioning from supporter of one community to mediator between two; the other was the emergence of near parity between the two communities in Northern Ireland. In the 1990s each occasioned and strengthened the other, allowing the actors to recognise a developing

(and still open-ended) trajectory which unionists, nationalists and republicans each had to be part of, if only in order to shape it to their interests. The path-dependent pattern of conflict had been driven by the rational self-interest of situated actors. It changed as new state strategies and long-term opportunities required the actors to resituate themselves. At that stage, rational self-interest began to point to settlement rather than to conflict. The perceived shift in the deeper level pattern gave significance to the proximate factors listed above. The ambiguities in that pattern continue to destabilise the settlement.

### **Settlement as the breach of path dependent patterns**

We have argued here for a particular strategy for explaining settlement processes. Instead of inductively searching for recurrent proximate factors (or even clusters of such factors), or proceeding deductively by applying general theoretical models of power, cognition, social capital or institutional incentives to settlement processes, we suggest that it may be more fruitful to search for underlying path dependent processes which regulate how these factors function. This is not a rejection of comparison or generalisation but a shift in its focus. The defining characteristic of a path dependent pattern is precisely its uniqueness, stemming from the particular contingent events which set a particular combination of elements and mechanisms in place (Mahoney, 2000, pp. 507-8). However the presence of path dependent patterns in protracted conflicts is likely to be general, just as are the types of factors involved and the types of interventions, which break their patterning. This approach suggests the need to reframe the competing explanations with which we began. Rather than identifying sufficient or even necessary conditions of settlement, they are better seen as describing social mechanisms, causally relevant to settlement but not necessary or sufficient to produce it.<sup>11</sup> The functioning and outcomes of these mechanisms are dependent not just on their sequencing and interrelations (see McAdam et al, 2001) but also on their relation to

underlying path dependent patterns. The following points of comparative relevance follow from the discussion above.

First, some conflicts are so locked in, with such a multiplicity of convergent reasons for conflict that no single change – however good the institutions or balanced the power relations – is enough to bring settlement. Only a change sufficient to breach the path-dependent pattern will allow these factors to have effect. Since actors themselves intuitively recognise the long-term patterns, expect them to continue, and devise their strategies accordingly, change has to be sufficiently radical and long-term to convince them that the patterns are broken.

Second, one way that such change can occur is through change in the geopolitical context which at once provokes multiple changes in the conflict region and ‘guarantees’ to the actors in the region that these changes will not easily be reversed. One might argue that the basic difference between the relatively successful Northern Irish settlement and the unsuccessful Oslo peace process lies in this wider context (Ben-Porat, 2005 ).

Third, this allows settlements to be seen as products of ‘critical junctures’, disruptions of paths or collisions between different paths (Mahoney, 2000; Rueshemeyer, 2003; Thelen, 2003). In this case, as indicated above, the ‘collision’ was mediated by the Irish state, which orchestrated changes and channelled state and international resources into the settlement process through its definition of the peace process in terms of European regionalism and the need for open borders.

Fourth, radical, long-term changes in state trajectory and opportunity structure facilitate settlement in part by provoking radical re-categorisations among the parties to the conflict: this allows them to see new long-term opportunities in institutional provisions which before

they would have rejected as insufficient or as radically unfair. This does not have to involve change in goals – amongst both unionists and republicans it was rather change in constitutive assumptions. Such change does not mean that previous beliefs were shallow, but rather that they were intimately connected to existing patterns of power and opportunity.

Fifth, among the many reasons why peace processes and settlements may break down (see Darby and MacGinty, 2003) is that the actors come to believe that their re-categorisations were mistaken. Since 1998, increasing numbers of unionists have come to believe that the GFA did not secure their position but instead benefited nationalists.<sup>12</sup> The misjudgement may also be in another direction. Those republicans who believed that the changes were moving with the ‘grain of history’ to nationalist victory may find that instead they have become locked in a new path where victory is even farther away than before (McIntyre, 2001). One of the difficulties for pro-settlement leaders in contemporary Northern Ireland is in judging just how far state trajectories and patterns of conflict have in fact shifted (see Ruane, 1999).

The explanation of settlement suggested here builds on the insights of new approaches to conflict, focussing on sequences and patterns of factors, lock-in and path-dependence. This approach has not, to our knowledge, before been used in analysis of settlements. It is so difficult to find adequate explanations of settlement, either in general or – as we have seen here – in hard cases, that it is important to open up another approach, particularly when, in this case at least, it appears strikingly to succeed where others fail. The fact that it echoes the actors’ own interpretations, their sense of a ‘new beginning’, is itself significant. If actors themselves believe in the existence of such patterns of conflict, the importance of changing state trajectories outlined above will hold irrespective of the specific content and truth of the actors’ beliefs. Finally, this form of explanation allows us to identify the difficulties of achieving settlement and the problems with incremental approaches to settlement, without

being deterministic. Possibilities of radical change exist, if critical junctures are created and grasped.

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<sup>1</sup> We make no claims here to cover the entire literature, and in particular a detailed discussion of inductive approaches is beyond the scope of this paper. However our conclusion (p. 20) applies equally to them.

<sup>2</sup> McAdam et al, 2001; Petersen, 2002; Brubaker, 2002; Varshney, 2001; Ruane and Todd, 2004, Vitale, 2005, Greif and Laitin, 2004

<sup>3</sup> This shift took place at different times for different groups. It had occurred for moderate nationalists in the SDLP in the 1970s; for some unionists it occurred after 1985; for some republicans it began with the peace process of the 1990s; for other unionists, it was a result of the Good Friday Agreement and for some it has yet to occur.

<sup>4</sup> There was a new large paid professional cross community civil society sector of employees, but at the grass roots less changed, for example, the percentage of children at integrated schools increased from 1% to 4% between the early and the late 1990s, a significant increase but not one that affected a significant proportion of the population. A. M. Gallagher and S. Dunn, 1991; Stephen, 2000, p. 167.

<sup>5</sup> In the 2003 regional elections, the two 'extreme' parties, Sinn Féin and the Democratic Unionist Party, were voted into majority positions within their respective blocs. For the results, see *Irish Political Studies*, Data Yearbook 2004.

<sup>6</sup> For detailed narratives of the crises of the implementation process, where these different readings of the provisions were fought out, see the monitoring reports published by the Nations and Regions: Dynamics of Devolution project; Constitution Unit website <http://www.ucl.ac.uk>

<sup>7</sup> This is the 'contingent' starting point required on path dependent analyses (Mahoney, 2000).

<sup>8</sup> This was in part a product of democratization, in part of communal organization, in part of more recent state-sponsored processes of reform.

<sup>9</sup> Undoing the causes of conflict; Downing Street Declaration (DSD) 1993, para

<sup>10</sup> Cox, 1997; Guelke, 2002; English, 2003, p. 307;Laffan, 2005.



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<sup>11</sup> For a strong statement on the contingency of outcomes of social mechanisms, see Elster, 1998. The seeming contingency of outcome of the mechanisms identified here, however, is explicable in terms of their context.

<sup>12</sup> See Life and Times surveys (political attitudes module, GOODFRI) [www.ark.ac.uk/nilt](http://www.ark.ac.uk/nilt)