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The Good Friday Agreement: An Overview

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Abstract

On 22 May, it received the overwhelming endorsement of the people of Ireland in referendums, North and South. For the first time, a precise mechanism has been defined - and accepted by the British Government - by which a united Ireland can be put in place, by the consent of Irish people and that alone. This involves setting up a new North-South Ministerial Council to develop consultation, co-operation and action within the island of Ireland on matters of mutual interest and establishing, as a start, at least six implementation bodies operating on a cross-border or all-island basis. The people, North and South, have endorsed the Agreement, including its constitutional provisions, in overwhelming numbers; elections to the Assembly in Northern Ireland have taken place and the Assembly has met; arrangements for reviewing prisoners' sentences are in place, the programme of prisoner releases is at an advanced stage; the Commission on Policing has, for some months now, been proceeding with its programme of work and almost all prisoners in Britain have been transferred.

THE GOOD FRIDAY AGREEMENT: AN OVERVIEW

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On Good Friday 1998 negotiations concluded in Belfast with the Multi-Party Agreement.

The Agreement represented the product of perhaps the most intensive negotiations ever involving Nationalists and Unionists, Loyalists and Republicans. On 22 May, it received the overwhelming endorsement of the people of Ireland in referendums, North and South. It replaces the settlement of 1920 and 1921 and as such, it is truly historic.

Other contributors will comment on detailed, especially legal, aspects of the Agreement. I want to give a sense of the politics of this remarkable achievement.

The Agreement provides for a new beginning - based on partnership and co-operation - in relationships within Northern Ireland, between North and South in Ireland and between Ireland and Britain.

It provides for a balanced constitutional settlement involving agreed changes in both British and Irish constitutional law, based on the principles of self-determination and consent. The key thrust of these changes is to reinforce the principle that in Ireland, North and South, it is the people who are sovereign. There is no longer any question of an absolute or territorial British claim to sovereignty, without reference to the wishes of the people. For the first time, a precise mechanism has been defined - and accepted by the British Government - by which a united Ireland can be put in place, by the consent of Irish people and that alone.

The reformulated Articles 2 and 3 of the Irish Constitution express the will to unity in strong terms, while enshrining the consent principle. With their generous, inclusive but non-threatening definition of the Irish nation, they reflect modern, progressive republican thought and keep faith with the pluralist tradition of Irish nationalism, stemming from Wolfe Tone and the United Irishmen, whose antecedents went back beyond the

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French, to the American Revolution. This is the way we want to go; but, as a safeguard, the amendments to our Constitution are framed in such a way that they are conditional on the successful completion of all the other steps necessary to bring the Agreement into force: the Articles will only replace the old ones at the same time as all the new institutions come into operation.

The Agreement provides for new institutional arrangements for the internal government of Northern Ireland, with cross-community participation built in. A 108 member Assembly with committees provides scope to represent a wide spectrum of parties and opinion. A Cabinet-type Executive Committee of Ministers, with membership in proportion to party support, allows inclusion of all major groupings. The new arrangements are light years away from the old Stormont regime that operated in Northern Ireland from 1920 to 1972: the requirement of parallel consent for all key decisions will ensure that neither community can dominate the other.

The Agreement establishes meaningful North/South inter-connections, including significant institutions. This involves setting up a new North-South Ministerial Council to develop consultation, co-operation and action within the island of Ireland on matters of mutual interest and establishing, as a start, at least six implementation bodies operating on a cross-border or all-island basis. Thus, the Agreement guarantees institutional expression of the Irish identity of Northern Nationalists.

Over the longer run, the North-South Ministerial Council will provide an unprecedented opportunity for the two administrations, North and South, to work together in all areas of mutual benefit and to develop human and institutional bonds of trust and understanding. The Government are convinced that, over time, the logic of geography and mutual economic interest will work steadily to increase and deepen interaction on an island basis.

The Agreement establishes two new East/West institutions. A British-Irish Council will bring together all of the administrations in these islands, including the devolved administrations in Wales, Scotland and Northern Ireland. The Government see the Council as a valuable forum in its own right where a wide range of East/West issues can be considered. The North/South Ministerial Council will be separate and independent.

A new British-Irish Intergovernmental Conference, involving the two Governments, will replace the existing Anglo-Irish Conference and will cover all matters of bilateral interest, with a special focus on non-devolved Northern Ireland issues.

The final element of the Agreement - particularly important for change on the ground - is the series of major advances which it records in the equality of rights agenda in the political, economic, social and linguistic spheres; in regard to justice and a new beginning to policing in Northern Ireland, aiming towards an unarmed police force reflecting, in its composition and ethos, the make-up of the population there; and in regard to normalisation in a peaceful and stable society, including important provisions on prisoners and the removal of security installations, as the level of threat reduces, and on decommissioning.

The Agreement is an historic breakthrough, in terms of consolidating peace and ending 30 years of conflict. Many people, both in government and outside it, both nationally and internationally, have worked long and hard over many years to bring us to this point.

Since the Agreement was signed on 10 April last year, the Irish Government has been working intensively on its implementation in all its aspects. Considerable progress has been made and many difficult obstacles, barriers that once would have been considered insurmountable, have been overcome. The people, North and South, have endorsed the Agreement, including its constitutional provisions, in overwhelming numbers; elections to the Assembly in Northern Ireland have taken place and the Assembly has met; arrangements for reviewing prisoners' sentences are in place, the programme of prisoner releases is at an advanced stage; the Commission on Policing has, for some months now, been proceeding with its programme of work and almost all prisoners in Britain have been transferred. Progress is being made on all other aspects of the Agreement. The conclusion of negotiations before Christmas which resulted in the agreement between the First and Deputy First Ministers and the Irish and British Governments of ten Northern Ireland Departments and six new implementation bodies and six matters for North-South co-operation, with separate implementation, represented a major step forward in the implementation of the Agreement.

Throughout the process which led to the Good Friday

Agreement and since then, all of us involved have had to take risks and take decisions that at times have been, personally and politically, very difficult. At the time of writing, there are further difficulties to be faced and further uncertainties. But one thing is certain. Politicians must reflect current realities - they cannot survive in a democratic system unless they reflect the will of the people - and the people have spoken, decisively and convincingly. We - all of us - must do everything we can to ensure that the people attain the ultimate prize, peace and a lasting accommodation on the island of Ireland.

U.S. foreign policy has sometimes been criticized in the past for being determined by self-interest rather than the good of the people who have been the objects of that policy. This certainly cannot be said of U.S. involvement in the Irish peace process. I have repeatedly put on record the gratitude of the Irish people for the enlightened, altruistic approach of President Clinton and the U.S. Administration to the situation in Northern Ireland. The President's handling of the related very sensitive issues, the pivotal contribution of George Mitchell and the constant support for the process of the Administration, reflect a maturity and consideration of policy that is truly remarkable and shows just how beneficial these approaches can be in situations where long-standing conflicts are being addressed. The esteem in which the U.S. and U.S. foreign policy are held throughout the world can only be enhanced through such approaches.