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Human Rights and Healthy Societies: Opening Social and Cultural Spaces for Peacebuilding

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Abstract

Exploring peace demands rethinking many of the assumptions that have driven the field of peacebuilding. Previously, scholars have investigated the content of peace agreements in relation to the promotion of sectors that include security, justice, and democracy. However, I hypothesize that by focusing narrowly on these areas, scholars and peacemakers overlook crucial ingredients that create stable post-conflict societies. This senior thesis examines the inclusion of social and cultural rights in peace agreements and aims to contribute to a more robust understanding of whether traditionally "soft" issues like education, art, and women's participation may have significant impacts on the long-term health of society—and therefore positively influence the root causes of conflict. I study the transitional processes in Northern Ireland to determine how a human rights based approach to peace agreements and peace processes, specifically the inclusion of social and cultural rights protections, relates to the prospects for sustainable peace and a healthy post-conflict society. I make conclusions about the contributions a human rights based approach makes while considering the challenges to achieving a sustainable peace and healthy society both in Northern Ireland's context specifically and more broadly.

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Introduction

Belfast skies are commonly grey and rainy, so when the sun warmed the streets on an August afternoon in 1976, it was natural that Anne Maguire decided to take her young family for a walk. The clan set out down Finaghy Road North with the three eldest children following alongside their mother who pushed the pram carrying their newborn brother. The same afternoon, following a terrorist incident in West Belfast, a car chase ensued between British soldiers and Republican Danny Lennon. While speeding down Finaghy Road North, not far from the Maguire family, Danny was shot dead by the soldiers, and the car was left with no one controlling the wheel. Without warning, the vehicle swerved into the family and instantly killed baby Andrew and seven-year-old John, fatally injured eight-year-old Joanne, and mentally destroyed Anne, who took her own life three years later.

Following the tragic death of her nieces and nephews, Mairead Corrigan, Anne's sister, returned to her hometown of Belfast and helped established Peace People with Betty Williams and Ciaran McKeown (Fairmichael 7). In the early days of the organizations, Betty Williams quite simply went around neighborhoods and petitioned for peace (Fairmichael 6). Peace People focused on resolving the conflict by encouraging a shared Northern Irish identity, community politics, and nonviolence (Fairmichael 8-9) The organization and its leaders successfully organized multiple rallies with over 10,000 people in attendance and crucially contributed to a public turn against paramilitary violence (Fairmichael 23). What can the field of peacebuilding learn from the success of organizations like Peace People? What issues are local leaders and community organizations prioritizing for peace that government leadership are overlooking?

To begin, many local peacebuilding organizations are grounded in the needs and hopes of the people affected by the devastating violence of conflict. During the conflict in Northern Ireland, an estimated 3,600 people died and over half of the victims of violence were civilians (Fitzduff and O'Hagan). This estimate does not include the populations of displaced persons, physiologically scarred, disabled, injured, and other critically impacted groups. The ongoing devastation induced by

wars in our world is why the field of conflict resolution and peacebuilding remains urgent and demands innovative and comprehensive solutions to violent conflict. For every person affected by war, there needs to be not only an end to violence but also a promise for a positive and sustainable peace.

Positive peacebuilding develops not only on the absence of violence but also the presence of key societal characteristics such as dialogue, participation, and recognition of a multiplicity of identities. It is a process that works toward what I refer to as a healthy society, or a society that is capable of managing internal social and political disputes through nonviolent collaboration while promoting human rights norms. A healthy society is not necessarily a perfect utopia of human rights, but there must be ongoing efforts to promote peace through the development of human dignity, equality, and mutual respect for differences. Sustainable peace demands that the peacebuilding process promotes the growth of a healthy society that has the essential capacity to compromise rather than resort to violence.

Healthy societies and sustainable peace have become increasingly elusive for a number of reasons including the proliferation and diffusion of power, the emergence of radical nonstate actors, and the expectation of immediate solutions to complicated international crises. These challenges have developed in the realm of post-Cold War politics where violent conflicts take place mainly within state borders; are "protracted" and "deep-rooted;" and consist of disparate groups fighting for basic human needs, recognition, and survival (Gawerc 436). The majority of current conflicts are not entirely new but rather resurgences of old wars; a phenomena Collier and Sambanis term the "conflict trap" (Hoffman and Bercovitch 399; qtd. in Walter 1). The majority of attempts to resolve these conflicts are through negotiated settlements rather than outright military victory by one party over the other (Gawerc 436).

The proliferation of peace agreements since the end of the Cold War reflects the changing realities of violence. A peace agreement is a negotiated settlement of

"formal arrangements designed to end a violent conflict" (qtd. in Dupuy 152).[1] The peace agreement directs the focus of the peacebuilding process, defines key actors, and determines the new systems of governance. A peace agreement is not a plan for the future of the country, or even the peacebuilding process, but it "…can determine the agenda for the post-conflict period…" (Dupuy 161). Therefore, the peace agreement is a source of authority and legitimacy in the post-conflict transition.

Despite the overwhelming shift toward negotiated settlements, at least half of all peace agreements fail to produce long-term peace. The multiple shifts in power dynamics and conflict variables indicate a need for a new approach to conflict resolution, the creation of peace agreements, and peacebuilding processes. However, scholars and international leaders continue to focus on traditional mechanisms such as democratization, security reform, international intervention, and economic development as the penultimate means for creating peace. These limited perspectives often result in short-term solutions that do not address the highly complex social and cultural tensions at the root of conflict.

This thesis paper considers new practices for peace agreements and peacebuilding processes that respond to the challenges of modern conflicts. I hypothesize that a comprehensive human rights based approach (HRBA) for peace agreements is a more effective strategy for creating sustainable peace in post-conflict societies because a HRBA supports the development of a healthy society. Human rights are support healthy societies and sustainable peace because a human rights framework is responsive to the ongoing needs of individuals while addressing structural and social discriminations within society. Key to a HRBA is the inclusion of economic, social, and cultural (ESC) rights in the provisions of an agreement, which foster key characteristics of healthy societies. Through the inclusion of all forms of rights, a HRBA builds upon the lessons learned from previous approaches while addressing a broader range of factors contributing to violence.

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[1] For more information on the structure of peace agreements see Christine Bell (2006) and Hoffman and Bercovitch (2011).

Format of the Paper

This paper will be broken down into four broad sections. The first section will explore previous focuses of negotiated settlements and conflict resolution approaches. Within this section, I consider the contributions traditional approaches make to our understandings of peace. I differentiate traditional approaches from peacebuilding and briefly review modern conceptualizations of peace agreements, peacebuilding, and peace.

In the second section, I demonstrate what a HRBA to peacebuilding and peace agreement entails. Specifically, I focus on the role and impact of ESC rights because this is the crucial difference between traditional approaches to conflict resolution and a HRBA to peacebuilding. I review the influence of educational rights, women's rights, and cultural rights on the sustainability of peace and the health of a society by considering each right's role in promoting equality, reconciliation, and social capital.

In the third section, I apply a human rights framework to the case of the Belfast/Good Friday Agreement. Northern Ireland's peacebuilding process has not been without setbacks, yet these challenges affirm the strength of the Agreement. Despite ongoing tensions, the country continues to seek political and nonviolent solutions rather than relapse into violence. The fact that the Agreement remains relevant after eighteen years indicates not only its original strength but also an amount of flexibility that makes it sustainable. Furthermore, peacebuilders from Northern Ireland, like Mairead, export their knowledge around the world, which implies there are critical lessons to learn from Northern Ireland. I argue that this strength and flexibility comes from the emphasis on the role of human rights in both the Agreement and the peace process that continues today.

Is the current peace in Northern Ireland working for the people? Why is Northern Ireland considered a success? Does the ongoing peacebuilding process respond to the needs of individuals and families like the Maguires? By analyzing the Agreement and parallel peacebuilding process, I attempt to answer these questions and understand the impact a HRBA, specifically through the provisions for ESC rights, has on the sustainability and quality of peace in Northern Ireland. Through this research on the role of social and cultural development, I aim to demonstrate how

peace agreements and peacebuilding can impact the individual citizen in a positive way and ultimately make peace stronger through the development of a healthy society. The final section of this thesis makes conclusions about the importance and future implications of the HRBA to peace in Northern Ireland and around the world.

Traditional Conflict Resolution Approaches to Peace

Traditional approaches to peace focus on conflict management and resolution. Conflict management merely works to contain or end violent conflict. Conflict resolution attempts to resolve the issues at hand through negotiated settlements between opposing sides. According to Fertherston, early conflict resolution theory evolved from realist theory of international relations, which interprets the natural inclination of the world toward anarchy and thus, concludes that violent conflict can only be "contained" or "controlled" (1). This cynical interpretation of violent conflict is unpalatable because it implies the horrible violence experienced by individuals around the world is an inevitable reality that the international community cannot change.

When the nature of conflicts themselves began to change,[2] conflict resolution theory began to challenge the assumption that conflicts are unresolvable. New perspectives on violent conflict argue that the absence of basic human needs is what spurs violent conflict (Fertherston 2). For example, John W. Burton, an influential scholar in the field of conflict resolution, focuses on three major needs that define violent conflict: identity and recognition, security, and development (Fertherston 4). However, the emergence of new understandings of conflict has not equated to rapid changes in global governance.

Traditional approaches to conflict resolution demonstrate a continual focus on reducing or ending physical violence as the means and ends to peace. As I demonstrate in detail below, traditional approaches to peace through conflict resolution strategies do not consider the structural and social forms of violence that

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[2] Realist theory reflects interpretations of societies where wars and violence emerge primarily over fights for resources and interests; whereas, modern conflicts have become increasingly complicated by identity and other political factors (Fertherston 2).

result in discrimination, higher poverty levels, and other forms of inequality. Meaning there are few attempts to address the root causes of conflict. Traditional approaches to peace seek solutions at an elite and surface level through negotiated settlements that fail to provide for the in-depth process necessary for the creation of a healthy society and sustainable peace.

Still, a consideration of conflict resolution practices highlights current understandings of peace. Given that traditional approaches focus primarily on the absence of violence, the strategic approaches to conflict resolution emphasize military, diplomatic, democratic, and economic solutions to violent conflict. While each of these areas of research and practice contributes to our understandings of peacebuilding, when taken alone, these approaches are inadequate for the creation of sustainable peace and healthy societies.

Military Approach

The international community is constantly seeking immediate solutions to crises to prevent their proliferation. Military intervention is perceived as decisive action to end crises. However, this is a superficial analysis of the impact of military action that fails to consider the consequences of fighting fire with fire. Military strategies for achieving peace take a variety of forms and do not solely manifest as the cessation of violence via the threat or use of blunt force. In fact, perhaps in response to the human consequences of using force, military strategies in recent years have expanded to include peacekeeping operations and demilitarization of post-conflict societies. However, there remain large inconsistencies and contradictions with the concept of approaching peace through military force.

Military force has been used in the past and continues to be used in order to eliminate violent actors, demonstrate international commitment to ending a particular conflict, and enforce international norms. The military response of NATO to the violent killings in Kosovo is considered a success by some analyses because it forced Serbian leadership to comply with international standards (Annan 88). However, the NATO response also instigated an initial increase in violence as 250,000 Albanians were forcibly displaced from their homes and 200,000 sought refuge in surrounding countries (Annan 97). Analyses that conclude the NATO intervention was successful

do not consider the full impact and heavily rely on assumptions about alternative outcomes. The threat of increases in violence and indirect impacts on civilian populations makes military intervention an unreliable if not counterproductive method of conflict resolution.

As an alternative type of force, peacekeeping missions aim to support countries' transitions to peace, enforce treaties or agreements, and maintain neutral zones. Although peacekeepers are nonviolent actors, peacekeeping is still fundamentally military force because it involves the coercion of conflicting parties through the use of military power. Peacekeeping missions take a variety of forms including before, during, and after the signing of a peace agreement. Based of statistical analysis of missions, many scholars conclude peacekeeping has a positive effect on the sustainability of peace. In fact, Virginia Fortna concludes that the presence of peacekeeping forces decreases the likelihood of conflict risk by 84% (285). Peacekeeping forces can be a crucial resource by providing international accountability and a support system for post-conflict communities (Bigombe, Collier, and Sambanis 2).

The United Nations Transitional Authority in Cambodia, which took place in Cambodia in the early 1990s, successfully oversaw the first peaceful, free elections after the civil war (Alldén and Amer 2-4). However, these elections were shortly followed by former leadership refusing to peacefully cede power, a violent coup d'état, imprisonment and extrajudicial killings of dissidents, government corruption, and over thirty years of violence under the undemocratic rule of Prime Minister Hun Sen (Adams). Peacekeeping missions rarely have appropriate and sustained support from the international community in order for the missions to be successful. The success or failure of any mission may also be supported or derailed by any number of additional variables such as the type of conflict, the level of violence, and the type of resolution.[3] In addition, peacekeeping can be problematic as it may foster a false sense of peace as the post-conflict country becomes dependent on international support.

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[3] Fortna noted in her 2004 study that identity conflicts, which have proliferated in the post-Cold War era, make peace more difficult to obtain (287).

Finally, the demilitarization of certain regions and the removal of troops from conquered areas is considered key because it enforces ceasefires and physically removes the threat of violence (Hoffman and Bercovitch 404). Demilitarization can also take the form of substantial reallocation of military expenditures into other public sectors. Nat J. Colletta points out that many sub-Saharan African countries that have experienced civil conflict are spending more on military than education and health services combined (2). The demilitarization of government funds can help foster trust in the government and work towards the eradication of a militant culture.

However, demilitarization has become increasingly difficult with the proliferation of weapons in the global market. Additionally, there is no clear evidence that removing troops will sustain ceasefires and encourage long-term peace between parties. If parties involved in the conflict feel that returning to violence will be more profitable than peace, they will continue to resort to physical violence. This was seen as an ongoing issue during the peacebuilding process in Northern Ireland when paramilitary forces repeatedly broke ceasefire agreements because they felt that the negotiations were not in their favor. While demilitarization is a crucial step in beginning the peace process, it does not necessarily consider the challenges of transforming social mindsets and reintegrating ex-combatants.

Militaristic approaches to obtaining and maintaining peace are inadequate because they do not involve the local context and implement short-term solutions. Military solutions tend to implement change from the top down and do not promote local investment in peace. Governments are not reliable when they are coerced into peace, and citizens are not involved in decision making when militaries intervene on their behalf. While demilitarization encourages long-term peace by removing the threat of physical violence, it does not address structural and social violence. Peacebuilding processes require a much higher level of negotiation and participation to establish investment from all levels of society. Diplomatic approaches make some initial efforts at going beyond the removal of violence and differentiate from militaristic approaches in that diplomatic strategies rely mainly on negotiations rather than force.

Diplomatic Approach

Diplomatic approaches to peace focus on the mediation of negotiations and the monitoring of agreements' implementation. International mediators push the negotiation process forward by directing the location, participants, and agenda.[4] Hampson's study of the durability of peace agreements concludes that the success of an agreement is determined by the support of the international community (Hoffman and Bercovitch 403). Diplomatic interventions pressure warring parties into agreement and impose international norms by negotiating, monitoring, and incentivizing peace through "soft politics," or diplomacy.

The negotiation of agreements is an important consideration in the conflict resolution process because of the influence the peace agreement's provisions has on the agenda of the post-conflict reconstruction phase. Third party negotiators can bring together opposing sides while remaining unbiased in their support. In Mozambique, Sant'Egidio, an Italian NGO, pushed the talks forward and acted as an unbiased communicator between opposing sides (Burgess and Burgess 18-19). The ability of the international community to provide neutral sounding boards for negotiations is an important step in the peace process.

In addition to negotiating, diplomatic action to monitor signed agreements can positively influence the transparency of post-conflict governments, especially when state capacity is low (De Rouren et al. 333). More recently, international or even national civil society groups are assigned the role of monitor, especially for human rights issues (Bell and O'Rourke 300). In conflicts where the government was involved in human rights abuses, international monitoring promises citizens implementation and positive reform. Similarly, monitoring ensures political parties that the agreement will be upheld by opposing sides and encourages groups to move forward in the political process. Impartial monitoring can also determine when an agreement is broken and take action to remedy these situations.

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[4] Note that international mediators can be individuals or groups working on behalf of an international government, regional organizations, international organizations, or civil society groups.

In some cases, international powers use diplomacy to coerce countries into compliance with global norms and into negotiations. The political clot of certain powerful countries can pressure governments into action toward conflict resolution. For example, according to Sonnenberg and Cavallaro, "Henry Kissinger's approach to mediation and his influence in facilitating the Camp David accords between Israel and Egypt, [was] that instead of waiting for the parties to empower themselves, Kissinger leveraged the resources and political capital of the United States to force a new settlement" (271). International condemnation from powerful countries works by having a broader impact on a country's trade, regional relations, and political legitimacy. When international leaders publicly condemn the actions of another state, they re-enforce global norms and hold countries accountable to human rights standards. However, this technique, referred to as "naming and shaming," is not statistically shown to be effective in reducing abuses of human rights (Hafner-Burton 689).

The over-involvement of third parties can undermine the agreements' legitimacy, and some researchers maintain that negotiations need to remain in the hands of the parties directly involved for there to be internalization of the provisions (Kempin Reuter 395-96; Collier et al. 463). For example, the internationally imposed agreement for Kosovo is so complex and tedious that both citizens and government leaders struggle to uphold the outlined human rights standards (Kempin Reuter 395).

In addition, diplomatic interventions' focus on political elites leaves behind local leadership. When negotiations occurs between political elites, this is referred to as track one diplomacy, which is the negotiation and creation of official agreements between representatives of governments and parties involved in the conflict (Notter and Diamond 3). Recent developments in diplomacy have led to the emergence of track two diplomacy efforts, which are the unofficial actors who build relationships and communication at the ground level (Notter and Diamond 3). Track one diplomatic efforts tend to have more resources and authority to implement peace process; however, they work from the top down, which does not give the public stake or empower lower groups in the process. Research indicates that sustainable peace requires the full participation of all levels of society (Gawerc 441). Track two

diplomacy is a useful tool for bridging the gap between elite political groups and grassroots peacebuilding efforts. However, this form of diplomacy is difficult for international diplomats to implement because they are not based in the context of the conflict and often simply do not know the local leaders.

During the peace talks in Darfur, the negotiations struggled to create an agreement because of the numerous number of low power rebel groups involved in the conflict. Ultimately, two primary rebel groups refused to sign the agreement in 2006 (Burgess and Burgess 15). The inability of the talks to compensate for the proliferation of power reflects the elitist approach to the agreement. Without the efforts of unofficial negotiations and peacebuilding efforts (referred to as track two diplomacy), negotiations and peace processes can fall apart due to communication grinding to a halt over disputes or key actors' absence. Modern approaches to peace need to find a way to combine both track one and track two diplomatic efforts.

Ultimately, diplomatic interventions can be powerful tools when used in the proper contexts for reinforcing international norms and aiding the transition to peace. However, when diplomacy equates to international coercion, the general population may not support a negotiated settlement by political elites. When government leadership has to be pressured into peace, citizens are less likely to trust their leaders will implement and comply with negotiations after international actors are removed. Diplomacy, independent of additional efforts, is not enough to create sustainable peace because it does not create a peace process that involves all levels of society and addresses the social and cultural tensions that are the root of violence. As discussed below, the democratic approach to peace attempts a broader conflict resolution process that includes the reform of structures and systems along with the participation of the general population.

Democratic Approach

The "democratic reconstruction model" relies heavily on the statistical relationship between weak governments and high levels of violence alongside the belief that the international community is capable of creating substantial positive change in foreign countries (Ottaway 314). This approach is consistent with liberal internationalism, which maintains that liberal states can and should intervene on

behalf of liberal ideologies. Proponents of liberal theory assert that authoritarian and autocratic regimes are related to high risks of war while democracy is associated with peace. The void of infrastructure, public service systems, and ethical leadership in the post-conflict environment is why the implementation of democratic systems is considered an effective strategy for managing the transition from conflict to peace. The historical emphasis on the democratic approach has resulted in a multitude of associated mechanisms such as transitioning to new governments through elections, increasing decentralization, creating constitutional reform, power-sharing initiatives, and promoting self-determination.

Elections are often symbolic of the transition to representational government and a necessary step toward democracy. When conducted properly and in an appropriate context, elections can encourage citizens' participation in the transitional process and develop trust in the new regime. Elections relate to the agency of citizens through promoting self-determination. Christine Bell emphasizes the importance of the right to self-determination in areas where there is a national identity conflict because of its link with identity protection. The implementation of self-determination is manifested in the granting of autonomy through elections; partition or dissolution; and consociational governments (Bell *Peace Agreements and Human Rights* 17). The ideal result of an election period is the appointment of representational officials in government leadership that prioritize the concerns of the country and move the nation into the peacebuilding process.

The reality is that elections can be extremely volatile processes. Opponents to the democratic approach argue the democratic reconstruction model is far too complex and that elections within a set time period increase the risk for reoccurrence of violent conflict (Ottaway 320-21). Public perception of elections as corrupt or dissatisfaction with results may lead groups to return to violence as a means of gaining more political power. In other cases, the election of a leader that has a history of violating human rights or of refusing to cooperate with negotiations confounds the international community. For example, the election of Charles Taylor following the 1996 Abjua Peace Agreement in Liberia demonstrates how the threat of a return to violence can manipulate the outcome of elections (Flores and Nooruddin 561).

Fearing a relapse into war, a large majority of Liberians voted for the warlord to become president. Continual negative outcomes of elections led to an expansion of what the implementation of democracy means and requires, which is how concepts of decentralization and self-determination became influential in conflict resolution.

With an increasing number of conflicts revolving around disparities between majority and minority groups, modern approaches to democracy have evolved to respond to the challenge of creating a system where disparate sides can cooperate as equals. Power sharing creates government structures where opposing sides equally distribute or share responsibility of decision-making.[5] In theory, provisions for power sharing redistribute power within the political system, allow for the inclusion of new political parties, and allocate voting equally; this aims to create balance and avoid a majority rule.

Anna Jarstad's analysis of the role of power sharing concludes that while it does not bolster peace it also does not necessarily hinder peace. However, power sharing can lead to stagnation when former enemies refuse to collaborate. It has been argued that power sharing "institutionalizes a conflict" and makes the social tensions part of political structures (Hayes and McAllister 3). This is exemplified in the ongoing stagnation and halting disagreements in the government of Northern Ireland. Essentially, the implementation of veto powers and cross-community issues allows leaders to engage in unproductive disputes over the ideological impact of legislation.

Along the same lines of developing an inclusive system, decentralization is emphasized as a way to give voice to minority populations in the creation and implementation of policies and law. Decentralization can make room within the system for traditional leaders, increase representation of minorities, and increase local decision-making capacity (Bigombe, Collier and Sambanis 22-24). For example, the Community Development Committee was created in Rwanda to ensure that local actors participated in the development plans with the goal of bridging the gap between local needs and national standards (Kauzya 7). However, decentralization is not always effective because while local leadership knows the needs of their

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[5] For more on power-sharing models see Hayes and McAllister (2013).

communities, smaller leadership roles may not have the proper resources to address such needs. Also, local authorities may not have access to the national system of governance or have influence over national issues.

The risk factors of the democratic approaches' mechanisms provide a dilemma in moving countries forward. How can a country navigate conflict resolution and peace when there are no leaders, systems, or structures through which to work? The democratic approach recognizes government and leadership is necessary for a society to function and assumes that government reform is the primary urgency in the post-conflict setting.

However, Western understandings of democracy are not necessarily effective in all contexts. As Call and Cook point out, there is a "tendency to view the West's experience as both normative yardstick and empirical expectation" and treat Westernized democracy as the sole solution to conflict (4). In the mad rush to elect new leaders and haphazardly apply a Western democratic model to existing institutions, the door to creating a unique democratic design that is reflective of the particular society is slammed shut.

The implementation of a representative system in the post-conflict period needs to be approached from multiple angles. A more exhaustive government reform process would implement a representational government while eradicating the origins of discrimination and corruption within the government system. As the democratic approach repeatedly failed to lead to sustainable peace, particularly in less developed countries, international leaders considered economic incentives as a way to convince developing nations to comply with international norms and uphold agreements.

Economic Approach

The economic approach to conflict resolution and peace responds to and focuses on the perceived negative relationship between economic inequality and peace. Recognizing that nearly all instances of modern violent conflict include grievances of economic inequalities, this approach concentrates on creating economic opportunities. The goal is to enhance living conditions and give individuals a larger stake in peace to de-incentivize violence at various levels of society. It is important to note that the economic strategy takes a basic fiscal and humanitarian development

approach to poverty and inequalities. The mechanisms used (trade agreements, international aid, market freedom, etc.) incentivize peace at an individual, national, and international level using money as a prize for good behavior.

The inequality that manifests itself in poverty provokes social and political tensions that evolve into violence (Stilwell 44). Economic strategies at the individual level focus on solutions that alleviate poverty levels and increase employment. By focusing on development, this perspective empowers individuals and gives citizens a sense of agency through financial autonomy and equal opportunity for growth. Citizens with steady employment have a larger stake in the nation's stability and peace, so they are less likely to support violence. This conclusion is based partially on the amount of research that indicates high poverty levels are related to a country's likelihood of experiencing violent conflict (Lichbach 431).

At the national level, transitioning to a stable economy is seen as essential to convincing populations that there will be more opportunities during peace than during war (Stilwell 45). Collier, Hoeffler & Söderbom conclude that supporting the post-conflict economic recovery, often aimed at the states participation in the capitalist market, reduces the risk of conflict re-emergence (Dahl and Hoyland 423).[6] Based off of this correlation, international aid is poured into the country before or after an agreement with the intention of bolstering the economy and rebuilding society.

For example, Afghanistan has had a long history of conflict alongside significant amounts of international aid. In the 1960s, 40% of the state's budget was from international aid contributions (Goodhand 841). Evident and ongoing corruption within the government meant that in the 1990s significant efforts were made to prevent international aid from fueling conflict, particularly with the emergence of the Taliban (Goodhand 844). In 1997, Dutch Foreign Minister Jan Pronk pushed for a larger role of humanitarian aid in promoting peace (Goodhand 846). The strategic humanitarian aid framework assumes that international aid provides powerful

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[6] However, Dahl and Hoyland (2012) replicated the study using different data sources and did not reach the same conclusions.

incentives, increase communication within the aid system, and that political and aid strategies are able to mimic and reflect one another (Goodhand 846).

However, Jonathan Goodhand maintains that the outcomes of the strategy, in the Afghanistan context, include isolating the Taliban, an increasingly competitive aid system, and the politicization of aid (Goodhand 846-47). According to Goodhand, "In the absence of a meaningful peace process, aid investments in protracted, regionalized conflicts are unlikely to have anything but transitory impacts" (853). Without a legitimate government, the eradication of violent forces, and social reconciliation, international aid is unlikely to have a significant influence on peace.

More recently, there is a turn to considering the distribution of national resources as a factor in the outbreak of violent conflict. The distribution of wealth and resources within a country is reflective of social and cultural discrimination. Attempts to reform the allocation of government funds, often taking money from national defense and redistributing it to public service, demonstrates a deeper understanding of the root causes of conflict than previously discussed approaches to peace. For example, the Guatemalan Peace Accords provide for the reallocation of military funds into the education sector. However, redistribution of resources does not necessary imply that the social and cultural inequalities or prejudices are eradicated.

Stilwell maintains that economic approaches to conflict resolution are a capitalist reform agenda prone to violence and warfare because the system itself is unsustainable and inequitable (45). Capitalism is fundamentally exploitive, of resources and labor, and reinforces social divisions and discrimination. The creation of jobs does not necessarily indicate everyone will have the equal capability to participate in employment. An influx of international aid does not imply that those with the most objective need will receive help from these contributions. Within economic approaches to peace, it is possible that disparities and discrimination are able to continue to brew within the systems.

On an international level, the economic approach proposes trade agreements, or conversely sanctions, as incentives for good state behavior. This is based off of the assumption that two countries involved in trade are far less likely to enter into conflict with one another because they are dependent on one another economically. While

historically this prevented war between independent states, modern applications of the model work to stop violent conflict within individual states by incentivizing peace through trade agreements or sanctions with outside states. Similarly, international donors are able to stipulate large amounts of aid upon the compliance with international norms. The problem with such incentives and coercions is that they do not always represent genuine interest on behalf of the state and government to change behavior and comply with international standards. This can result in surface level changes that are not implemented in a transformational manner that sustains peace and develops a healthy society.

The use of resources and funding as an incentive for people to invest in peace is an unreliable approach that does not address inequalities and discrimination within a society's systems. There are a number of other factors that influence the relationship between poverty and violent conflict such as social mobility, the distribution of wealth, repression, and democracy (Lichbach 445-46). While money pours into the country in the immediate aftermath of conflict, there are no broad attempts to reform the infrastructure in the type of way necessary for long-term growth. Additionally, the distribution of aid can continue the same tensions that led to violence in the first place. What the economic approach fails to do is consider the discriminatory structures that it works within and how economic inequalities came to be in the first place.

From Conflict Resolution Approaches to Peacebuilding Approaches

Traditional approaches to peace are inadequate because they do not sufficiently address the root causes of conflict and leave social and cultural discriminations unresolved. The militaristic, democratic, diplomatic, and economic approaches seek immediate solutions to violent conflict and do not consider the structural and social violence. In other words, traditional approaches do not make room for the development of healthy societies in the post-conflict context. As such, scholars and leaders have been expanding their understandings of what peacebuilding means, the role of peace agreements, and what peace entails.

Peacebuilding is different from conflict resolution in that it focuses on systematic change that transforms social, political, and economic systems to be more

inclusive and nondiscriminatory. Peacebuilding is more than a negotiated settlement; it is an ongoing process. The peacebuilding process works "to reweave the fabric of a society as it emerges from a destructive international conflict or civil war" (Notter and Diamond 1-2). As Gawerc summarizes, "The intention of peace-building is to create a structure of peace that is based on justice, equity, and cooperation (i.e., positive peace), thereby addressing the underlying causes of violent conflict so that they become less likely in the future" (439). In some instances, it is about breaking down existing systems before rebuilding more positive, new structures that respond to the root causes of the conflict in order to prevent relapse.

Johan Galtung's landmark conceptualizations of peace and violence differentiate between positive and negative peace, which has transformed the way scholars approach peacebuilding. Negative peace reflects traditional understandings of peace as simply an absence of physical and direct violence caused by one agent and inflicted on another (Galtung 293). Galtung defines positive peace by first exploring its opposite (i.e. violence). By considering the various forms of violence,[7] Galtung's positive peace becomes the absence of not only direct physical violence but also structural and cultural violence.[8] Aiming for positive peace posits the individual citizen's experience in the peacebuilding process and incorporates the well-being of groups by addressing systemic discriminations.

Peacebuilding, as a professional and academic field, is continually growing and expanding its understanding of peace. John Paul Lederach contributes a substantial amount of research on the role of healthy relationships in creating sustainable peace.

> Drawing upon his analogy of yeast which speaks of how something small can be a critical ingredient for getting bread to rise, he suggests, "In sustaining peace, the critical yeast suggests that the measuring stick is not a question of quantity, as in the number of people. It is a question of the quality of relational

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[7] For more detail on the types of violence see Galtung (1990) where he elaborates on the types of violence from the framework definition of violence as "… avoidable insults to basic human needs, and more generally to life, lowering the real level of needs satisfaction below what is potentially possible" (292).

[8] "Direct violence is an event; structural violence is a process with ups and downs; cultural violence is an invariant, a 'permanence' …" (Galtung 294).

spaces, intersections, and interactions that affect a social process beyond the numbers involved." (Gawerc 464)

This demonstrates one of the fundamental differences between conflict resolution and peacebuilding, which is that peacebuilding recognizes the importance of the individual's experience and participation in the peace process. According to Ledarach, "peacebuilding is understood as a comprehensive concept that encompasses, generates, and sustains the full array of processes, approaches, and stages needed to transform conflict toward more sustainable, peaceful relationships" (Ledarach, "Part II: Building Peace – A Conceptual Framework").

I build on both Galtung and Ledarach's conceptualizations of peace by considering the peace agreement and process as a means to developing a healthy society and sustainable peace. A healthy society is a reflection and result of a positive peace process. Within healthy societies, there is an ongoing process, or at minimum access to a system that is open to reform, toward the principles of human rights and human dignity. This does not imply that healthy societies and positive peace are necessarily free from discrimination and violation of human rights. However, within healthy societies, there are critical spaces to engage with these issues. Such societies are capable of responding to conflict in a nonviolent manner and resolving issues of inequality, discrimination, and human rights abuses. Disagreement and difference is not seen as a negative force but rather as an opportunity for societal growth. This respect for difference is also associated with how within healthy societies all levels are included in the peacebuilding process. It is an ambitious, if not completely unobtainable, goal with a difficult and ambiguous implementation process that is primarily outlined by peace agreements.

The peace agreement is not a set plan for the peace process; however, it defines the actors, priorities, and resources for the post-conflict society. I focus on the role of the peace agreement because it essentially forms a contract between the opposing parties and the citizens of the country affected by violence. Following the signing of the agreement, the people have a promise to which they can hold each other and their government accountable.

The rate of relapse into conflict suggests more needs to be done to obtain

sustainable peace. The inadequacies of traditional approaches to conflict resolution indicate that achieving sustainable peace and healthy societies requires a new approach to peace agreements and peace processes that considers new understandings of society and peacebuilding. I argue that the most effective way to develop a healthy society in the post-conflict setting is through a HRBA to peace agreements and peacebuilding that includes provisions for ESC that address the root causes of violent conflicts.

Human Rights Based Approach to Peace Agreements and Peacebuilding

Human rights based approaches are already used to address inequalities in health, combat discrimination in the security sector, fight climate change, and promote economic development. The vast majority of literature on human rights based approaches focuses on the role of human rights in creating programs for international development. I argue that this model can be applied to the creation of peace agreements and the field of peacebuilding. A HRBA to peacebuilding is a framework for creating a peace agreement and peacebuilding process that works to respect, protect, and fulfill international human rights standards in order to promote the growth of a healthy society and the sustainability of peace.

A HRBA to peace makes considerable contributions to areas that traditional approaches to conflict resolution neglect. To begin, a HRBA attempts to address the root causes of violence by working toward the elimination of not only physical violence but also structural and social violence (i.e. discrimination and inequalities that exist within society's systems and processes). In doing so, a HRBA to peace uproots the traditional actors of peace agreements and peace processes -- replacing homogeneous elite groups with diverse representative leadership that reflects the interests of society as a whole. In the process of including all perspectives and providing for human rights, this approach gives power to individuals and groups that are not traditionally considered in the negotiations and vision for peace.

A HRBA is about more than including a list of rights in the provisions of a peace agreement; it calls for proactive relationships between the government and all

levels of society. While human rights imply duties on the government, citizens are equally responsible for understanding their own human rights and respecting the rights of others. This dual responsibility shared by the government and the people creates a participatory peace process. A HRBA to the peace agreement defines all actors and parties of society as participants in the process that have equal contributions to make and obligations toward the creation of a healthy society and sustainable peace. Unlike traditional approaches that address conflict at an elite level, a HRBA posits the individual as crucial and responsible to the process.

The primary mechanism through which a HRBA engages all levels of society and attempts a more comprehensive approach to peace is through provisions for ESC rights. A HRBA requires that all forms of human rights receive equal resources and consideration, which is not the current standard in global governance discourse. The creation of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as two distinct documents separated human rights into two corresponding categories.[9] Global governance discourse disproportionately focuses on the influence of civil and political rights for political agenda, resource, and cost reasons. While ESC rights are often considered expensive and unrealistic, the reality is that civil and political rights have costs and challenges as well (i.e. the cost of having an election and the challenge of upholding voting rights). The result is that ESC rights issues are largely left unresolved, many of which are crucial risk factors for conflict.

Recently, ESC rights have received increasing attention because of the relatively new recognition of the drastic consequences of failing to protect these rights in a broad spectrum of areas including security, health, and humanitarian development. This is in part a new understanding of the key contributions of ESC rights to the overall health of a society and the interdependence of all human rights. By providing for ESC rights, which are commonly upheld and promoted at the

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[9] The International Covenant on Economic, Social and Cultural Rights defines some ESC rights to include protection of the family; right to adequate standards of living (including food, housing, and water); right to health; right to education; and cultural rights (UN General Assembly).

grassroots level, the agreement formally incorporates bottom-up strategies and local peacebuilders in the peace process. This creates space for social and cultural development, which according to Notter and Diamond, "[s]ocial peacebuilding is the missing link, because it seeks to build the human infrastructure that can support the political agreements and societal institutions" (3). ESC rights promote healthy societies and social peacebuilding through the development of equality, reconciliation, and social capital within the post-conflict society. These characteristics of a healthy society are crucial to the long-term sustainability of peace.

When societies are equitable, all people are equal in terms of status and rights regardless of one's identities. Inequality fuels social tensions and exacerbates people's patience with seeking political solutions to problems. In the post-conflict society, equality is indicated by the equal participation and power of all identities (religious, political, sexual, gender, etc.). This is paramount because without equal respect for one another it is impossible to foster reconciliation and social capital; equality it is the building block of a healthy society. Certainly, no society is completely equitable. However, societies that aspire to and actively work toward equality are more likely to address issues that divide society and recognize a multiplicity of identities. This responds to the essential nature of many modern conflicts: wars are fought to protect identities and obtain political power. If power and recognition is diffused equitably, societies are capable of avoiding violent conflict.

A HRBA also provides space for reconciliation, which traditional approaches tend to sideline or not consider in the peace process. A HRBA, by including ESC rights, creates opportunities for reconciliation because of the inherently relational and community level nature of many ESC rights. Reconciliation is critical to the post-conflict society because it is the process through which opposing sides build relationships and understandings that allow society to move forward after conflict. According to Ledarach, "Reconciliation is not pursued by seeking innovative ways to disengage or minimize the conflicting groups' affiliations, but instead is build on mechanisms that engage the sides of a conflict with each other as humans-in-relationship" (Ledarach "Reconciliation: The Building of Relationship"). The process of reconciliation brings about respect for differences and acknowledgement of the

positive outcomes of diversity. Post-conflict societies that are able to reconcile, or at least make attempts at reconciliation, are more likely to compromise and build social capital in the present and the future because there is enhanced interdependence between groups.

Theories of social capital focus on the value in relationships, networks, and communities founded upon positive principles. The Social Development Department of the World Bank defines social capital as, "the institutions, norms, values, and beliefs that govern interaction among people and facilitate economic and social development" (qtd. in Peña Garcia 224).[10] The relationship and organizational aspect of social capital is why it is so closely tied to civil society and civic engagement, both of which are crucial to the health of a society because they cultivate engaged citizens, foster the exchange of knowledge, and link people with opportunities (Peña Garcia 225). Social capital ultimately promotes the public good through the principles that emerge from the development of relationship networks such as solidarity, social justice, trust, cooperation, and reciprocity (Peña Garcia 223). It is promotes the sustainability of peace because, as Kenneth Arrow points out, it demands that people make "deliberate sacrifice in the present for future benefits," which implies hope for the future and a stake in continued peace (qtd. in Peña Garcia 225).

Overall, a HRBA to peace agreements and peacebuilding provides for comprehensive action toward the fulfillment of all forms of human rights and the development of healthy societies that are capable of sustainable peace. While traditional approaches to peace focus on conflict resolution, a HRBA to peace considers the long-term peacebuilding process necessary for post-conflict societies to achieve lasting peace. The effectiveness of a human rights strategy is demonstrated in the influence of key ESC rights such as the right to education, the right to culture, and women's rights on the sustainability of peace and healthy of the society.

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[10] Some divide social capital theory into two categories: communitarian and network. Communitarian "defines social capital as a public   good and as the sum of collective benefits derived from civic participation" (Peña García 225). Network, or resources, theory of social capital defines it as, "those resources an individual has available through his or her network of social relations" (Peña García 225). However, I consider social capital a combination of both definitions given that social capital involves both the individual and the community as a whole.

These are not all of the ESC rights that can influence the peace process; however, they most clearly demonstrate new practices for peacebuilding and the interdependence of all forms of human rights. I consider these ESC rights because of their pervasive impact on all levels of society and ability to not only address issues of the past but also promote positive visions of the future. Educational rights, women's rights, and cultural rights provide crucial opportunities for key peacebuilding activities (dialogue, cross-cultural interactions, the promotion of human rights principles, and social justice) that are not typically formally incorporated in the peace process.

Right to Education

Education has a dual role in conflict. On the one hand, discrimination within the educational system can mimic inequalities and tensions within a society that stimulate violence (Dupuy 150; Smith 2). On the other hand, education can be a peacebuilding mechanism to address key social and cultural issues. Using public education services and reform as a means for ending violence and promoting peace is not a novel phenomena. However, in recent years, there has been increasing focus on how governments and leaders can promote education as a space to promote a healthy society. This is evident in the fact that between 1989 and 2005, 55% of peace agreements included education in their texts (Dupuy 153-157). While this percentage is not overwhelming, it represents a growing trend. Therefore, the question of the role of education is no longer about whether or not it should be included in the peacebuilding process but rather how it is included and the impact of its inclusion.

The influence of education is certainly not limited to areas of social and cultural development, and scholars have contributed to our understanding of education's role in the post-conflict society by also considering the impact of education in other areas such as the security sector.[11] However, I will focus on the impact education has in promoting a healthy society through creating spaces for social and cultural development. Education is used in these areas as a tool that transforms the root causes of conflicts in a variety of peacebuilding areas including

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[11] For more information on education's role in security see Alan Smith (2011).

the promotion of equality of opportunity, social reconciliation, and social capital (Smith 3; Tidwell 468).

Equality

Education can address inequalities in the post-conflict society by alleviating economic disparities and through addressing discrimination within the official system. Whether in peacebuilding or humanitarian development, education is internationally recognized as a key solution to poverty because it provides students of all ages with the skills necessary to participate in the economic sector. According to Smith, "[e]ducation is … the most powerful tool to develop the economic and social skills necessary to generate sustainable livelihoods for successive generations" (2). While not all would agree with this assertion,[12] proper education can provide the skills and training needed to obtain jobs, seek new opportunities, and participate fully in society. The access to and quality of education for all portions of the population is key to implementing economic equality and alleviating social tensions that lead to violence.

Additionally, the educational sector is inherently political and can be fraught with discrimination (Smith 17). What is taught within classrooms, the emphasis of lessons, and where students go to school all reflect social and political realities. For example, Israeli curriculum includes lessons on "The Land of Israel" during which students go on hiking trips throughout the country to learn about the Biblical history that ties the Israeli people to the land (Slocum-Bradley 64). These excursions focus on the Biblical stories that link the Jewish people with the land and tend not to cover the current political and social implications of the Jewish state (Slocum-Bradley 65). Such curriculum is taught to further tie Israeli youth to their national identity and uses educational "discourses to 'prove' that the land belonged to their antecedents, therefore giving them the right to control the present" (Slocum-Bradley 64). These

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[12] According to Lysaght and Kell, "There is no evidence that education will lead automatically to economic development. Only if education becomes part of a closely integrated and comprehensive plan for development, involving both the government and the private sector of the economy and including all levels of society, can it play its full part" (158).

lessons isolate Israeli youth identities and pit Palestinians as invaders on the land that is rightfully theirs according to this curriculum.

Curriculum reform after conflicts can incorporate multiple identities and backgrounds and bring "new equitable practices, along with new textbooks and subject matter" (Tidwell 468). The way history is taught in a conflict ridden with long-term oppression can be key in alleviating or continuing discrimination. Tawil and Harley argue that "[n]ational curriculum guidelines and frameworks may therefore be seen as *social contracts* resulting from processes of social dialogue, bargaining, negotiating, and reaching consensus" (19). In other words, the process of changing curriculums is a healthy negotiation that reflects mutual respect for the education priorities and concerns of each side. This process also supports the reconciliation of opposing sides as groups are recognized as equals.

Reconciliation

The classroom can be a welcoming space for youth and adults from diverse backgrounds to come together and learn from one another. In some conflict environments, schools continue to be neutral grounds throughout the conflict. Education can foster the recovery of relationships by utilizing the "safe" nature of educational space for the reintegration of ex-combatants, the humanization of the "other side," and the recognition of diverse identities as equal.

The signing of a peace agreement and cessation of violence creates a large population of ex-combatants that can complicate the peacebuilding process. This group, which has been exposed to violence and anarchic systems, returns to communities where ex-combatants may face ostracization, unemployment, and health issues (both psychological and physical). Education is a tool for bringing these people back into the folds of society. Through skills training, peace education, and public education, it is possible to help ex-combatants become contributive members of communities once again.

For example, the German Agency for Technical Co-operation (GATC) implemented a re-integration program in Sierra Leone that included employable skills

training (Ginifer 44).[13] Equally important, the program included public education because GATC recognized that many communities were hostile to returning ex-combatants. Public education aimed to help communities reconcile with ex-combatants and understand the importance of supporting re-integration. The re-integration of ex-combatants is fundamental because it gives ex-combatants a stake in peace and keeps soldiers from returning to militant forces. This process is only possible if ex-combatants have the skills to participate in society and communities are willing to allow ex-combatants to do so. As such, education for both combatants and the communities is essential to the sustainability of peace.

Additionally, education provides a safe space for students of diverse backgrounds to come together and humanize one another. Through educational programs, peacebuilders can foster dialogue that transforms the way opposing sides perceive one another. Trainings and workshops can provide unique spaces for healing from the trauma of war.

In refugee camps in Burma, Al. B Fuertes led a series of trainings that taught local refugees how to lead their own workshops in trauma healing and reconciliation (493). The participants were mainly primary school teachers, librarians, health workers, and community volunteers who had experienced the war themselves (Fuertes 493). By empowering the participants to become agents of reconciliation, these educational workshops had a broad impact and were also reflective of the cultural context. The participants were able to take Fuertes' lessons and tailor them to their own cultural understanding of healing and health (Fuertes 500). This type of broad impact and reconciliation effort makes the creation of relationships possible; it is the first step toward the development of social capital.

Social Capital

Education is also a crucial tool for cultivating engaged citizens that are invested in the success of peace and have the skills necessary to promote peace. Individuals' understanding of their relationship with the government and society are

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[13] Leaders noted that thirty-six percent of the ex-combatants they surveyed had never attended school let alone obtained job skills.

formed inside the classroom (Smith 15-18).

> More recently there is also a trend towards enquiry-based curricula that investigate what it means to be a citizen and this approach may be more appropriate in pluralist and conflict-affected societies since it frames citizenship in terms of common rights and responsibilities rather than identity factors such as ethnicity, religion or culture. (Smith 15-16)

Civic education is emphasized because of its role in formulating political opinions and the risks of education supporting particular political agendas (Smith 17; Tawill and Harley 3).

Closely related to civic education is civic engagement, which can be promoted within the classroom by providing students with opportunities to become more involved in their communities.[14] People participate in civic engagement activities in order to address a recognized problem within the community. Such collaboration in post-conflict environments can help rebuild broken systems and proactively resolve social issues all while building social networks of trust and mutual understanding. Schools with volunteer programs and community outreach initiatives are able to foster civic engagement and promote social capital.

In addition to civic education, it is possible to promote key values through peace and human rights education. UNICEF defined peace education as:

> "the process of promoting the knowledge, skills, attitudes and values needed to bring about behavior changes that will enable children, youth and adults to prevent conflict and violence, both overt and structural; to resolve conflict peacefully; and to create the conditions conducive to peace, whether at an intrapersonal, interpersonal, intergroup, national or international level." (qtd. in Tidwell 464)

For example, the late John Wallach created the Seeds of Peace summer camp that annually gathers youth to learn peacebuilding skills, engage in dialogue, and meet the other side of the conflict. Wallach reflected on his experience saying, "It is about changing attitudes, ending the fears and prejudices that have prevented entire

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[14] Keeter, Zukin, Andolina, and Jenkins identify some examples of civic engagement including community problem solving, regular volunteering, participation in fundraising, membership in an association, voting, displaying political symbols, contacting officials, contacting print or broadcast media, protesting, creating petitions, canvassing, and more (qtd. in Adler and Goggin 242).

generations from getting to know one another" (qtd. in Tidwell 469).

This very specific type of education is able to embed peace values within the community and give citizens the resources and training to manage conflict. Some of these principles include conflict management, justice, respect for human rights, an understanding of the functioning of democracies, and cultural awareness (Tidwell 465). In addition to concrete skills that help society move forward, peace education can be used as a way to reconcile with the past and have a positive influence on the health of the society (Tidwell 469; Danesh 157).

Examples of Provisions for Education Rights

Given the substantial impact of education on peacebuilding processes, the inclusion of the right to education in the peace agreement becomes a critical means to supporting the development of healthy societies and sustainable peace. Kendra E. Dupuy contributes a considerable amount to our understanding of how education is included in peace agreements.

To begin, peace agreements can affirm the importance of the right to education and the impact of education on the post-conflict society and peacebuilding. By affirming the right to education, the agreement implies a duty upon the government to provide for education as a public service (Dupuy 156).

This is often done alongside for demands for systematic reforms that address issues of access, quality, and funding. Equal and affordable access to the education without regards to a person's identity can combat discrimination on a variety of levels. It some contexts, such as the Philippines and Guatemala, the agreement may also recognize informal education (Dupuy 156). Additionally, provisions can create specific reform agendas that work to eradicate exclusionary hierarchies not only in participation in the education system but also in its leadership.

Education rights provisions can also specifically promote principles of peace through peace, human rights, civic, and integrated education. In other words, the peace agreement at times defines, "what kind of education will be provided and to whom" (Dupuy 149). In this way, educational rights can be used by peacemakers in a variety way to encourage nondiscrimination, nonviolence, respect for differences, and participation in society. The challenges of transforming social perspectives and

government systems can be confronted by incorporating one or more of these types of education into police trainings, government programs, school curriculums, and re-integration processes.

As with any human rights process, the language of the provisions and implementation will depend on the context and needs of the society. Many of the provisions suggested above may not be included directly in the agreement but instead promoted by a related human rights institution that the agreement creates or empowers.

Women's Rights

Ideally the only argument necessary for the full promotion of women's rights in the post-conflict setting would simply be that it is the right thing to do for equality and human rights. [15] The reality is that women continue to fight to have their voices heard by political leaders who are not interested in gender issues (Hudson 59). Responding to this political environment, I explore how the inclusion of women's rights in an agreement can improve the health of the post-conflict society and contribute to the sustainability of peace.

The post-conflict rebuilding and reinventing phase is a brief window of opportunity for women where gender constructs have been unhinged by the shifting roles and realities of violence (Strickland and Duvvury 1; Pankhurst 6; Klot 2). However, this moment of opportunity coincides with a strong pushback during the transitional process as society attempts to return to "normal" (Pankhurst 6; Chinkin and Charlesworth 941). The push for normalization often neglects to recognize that normal was not necessarily in the interest of all people, particularly women and

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[15] A number of different arguments have been made for the inclusion of women in peace agreements and peacebuilding processes. The justice argument maintains that it is inherent injustice to allow men to "monopolize representation" as women consist of an equal portion of the population, yet they make up only 20 percent of national decision-makers (O'Flynn and Russel 37). The interest argument maintains women are best placed to safeguard and promote their own distinctive interests (O'Flynn and Russel 42). The nature argument is particularly troubling because it justifies women's participation on the basis of their maternal nature and disregards the complex realities of women in conflict (Charlesworth 347-49; Pankhurst 11; Strickland and Durrvury 9; El-Bushra 141). The role-modeling argument "…is based on the idea that increasing the number of women in parliament or government sends out a positive message to women as a whole" (O'Flynn and Russel 44).

minorities. Rather than seeking a return to normal, the peace agreement and peacebuilding process should break away from oppressive norms and systems to implement equality and establish a sustainable peace.

Given the deeply imbedded discriminations that are universally felt by women, such a revolution requires an overcorrection from past systems and norms. Women's rights are human rights. However, providing for human rights is not necessarily enough to ensure that women's rights are recognized and provided for within a given context (Reilly 6-7). In *Women's Human Rights*, Noam Reilly emphasizes that it is crucial to recognize that even within human rights certain populations have been marginalized. Trends in international political discourse have disproportionately bolstered civil and political rights, which are spheres of rights generally dominated by men, while economic, social, and cultural rights are sidelined, which are the areas that crucially impact the lives of women disproportionately to men.

Recently, there has been a significant shift in understanding women as active agents of peace rather than passive victims of violence. International leaders are increasingly considering the importance of including women in the negotiation and peace process (Strickland and Duvvury 1). UN Security Council Resolution 1325 takes historical steps by formally recognizing the importance of women's role in peacebuilding and calling states to implement gender centrality in their peacebuilding processes.

Natalie Hudson explores the impact of the "securitization" and demonstrates how the prioritization of issues previously not associated with security matters, such as women's rights, "is not merely a symbolic or linguistic act, but a political one with real world implications" (57). For example, one UN Department of Peacekeeping Operations official stated that the discourse in Resolution 1325 remains "a rallying point for people concerned with gender issues as it provides a place to channel information and concerns before the Security Council" (qtd. in Hudson 58). However, fifteen years after Resolution 1325 was signed into action, women's representation in leadership remains disproportionate to men's (Mani 553; El-Bushra 140). This indicates that more needs to be done to ensure women's participation in the peace

process and post-conflict society.

I argue that a peace agreement can similarly serve as a "rallying point" for women's rights in the post-conflict society while solving many of the tensions between feminist discourse and "securitization." Utilizing a HRBA within the agreement provides spaces for women's empowerment while combating essentialist arguments; under a HRBA, women's inclusion and equality is the goal rather than a tool for security agendas. By providing for women's rights specifically, the peace agreement can overcorrect discrimination and inequality while also benefiting from the contributions of women peacemakers in leadership.

The language of the agreements, whether or not they include women's rights, can influence cultural norms, call attention to particular issues related to women's experience of conflict, and ultimately impact policy. Women's rights provisions legitimize and mandate inclusivity; affirm the important roles of women in the post-conflict society; and bring the skills and experiences of women peacebuilders formally into the peace process. By exploring some of the crucial contributions women's inclusion make to peacebuilding, I aim to demonstrate that women's inclusion not only is a matter of equality for women but also indicates potential for broader social transformation and support for ESC rights in the post-conflict transition.

Equality

Women have proven themselves to be efficient and effective leaders in the field of peacebuilding working with few resources to bring about practical change responds to desperate situations (Hunt 252; El-Bushra 135). "Precisely because they haven't been allowed full participation within power structures, women have learned to work 'outside the box'" (Hunt 255). The advocacy and work of women within post-conflict societies is both responsive and proactive because women recognize the connections between social needs and political stability. Promoting women in the peace agreement and the peacebuilding process works to achieve equality for women's participation in the social, political, and economic spheres. Simultaneously, women's rights support broader goals of equality and inclusion as women peacebuilders promote a more comprehensive approach to peace.

For example, during the negotiation of the Belfast/Good Friday Agreement in Northern Ireland, the Women's Coalition was formed to promote the inclusion of women's voices in the peace process. The inclusion of this party had significant outcomes on the Agreement, including provisions for the equal participation of women in political and public life. Not only did the Women's Coalition advocate for equality for women in the negotiations but also the party had significant impacts on promoting the role of human rights in the agreement and demanding that ex-combatants be included alongside political leaders in the negotiations (Ward 14).

Currently, the majority of women peacebuilders are working at the local, sometimes referred to as "grassroots," level. These women are working within communities to address needs and conflicts; "[b]ecause women lack formal political platforms, they often draw credibility and strength from a wider social base and promote their agenda at the grassroots level" (Strickland and Duvvury 7). Despite the tenacity of the women involved in these organizations, many of these groups still struggle to do their work because they do not have the proper training, resources, and may face marginalization and even harassment (Pankhurst 17).

Promoting women's rights is an issue of equality and sustainable peace because the exclusion of women from the public and political sphere leads to misrepresentation and discrimination. Women can bring local contexts and concerns into the peace process because while "[l]iving and working close to the roots of conflict, women are … [g]rounded in practicalities of everyday life, they also play a critical role in mobilizing their communities to begin post-conflict reconciliation and rebuilding" (Hunt 254). Higher percentages of women in leadership positions will give youth models to emulate and demonstrate the unique contributions women are capable of making that will fundamentally change the peace process.

Reconciliation

Violence naturally affects women and men differently (Strickland and Duvvury 3; El-Bushra 145). One of the most prevalent differences is the presence of pervasive gender violence against women in conflict regions. Elisabeth Rehn and Ellen John Sirleaf conclude that despite the unprecedented epidemic of gender based violence in conflicts, there are few efforts toward ameliorating and stopping this

consequence of war (qtd. in Onyejekwe 278). Aid workers in post-conflict areas report that policies continue to prioritize ex-combatants rather than survivors of gender violence (Pankhurst 7). Furthermore, the post-conflict transition can see a surge of domestic violence against women as combatants return home and bring the violence of the battlefield with them.

Sustainable peace demands solutions and reparations for victims of gender violence. In addition to the "direct suffering caused by the rape itself," there are a number of additional side effects including social alienation, physical injuries, illness from sexually transmitted diseases, and in some cases death from assault or HIV/AIDS (Pankhurst 7). A HRBA recognizes that gender violence "compromises the health, dignity, security and autonomy of women and girls" and fundamentally opposes efforts to achieve a healthy society (Puri).

Truth and reconciliation commissions can address issues of violence against women during conflict by providing justice and support. However, generally, truth and reconciliation commissions approach human rights violations from a male perspective. For example, the Recuperation of Historical Memory Project and the Commission for Historical Clarification in Guatemala focused primarily on issues of disappearances and extrajudicial killings but did not consider how the absence of men inversely affected the lives of women (Ní Aoláin 840). Emily Rosser's analysis of the role of the Commissions in Guatemala demonstrates the potential of truth commissions in bringing the issues of gender violence to the political agenda. Interestingly, Rosser argues that more so than international law the practice of human rights defenders and the claims of witnesses have empowered women's rights in the post-conflict transition. This touches on the importance of empowering women through bottom-up strategies in addition to top-down legislation because of the limiting nature of law in addressing traditionally private abuses such as domestic abuse.

Gender based violence affects and involves both women and men. A solution to gender violence cannot be found without understanding the social context from both the male and female perspective; a task that few scholars have endeavored to take on (Onyejekwe 278). The social construct of women as the weaker sex; the

social shame and blame associated with violence survivors; and the limited resources for women to seek help all culminate in inaction around gender violence. The recovery process for gender violence is individually defined; however, the inclusion of women's perspectives in all aspects of the peacebuilding process will help empower women. The society as a whole will not recover and more forward if those affected by gender violence are left behind.

Social Capital

In 2000, UN Secretary-General Kofi Annan commented, "For generations, women have served as peace educators, both in their families and in their societies. They have proved instrumental in building bridges rather than walls" (Hunt 252). Women are often overlooked at the negotiation table even though in many cases it is the cross-community work of women that brings leaders to the negotiation table in the first place (Onyejekwe 280). Women have key communication and leadership skills that are crucial to the long-term success of any agreement.

As mentioned previously, women's social positions and lived realities influence their experience and response to conflict (Ward 4). These same social positions are part of their unique capacity at building social capital. Women peacebuilders' base in the local social and cultural context gives them a higher level of credibility but it also limits their impact and scope (El-Bushra 138). Women are recognized as particularly adept at building social capital because they understand the functioning of the society and the objective needs of their community members, which means their understanding of the tensions and what is needed for peace are reflective of the realities of the society not political agendas. However, these roles have yet to be formally incorporated in peace processes.

During the war in Liberia, women experienced new levels of freedom and were able to move about the country more openly than their male counterparts (Gizelis 525). This resulted in women having more complex relational networks than men, which provided them with unique resources and opportunities to build peace. Liberian women brokered contracts between rebel leaders and Charles Taylor (the Liberian president at the time of the conflict) by using their social networks and unique position as women who were perceived as neutral negotiators interested in

peace (rather than political gain) (Gizelis 525). Liberian women were also keenly aware of the needs of the people and organized direct action to combat HIV/AIDS and female genital mutilation in their communities (Gizelis 525). The case of Liberia demonstrates how women's social position increases their social capital and allows them access to crucial peacebuilding opportunities.

Ultimately, the inclusion of women in leadership and gender in the considerations of the peacebuilding process will foster broader support of the peace agreement and increase the success of new democratic regimes because of "…the commonly held roles of women and their powerful influence as such (i.e. as mothers, caregivers, social networkers, and teachers)" (Pankhurst 27). By including women, an agreement can gather broader investment and support from society as a whole. Women have the understanding and the social network to implement peace from the ground level up, which is an aspect of the peacebuilding process that is often overlooked. Furthermore, their unique social positions provide them key insights into the needs of society; they recognize the importance and impact of social relationship networks and civil society actors.

Examples of Provisions for Women's Rights

Women's rights are responsive to the social experience of women and can be provided for in a number of ways. Generally, an understanding of what is needed to promote women's rights can be taken from the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). In addition to affirming women's human rights, CEDAW illuminates on the steps states can take to eliminate discrimination and empower women.

To begin, peace agreements can formally acknowledge the need for equal representation of women in government leadership. To this end, article four maintains "temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination" (UN General Assembly, "CEDAW"). Peace agreements should consider provisions for strategies such as affirmative action or quotas to promote women's full political participation. Furthermore, some contexts may require that agreements include basic provisions for women's right to vote, inform government policy, obtain full citizenship, and become members in

associations.

Similarly, the full recognition of women's right to participate in public life can empower women outside of politics (i.e. economics and culture). Participation of this kind can give authority to female grassroots activists and community organizers. Providing for economic justice can attack inequalities and discrimination at a fundamental level. Peace agreements are able to uphold women's economic rights through provisions that enforce equal pay, condemn workplace discrimination (particularly discrimination based on marriage or pregnancy), and demand equal access to financial credit.

Understanding the militaristic environment of post-conflict society and the oppression of women generally, peace agreements must explicitly protect women from exploitation and abuse. Recognition of the presence of trafficking, prostitution, domestic violence, and sexual assault can assign urgency to these issues. Some peace agreements can create truth and reconciliation commission that deal directly with these issues and provide justice and support for victims.

Finally, women's rights include the promotion and protection of health and reproductive rights. In some post-conflict contexts, the state of public health services and women's control over their bodies may be extraordinarily limited. Specific indicators, such as high rates of maternal death or female genital mutilation, will indicate that there needs to be specific considerations for women's health in order for equality to be reached.

These are not the only women's rights that can be considered within the provisions of an agreement, but they are a starting point for understanding how women's rights in agreements impact the peace process. A complete inclusion of all women's rights in the agreement may not be feasible or even the most effective approach. Furthermore, the choice of provisions used to advance women's rights will depend on the context and priorities of the conflict.

Right to Culture

Despite the interdependent nature of all human rights, the right to participate in culture is described as forgotten, underestimated, neglected, and missing (Groni 2). This is perhaps because the right to culture is seen as independent or unrelated to

other rights, particularly civil and political rights. However, alongside all other forms of rights, the United Nations Declaration of Human Rights article 27.1 states, "Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits" (qtd. in Groni 3). Cultural rights require the same urgency because they protect the identities of minority populations, promote participation and agency, and create spaces for dialogue.

The exclusion of cultural rights may be in part because of the ambiguity surrounding cultural rights. Yet, various organizations and scholars have presented many definitions. The United Nations Human Rights Commission clearly defines cultural rights as "including the right to participate in cultural life and to share in and benefit from scientific advancement, and protection of authors' moral and material interests from scientific, literary or artistic production" (Office of the United Nations High Commissioner for Human Rights). The United Nations Economic, Scientific, and Cultural Organization (UNESCO) defines the participation in cultural life as "the concrete opportunities guaranteed for all .... to express themselves freely, to communicate, act, and engage in creative activities with a view to the full development of their personalities, a harmonious life and the cultural progress of society" (qtd. Groni10). There are practically endless possibilities for promoting peace through the right to culture, yet few have formally taken advantage of this area of rights.

Furthermore, some see culture as contradictory to human rights because of the emergence of "cultural relativity" arguments that maintains some human rights infringe upon cultural heritages or identities. However, the reality is that human rights principles demand that the primary concern is the respect for human dignity. As such, a HRBA defines culture as the collective accumulation of heritage, lifestyle, and tradition and the manifestations of such (including but not limited to artistic expression, land rituals, language, and religious practices) that contribute to personal development and identity achievement. A human rights definition inherently rejects arguments of cultural relativism through the maintenance of the unalienable and essential component of human dignity.

The role of various manifestations of culture in peacebuilding is studied less than other areas in part because it is a foreign subject to those researching within the field of political science. However, an increasing number of scholars recognize that art, sports, and cultural heritage can be powerful and dynamic tools for creating sustainable peace. While reflecting on the impact of one performance by activists, an artist commented, "When the curtain went down, so to speak, everyone who was part of the experience was confronted with choices. Peace and justice were possible, because they lived and breathed within the realm of the performances" (Fryer, Lieberman and Barbero 8). Audience members and participants in cultural activities are able to make the experience personal, which makes the issue of peace personal. Peacebuilders use the right to culture to promote freedom of expression, community building, and storytelling in order to foster equality, reconciliation, and social capital.

Equality

Upholding and promoting the right to culture is incredibly urgent in the post-conflict society because of the intricate ties between culture and identity. Conflicts often include the repression or destruction of minority cultural identities in order to suppress political dissent. One artist said, "A large part of what I do is a response to the shutting down of other people... culturally, socially, politically, individually...." (Campana 284). Therefore, while not immediately evident, the relationship between culture and identity is connected to equality and sustainable peace.

People have expressed their identities through art and cultural activities for centuries, and according to Campana, "[i]ncreasingly, the arts and artists are being considered in much broader contexts than the art world, with more emphasis placed on identity and ideology formation and affirmation in communities and society" (282). In other words, art can be used to formulate identities and seek recognition of these identities within society. The freedom to do so helps ameliorate oppression, give voice to minorities, and recognize cultures as legitimate. This area of peacebuilding is focused primarily on the production and dissemination of art as protest (Zelizer 67).

Art can be used to present identities memories, experiences, and characteristics, and through the process of representation they are legitimized and

recognized as equal to any other experience. Conflict is exacerbated when minority populations feel that their identity is threatened. A healthy society demands efforts to promote equal recognition of all identities, and culture provides a uniquely effective space for such endeavors through preserving the freedom of expression and supporting cultural development of all identities.

In exhibit titled "Absences (Ausencias)," Gustavo Germano told the stories of victims of forced disappearances in Argentina through an exhibit that contrasted family photos of the disappeared with images of the current state of their empty homes (Germano). He captured the literal void left behind by, as one mother said, "Thirty years lived ... with the permanent presence of absence. Thirty years lived by those who were left and thirty years not lived by those assassinated and those disappeared" (Germano). Artists have used various forms of art as an "attempt to legitimize their own version of history by creating places of memory and memorial landscapes" (Gould 104). In other words, having the capability and space to engage in storytelling is crucial for social health as well as historical accuracy. Groups that experience repression can use art to express their identities and regain a sense of agency over their memories and experience.

Cultural expression can also support the development of equality through using art as a form of dissent. Artistic protest can recognize the experience of minorities or the oppressed while making claims for equality. This type of nonviolent direct action (i.e. advocacy, protest, and public awareness campaigns) is reflective of healthy societies that are capable of addressing issues of discrimination and social conflict. In reflecting on the role of art in peacebuilding, Michael Shank and Lisa Schirch maintain,

> Nonviolent action aims to raise public awareness and sympathy, increase understanding of how groups in conflict are interdependent, and balance power by convincing or coercing others to accept the needs or desires of all involved. In this peacebuilding approach, advocates and activists seek to gain support for change by increasing a group's power to address issues and ripen the conditions needed to transform relationships and structures. (4)

In other words, culture and art can be used to address and express issues of power dynamics within society. Healthy societies use artistic expression as an outlet for dissent that is nonviolent yet still conveys powerful messages about inequalities and

the experiences of minorities.

Take for example the use of music in the United States to call attention to the Black Lives Matter movement and racial inequalities throughout the country. Kendrick Lamar's song "We Gon Be Alright" contains messages of the struggles of African Americans. The chorus has been heard at protests around the country. Beyoncé Knowles song and music video, "Formation," expresses pride in the African American heritage and touches on historical examples of discrimination, such as the experiences of African Americans during and after hurricane Katrina. Prominent artists and musicians such as these use their public position to raise awareness on political issues that may not gain national attention otherwise.

Although commonly overlooked, art and culture can positively promote equality in the post-conflict society. States can take steps to formally promote culture and art through funding and legislation that provides resources for all cultural activities regardless of their associated identity. Not only can this increase the level of trust in the government and demonstrate a genuine interest in fostering a diverse and inclusive society but also it will foster the freedom of expression, nonviolent action, and recognize minority identities.

Reconciliation

The right to culture can also create space for reconciliation and social transformation between opposing sides of the conflict. Cultural development in post-conflict societies can promote reconciliation and healing through art therapy, creating safe environments for dialogue, and humanizing the other side of the conflict. Cultural peacebuilding that is focused on reconciliation is primarily process based; it emphasizes various identity groups coming together to experience culture and create art (Zelizer 67).

The process of telling one's story can be extraordinarily healing for people who feel that violence and war has silenced them. The revitalization of art creates a space for rebuilding society as a reconciled nation. There is a significant portion of research that demonstrates the healing ability of art therapy to aid victims of violence (Schouten et al. 220; Bardot 183). Art therapy typically uses various forms of visual art, created by the patient, to express emotions and retell painful memories, working

outside the realm of spoken language. In the wake of devastating violence, people often fail to find words to accurately express their emotions and their experiences, and art is able to help individuals express themselves and reduce trauma symptoms (Schouten et al. 220; Bardot 183; Cohen-Efron 311).

Art is also a space for reconciliation of opposing sides because of its ability to bring people together. "Art humanises both victims and perpetrators after the dehumanisation of war by depicting horror and suffering not in gross statistics … but through accessible human narratives, whether through poetry, music, painting, theatre or any other means" (Mani 551-552). This accessibility is key for reconciliation of sides in a post-conflict society where opposition equates to enmity. Mani cites the humanizing nature of art as a deterring effect against relapse into violence; art "…renders palpable the anguish of unknown victims and transforms them from overwhelming faceless numbers to individual humans deserving empathy" (552). It is inherently more difficult to hate someone we know and understand personally.

Playback Theatre, an improvisational and interactive grassroots theatre group, was founded in 1975 and is now present in sixty countries around the world. When describing the purpose of the organization's work, co-founder Jo Salas stated, "Ultimately, in my view, it is for dialogue and the building of connection and empathy-the moral imagination- through the potent medium of theatre, which means invoking aesthetics, imagination, and the physical self" (Salas 95). The moral imagination is the ability to put oneself in another person's situation, particularly those that live very differently.

During a Playback Theatre group established in Afghanistan in 2007, participants were given an opportunity to express their own histories and also discover that they were not alone in their experiences of violence and oppression (Salas 115). The realization of shared pain can foster solidarity amongst diverse groups of citizens and motivate people to continue seeking peace. Through bringing together people of all backgrounds, cultural expression engages in dialogue and the creation of empathy as people "meet each other in their full humanity" (Salas 115).

Art experiences are able to be relatively objective and isolated for participants; people can participate in art projects without necessarily discussing

heated and traumatic topics such as political ideologies and personal histories. A multi-ethnic and multi-religious choir was created in Sarajevo after the conflict in Bosnia-Herzegovina to promote cross-cultural relationships amongst the participating musicians while also setting an example for the broader community. One participant reflected on the experience saying,

> In the times that were really difficult and challenging, we had to focus on the music. So that sort of as our superordinate goal, was perfect. That's why it works, that's why this whole thing functions. If it were just some group of people getting together to talk about their experiences, it would have folded three years ago. But the fact that we do have the music to focus on and we all agree on that. What I think is amazing about the choir is that we learn to sing each other's song. (Zelizer 70)

Focusing on the process and the product of the experience allows participants to side step difficult conversations. This does not necessarily mean that these issues go without being addressed; however, the focus of many of these art projects is developing relationships that can sustain such dialogues – not necessarily diving right into difficult conversations.

Cultural rights are able to create concrete spaces for opposing sides to come together and build relationships and heal from the wounds of violent conflict. Through the process of telling one's stories through art and art therapy, individuals can move forward in the post-conflict period. By focusing on the process of creating art, participants inadvertently form relationships with people they may never have imagined themselves having something in common with. In other words, art provides the context within which diverse relationship and social capital can begin to grow.

Social Capital

Cultural spaces also provide an objective space for people to build relationships and networks that help promote a healthy society. Some scholars directly correlate art peacebuilding efforts with civil society because such programs are commonly implemented by local community-based organizations. The re-emergence of cultural activities and events can signal "a return to normal" as society rebuilds (Mani 558). This is only the beginning of art's social capital building capacity. In peacebuilding, culture and art foster diverse relationships through community-based activities, develop participants' peacebuilding skills and resources,

and redefine formally contested spaces. Art as a promoter of social capital emphasizes using art as a process for building relationships and a training tool to develop peacebuilding skills (Zelizer 67).

Art is often a space in and of itself through public pieces, museums, and galleries. Peacebuilders use art and culture to redefine historically contested or violent spaces into areas that promote peace and cross-community engagement. For example, Peace Art Project Cambodia takes decommissioned arms and turns them into public works of art (Allen 60). According to Groni, "… the right to take part in cultural life is not limited to the creation itself, but also extends to the dissemination, exposition and performance of any creative or artistic work or production" (15). The public works of art created by Peace Art Project Cambodia are spaces for engagement on current issues and representation of ongoing public concerns.

These spaces are also an objective area where dialogue can take place through raising questions, exhibiting diverse opinions on social issues, and transcending differences. This type of dialogue has the ability to change perceptions, overcome stereotypes, and enhance cross-cultural communication. Hawes states that in performance art, "both the performer and the viewer must step outside of what he or she understands as lived reality and except the reshaped or reconsidered reality that the performance creates … the viewer can take in multiple perspectives of a conflict, and difficult issues can be discussed more freely" (17). In other words, art has the ability to overcome language barriers, engage people of all ages, and develop relationships.

The International Kid's Guernica Peace Mural Project brings children of diverse economic, social, political, religious, ethnic, and racial backgrounds together to create a Guernica sized mural "to express the spirit of peace" (Lee 5). The international project has been recreated over 160 times in 40 different countries (Lee 5). The highly interactive program is designed to "maximize interactions" in informal and open environments. In an analysis of an International Kid's Guernica Peace Mural Project in Ohio, Lee concludes that the project resulted in relationships that bridged social divides and increased understanding between American students and Somali refugee students (Lee 12-14).

Art and culture can also be used the develop participants peacebuilding and conflict resolutions skills and resources. According to Shank and Schirch, "Artists can use visual, literary, performance, and movement art as capacity-building mechanisms to build self-confidence, enable self-expression, and provide training in leadership, public speaking, and creative problem solving" (7). Providing opportunities for these types of trainings in the post-conflict society can create a skillset that helps prevent violent conflict in the future. By including the right to culture as a right, the peace agreement provides not only legitimacy to such programs but also indicates the essential need for cultural development within post-conflict societies and peacebuilding processes.

Examples of Provisions for Cultural Rights

Defining provisions for cultural rights that can be included in peace agreements is uncharted territory in peacebuilding research. A starting point can be affirming a commitment to cultural rights as defined by Article 27 of the Universal Declaration of Human Rights (UNDHR), which states, "Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits" (UN General Assembly). The International Covenant of Economic, Social and Cultural Rights builds upon the UNDHR by adding, "The steps to be taken by the States Parties to the present Covenant to achieve the full realization of this right shall include those necessary for the conservation, the development and the diffusion of science and culture" (UN General Assembly). This addition implies that the state has a proactive role not only in the protection of but also the promotion of cultural participation (Northern Ireland Assembly 10).

In addition to participation, provisions can protect cultural property. For example, articles from the Hague Convention maintain states are "…required to take measures to ensure that cultural property is not damaged during conflict, that it is respected, and if it can be moved, that it be placed in a place of safety to prevent damage" (Northern Ireland Assembly 9). Similar provisions within peace agreements are able to designate spaces and cultural items as part of the peace process and the protection of minority identities.

Furthermore, provisions can safeguard individuals' and groups' right to cultural expression without persecution. This can be interpreted in a variety of ways including protecting and promoting artistic expression, minority languages, and diversity in media representations. This differentiates from participation in that it protects the products of culture, such as literature or art, as well as the individual or groups producing these expressions of culture.

In conclusion, given ongoing discourse that posits cultural rights as contradictory to human rights, an agreement and its peace process may benefit from a provision that firmly maintains that the promotion of any cultural right should never be to the detriment of another human right or an individual's human dignity. In contexts where states are contending with a multiplicity of cultural identities, negotiators should refrain from identifying any one culture as more influential than another. This may require that language remains relatively ambiguous about the "whom" of cultural rights. As with education and women's rights, I do not suppose this is an extensive list of how cultural rights can be incorporated into the provisions of peace agreements. However, this review illuminates how cultural rights are able to open space for social and cultural peacebuilding, develop an environment of mutual respect for differences, and formally recognize minority identities.

Human Rights and Healthy Societies: the Case of Northern Ireland and the Belfast/Good Friday Agreement

Since the signing of the Belfast/Good Friday Agreement in 1998, the country has not relapsed into violent conflict. This is not to say that there is absolutely no sectarian violence or political disputes that threaten to derail the peace process. In fact, news stories about sectarian murders, bomb threats, flag riots, and political stagnation regularly circulate as the issue that could tip Northern Ireland back into violent conflict. However, from the variety of people I spoke to, the general conviction is that the likelihood of Northern Ireland relapsing into violent conflict is low. While many maintain that the peace is not perfect, it is preferable to conflict.

There have been significant setbacks since the signing of the Agreement, but the country has not relapsed into violent conflict and has consistently sought

resolution of issues through political means. Ongoing disputes between the opposing sides have surrounded issues of decommissioning, symbols, police reform, transitional justice, dissident violence, and the suspension of the government. An imperfect peace is not ideal, but the numerous issues in Northern Ireland indicate that a "perfect peace" is not likely to be obtained in the near future and may be impossible in any context. Focusing on the negative aspects of the peace process neglects to recognize the important steps that have been taken to sustain peace and the accomplishments of the agreement and peacebuilding process. So what is keeping Northern Ireland from returning to violent conflict? What can we learn from Northern Ireland?

One lesson to learn from Northern Ireland is an understanding of the impact a HRBA has on the sustainability of peace and the development of a healthy society. The peace agreement and peacebuilding process in Northern Ireland have had an unprecedented focus on the role of human rights in peace. Mary Robinson, who was UN High Commissioner for Human Rights at the time the Agreement was signed, noted "...the Good Friday Agreement is conspicuous by the centrality it gives to equality and human rights concerns" (Committee on the Administration of Justice 1). A HRBA requires, among other ESC rights, the inclusion of educational rights, women's rights, and cultural rights in the considerations of negotiations, provisions, and the peace process. By analyzing how education, women, and culture is included in the Belfast/Good Friday Peace Agreement and the ongoing peace process, it is possible to understand the impact of a HRBA and ESC rights on the sustainability of peace and the overall health of the post-conflict society.

A Brief History of the Conflict in Northern Ireland

Even the origins of the conflict are contested based on political and social divides. Some maintain that Northern Ireland's conflict dates as far back as the 1600s when Britain began establishing the "Plantation of Ulster" though which Protestant English and Scottish settlers began to colonize the island of Ireland (Darby). In 1801, the island was officially incorporated into the United Kingdom (Democratic Progress Institute 10). For centuries after, there was discontent with British control over the island.

Generally speaking, Unionists, who wish to maintain the political union with the United Kingdom, are Protestant.[16] Republicans, who favor a united Republic of Ireland that includes the entire island, are generally Catholic.[17] A civil war between Irish Republicans and the British resulted in the island being partitioned in 1921 with the 26 southern counties gaining independence as the Republic of Ireland and the 6 northern counties remaining a part of the United Kingdom as Northern Ireland (Cairns and Darby 754-55). The gerrymandering of borders left the population of Northern Ireland roughly 65% Protestant and 35% Catholic at the time of partition (Darby).

In the years prior to the modern portion of the conflict, from 1920 until the late 1960s, the government of Northern Ireland was dominated by the Protestant Ulster Unionist Party (DUUP), which favored Protestant citizens in policies and resource allocation (Democratic Progress Institute 11). The strong political divide that coincides with religious identities is why many consider the Troubles to be a religious conflict. However, the violence that broke out was not the result of religious differences but rather a question of national identity, equality, and rights.

The political domination of Protestant, Unionists resulted in discrimination against the Catholic, Republican population in areas such as education, housing, policing, voting, and employment (Democratic Progress Institute 11). The level of discrimination has been disputed in the years since the Civil Rights Movement; however, there are undeniable differences between the populations. The gerrymandering of key areas led to Catholics not having control of regions where they held the predominant majority (Hewitt 363). Furthermore, the practice of franchising left a disproportional number of Catholics, who mainly rented rather than owned property, without the ability to vote (Hewitt 363). Economically, Catholics had significantly higher levels of unemployment (18%) than Protestants (8%) (Cairns and Darby 755). In education, more Catholic students (12%) left school without any

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[16] Unionists are also referred to as Loyalists, but will be referred to as Unionists throughout the paper.

[17] Republicans are also referred to Nationalists, but will be referred to as Republicans throughout the paper.

formal education than Protestants (8%) (Cairns and Darby 755). These are only some examples of the grievances that culminated in the Catholic population seeking substantial change.

The modern portion of the conflict, commonly referred to as the Troubles, began in the late 1960s when Republicans began a civil rights movement demanding equality. During this time period, a human rights discourse emerged about the conflict, its roots, and potential solutions. Frustrated Catholics began using human rights to make claims for equality and emulated the civil rights movement occurring in the United States.

The civil rights movement was met with resistance from Unionists and police responded to Catholics' protests with violence that sparked riots and protests on a national level. As violence escalated in the late 1960s, paramilitary organizations from the civil war 1920s were revitalized. The historic Irish Republic Army (IRA) grew in size and splintered into the Provisional Irish Republican Army (PIRA), the Official Irish Republican Army (OIRA), and the Irish National Liberation Army (INLA). In response, the Ulster Volunteer Force (UVF) and the Ulster Defense Army (UDA) were established in the late 1960s and early 1970s (Democratic Progress Institute 12). These paramilitary groups were notoriously violent, using car bombs and targeting civilians, during the course of the Troubles. In 1969, the British government deployed troops to the island to regain control (Darby).

In 1972, the most violent year of the conflict, 496 people died (Democratic Progress Institute 13). On January 30th, British police forces opened fire on a peaceful civil rights march; 13 unarmed citizens were killed and 14 more injured (Democratic Progress Institute 13). Also known as Bloody Sunday, the tragedy sparked unprecedented and widespread violence. The OIRA retaliated within weeks with a car bombing of the Parachute Regiment's Aldershot headquarters, which killed 7 British soldiers (Edwards and McGrattan 31). In March, the British government introduced direct rule from London, which disbanded the Northern Irish government (Hayes and McAllister, 6).

There would be a number of attempts at negotiations before the Belfast/Good Friday Agreement of 1998. In 1973, the Sunningdale Agreement set up a Northern

Ireland Assembly, an Executive, and the Council of Ireland for cross-border cooperation; however, it failed due to opposition from both sides (Democratic Progress Institute 14). In 1985, the Anglo-Irish Agreement sought an end to the violence by giving the Republic of Ireland influence in Northern Ireland's government while maintaining that the constitutional status of Northern Ireland would remain as is unless a majority of the population wished for unification with the Republic of Ireland (Democratic Progress Institute 14). In 1993, the Downing Street Declaration further condemned violence and committed parties to seeking political solutions to the conflict (Democratic Progress Institute 14).

Months of negotiations came before the 1994 ceasefire, which led many believed that Northern Ireland had reached a point where resolution could be achieved and key issues of human rights would finally be addressed (Mageean and O'Brien 1500). This was because of the shift in discourse where the IRA began to seek political measures rather than violence, which the ceasefire in 1994 represented. Up until this point, the Republican parties, associated with IRA paramilitaries, had refused to partake in negotiations that did not aim toward a united Republic of Ireland.

By the time the negotiations for the final agreement began, 3,600 civilians, soldiers, and paramilitary members had died as a result of the conflict and an additional 30,000 had been injured (Democratic Progress Institute 13; Smith 20-21). With decreasing support of paramilitaries and the government from civilians, the parties involved were finally prepared to sign an agreement. After months of back-channel negotiations and third party mediation, the Republican and Unionist parties signed the Belfast Agreement of 1998, also called the Good Friday Agreement of 1998, on April 10th with support from Sinn Féin, the SDLP, and the UUP (Democratic Progress Institute 32-33). Despite surges of violence since the signing of the agreement, Northern Ireland has not fallen back into a state of violent conflict.

Mary Robinson, former United Nations High Commissioner of Human Rights, stated in regards to the importance of certain rights versus others that, "No it is not one set of rights or the other – it is the pursuit of a broad and inclusive human rights agenda which will create the future we all aspire to for ourselves and our

children. The Good Friday Agreement recognizes that in a fundamental and exciting way" (Mageean and O'Brien 1520). In approaching the agreement, all parties involved maintained a HRBA that focused not only on civil and political rights but also on social, economic, and cultural rights.

In October 2006, a conference was held to address the ongoing issues with the Agreement, which resulted in the St. Andrews Agreement, which once again restored devolution to Northern Ireland (Democratice Progress Institute 64). Numerous issues with Northern Ireland remain unresolved; however, significant steps have been taken to rebuild the society through a human rights based approach to peace.

With an 81% turn out, the Agreement was endorsed by 71% of the population of Northern Ireland and 94% of the population of the Republic of Ireland (Democratic Progress Institute 32). I argue that the Belfast/Good Friday Agreement used a HRBA because the provisions of the Agreement included areas for human rights (as a whole), civil, political, and economic rights alongside social and cultural rights.

Human Rights Based Approach to the Belfast/Good Friday Agreement and the Peace Process in Northern Ireland

The Agreement is structured around the implementation of human rights in Northern Ireland's context. Human rights were the "starting point" of the Agreement, which is evident throughout the provisions (Mageean and O'Brien 1500). The Agreement's overall human rights focus is evident in the recognition of the role of human rights in the peace process, the establishment of human rights institutions, and the creation of a Northern Ireland Human Rights Commission.

The importance of human rights to the parties involved in the negotiation of the Agreement is demonstrated in the immediate recognition of the role and influence of human rights in a society with a history of conflict. After the brief opening paragraph, which speaks of "a truly historic opportunity for a new beginning," the second paragraph of the preamble commences with specific references to human rights.

> The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or been injured, and their families. But we can honour them through a fresh start, in which we

firmly dedicate ourselves to the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of the human rights of all. (Declaration of Support art. 2)

While this could be interpreted as political embellishment, the expression of human rights continues repeatedly throughout the provisions that follow (Mageean and O'Brien 1999).

For example, the constitutional arrangements maintain the crucial role of human rights to self-determination by calling for a referendum to vote on the agreement and the nationality question, creating accountability bodies for the government, and implementing a new consociational government.[18]

There are areas of contention between human rights norms and the provisions of the Agreement. For example, the Agreement provides for the release of all political prisoners within four years of the Agreement being signed. Many citizens see this as an affront to their rights because it led to the release of individuals who committed crimes as large as political assassination or sectarian murder. The utilization of a HRBA to the Agreement attempts to address this through the creation of specific processes and systems through which citizens can make claims and seek redress for such inconsistencies or concerns. These systems are not limited to complaints related to the Agreement but are spaces for citizens to make claims related to any human rights violations or social injustices.

These systems are mostly implemented through the human rights institutions that the Agreement creates to assume responsibility for the implementation of the human rights provisions and to hold the government accountable. The Northern Ireland Human Rights Commission (NIHRC) is tasked with defining a Northern

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[18] The consociational model of power sharing that relied on cooperation between Loyalist and Republican elites (Bell, *Peace Agreements and Human Rights* 119). This model focuses on broad-based parliamentary coalitions, minority or mutual veto, proportional representation, and group autonomy (Bell, *Peace Agreements and Human Rights* 120). The consociational model is not the only approach to resolving ethnic conflicts. The integrative model incentivizes cross community engagement by political elites through distribution of political power, devolution of power along ethnic lines, inducements for inter-ethnic cooperation, reducing disparities, and policies to encourage alternative social alignments or identities (Bell, *Peace Agreements and Human Rights* 120).

Ireland Bill of Rights along with monitoring and protecting human rights in Northern Ireland:

> The new Northern Ireland Human Rights Commission will be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience. These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem, and – taken together with the ECHR – to constitute a Bill of Rights for Northern Ireland… (Rights, Safeguards and Equality of Opportunity art. 4)

Through the creation of the new Northern Ireland Human Rights Commission, the Agreement promises long-term accountability of human rights issues, even those not specified in the Agreement.

The NIHRC was established fully on March 1st, 1999 according to the provisions of Belfast/Good Friday Agreement and the Northern Ireland Act of 1998 (McKenna). Under section 69 of the Northern Ireland Act of 1998, the NIHRC is given a broad range of human rights duties and powers to enforce human rights. However, a crucial limitation on the NIHRC is that it is unable to bring forth proceedings on human rights issues based on protections from the European Convention on Human Rights (ECHR) (Mageean and O'Brien 1527-29). In addition, the investigation powers of the Commission are limited by the failure to give the Commission the power to "secure information from reluctant sources" (Mageean and O'Brien 1539).[19] This became an obstruction to pursuing issues like transitional justice and dealing with the past, which are also not provided for by the Agreement. In this way, the NIHRC has struggled to hold government leadership accountable to actions toward the promotion of human rights.

The NIHRC works with a relatively small budget and staff considering the broad set of tasks for which they are responsible. Still, the Commission made over 35 written and oral submissions of advice to the Northern Ireland Executive and

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[19] In addition to this limitation making the investigative power less effective, it also is not in compliance with the Paris Principles for National Human Rights Institutions (Mageean and O'Brien 1530).

Assembly, the United Kingdom government and Westminster Parliament in 2014 (NIHRC, "Annual Report" 15). That same year, the Commission provided human rights training to over 1,000 civil servants and began development for an online course for increased dissemination of educational tools for human rights (NIHRC, "Annual Report" 7). The ongoing community engagement initiatives demonstrate the organization's firm understanding of the NIHRC's role as a bridge between government leadership, local communities, the business sector, and civil society.

The importance of the NIHRC is its ongoing investigation of various human rights concerns can provide for the issues of human rights that the Agreement did not address. For example, the NIHRC played a role in the surge of consideration and investigation into the issues of dealing with the past, austerity's relationship to human rights, and emergency services (NIHRC, "Annual Report" 10). Furthermore, the NIHRC works with issues outlined by the EU, such as minority language rights, to call attention to additional human rights issues that affect Northern Ireland that may not have been recognized in the Agreement. Every year the NIHRC

Despite ongoing efforts by the NIHRC, the government of Northern Ireland still has not fulfilled the promise of a Northern Ireland Bill of Rights made in the Belfast/Good Friday Agreement. The NIHRC submitted its advice on a Bill of Rights to the Secretary of State in 2008, but Westminster has failed to respond. Within its numerous suggestions, the NIHRC included specific rights to move freely throughout the island; to live wherever a person desires; to choose to be Irish or British or both; to speak and learn in one's language; to support as a victim of violence from the conflict; to equality; to freedom from harassment based off of one's identity; and to protection from forced removal from one's home (NIHRC "A Bill of Rights for Northern Ireland").[20] These listed additional Northern Ireland specific rights demonstrate the responsive nature of a Northern Ireland Bill of Rights to the ongoing impact of the conflict.

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[20] A full list of recommendations for a Northern Ireland Bill of Rights can be found on the website for the Northern Ireland Human Rights Commission.

Ongoing political disagreement in the Northern Ireland Assembly about the content and role of a Bill of Rights specific to Northern Ireland has ultimately led to the current stagnation (Smith, McWilliams, and Yarnell 50-51). Smith, McWilliams, and Yarnell concluded in a report titled "Political Capacity Building: Advancing a Bill of Rights for Northern Ireland":

> What might work best could be a combination of elements: a framework that clearly identifies the objective and how it will be achieved; political and financial commitment from the two governments to assist the process; and a variety of useful tools designed to help political parties carry out their discussions effectively… It is clear from this report that it is not possible for local political actors to take the lead on this themselves, either because the requisite political will has been lacking, or because there is insufficient capacity in terms of both time and resources (technical and legal). (52)

The implementation of a Bill of Rights in Northern Ireland at this stage in the peace process remains extraordinarily complex and delayed by politics. However, it remains a crucial issue to the long-term peace of the nation. Many citizens see the failure to implement a Northern Ireland Bill of Rights as a threat to their individual rights and protection from the types of violations that occurred in the past. This has adverse affects on the stability of the peace in Northern Ireland.

The general focus on human rights is only the beginning of the HRBA in the Belfast/Good Friday Agreement. The human rights norms and institutions defined by the Agreement continue to work for equality, build social capital, and provide opportunities for citizens to make claims, demand accountability, and seek redress for their human rights. The creation of processes and systems within which citizens are able to make claims for their rights makes the peace agreement more than a list of promises. However, these institutions are not enough to create a comprehensive HRBA.

Through the provisions for ESC rights within the Agreement, there is a clear attempt to address the social and cultural divisions that influence the daily lives of citizens and the overall health of society. A HRBA requires that all forms of rights are included within the text of the Agreement itself; it is not enough to create institutions that will address these issues in the post-conflict transition. I consider the provisions for ESC rights within the Belfast/Good Friday Agreement in order to determine the

impact of a HRBA broadly and more specifically the influence of social and cultural development on the creation of healthy societies and sustainable peace.

Right to Education in the Agreement and Peace Process

The Agreement approaches education as a solution to many social issues of inequality and discrimination that underline the causes of the conflict. Primarily, education is included as a basic right to be respected and a reflection of social division. The Agreement also acknowledges the role peace education can have in creating equality in the police force and fostering reconciliation for ex-combatants. Following the general support for education's role in peacebuilding, civil society organizations and national institutions continue to use education to promote sustainable peace and a healthy society.

First, through encouraging the government to sign onto the ECHR, the Agreement affirms the basic right to education (European Court of Human Rights, "European Convention on Human Rights" 33). The European Convention on Human Rights was made national law in all parts of the UK under the Human Rights Act was passed in 1998. The incorporation of the ECHR into law means that individuals and organizations can file a complaint against the government or public authorities of Northern Ireland with the Council of Europe for violations of human rights. This gives individuals and groups the potential to seek reparation for present and past violations of human rights, including in the education sector.[21]

Additionally, the Agreement affirms parties' support for integrated learning and calls the government encourage the proliferation of integrated schools.

> … An essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education and mixed housing. (Rights, Safeguards and Equality of Opportunity art. 13)

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[21] Many of these cases do not take place at the Council level but rather through local judiciary systems. One case went to the European Court of Human Rights regarding extrajudicial arrests during the Troubles. The court ruled that the implementation methods (including physiological interrogation techniques) had violated Article 3, which prohibits inhuman and degrading treatment, of the Convention (European Court of Human Rights, "Press Country Profile: The United Kingdom." 2).

The "support" described here does not include an explicit promise for increases funding and resources for integrated schools. The Agreement also does not address the number of political issues that hinder the development of integrated schools in Northern Ireland such as religious education and school districts. It is notable that integrated education was mentioned under the section on victims and reconciliation as a noble pursuit for equality and positive cross-community relations.

The first integrated school was established in 1981 in Belfast with the intention of fostering peace amongst students (Smith 20-21). Despite provisions for support of an integrated education system in Northern Ireland, the education system remains incredibly segregated with over 93% of students attending segregated schools (Nolan 11). There are 38 grant-maintained and 23 state controlled integrated schools (Lundy et al. 9). "The rate of growth in the sector appears to have levelled off at just less than 7% of the school population in spite of the fact that public surveys continue to show a very high level of support for integrated education and that many integrated schools continue to be oversubscribed in their admissions applications" (Lundy et al. 9).

In May of 2013, the Northern Ireland executive published the *Together: Building a United Community* strategy that privileges "shared" education in place of integrated education (Nolan 107). Through the policy of shared education schools remain largely segregated, but students are exposed to the "other side" through intentional shared activities, spaces, and governing responsibilities such as sports, educational facilities, field trips, and academic models. In September of 2015, the Department of Education produced a policy document titled "Sharing Works: A Policy for Shared Education" that outlined the vision and legislative requirements for Shared Education (Department of Education).

This approach to cross-community education is promoted as a moderate alternative to integrated education that allows students to continue their religious education and remain within their traditional culture. However, community activists maintain that Shared Education is not enough to transform social relations because it does not provide for sustained diverse interactions. In other words, although integrated education provided for within the Agreement, there has not been

substantial growth in integrated education.

By many international standards, this raises concern about the accessibility of education in Northern Ireland not only for Catholics and Protestants but also emerging minority groups such as disabled children, Roma children, teenage mothers, and asylum-seeking children (Lundy et al. 7). This is coupled by the Northern Ireland educational system, which relies on standardized testing to determine students' post-primary education (Lundy et al.7). It appears that the overall system of education in Northern Ireland remains segregated and challenged by community and political divides.

The Agreement also affirms its support for Irish medium education. The support of Irish medium education is a crucial recognition of the important role education plays in facilitating cultural learning and sustaining cultural traditions.

> In the context of active consideration currently being given to the UK signing the Council of Europe Charter for Regional and Minority Languages, the British Government will in particular in relation to the Irish language, where appropriate and where people so desire it: … place a statutory duty on the Department of Education to encourage and facilitate Irish medium education in line with current provision for integrated education. (Economic, Social and Cultural Issues art. 4)

The wording "where appropriate and where people so desire it" is potentially problematic. Today, "[t]here are 23 Irish Medium schools and 12 schools with Irish Medium units" (Lundy et al.10). The government minimally supports Irish education through funding Comhairle na Gaelscolaíochta, which is a representative organization for Irish medium education in Northern Ireland (Lundy et al. 10). However, the Irish speaking community is largely supported by the efforts of individuals and organizations.

The Agreement also focuses on the role of education in promoting human rights through peace education and training for security forces. First, the Agreement stipulates that the Commission on Policing for Northern Ireland considers the training and education curriculum for new police officers. In 1999, the Independent Commission on Policing in Northern Ireland's (hereinafter referred to as the Patten Commission) final report stated the "fundamental purpose of policing should be . . . the protection and vindication of the human rights of all. . . . There should be no

conflict between human rights and policing. Policing means protecting human rights" (qtd. in O'Rawe 957). The Patten report details 175 recommendations for how to reform the policing service in Northern Ireland so that it is reflective of human rights principles. However, the implementation of reform faces pushback from an institution that fundamentally resists acknowledging past violations by the police force.

Despite the incorporation of training reform and human rights, there remains ongoing division within the police force. I witnessed this division multiple times in Belfast. For example, while visiting the city this past fall, the Police Service of Northern Ireland's recruiting event in downtown received bomb threats; so multiple streets were closed off downtown. In anther instance, a man who grew up in a Republican neighborhood told me that if he joined the police force, he would have to move his family to a more neutral area. The reform to the education and training of the police force has in many ways failed to reflect a HRBA. The top-down approach to training reform means that despite the fact that the education now includes basic themes of human rights,[22] the culture of the police force remains unchanged.

Finally, the Agreement recognizes the importance of reintegration and how educational assistance, particularly with regards to employable skills training, should be provided to prisoners before and after release. However, during the transition period, many ex-political prisoners, especially Republicans, reported not receiving these benefits due to security concerns, discrimination, and a lack of sensitivity by job training agencies (Ó hAdhmaill 6). Such training would assist with the re-integration of ex-prisoners and ex-combatants and help to create a sustainable peace.

Since the Belfast/Good Friday Agreement incorporated a HRBA to the peace process, the failures of certain provisions have not stopped the country from achieving some levels of reform. The institutions and processes set up by the Agreement create space for issues to continue to be debated and addressed in policy. For example, the Equality Commission of Northern Ireland (ECNI), which the Agreement creates in order to monitor issues of discrimination throughout various

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[22] Even the training of human rights is considered inadequate and implemented at a surface level (O'Rawe 961).

sectors, actively works to implement equality of opportunity in the education sector.

> Education plays a key role in determining a person's life chances and opportunities in terms of social and economic mobility. … Education also has a role in shaping an individual's views, their conduct and relationships with others. It has the potential to counter negative images and views that they can be exposed to outside school or college. It can therefore contribute to the development of a better, shared society in Northern Ireland" (ECNI, "Policy: Education").

The ECNI investigates claims, supports legal claims, researches on equality topics, and makes policy recommendations that have shaped legislation. The work of ECNI and other national institutions concerned with the right to education is why there is still a movement for education reform in Northern Ireland.

While there has not been decisive action toward achieving integrated education on the levels implied in the Agreement, there is a push for policy that reforms the educational curriculum and works toward the same goals as integrated education. For example, "The Community Relations, Equality and Diversity in Education (CRED) policy has two main aims: to increase the respect children and young people have for themselves and others; and to promote equality and eliminate discrimination" (Lundy et al. 6). This policy encourages alternative opportunities for the types of interactions that integrated schools support.

Additionally, there has been action towards increased civic education programs throughout the country to support a culture of peace and human rights. The reformed curriculum requires schools to engage students in lessons of effective citizenship, characteristics of equality, how to resolve conflicts (Lundy et al. 23). While not specified in the Agreement explicitly, the curriculum reforms have included strategies for cohesion, community relations, and diversity.

Despite efforts, a 2010 Survey revealed that 55% of youth in Northern Ireland reported knowing "nothing at all" or "not very much" about politics in Northern Ireland, and 60% said that in terms of interest in politics they had "not very much" or "none at all" (Lundy et al. 23). In a post-conflict society, it is particularly concerning that young people are not interested in the function and leadership of their government. Many of the people I spoke with in Northern Ireland cited a concerning romanticism youth have created around issues of violence. Many have no direct

memories of the violence and have only experienced violent conflict indirectly. It is crucial that society engages these future leaders in the principles of democracy, equality, and civic engagement.

Northern Ireland needs to consider new forms of political engagement that are targeting youth populations in a way that engages young people through positive and social experiences around their impact on government. Youth are now primarily employing "participatory politics" such as membership in online political groups, blogging on political issues, or sharing political videos (Youth Participation in Politics and Elections Background Paper 15). Either civic curriculum is not engaging students on their interest levels or Northern Ireland needs to consider new approaches to creating active citizens.

As an alternative (but not a replacement) to civic education and participation, Northern Ireland has promoted human rights and peace education programs, which not only reach young students but also appeal to adults. The national curriculum rarely mentions human rights as part of educational requirements at the various age levels (Lundy et al. 26-27). Instead of relying on government guidance at the primary level, many school programs come from outside of the formal educational system or rely on nongovernmental projects.

For example, many schools have incorporated Amnesty International's "Lift Off" program into the curriculum for students (Lundy et al. 27). However, the low acknowledgement of the importance of human rights education within government curriculum policy limits spaces for both students and teachers to develop deep understandings of human rights, their role in promoting and respecting human rights, and actual opportunities for students to practice human rights. Still, according to Duffy, human rights and peace education has been proven to substantially and positively impact young students interest in being agents of peace and crossing community divides (27-28).

Overall, attempted reforms have not been enough for the type of transformation the education system in Northern Ireland needs. While recent statistics demonstrate that there is significant reduction of the inequalities Catholics face in education, education continues to be a primary issue of inequality and social division

and inequality in Northern Ireland. In fact, Catholics are more successful than Protestants in school despite contradicting socio-economic trends (Nolan 91). Protestant boys are now the most vulnerable in the education system. Investigations reveals that even more so than social background poverty levels (measured by whether or not the student qualifies for free school meal entitlements) indicate a much higher correlation to failure in school (Nolan 93).

Many in Northern Ireland continue to see the education system as fraught with structural inequalities and ineffective governance. At the same time, it is still largely viewed as a key to the long-term stability of the peace process. The failure to expand integrated schools is largely reflective of government opposition to integration and is particularly concerning because it indicates that social division will continue into the future leadership of the country. What appears to be needed at this point is sustained political leadership to implement the support promised by the Agreement for the growth of integrated education and human rights education. The Department of Education in Northern Ireland must work harder to promote human rights approaches to their policies and encourage social cohesion through education.

Women's Rights in the Agreement and Peace Process

While the Belfast/Good Friday Agreement refers to rights or human rights repeatedly, there are only two articles that specifically refer to women's rights. The Agreement states that the parties affirm their commitment to "the right to equal opportunity in all social and economic activity, regardless of class, creed, disability, gender or ethnicity" as well as "the right of women to full and equal political participation" (Rights, Safeguards and Equality of Opportunity art. 1).

However limited these provisions, they are still formal recognitions of the role of women in the peace process and society. While the Agreement was written two years before Resolution 1325, the importance of the inclusion of women in provisions is similar to the impact of Resolution 1325. Sanam Anderli describes the influence of Resolution 1325 in *Women Building Peace: What They Do, Why It Matters* saying, "This resolution… provides a critical legal and political framework through which, for the first time in history, women worldwide can claim their space and voice their

views on peace and security matters" (qtd. in Ramsey-Marshall 112). The Agreement provides space for women to demand a place in public and political life. I argue that these provisions are also responsible for the significantly low level of pushback against women's empowerment during the post-conflict transition. Certainly, there has not been a perfect evolution of women's rights in Northern Ireland; however, Northern Ireland has not experienced the same "return to normal" syndrome that oppresses women in many post-conflict societies.

On January 11th of this year, Arlene Foster confirmed her nomination as First Minister of Northern Ireland (BBC News). She is the first women and youngest representative to hold the highest position in Northern Ireland's government. The level of women's formal participation in politics in Northern Ireland has made progress since the Belfast/Good Friday Agreement. Today, the Northern Ireland Assembly consists of 19.4% women (Nolan 130). This is an important change because it demonstrates shifts in cultural perceptions of the roles of women and provides role models for women's political participation.

However, Ward points out, "What is significant, in terms of female political participation, is the fact that, although numbers elected to the Assembly have increased marginally ... this has not been accompanied by greater representation in substantive decision-making" (3). In 2003, "Of 2,060 appointments to public bodies, approximately two-thirds are held by men, while the percentage of female chairs is under one-third, at 27 percent" (Ward 17). The percentage of women representatives does not reach the "critical mass" of over 30% that Thomas cites as necessary for women to have an impact on the substance and direction of policy and legislation (qtd. in Cowell-Meyers 78). The low impact of women's presence on policy can be related to the ongoing focus within government on civil and political issues, and the resistance to addressing social and cultural issues that continue to divide the society (flags, dealing with the past, etc.). While both the British and Northern Irish government applaud the role of women in peacebuilding, both sides of the political divide have failed to take action on their promises to include women in political decision-making (Ward 4).

It is also important to note that the provisions for women's participation were not written into law following the Agreement. Kate Fearon maintains that the reason "the clause on women was unlikely to be written into law: 'Those components that are principle-based have no named authority to champion them— they remain the responsibility of the participants and require political leadership to embed'" (qtd. in Ward 15). Furthermore, having women in official leadership roles does not imply that equality will trickle down to lower levels of leadership or involvement. For example, while the appointment of Nuala O'Loan as Police Ombudsman is a success for gender equality and women's rights, the new Police Service of Northern Ireland continues to function with 27% of police being women, mostly in recently recruited ranks (Nolan 48).

Official provisions have not equated to women's complete equality in the post-conflict government. There needs to be leaders who will champion the inclusion and participation of women and hold the government accountable to these issues as a critical to peace. In terms of leadership within the Northern Ireland Assembly, some parties have implemented quotas in order to reach a gender minimum; however, not all of the parties have quotas, so the representation remains disproportionate even between parties.[23]

The relatively low impact of women's involvement in the political and government sectors and the inability of the Agreement's provisions to more fully support women in politics is countered by the role women have in civil society. The Agreement's provisions made a clear recognition that women's participation was not only needed in political life but also public life.

> Pending the devolution of powers to a new Northern Ireland Assembly, the British Government will pursue broad policies for sustained economic growth and stability in Northern Ireland and for promoting social inclusion, including in particular community development and the advancement of women in public life. (Economic, Social and Cultural Issues art. 1)

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[23] According to Racioppi and O'Sullivan See, Sinn Fein has a 30% quota, SDLP has a 40% quota, and the Alliance party is made up of 25% women although it does not have a quota; whereas, the UUP and the DUP do not have quotas and are dominated by men (201).

The use of the "public life" here in place of the previously stipulated "political participation" opens new avenues for women's leadership because public life includes the security, economic, social, cultural, and political sectors. The ongoing marginalization of women in the political sector has pushed women to work within other areas of society.

Specifically, the civil society sector in Northern Ireland is particularly strong and responsive to the ongoing challenges to the peacebuilding process. The Agreement provided for the role of civil society in the peace process and affirmed the legitimacy of such a role when it stated,

> The participants recognise and value the work being done by many organisations to develop reconciliation and mutual understanding and respect between and within communities and traditions, in Northern Ireland and between North and South, and they see such work as having a vital role in consolidating peace and political agreement. Accordingly, they pledge their continuing support to such organisations and will positively examine the case for enhanced financial assistance for the work of reconciliation. An essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education and mixed housing. (Rights, Safeguards and Equality of Opportunity art. 13)

Women's organizations and civil society groups began popping up before the Belfast/Good Friday Agreement and have continued to grow and influence the peace process. They are promoting the concerns of women while government and public discourse has continually focused on alleviating poverty and sectarian divisions and sidelining women's issues.

Large women's centers – such as Shankill, Falls Road, and Windsor – have promoted women's rights through providing job training, encouraging women to participate in politics through civic education, and create cross-community projects (Racioppi and O'Sullivan See 198). Women's initiatives have been critical in " . . . beginning to resolve feelings of separation and alienation from the troubled North, taking active ownership of the Good Friday Agreement, and wishing to be involved in the making of a new dispensation in Ireland North and South, through participation at community and national level" (qtd. in Ward 10). Women's groups in Northern Ireland constantly empower women through the provision of resources such as "…

welfare advice, health and well-being services, policy development, education classes and childcare…" (Ward 271). Essentially, women's organizations are not only providing for women's basic needs but also empowering them through education and support.

Organizations like The Women's Support Network, Making Women Seen and Heard, and Women into Politics create alliances that allow women to become more involved in politics, learn more about women's issues and rights, and engage in cross-community networking (Racioppi and O'Sullivan See 199). These groups are not only impact peace through direct action, lobbying, and training but also they are setting the foundation for women to develop the skills and awareness to enter into politics in the future. By providing job training and creating projects to promote education and culture, these groups also address the root causes of the conflict by combating discrimination, inequality, and social divisions.

The Agreement also considered the impact of legislation in supporting ongoing systemic discrimination. Under the subsection on United Kingdom Legislation, paragraph three states,

> Subject to the outcome of public consultation underway, the British Government intends, as a particular priority, to create a statutory obligation on public authorities in Northern Ireland to carry out all their functions with due regard to the need to promote equality of opportunity in relation to … gender… Public bodies would be required to draw up statutory schemes showing how they would implement this obligation. Such schemes would cover arrangements for policy appraisal, including an assessment of impact on relevant categories, public consultation, public access to information and services, monitoring and timetables. (Rights, Safeguards and Equality of Opportunity art. 3)

Analysis of the impact of policies on gender equality allows for ongoing consideration of the impacts of government and elite decision-making on the lives of women. This is important because it proactively prevents new legislation and policy that would backtrack the advancement of women in public and political life. Under

the Northern Ireland Act of 1998, section 75 imposed two duties on public authorities.[24] The first, called the Equality of Opportunity duty:

> ... requires public authorities in carrying out their functions relating to Northern Ireland to have due regard to the need to promote equality of opportunity between the nine equality categories of persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; men and women generally; persons with a disability and persons without; and persons with dependants and persons without. (ECNI, "Guide for Public Authorities" 7).

Civil society organizations can reference this as their authority for scrutinizing policy's impact on women. For example, the ECNI uses its position to engage with legislators about women's rights issues such as domestic abuse, reproductive rights, political participation, and economic participation.

Many of the challenges to women's full participation in the peace process are lingering effects of the conflict and the traditionally masculine society. Pankhurst maintains "... existing patterns of entrenched masculinity are highly unlikely to change without the increased representation and participation of women as an essential precondition" (Ward 20-21). Many maintain that women's rights must consider the impact of the same issues on men and how gender roles play into the challenges of women's pasticipation. However, the ECNI points out, "…an increase in and knowledge of how male identities and masculinity are produced in different situations such as education and health, does not in itself contribute to greater equality between women and men" ("Gender Matters" 6).

Additionally, following the end of conflict, violence often turns inward from the "battlefield" to the home, and Northern Ireland is unfortunately not an exception. Violence within the home is particularly overlooked because legislation does not consider private violence. According to Nolan, Northern Ireland's domestic abuse levels are higher than ever and are higher than anywhere else in the UK with low levels of formal reporting of incidents to police (35). In order to promote women's

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[24] The second duty is called the Good Relations duty, and "requires that public authorities in carrying out their functions relating to Northern Ireland have regard to the desirability of promoting good relations between persons of different religious belief, political opinion and racial group" (ECNI, "Guide for Public Authorities" 7). It has been noted by some women's rights advocates that gender was not included as one of the categories in the second duty.

rights, there needs to be decisive action to end violence against women. The Agreement does not even recognize the existence of violence against women during the conflict. Again, civil society organizations and human rights institutions have taken up this women's rights issue in the peace process. In 2014, ECNI published a full report on the domestic violence and sexual violence, which opposed the concept of gender neutral legislation on sexual violence and made a number of recommendations about a draft strategy to combat sexual violence ("Stopping Domestic and Sexual Violence" 3-12).

While more men than women were killed during the violence, the women are now the ones continuing to deal with the past. The issue of dealing with the past has increasingly been called upon by nonprofits and civil society as a key issue crucial to the sustainability of peace. In the fall of 2015, the Legacy Gender Integration Group outlined a gendered and human rights based approach to dealing with the past. The document includes principles of gender integration, process-orientation, empowerment, participation, structural analysis, diversity, and more. It was released as part of ongoing efforts to include women in the current peace process and ensure that they included in the implementation of the Stormont Agreement. Through outlining the needs of victims and a process for dealing with the past, the document reveals how the ongoing focus of women's groups and civil society works to uphold the implementation of a HRBA.

The Agreement fails to provide for women's rights to protection and redress as victims of violence. Some human rights advocates work within the institutions and system set up by the Agreement to address issues of the past, but this approach is extremely limiting. For example, the cases of "McCaughey and Others v. the UK" was taken to the European Court by the relatives of Martin McCaughey and Desmond Grew who were both shot by soldiers in 1990 (European Court of Human Rights "Case of McCaughey and Others v. The United Kingdom"). The complaints included the use of unnecessary force and the failure of the government to investigate the deaths. While the Court ultimately ruled the cases inadmissible due to domestic alternatives not being exhausted, the Court maintained that there had been a violation of Article 2 (procedural investigation obligation) and the delays of investigations

"remained a serious and extensive problem" (European Court of Human Rights "Country Profile: The United Kingdom" 15). Such international recognition that delays and extensive bureaucracy of "legacy inquests" violates human rights under the Convention allows advocates and individuals to pressure domestic authorities and legitimizes their claims. This demonstrates how national human rights institutions and processes set up by the Agreement are less effective at addressing issues not explicitly included in the provisions of the peace agreement.

Many would see all of these challenges as indicators of the overall failure of the peace process to empower women during the transition. However, this disregards the substantial threat to women's rights in the post-conflict transition as many societies attempt to "return to the norm." Furthermore, all of these challenges have not stopped women from continuing to have an influence in the peacebuilding process. Women's initiatives have been critical in " . . . beginning to resolve feelings of separation and alienation from the troubled North, taking active ownership of the Good Friday Agreement, and wishing to be involved in the making of a new dispensation in Ireland North and South, through participation at community and national level" (qtd. in Ward 10). However, their influence has remained primarily at the grassroots and community level. It is within the civil society sector that there is a push for ESC rights and the types of cross-community activities that address the social and cultural tensions that are the roots of the conflict. However, women's impact has been limited by the government's inaccessibility, male domination in leadership.

Right to Culture in the Agreement and the Peace Process

Unlike many traditional peace agreements, the Belfast/Good Friday Agreement included provisions for social and cultural rights that affirmed the relevance of areas like art, language, gender, tradition, and religious freedom on the implementation of peace. The Agreement focused on the inclusion of cultural rights broadly, language rights, and religious rights.

The terms of the inclusion for cultural rights remained ambiguous throughout the Agreement. Various institutions and mechanisms set up were tasked with the

protection of cultural rights because of the interdependency between culture and other aspects of society. However, with the exceptions of references to language and religion, it is not specified what cultural rights refers to and how to implement and provide for protection and promotion of cultural rights. In the peacebuilding process in Northern Ireland, culture has been both divisive and collaborative.

To begin, the development in Northern Ireland of what is being called a "Culture War" has the potential to destabilize the entire peacebuilding process. The surge in violence over the issue of flags and other sectarian symbols is what developed talk of a "Culture War" (Nolan 12). Flags and other cultural symbols are important because they are the physical representation of identities. The Agreement failed to come to a conclusive decision on how to handle the issue of flags and parades, and the impact of this is evident in the ongoing violence surrounding flag disputes and parades.

Additionally, as mentioned above in the section on education, there has been little policy or legislation to support the Irish language. The inclusion of language rights in the Agreement responded to the cultural rights of Irish Republicans/Loyalists to learn, speak, and partake in the Irish language. The Agreement provided sweeping affirmations and promises regarding the growth of the Irish language and Ulster-Scots in Northern Ireland.[25]

> All participants recognise the importance of respect, understanding, and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster-Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland. (Economic, Social and Cultural Issues art. 3)

Under paragraph 4 of the Rights, Safeguards and Equality of Opportunities section, the agreement reads,

> In the context of active consideration currently being given to the UK signing the Council of Europe Charter for Regional and Minority Languages, the British Government will in particular in relation to the Irish language, where appropriate and where people so desire it:
> - take resolute action to promote the language;

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[25] The Ulster-Scotts language is claimed by the Unionist population almost as a counterbalance to support for the Irish language.

- facilitate and encourage the use of the language in speech and writing in public and   private life where there is appropriate demand;
- seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language;
- make provision for liaising with the Irish language community, representing their views to public authorities and investigating complaints;
- place a statutory duty on the Department of Education to encourage and facilitate Irish medium education in line with current provision for integrated education;
- explore urgently with the relevant British authorities, and in co-operation with the Irish broadcasting authorities, the scope for achieving more widespread availability of Teilifís na Gaeilige in Northern Ireland;
- seek more effective ways to encourage and provide financial support for Irish language film and television production in Northern Ireland; and
- encourage the parties to secure agreement that this commitment will be sustained by a new Assembly in a way which takes account of the desires and sensitivities of the community.   (Economic, Social and Cultural Issues art. 4)

This detailed affirmation of the various sectors and roles of language in society demonstrates a thorough consideration of language rights. However, the language "where appropriate and where people so desire it" is concerning because it leaves the interpretation of appropriateness up to the government.

The Irish Language Act remains stagnant in the Assembly because of disagreements between the political parties (Nolan 129). In addition, the Foras na Gaeilge (an all-island Irish language body) cut funding for Irish language organizations from thirteen groups; this left only six funded organizations all of which were located in the Republic of Ireland (Nolan 130). Still, there has been a continual growth in Irish-medium educated students, with more than 4,000 currently being taught in the Irish-medium (NIHRC "Minority Language Rights" 11).

Despite these divisive issues surrounding culture in Northern Ireland, human rights institutions and the civil society sector have pushed for the development of cultural rights with positive results since the signing of the Agreement. Through the support of cultural rights, peacebuilders have developed programs that focus on broader social transformation and actively address the social and cultural tensions that

divide communities. These efforts to promote culture and art have worked to combat the threat of a "Culture War"; they include art programs, theatre projects, sports activities, and more.

The art sector in Northern Ireland recognizes the key ways in which art can be used as a peacebuilding tool. Multiple programs are working to create opportunities for cross-community relationship building and social cohesion. On July 14, 2010, the city of Derry/Londonderry became the first City of Culture in the UK. The city was the smallest that had entered the competition and won partly with through the argument that a year of intentional cultural experiences would have substantial impact on the peace process (Nolan 121). The City of Culture year was widely considered a success as both sides of the political and social divide came together to recognize and celebrate their different cultures. These types of activities provide spaces for diverse identities to grow to understand and have mutual respect for each other.

There is also the Community Relations and Cultural Awareness Week, which had its 13th week of events in the fall of 2015. In a letter opening the 2015 brochure, Chief Executive of the Community Relations Council Jacqueline Irwin states,

> All around us there are people that are different from us; diversity is an essential part of everyday life. Showing respect to each other should be a fundamental expectation of all of us. There is one message that we hope everyone will get from the week: Nothing about the future can be taken for granted. The job of learning to live peacefully together is not yet done. If we want this place to be positive, inclusive, welcoming and known throughout the world for those qualities, we all have to play a part in making it so: at village, town, city and regional levels. (Community Relations Council 2)

The programs throughout the week included community multi-cultural nights, art events, lectures, and more. Indicating an understanding of the evolving needs of the country, many of the events were about promoting broader inclusivity through art. For example, in an event titled "Music Unite – an unexpected journey" musicians from a Loyalist Flute Band and the Muslim community came together for a united performance (McStravick). Programs of this scale are recognized and officially supported by the government, but there remains a distance between civil society and formal government efforts toward equality, reconciliation, and social capital building.

Some programs are much smaller and take place within more localized environments but still have an impact on the overall state of peace. The John Hewitt Mural was created through the Belfast City Council's Creative Legacies initiative that fosters shared cross-community spaces in Belfast's divided neighborhoods (Hocking 4). The goal of this particular project was to engage local youth in creating a mural that would recognize John Hewitt as a local hero (Hocking 4). During the program, students visited the walls and discussed the history of the conflict and also issues that continue to divide their society. Interestingly, Hocking points out that despite the assertion that it was a "community project" none of the local residents he interviewed in the after math of the unveiling event reported that they were invited to attend the ceremony (6). One neighbor to the mural said, "… that the art 'didn't change anything,' and that the area was still under paramilitary control to such a degree that her ex-boyfriend, a Catholic, was not free to visit their daughter there" (8). Based off of Hocking's summary of the project, it appears that any impact of the art comes mainly from the process rather than the product as in demonstrated in other examples of cultural peacebuilding activities.

Other projects are the works of individuals who use public spaces, from peacewalls to public museums, to create conversations and explore memories. In her book *Belfast: Toward a City Without Walls*, Vicky Cosstick details the work of different art projects and describes artist Ritta Duffy's reflection on the role of art as a way "to find new interpretations… 'to open up the narrative'… to approach issues obliquely and sometimes with humor, and to search for ways to explore the issues of feminism, politics, peace, and war. She does believe in art as 'a spiritual force for change'" (139). Public spaces for dialogue help facilitate storytelling, healing, and remembrance for the population as a whole. This demonstrates how artists and peacemakers in Northern Ireland understand the role of art in forming a healthy society and establishing a sustainable peace process.

There has also been a trend in removing more violent and aggressive murals throughout Northern Ireland. The Arts Council of Northern Ireland has been leading a project called Re-Imaging Communities, which works within communities to replace paramilitary murals with less aggressive murals that focus on cultural identity (Nolan

124). This is not an easy process as many paramilitary and community members continue to fight against changing the murals, sometimes even repainting over peace murals. For example, one mural that depicted two armed men and read, "Prepared for peace, ready for war" took three years of negotiations by the Housing Executive before it was taken down in 2014 (Nolan 125). The ongoing battle over the removal of violent murals demonstrates the social tensions that remain within Northern Ireland and the importance of art in reflecting culture.

Additionally, sports can be a divisive cultural issue in Northern Ireland as Gaelic football and Republic of Ireland football teams are associated with Republicans while cricket, hockey, and UK football teams are associated with Unionists. However, the Irish Football Association has made attempts to counter sectarianism by implementing a "Football for All" campaign (Nolan 128). The issue of sports has been prevalent enough to garner political support from ministers in both Northern Ireland and the Republic of Ireland (Nolan 128). This type of sustained push for inclusion may not have immediate effects, but the message that these leaders are sending out are reflective of cultural and government change. The problem is whether or not this change reaches the individual level.

Many of these types of cultural peacebuilding are supported by the Agreement's incorporation of the EU and the creation of various institutions that function to uphold the human rights framework in the peace process. For example, the PEACE III programs are a partially EU funded programs that focus on "reconciling communities" and "contributing to a shared society" (Special EU Programs Body). The PEACE III funded the Reconciling Communities Through Regeneration project, which was implemented by Groundwork Northern Ireland (Groundwork Northern Ireland). The project was fundamental in opening a peace gate in Alexandra Park in 2012 to help foster positive cross community relations and dialogue (Groundwork Northern Ireland).

This demonstrates how the HRBA is not only a commitment to all human rights but also a functional tool that creates the systems and institutions for the implementation of the peace process and the development of a healthy society. Many of the institutions that the Agreement creates are essential to the organization and

implementation of funding for peacebuilding programs. The North/South Ministerial Council implements island wide policy on the issues of education, agriculture, environment, health, tourism, and transport (North South Ministerial Council). Under its mandate, the Council created the Special European Union Programmes Body (SEUPB), which manages the implementation of funding programs, including PEACE III and the INTERREG IVA.

Another example is the British-Irish Council, which actively considers a broad range of issues impacting the region including social and cultural aspects of society. For example, under the British-Irish Council, the Creative Industries work sector focuses on how creative industries (such as television, digital media, and film) can "play a key role in developing the blend of creative and innovative skills and approaches required to address societal challenges in areas such as education, health, and social inclusion" (British-Irish Council). Through the regional recognition of the role of economic and social issues, the British-Irish Council continues to reflect the human rights agenda of the Belfast/Good Friday Agreement. Such recognition can be crucial for giving authority to local community organizations that are doing the work of promoting various areas of human rights.

Overall, the implementation of cultural rights in the peace process is similar to that of women's rights in that it has primarily taken place through the efforts of civil society groups. There have been efforts by government organizations to support cultural development through funding and organization, but there is little legislation that formally recognizes the role of culture and incorporates culture in the various aspects of the peace process. This is perhaps reflective of the ambiguity of the provisions for cultural issues, which were essentially lumped together with economic and social issues broadly. Furthermore, the incorporation of culture into peace processes is new territory, and as such, additional research into how to create top-down support for the right to culture and cultural peacebuilding activities would help direct policy.

Currently, the incorporation of culture in the peace process remains a bottom-up effort. A human rights based approach attempts to create bridges between top-down and bottom-up peacebuilding efforts, but it appears that cultural rights must be

more clearly defined in terms of policy in order for top-down approach to even be considered. In other words, the ambiguity of the Agreement has hindered the development of formal spaces for cultural rights within the peace process.

Conclusions

The "peace walls" in Northern Ireland have done little to promote the type of peace envisioned in this thesis paper. The bright colors of painted murals do little to disguise the aggressive barbwire and domineering height of these concrete and chain-link layers that carve their way throughout Belfast and other regions of Northern Ireland. Eighteen years after the Belfast/Good Friday Agreement, there over one hundred physical divisions stand in the city of Belfast alone (Cosstick 21). These barriers mimic the social and cultural divisions that are equally visible and prevalent in Northern Ireland. In a survey of public opinions about the "peace walls," seventy eight percent of the population agreed that segregation exists regardless of whether or not there are physical walls dividing communities (Byrne, Gormley Heenan, and Robinson 27). Northern Ireland may have reached a place where the physical walls can be taken down, but the "walls of fear, hatred, and mutual suspicion" remain (Cosstick 22).

The existing peace in Northern Ireland appears to be functioning at the surface level and allowing social divisions to continue to fester below the surface. While some changes are being made at the higher level of political rhetoric and policy discourse, individual indicators of social cohesion and peace remain static or are becoming worse. The general conclusion that the Belfast/Good Friday Agreement was a success may require us to redefine what a successful peace agreement looks like and take a deeper look at the ongoing social and cultural tensions. While few would argue that conflict would be preferred to the current peace, the implementation of the Belfast/Good Friday Agreement has demonstrated a structural and social continuation of the same social tensions present during the Troubles. There is no physical violence, but this is not necessarily peace.

So what, if anything, did a HRBA contribute to the peace agreement in Northern Ireland? To begin, a HRBA makes critical space for the inclusion of ESC

rights formally in the provisions of the peace agreement. The Agreement embodies education rights, women's rights, and cultural rights. Furthermore, the use of the HRBA redistributes power by considering a more comprehensive set of causes of conflict, recognizing the role of civil society, and creating national institutions to uphold the peace process. These institutions and systems make the peace agreement flexible enough to sustain and address unresolved or emerging national issues.

All of this means nothing if the peace agreement does not influence the peace process, the sustainability of peace, or the health of the post-conflict society. My analysis of the implementation of education rights, women's rights, and cultural rights reveals various levels of success in implementing a broader human rights agenda in Northern Ireland. Both the successes and failures of these areas illuminate new understandings about the impact of a HRBA and ESC rights on peace.

Broadly speaking, the education system in Northern Ireland remains inequitable and divisive. Despite the promises of the Agreement, integrated and Irish-medium education options are a low priority; reforms in police training appear to be superficial; and training for prisoners is sporadic. There are still large differences in the academic achievements of Protestant and Catholic students.

While the Agreement affirmed women's equal participation in pubic and political life, they remain under-represented in political and public leadership. Other forms of women's rights are not even provided for by the Agreement, such as economic justice and support for victims of violence. Yet, women in Northern Ireland have experienced relatively low levels of normative pushback following the Agreement and have been able to advance their influence through engagement in the civil society sector.

Despite provisions acknowledging the influence of cultural issues on the sustainability of peace, the emergence of a "Culture War" threatens the peace process completely. While government leadership remains rhetorically supportive of the promotion of cultural rights as a peacebuilding mechanism, they have received limited concrete protections and promotion in the forms of legislation, funding, and resources. The vast majority of cultural rights peacebuilding has been through the efforts of civil society organizations and individual activists.

Given this information, it is possible to make a number of initial conclusions and recommendations regarding the HRBA to the Belfast/ Good Friday Peace Agreement. To begin, the HRBA has established an overall culture of human rights even if the promotion of specific human rights is precarious. This may seem counterintuitive, but it is not uncommon for changes in discourse to presuppose changes in attitudes or practice. The peace agreement successfully created a human rights framework that peacebuilding continues to work within and build upon.

Additionally, the Agreement's support of civil society through the recognition of its role and creation of new institutions positively influences the peace process. This has created a multi-dimensional process that incorporates not only top down but also bottom up strategies for dealing with the root causes of conflict. However, there is currently a lack of collaboration between the government and civil society sector; the two sectors are working parallel to one another.

The Agreement does actually address this issue by strongly encouraging the creation of a Civic Forum designed to bridge the communication gap between public and government leadership, giving civil society an "institutionalized space" (Pâlshaugen 8). The Civic Forum was intended advise the government on economic, social, and cultural issues and be comprised of members of both sides of the community divide from business, trade, and voluntary sectors. However, The Civic Forum met only 12 times before the government was suspended in 2002, and the body was not re-established following devolution in 2007 (Melaugh and Lynn). As such, one recommendation is that the creation of a Civic Forum, or similar representative body, needs to be provided for by the agreement as a statutory body in order to force the government to cooperate (McCaffrey 8).

By elevating the influence of civil society, the Agreement also reinforces areas of the Agreement that the government has failed to implement (mainly ESC rights as observed above). Civil society has become the administrator of the human rights approach, the advocate for unaddressed issues, and the agent of social transformation. So, what exactly the government is doing for the peace process?

Government leadership in Northern Ireland is one of the most substantial setbacks to the implementation of the HRBA. After the signing of the Agreement in

1998, leaders took their fights from the streets into the Northern Ireland Assembly. The government was suspended repeatedly and two more negotiated agreements have been required to convince political leaders to collaborate. I conclude that the overwhelming power given to the consociational government and emphasis on sectarian divides by the Agreement relocates these divisions to the government system and allows for political stagnation.

This is why the institutions and processes that the Agreement creates are as equally, if not more, important as the details of the provisions. These systems allow for the flexibility and persistence of the Agreement when faced with complex unaddressed or emerging national issues. Therefore, I recommend that the HRBA be used to give substantial power to a national institution, such as the NIHRC, to enforce political cooperation and to oversee the implementation of the peace process.

Despite slow progress, ESC rights remain extremely relevant to the peace process because they are the primary space where social transformation takes place. The lack of substantial progress in top down promotions of ESC rights has placed unachievable standards on civil society organizations that are working with few resources. A successful HRBA demands more decisive action by the government to promote ESC rights throughout the peace process. Policy changes and reform can foster positive ESC rights development that alleviates the inequalities that fuel social divisions and animosity.

Overall, the HRBA to the Belfast/Good Friday Agreement made room for the inclusion of economic, social, and cultural rights in addition to addressing issues of civil and political rights. The Belfast/Good Friday Agreement was written toward the beginning of the movement for inclusion of human rights in the texts of peace agreements, so it is not surprising that there is a disproportionate focus on civil and political rights. An analysis of the Agreement and implementation process demonstrates that the HRBA to the Agreement led to the inclusion of all forms of human rights issues but not necessary the equal implementation and accountability. In order for a peace process to truly encompass a human rights framework, there must be ongoing efforts to balance civil and political rights with economic, social, and cultural rights.

Future research would benefit from considering other crucial variables that contribute to the success of an Agreement such as international aid or post-conflict infrastructure. Additional considerations of the more recent agreements (i.e. the St. Andrews Agreement and the Stormont House Agreement) could demonstrate the ongoing development of the human rights discourse and attempts to resolve current issues. Quantitative analysis of the provisions of additional peace agreements internationally would allow for a broader interpretation of the impact of a HRBA to peacebuilding. Analysis of additional issues relating to ESC rights, such as health services or housing, would provide a more thorough perspective on the role of ESC rights in the health of the society and sustainability of peace.

The development of sustainable peace and a healthy society is an ongoing process that continues in Northern Ireland. When the first peace wall was built in 1969 along Cupar Way, army chief Lt. General Sir Ian Freeland maintained, "the peaceline will be a very very temporary affair. We will not have a Berlin Wall in this city" (Cosstick 43). The "peace walls" parallel the less concrete but altogether real divisions that threaten to derail peace if steps are not taken to create equality, foster reconciliation, and cultivate social capital in Northern Ireland. Eighteen years after the signing of the Belfast/Good Friday Peace Agreement and twenty-seven years after the destruction of the Berlin Wall, the "peace walls" still stand between Northern Ireland and the development of a healthy society capable of sustainable peace.

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