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## From Retribution to Reconciliation, from Spoiler to Peace Envoy

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## From Retribution to Reconciliation, from Spoiler to Peace Envoy

### Abstract

Is there a tension between justice and peace? That debate I leave to my co-panelists, because the most interesting and important thing about this month's centerpiece, without a doubt, is not its well-judged (if slightly ill-informed) take on the ICC, but the name of the author at its end.

### Keywords

Human rights, International Criminal Court (ICC), Justice, Peace, Ian Paisley Junior, North Ireland politics

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## **From Retribution to Reconciliation, from Spoiler to Peace Envoy**

by Christine Bell

Is there a tension between justice and peace? That debate I leave to my co-panelists, because the most interesting and important thing about this month's centerpiece, without a doubt, is not its well-judged (if slightly ill-informed) take on the ICC, but the name of the author at its end.

Ian Paisley Junior is most famous for being the son of Ian Paisley Senior, a founder and long-time leader of Northern Ireland's Democratic Unionist Party (DUP). He now holds his father's seat as Member of the Parliament. This party for many years was the second of two major Unionist parties in Northern Ireland, accounting between them for most of the votes of the Protestant population, and virtually none of the votes of the Catholic one. The rival Ulster Unionist Party, led during the peace process by David Trimble, had commanded the unionist majority up until that time with a fairly conservative, uncontroversial unionism. Paisley's party was the founder's vision of an alternative unionist politics. It drew on the US bible belt as inspiration for a similarly combustible mix of religion and right wing politics—pouring rhetorical petrol on the flames of the Northern Ireland conflict. It was the Tea Party to the Ulster Unionist Party's mainstream Republicanism.

During the peace process, Paisley's DUP boycotted the talks. It was not present for nor did it sign the Belfast/Good Friday Agreement. In fact, the night of the agreement was its political nadir and seemed to herald the party's imminent demise. Ian Paisley Senior arrived at Stormont to denounce the agreement and whip up a rally of support, as had been done successfully with so many peace initiatives in the past. He found himself shouted down by those who were supposedly more extreme—former Loyalist paramilitaries, many of whom had claimed to have taken up arms in response to political rhetoric such as his (although for the record, Paisley and the DUP robustly denied any such connection).

To use the term of political scientists: the DUP was one of the "spoilers" of the peace agreement. Its stated aim was to destroy it. The DUP's main point of opposition was that it was not right to sit in government with terrorists (as the members regarded Sinn Féin, which would soon command a majority of Catholic votes). The DUP opposed prisoner release and mobilized victims' families against it—victims who were perhaps not well-served on a personal level by being used as public political footballs. In the years that followed the agreement, the DUP performed classic "outbidding" tactics—that is, it adopted rejectionist tactics to try to win the support of the majority of the unionist vote. It was a strategy that was to be astoundingly successful. As the implementation of the peace agreement inevitably prolonged and stalled, the DUP moved to become the majority Unionist Party.

This was a critical moment for the Belfast agreement, whose centerpiece was the establishment of a power-sharing mechanism between the major unionist and nationalist parties—with the two majority parties being required to share the Office of the First and Deputy First Ministers. With Sinn Féin, the lesser of the two (Catholic) Irish Nationalist parties now also having outbid its nationalist rivals, this placed those parties seemingly most opposed to each other's *raison d'être* and policies central to the power-sharing government and required to work together as its joint head.

So the most interesting question about this piece is: why does Ian Paisley Junior, a proud spoiler, now sit with the peace brigade rather than the justice brigade in the ICC debate? Why does he sing the praises of peace agreements and reconciliation? Why does he want to make sure that forgiveness is put ahead of prosecution? When did he become such a supporter of cooperation between erstwhile enemies? And how on earth did he become a peace envoy for the UN and EU to Guinea-Bissau? (Did they not have enough problems? For a US audience it is a bit like finding out that Sarah Palin has been appointed UN Special Rapporteur for Small Arms Control).

This is not just a question for Northern Irish parochial political interest. Peace agreement implementation is, after two decades, known to be one of the most difficult parts of a peace process. The question of spoilers is key with spoilers coming from all sides. However, paradoxically, particularly in formally democratic countries, peace agreements signed by one group of politicians often have to be implemented by their political opponents—opponents who will often have come to power as a result of popularizing opposition to the peace agreement. Peace processes in Israel/Palestine, Sri Lanka, the Philippines, and many others have foundered as a result.

A full examination of how the DUP and Ian Paisley Junior moved from spoiler of the agreement to its promoter is beyond the scope of this Roundtable, but some reasons can be given. Polls repeatedly showed that even the DUP's most ardent supporters could not envisage any resolution of the conflict that did not involve some form of agreement between the main political parties. In order to gain the final edge in the inter-unionist battle, the DUP had to persuade voters that it had a plan for the future, and began to shift from the language of dismantling the agreement to the language of "renegotiation." A second-stage peace process developed largely between the DUP and Sinn Féin, which focused on "implementation/renegotiation" of the agreement. Enough was agreed for both the DUP and Sinn Féin to leave arguing that they had achieved core demands from the negotiation.

None of this was smooth or easy. It did not take international negotiation, but it did take a lot of massaging and support. Throughout the peace process, even as the DUP they rejected "internationalization" of Northern Irish politics, bringing the DUP politicians into contact with international mediators, organizations, and actors from other peace processes seemed to be a key objective of a series of "friends of the peace process" initiatives. This is perhaps how we should understand Ian Paisley Junior's emergence on the international stage as peace envoy. Former hardliners in some ways make good and persuasive peace envoys—the sinner as new convert is always an inspiring tale. But perhaps there is a double motive—these appointments are also a way to reinforce people in their new role as peace promoter in their own country.

In 1998, the DUP was not in the room negotiating. Its members were happy to lock up terrorists and throw away the key (at best—sometimes they advocated the return of the death penalty). They would not sit in the same room with Sinn Féin politicians, even for a TV debate, because the party had supported armed struggle. Today they sit in power with those same opponents, hold joint office, support reconciliation, condemn retribution, act as peace envoys elsewhere, and write op-eds for the New York Times. It is staggering. But it is all good. If the international community could find this spoiler formula, it would bottle it, sell it, and retire from the peace

implementation field. With regards to justice versus peace: I leave it to you to decide whether Ian Paisley Junior is right or not.

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