# Ethno-Territorial Cross-Border Conflict in Western Europe

## *Introduction*

Patterns of migration, settlement, and state formation have not always coincided in European history. This is particularly the case in Central and Eastern Europe, where a succession of empires and wars through the centuries has created many multi-ethnic states, most of which host diaspora groups of neighboring nation-states. Yet, in a less obvious, and for the most part, less conflictual and less violent way, this also holds true for Western Europe. National minorities have played, and still play, a significant role on the European political stage. In an era of deepening integration among the member states of the European Union, they can build important bridges between their host-states and kin-nations. They can also further the process of different cultures coming closer together for their mutual benefit without losing their distinct character.

However, this positive relationship has not always been the case. Minorities in Western Europe have been subjected to discrimination and forced assimilation, and they have resisted such repressive state policies in a variety of ways. The ethnic conflicts that have developed in the past were a form of group conflict wherein at least one of the parties involved interpreted the conflict, its causes, and potential settlements along an existing or perceived discriminating ethnic divide. Whenever such a conflict has occurred in ethnically mixed areas bordering the kin-state of the aggrieved ethnic group, it manifests itself on three interrelated levels – inter-group conflict, conflict between the aggrieved minority and the institutions of its host-state, and the potential (territorial) conflict between host and kin-state. Three case studies – Alsace, South Tyrol, and Northern Ireland – will illustrate this point.

Although each of these ethnic conflicts has developed in a unique environment, influenced by a variety of distinct factors, there are factors that consistently occur in each. Using these three cases, I will establish the core factors that determine the nature of conflict settlement in ethno-territorial cross-border conflicts.

## *Three Examples of Conflict Management*

Alsace: From Political to Ecological and Cultural Particularism

### Alsace in the Inter-War Period: Particularism and Loyalty

The period between 1919 and 1940 was the one of the fiercest confrontations between the French state and the particularist movement in Alsace. However, with the exception of occasional rioting and clashes between French nationalists and Alsatian particularists in the mid and late 1920s, there was no violent escalation of this conflict, a factor which can mainly be attributed to the moderating influence of the Catholic church.

After the initial euphoria about the reunion with France, problems soon arose from three sources – the differences that had developed between Alsace and *France intérieure* during the separation between 1871 and 1919, the positive experience Alsatians had with the autonomy gradually granted to them in Germany, and the aggressive assimilation policies pursued by French governments.

Conflict developed over three major issues were – the concordat,[1] the confessional school system, and the persistent demands Alsatian activists made for the autonomy of their area. While Alsatians managed to defend their religious status, they failed to obtain any concessions regarding autonomy. There were many reasons for this.

Over the centuries, the clergy had become the only stable institution during the frequent changes of sovereignty and exercised a tremendous social and political influence. The alliance to defend Alsace's religious status also profited from the cooperation of the particularist movement as a whole, including some normally anti-clerical parties. Led by the church, the successful defense of their religious status was thus primarily possible because it was an issue that mobilized almost the entire population, independent of their ideological orientation and party-political affiliation.

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[1] Under Napoleon the French state and churches concluded a concordat, according to which members of the clergy were trained at the expense of, and paid by, the state. Special laws on education introduced at around the same time still govern the status of the confessional school system in Alsace and distinguish between Catholic and Protestant schools, providing students religious education as part of their curriculum. Both regulations were confirmed through legislation in 1924, after Alsace and Lorraine, because of their separation from France, had not been subjected to the secularisation laws of 1905 that determined a clear distinction between the roles of the state and the church.

However, from the point of view of the French government, the confessional issue was not as essential a concern as the question of autonomy. The failure of the particularist movement to obtain any form of autonomy can be attributed to three main reasons. The first reason was that the people of Alsace were divided over the issue of autonomy – particularists were opposed by French nationalists who favored rapid political integration and cultural assimilation. Yet, the particularist movement was also split in itself. Pro-German forces, who rejected any form of integration into the French polity, were only a small minority compared to those that were politically loyal to France, but they discredited the particularist movement increasingly after 1930, and especially after Hitler had risen to power. In addition, the heterogeneous composition of the particularist movement, including communists, liberals, and clergymen, did not always allow for concerted action. Eventually, a major realignment of the party-political system in Alsace over the issue of particularism in the late 1920s eased these tensions for some time, but with the rise of Hitler in Germany the political divide in Alsace shifted to one between pro-German and pro-French forces, which ended the particularist alliance.

The second reason was the determination of successive French government to push ahead with assimilation and insist on full integration rather than on any kind of special status for Alsace. The split within the Alsatian population over the issue of autonomy made this stance much easier. French assimilation policy was also a result of Franco-German relations, which had never been at ease after 1919. Not only did the official German foreign policy use the issue of Alsace as a bargaining chip in its struggle for a revision of its eastern borders, and was therefore interested in a certain degree of instability in Alsace and pursued policies to this effect, especially in the mid till late 1920s. In addition, private organizations of German expellees from Alsace after 1919 engaged in various forms of support for the particularist movement. Especially after 1933, any concession to Alsatian demands for autonomy thus seemed to facilitate separatism and endanger French security.

The third reason for the failure of Alsatian particularism was the disadvantageous unitary structure of the French state. Even though some particularists in the inter-war period placed their autonomist demands in the wider context of the federalization of France and co-operated with other ethnic minorities, France's persistent denial to acknowledge the

existence of minorities within its borders did not provide the conditions in which this policy could have been successful.

**Alsace after 1945: The Depoliticisation of Particularism**

Today, with the exception of Corsica, ethno-linguistic minorities are not officially recognized, and France still maintains a dictum from the French Revolution according to which French is the official language of the one and indivisible republic. Measures to protect and preserve ethno-cultural identities have been taken in recent decades, although several international conventions have been signed by France only upon the condition that minority regulations do not apply. The regionalisation of the French state, especially after 1981, has resulted in increasing powers for the regions in the economic and cultural sector. Although the regions' frontiers do not always coincide with ethnic boundaries, this has been a significant step to ease tensions following the confrontation between ethno-cultural activists and central authorities. Increasing sensitivity of the French state towards minority issues has also become manifest in the establishment of a number of bodies concerned with 'ethnic' affairs, such as the National Council of Regional and Minority Languages.

As a consequence of aggressive Germanisation between 1940 and 1945, political integration of Alsace into France has been completed without problems and cultural assimilation has progressed very far. This becomes obvious from the degree to which the French language has spread in Alsace and the knowledge of German and/or the Alsatian dialect have declined: while there are only very few older people left who do not speak any French at all, the interest among the younger generation in their 'ethnic' language is decreasing steadily. Nevertheless, there still exists a distinct regional identity based on the cultural and linguistic traditions of the historical Alsace, but also on the development the region has taken after 1945.

Politically, particularism does not play a significant role anymore. Parties founded with a purely regionalist, particularist, or even autonomist basis have had no electoral success after 1945. In part, this is due to the right-wing extremist, pro-German connections some of them had, and in part due to the fact that the national parties who have dominated the political spectrum in Alsace after 1945 adopted moderate particularist demands, most of

which, especially in terms of local laws, the religious statute, and special language provisions have been fulfilled by the French state.

In addition, the influence of the churches has declined and political particularism has lost its formerly major stronghold in the rural population. The agenda of particularism has changed as it has shifted from autonomist demands to cultural issues. Successive French governments have made concessions to these cultural demands. Initially confined to a small number of intellectuals, cultural particularism has become more widespread since the late eighties. The lack of satisfaction with what has been achieved is no longer being interpreted in terms of specific Alsatian-French conflict, but rather is attributed to the lack of power the regions have in the area of culture. Thus, this conflict is not between two cultures, but rather between two cultural policies – that of the unitary French state versus that of ethno-cultural activists. The fact that there still remains a significant cultural movement advocating the promotion of Alsatian culture, language, and traditions, and pointing to the oftentimes unsatisfactory situation of the regional culture in Alsace, underlines that the cultural 'conflict' is far from over.

Since the mid-seventies, one aspect of Alsatian political life that has politically been connected to particularism was the ecological movement. In contrast to the other national political parties active in Alsace, the ecologists have not instrumentalised regional demands for their electoral gain. Yet their commitment to prevent environmental destruction has mobilized a variety of political groups and Alsatians and forged a regional interest coalition. This coalition, however, was not based on 'ethnic' distinctiveness, but rather on ecological concerns and had a territorial dimension transcending regional and national borders.

Eventually, Franco-German reconciliation and the process of European integration had an impact on the development in Alsace. With Germany no longer perceived as a threat, and German interference into French-Alsatian relations not occurring after 1945, the perspective of an Alsatian local culture based on Alemannic traditions was no longer interpreted as a threat to French territorial sovereignty. This allowed successive French governments to make concessions to cultural demands. European integration, on the other hand, not only benefited Alsace economically, but also raised the confidence Alsatians have with regard to their place in France and Europe.

Under these conditions, political integration combined with partial cultural assimilation proved to be successful policies of ethnic conflict management, because they satisfied the interests of all conflict parties involved to a high enough degree and thus provided the basis for adopting cooperational rather than confrontational policies.

## South Tyrol: From Conflict to Negotiation and Settlement

The analysis of the conditions necessary to reach a settlement in the South Tyrol conflict requires a closer look at the three distinct periods of conflict development and resolution after 1945 – the period of conflict between 1945 and 1961, the period of negotiation until 1969, and the subsequent implementation of the settlement reached after 1969/1972.

### The Period of Conflict, 1945-1961

The three main players in the conflict over South Tyrol inside Italy were the Italian state, and the Italian and German population groups in South Tyrol.

Since 1919 the Italian state had tried to integrate the formerly Austro-Hungarian South Tyrol into its polity. The policies pursued varied almost from decade to decade. In the inter-war period a program of radical Italianisation was based on immigration, forced assimilation, and eventually expulsion. After the Second World War, limited autonomy rights were granted in the process of decentralization of the state, which, however, did not solve the problem from the viewpoint of the German majority. The signs of compromise towards a more liberal approach on the Italian side were few, mainly because of fears of Austrian irredentism and secessionist aspirations among the German-speaking population within South Tyrol.

The German-speaking population group, having suffered through two decades of fascist Italianisation, entertained considerable hopes for a re-unification with Austria after 1945. When it became obvious that no such unification would take place, hopes were focused on Italian promises to arrange for an autonomy framework within which the rights and interests of the German population could be provided. However, the framework of regional autonomy in which the provinces of Bolzano and Trentino were united left most powers with the regional authorities. In a minority position in the region, the Germans felt

provoked, and in 1961 unrest escalated into a series of terrorist attacks which were meant to be a challenge to the Italian state's neglect of legitimate German South Tyrolese demands and were in the main not aimed against the Italian population in the province. While the initial actions of the terrorists – mostly the toppling of power pylons – found wide-spread backing among the German population in the province, later attacks under the influence of German and Austrian right-wing extremists were almost unanimously condemned.

One of the decisive external factors in this period was the policy approach the Austrian government took towards the solution of the South Tyrol conflict. After the attempt to regain South Tyrol as a whole, or even in part, had failed in 1945/1946, the Austrian government saw its role primarily as one of a 'protective power' for the South Tyrolese German-speaking population. After the conclusion of the Austrian state treaty in 1955 and the regaining of its sovereignty, Austria was able to become more active on international and bilateral levels to press Italy towards a fulfillment of the Paris Agreement of 1946. The initial Italian unwillingness to compromise over the issue of renegotiating the 1948 autonomy statute prompted Austria to present the problem to the UN in 1960 and 1961.

Throughout its involvement in the South Tyrol problem after 1946, the Austrian government never demanded the return of the area. With the signing of the Paris Agreement, Austria formally renounced all territorial claims to South Tyrol and re-affirmed this position later in the 1955 state treaty and in other public statements. The South Tyrolese themselves were in no doubt that Austria would refuse to support a secessionist agenda. This had two positive consequences for the eventual resolution of the problem. The majority of South Tyrolese settled for the prospect of remaining part of Italy and negotiated (and in 1961 even fought) for an improved autonomous status, which, after all, was a much more realistic goal than secession. Therefore, the Italian government could be generous in granting more power and a better status to South Tyrol.

**Negotiating a Settlement, 1961-1969**

The initially uncompromising stance of the Italian government changed gradually after 1961, and in the course of the following years the Italian state proved to be capable of a more flexible and impartial approach towards the demands of the German-speaking minority.

The way towards the conclusion of a final settlement was very complicated. Throughout the 1960s, the Italian state conducted parallel negotiations with the Austrian government and with the South Tyrolese People's Party (SVP) as the representative of the South Tyrolese German speakers. Simultaneously, Austria and the SVP maintained open lines of communication and coordinated their strategies.

After the Italian government addressed the immediate security concerns in South Tyrol, step-by-step changes towards greater preparedness to compromise on both sides occurred. The most notable compromise was probably that of the German-speaking South Tyrolese withdrawal from the position of asking for a separate regional autonomy status and accepting improved regulation within the existing bi-provincial set-up in 1962.

A settlement negotiated between the Austrian and the Italian governments in 1964 addressed most of the demands put forward by the conflict parties. However, it failed to be approved by the South Tyrolese German speakers, who still considered it as insufficient. The Austrian government, however, managed to convince the SVP to accept that there were constraints under which the Italian government was acting. Similarly, the Italian government realized, after 1964, that no agreement with Austria would be worth anything unless it found the approval of the German-speaking population in South Tyrol.

The failure of 1964 did not lead to a break-up of negotiations. The Italian government maintained its links with Austria, and simultaneously intensified the process of direct engagement with the SVP. Through this two-level approach it was possible to negotiate the substance of the settlement with those directly concerned, namely the German-speaking South Tyrolese, while the implementation and guarantee procedures were addressed by the two governments. This way, a complex, and generally satisfying settlement was reached, which included a double arbitration mechanism in case of future disagreements – internally in the form of a standing commission adjoined to the office of the Prime Minister and internationally with the option to approach the International Court of Justice.

**Implementing the Settlement, 1969/72 to the Present**

The particular political set-up of regional and provincial institutions in the 1972 autonomy statute did away with any previous power differential that had in the past been to

the disadvantage of the German ethnic group. In fact, it made it more or less a politically and culturally dominating local majority.

Over the decades, the relationship between central and regional state institutions has developed from one of confrontation and mutual mistrust to one of conflictual co-operation. While both the Italian state and the political representatives of the German-speaking population in South Tyrol still have their own political agendas, since the late 1960s conflicts have been largely dealt with below the threshold of violence. The violent outburst of the 1960s increased the willingness on both sides to find a compromise. The prevention of similar incidents has guided policy-making ever since. As the conflict has mainly been one between the minority and the state, rather than between two ethnic groups, reforms and improvements in the institutional set-up of the autonomy were able to satisfy demands of the German-speaking population, while simultaneously allowing the ethnic groups to preserve and develop their identities in an institutionally favorable setting.[2]

Nevertheless, the relationship between the ethnic groups as "groups" has never been free from strains. The amount of inter-ethnic hatred, however, has been kept very low, primarily because of the spatial segregation and the ethnic division of labor. Tensions arose, and are still arising particularly in the larger towns where the Italian and German ethnic groups are in more constant contact.

The autonomy regulations allocate a great deal of funds, resources, and employment opportunities on the basis of ethnic proportions. This system can be, and has been, easily exploited by more radical ethnocentrist political organizations within each ethnic group, leading to renewed violence between the late 1970s and late 1980s. Although sections of the Italian and German populations were actively involved, the political repercussions were rather insignificant, as responsible political leaders of both groups maintained their firm commitment to continue their politics of co-operation. Similarly, at the interpersonal level, and especially among the younger generation, inter-ethnic relationships have become more relaxed. Members of the respective other group and their culture and identity are no longer

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[2] South Tyrol is also home to a third, indigenous ethnic group, the Ladins. With only around 4% of the population in the province, they are not a major political factor.

perceived as a threat and the number of intermarriages has steadily grown since the mid to late seventies.

Thus, one faces the almost paradoxical situation in today's South Tyrolese society – individual members of the ethnic groups and their respective political representatives in their majority get along well, however, the relationship between the ethnic groups as a whole still poses a problem that has its source in the structure of intra-ethnic relations. While the German-speaking group is relatively homogeneous with a distinct identity, and can rely on a century long political and customary tradition and folklore, in contrast the Italian-speaking population, due to its nature as a migrant population from a variety of different regional, social, and political-ideological backgrounds, is rather heterogeneous, and has not managed to develop a common group identity. As a substitute for the lack of a common regional identity, the Italians have turned to politically more nationalistic parties reaffirming their national identity as Italians. This has been perceived as a threat among the Germans and led to the rise of ethnocentrist parties, in turn causing fears among the Italian-speaking ethnic group of a rebirth of German irredentism. The process of strengthening group identities against one another has certainly increased group awareness and helped politicians on both sides to maintain mobilization patterns along traditional ethnic lines. The result is the increasing separation of groups as a whole. While the political process becomes more predictable and manageable in the short term, it is hard to say whether the lack of a common civic identity among the ethnic groups will or will not have negative repercussions in the long term, especially in terms of persisting mutual suspicions and the political and economic interpretation of ethno-cultural differences.

Given the institutional structure of provincial autonomy, the German-speaking South Tyrolese, thus, are in a very favorable position as a local majority in economic, demographic, cultural, party political and electoral terms. Occasional recurrences of demands for unification with Austria or the granting of the right to self-determination by some fringe groups have not found significant backing among the German population in South Tyrol, although a more diverse political spectrum has developed with some sections of the German ethnic group now backing the integrationist approach of the cross-communal Green Party, while others support the more radical ethnocentrist parties. With the younger

generation being less and less impressed by the almost exclusively ethnic identification patterns of their parents and grand-parents, it is unlikely that a new upsurge of secessionist demands will emerge, although the persistence of group-focused interpretation patterns remains a potential danger for the peaceful and co-operative coexistence of all three ethnic groups.

This holds true for the Italian population group as well, which, since the mid eighties has increasingly sought refuge with nationalist identification patterns to make up for its lack of social and political-ideological homogeneity in comparison to the German population. The Italians felt, and still feel to some degree, dissatisfied with the position in which they have been put in the course of the implementation of the new autonomy statute. This dissatisfaction is not based on a rejection of the idea of minority protection; rather it reflects a feeling that the way in which this minority protection, and with it the autonomy statute, is executed by a 'dominant minority' puts one ethnic group in a disadvantageous situation. Thus, this new level of conflict reflects in an almost mirror-like image the situation before 1969 – ethnic hatred does not determine the agenda, but rather the neglect of what one group perceives as its just rights. This group therefore challenges the political class it believes to be responsible. In this situation the failure to establish a civic, ethnically indifferent identity among all South Tyrolese may have serious repercussions in the future.

Thus, three major factors have contributed to the successful resolution of the conflict in South Tyrol – the atmosphere of compromise among the negotiating parties Austria, Italy, and South Tyrolese Germans; the absence of inter-ethnic hatred which reduced the conflict to a minority-state dispute; and the dual approach of the Austrian government to encourage the German population to settle for a solution within the existing borders while actively contributing to such a solution on the international and bilateral levels.

A further factor to be taken into account is the prosperous state of the South Tyrolese economy with comparatively low levels of unemployment. This rather favorable economic situation made, and still makes, sufficient resources available and prevents severe ethnic competition in economic terms, not in the least because of the still existing ethnic division of labor and the specific demographic structure of South Tyrol.

In addition, the speedy success with which the Italian government managed the major violent outbursts in the early 1960s and the continued commitment of all major political players to a settlement of the problem despite recurring violence in the late 1970s and 1980s had a positive impact on the management of the South Tyrol conflict.

Equally significant for the eventual solution was the fact that there was only one major political party among the German-speaking population in the province. The political and, to some extent, the civic dominance of the SVP and its policy of seeking a settlement in Italy made the negotiation process from the beginning more likely to succeed and eventually brought about the desired results.

## Northern Ireland: Settlement with a Future?

Despite the apparently comprehensive nature of the Good Friday Agreement reached on 10 April 1998 in Belfast, and its subsequent endorsement by overwhelming majorities in Northern Ireland and the Republic, the question remains whether it provides an effective framework for a permanent resolution of the conflict. In order to answer this question, the following issues need to be clarified: How is the 1998 agreement different from previous agreements reached on Northern Ireland? In how far are the circumstances different in 1998 and in to the future as compared to 1973, 1985, and 1993? What potential problems can arise in the course of the implementation of the agreement and in the developing political process in general, and how effectively can these problems be dealt with within the agreed institutional framework?

Starting with the first of these issues, a comparison between the Sunningdale Agreement, the Anglo-Irish Agreement, the Joint Declaration, and the Good Friday Agreement reveals that there is a core of issues dealt with by all these agreements in a similar manner.

| Content | Sunningdale Agreement | Anglo-Irish Agreement | Joint Declaration | Good Friday Agreement |
|---|---|---|---|---|
| Signatories | United Kingdom, Republic of Ireland, UP, SDLP, APNI | United Kingdom, Republic of Ireland | United Kingdom, Republic of Ireland | United Kingdom, Republic of Ireland, UUP, UDP, PUP, NIWC, L, APNI, SF, SDLP |
| Consent Principle | X | X | X | X |
| Self-determination | O | O | X | X |

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|---|---|---|---|---|
| Reform of the policing system | X | X | O | X |
| Prisoners | X | (X) | O | X |
| Bill of Rights | X | X | (X) | X |
| Abandonment of violence | X | X | X | X |
| Security co-operation | X | X | O | X |
| Cross-border co-operation | X | X | X | X |
| Recognition of both identities | O | X | X | X |
| Inter-governmental co-operation | X | X | X | X |
| Institutional role for the Republic of Ireland | X | X | X | X |
| Co-operation between Unionists and Nationalists | (X) | X | X | X |
| Inter-Island co-operation | O | (X) | X | X |
| Devolution of powers | X | X | (X) | X |

Key to abbreviations: X = present, 0 = not present, (X) = implicitly present in the respective agreement.

However, there are also a number of differences between the agreements. These relate, in the first place, to the signatories of each of the agreements. While the United Kingdom and the Republic of Ireland have signed all of them, the nature of the prior negotiation process did only on two occasions (Sunningdale and Good Friday Agreements) involve political representatives from the communities in Northern Ireland. Clearly, the participation has been far broader in the 1997/98 talks process. Even more significantly it comprised representatives of paramilitary organizations alongside the mainstream constitutional parties on both sides.

A second difference concerns the comprehensiveness and detail of the arrangements. Here, the Good Friday Agreement, as it is based on an inclusive negotiation process, proves to be the one that addresses the greatest number of issues and , for most of these issues, lays down in great detail the operational procedures for their implementation.

A third difference lies outside the substance of the agreements – it is the character of the implementation process. Only the Good Friday Agreement was proposed to the people in the Republic of Ireland and in Northern Ireland in a referendum, while all the others were

more or less implemented by government decree, thus giving the people a sense of imposition. The majority with which the Good Friday Agreement was endorsed – by the peoples north and south of the border and across the communities in Northern Ireland – is so far unprecedented in the history of the Northern Ireland conflict, partly also because of the endorsement of the agreement by the majority of political parties in both communities.

The fourth difference is that since the beginning of the final round of the negotiation process in the autumn of 1997, the major paramilitary organizations on both sides have upheld their cease-fires, thus providing a climate of relative calm and peace.

Nevertheless, there are a number of issues that could potentially endanger the successful implementation and operation of the agreement. Above all, the two communities and the political parties representing them have interpreted the Good Friday Agreement in very different fashions. The interpretations of the participating parties spanned from 'destruction of the union with Britain' (DUP, UKUP) to 'strengthening the union' (UUP, PUP) in the Protestant/Unionist community, and from 'basis for a (permanent) settlement' (SDLP) to 'transitional arrangement on the road to a united Ireland' (SF) in the Catholic/Nationalist community. The stability of the political process in Northern Ireland will essentially depend upon the ability of the now agreed arrangements to be inherently flexible enough to accommodate these diverse expectations about what the long-term political and constitutional perspectives for Northern Ireland are under the Good Friday Agreement.

Closely related to these general expectations, are the various demands regarding the contentious issues not covered explicitly in the Good Friday Agreement, but deferred to later specification, namely the early release of prisoners, policing, parades, and decommissioning. Of all these, the matter of the early release of prisoners is probably the one that can be resolved most easily, as it effects both communities in a similar way – both communities include victims and their friends and relatives who are likely to object to an early release of those who caused them suffering and harm, while there are also those in the two communities who are the friends and relatives of those imprisoned. Provided that the release of prisoners does not spark a new round of feuds and vendettas, it is likely that their release could provide some stability by exercising pressure on the paramilitary organizations

to uphold their cease-fires and might provide incentives for those paramilitary groups who have not declared cease-fires yet to do so.

The issue of policing is much more complicated as political representatives of the two communities have diametrically opposed views based on different past experiences – reaching from disbanding the Royal Ulster Constabulary (RUC) to preserving it in its present form. A commission, including representatives of both communities, both governments, and the RUC has been set up to discuss the issue and to suggest a schedule of reforms by May 1999.

Similarly, the parades issue is highly contentious between the two communities, again related to the rather different experiences historically and the notions connected to it. Clearly, the parades form an important aspect of Protestant/Unionist identity and the commitment towards a recognition of equal chances for both traditions in Northern Ireland to be expressed and developed requires respect for parades.[3] Equally, however, it requires the respect for the feelings of the Catholic/Nationalist community, many of whom feel offended by what they perceive as triumphalist and sectarian manifestation of Protestant/Unionist supremacy. Yet again, the division between the communities is not clear-cut. The Catholic/Nationalist community does not in general dispute the right of Protestants/Unionists to march and perform their rituals, but rather demand equal respect for their feelings, i.e., abstain from marching through mainly Catholic estates. The Protestant/Unionist community, on the other hand, is prepared to make certain concessions, such as not having their bands play while marching through Catholic/Nationalist residential areas, but they insist on their right to march on the 'Queen's/King's highway' and see any limitation of this right as violation of their basic civil liberties.

The most serious problem that remains, one which could lead to a permanent constitutional impasse, is the issue of decommissioning. Having lived through thirty years of troubles both the constitutional and paramilitary camps in both communities have had rather similar experiences, yet their interpretations and conclusions were, and are, fundamentally different. What complicates the issue further is the fact that it seems difficult for the hardcore

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[3] The only significant parade of a Catholic/Nationalist organisation, the Ancient Order of Hibernians, is relatively non-controversial.

in each community to understand that the security of one's own group, based on the continued ability to defend oneself with arms, is very often perceived as a threat by the respective other group. As the workability of the Good Friday Agreement depends particularly on a high degree of elite and inter-communal co-operation, the issue of decommissioning and how it is handled is of grave importance for the political future of Northern Ireland not just from a security point of view. Considering these (potential) problems, the institutional framework set up by the Good Friday Agreement needs to be examined in its capability to deal with them in a satisfactory way.

All the problems outlined above concern primarily the conflict parties in Northern Ireland, yet they will have a bearing on the operation of the all-Ireland and British-Irish institutions provided for in the Good Friday Agreement as well.

The institutions created in Northern Ireland are an elected assembly and an executive body, whose membership is determined according to the d'Hondt rule. In combination with the interest structure of the parties represented in these organs and the procedure of decision-making and implementing, this suggests that agreement on, and thus resolution of, these problems will be very difficult to reach.

Outside Northern Ireland, a British-Irish Council and a North-South Ministerial Council are provided for in the Good Friday Agreement. The British-Irish Council, in which delegates of the Republic of Ireland, Northern Ireland, England, Scotland, and Wales will be represented, will have no direct involvement in the settlement of these problems, as its mandate does not cover anything beyond common policies agreed by all participants. That will leave considerable problems for the all-Irish North/South institutions and their operation as they may be used as political lever for other political goals. It is also likely that, because of their involvement in the prisoner and security policy issue, both the British and Irish governments individually and the newly established British-Irish intergovernmental conference would be left with a great deal of tough decision-making and implementing as well as mediation between the political parties in Northern Ireland. Even though the British government has retained authority over security policy, enforcing decommissioning would neither be easy, nor can the consequences of a security crackdown on the paramilitaries be foreseen. Similarly, any decisions on policing are extremely unlikely to go down well with

either of the communities – a half-hearted middle-of-the-road approach would alienate both of them from the government, disbanding the RUC might please the Catholic/Nationalist community, while leaving things mostly as they are would be acceptable to the Protestant/Unionist community only.

In summary, the interest structure and political agendas of the parties involved in the conflict must change significantly and a spirit of co-operation and compromise must begin to dominate the political process within Northern Ireland. Without this, the conflict in Northern Ireland, with all its different aspects and dimensions and in its dependence on factors that can be influenced only to a limited degree by the political actors in Belfast, London, and Dublin, is unlikely to be resolved within and by the institutional framework set out in the Good Friday Agreement. The primary reason for this is that the Good Friday Agreement, as all other agreements reached before it, is dependent upon co-operation and compromise of two communities that have fundamentally different political aspirations and identities. This, of course, may change over time provided opportunities and incentives for such change exist. If, however, this change does not occur, the fate of the Good Friday Agreement may be the same as that of the numerous other agreements that preceded it.

## Conclusion: Determining the Factors that Influence Settlements of Cross-Border Ethnic Minority Conflicts and Their Stability

Achieving a settlement among the conflict parties is an important milestone in the process of de-escalating ethno-territorial conflicts. Yet to settle a conflict does not mean to resolve it. A settlement merely provides an institutional framework within which the parties hope to be able to accommodate their interests without using violence or having violence being used against them. The negotiation process marks a qualitatively new stage in any such conflict inasmuch as the conflict parties try to settle their differences by talking *to*, rather than by fighting *against*, each other. The beginning of the implementation process of any negotiated settlement presents a similar qualitative leap. The conflict parties must now work *with* each other to set up and operate the institutional framework they agreed upon.

The nature of the settlement will have a significant impact on all the parties involved in the conflict and on their future, and it can potentially affect other state and non-state actors

as well. Considerations about the future, therefore, will determine the negotiation strategy and objectives of each party and these will eventually be reflected in the structure of the institutional framework to be set up. On an abstract level, this is reflected in three categories, namely the stability, flexibility, and reversibility of any settlement. Stability concerns the capacity of the institutions to satisfy the demands made vis-à-vis them. Flexibility means the ability to accommodate new interests. Reversibility refers to whether or not, and how easily, it is possible to annul the negotiated settlement.

The three cases examined here have enabled me not only to establish which factors influence the design of an institutional framework adopted to settle a particular ethno-territorial cross-border conflict, but also to develop a paradigm that can be applied to any ethno-territorial cross-border conflict in order to determine which criteria need to be fulfilled for a specific settlement to be stable. The cases have illustrated that it is only certain solutions that provide a stable yet sufficiently flexible environment in which a political process free of disruptive ethnic conflict can be conducted. In order to understand why this is the case, it is necessary to analyze the 'success conditions' of each of the solution models examined. This is important in two ways. First, it is very unlikely that a satisfactory solution for an ethno-territorial cross-border conflict will be found by simply copying an institutional arrangement from a resolved conflict to an unsettled one, as no two conflicts are likely to be the same. By providing criteria for stability, it is possible to choose the closest model available for a conflict with similar conditions and then modify the institutional arrangements to fit the exact conditions, or to create conditions that fit the solution model, or, more likely, to combine both methods. Second, being aware of these criteria will make it possible to anticipate, and wherever possible prevent, the re-escalation of an already settled conflict. Close monitoring of these stability criteria and an institutional framework flexible enough to respond to changes are the two essential conditions in this context.

The stability criteria of conflict settlements can be divided into six sections. On a very general level, it is necessary to establish how the issue of sovereignty has been addressed, whether an internal, external, or permanently bilateral settlement has been negotiated, and in how far, and how easily, it is reversible. The historical context of the settlement will provide insights into how the conflict has been dealt with in the past and

whether the new settlement can build on traditions of compromise between the conflict parties or not. Two significant areas in which the future success or failure of the settlement will be determined to a considerable degree are the inter-ethnic and intra-ethnic situations in the disputed area. The policies of the host and kin-states towards the ethnic groups involved in the settlement process and towards each other are of equal importance and need to be added to the equation. It will be possible to determine under which conditions an institutional framework is likely to be stable by relating these criteria to the three possible settlements of ethno-territorial conflict cross-border conflict examined here – assimilation as in the case of Alsace, consociation as in South Tyrol, and consociation with permanent institutional involvement of the aggrieved group's kin-state as in Northern Ireland.

In different ways and depending on the kind of settlement, the stability of each settlement affects both host and kin-state as well as the ethnic groups involved in the conflict and is closely related to the flexibility and reversibility of any solution adopted. The different ways in which this influence is exercised relate to the degree to which the ethnic groups will be able to determine their own future, to the ability of political actors to instrumentalise the conflict in party/group/state internal and external power struggles, and to the political stability of the two states and their governments, and potentially to that of neighboring states or an entire region. The ability of any of the parties to compromise, or their need to have certain key demands fulfilled, will depend on how much control each of them will retain over their own affairs and over their ability to pursue independent policies in relation to core issues of the conflict. The stability of a settlement does not only depend on the sincerity of each involved party to make the settlement work, but also on its structure, that is, whether it is internal, external, or bilateral, and on whether it seeks to manage or eliminate differences. In turn, 'post-conflict' policies will also depend on the nature and structure of the settlement and in how far it reflects the original objectives of each actor involved.

It is not possible to determine the ultimate model for the solution of ethno-territorial cross-border conflicts based solely on the stability of the analyzed settlements. Ultimately, it is not whether a settlement is internal, external, or bilateral, whether it seeks to eliminate or to manage differences, or whether it is easily reversible or not. What is of the most critical importance is that the particular institutional design of the adopted solution fits the needs of

the conflict parties. Only if their interests and needs can be accommodated to a sufficiently high degree is it possible to generate the commitment among them to implement and sustain a negotiated settlement. Yet, as I have demonstrated, the ability to continuously accommodate these interests and needs depends on the degree of stability and flexibility of the settlement and on the extent to which it is reversible. The criteria that need to be fulfilled to ensure the overall success of any of the three distinct settlements analyzed here have been summarized in the following table (see Table 1).

Table1: General Overview of Stability Criteria

| Conditions in the Disputed Territory | Conditions in the Host-State | Conditions in the Kin-State | International Context |
|---|---|---|---|
| • Inter-ethnic situation<br>  o Historical development<br>  o Level and nature of conflict remaining<br>  o Number of problem issues<br>  o Degree of cooperation between elites<br>  o Degree of cooperation between ethnic groups<br>  o Political consensus between groups and elites<br>  o Joint interests<br>  o Cleavages<br>• Intra-ethnic situation<br>  o Historical development<br>  o Level of political consensus over ultimate goal<br>  o Competition between political parties<br>• Social and political structure<br>  o Ethnic homogeneity of the territory<br>  o Ethnic segmentation<br>  o Numerical balance between groups<br>  o Power balance between groups | • Historical development<br>• Policies<br>  o External<br>  o Internal | • Historical development<br>• Policies<br>  o External<br>  o Internal | • Geopolitical significance of the territory<br>• International integration of each state<br>• Regional interest structures and alliances<br>• Pressures exercised upon the conflict parties |