



From Outrage to Apathy? The Disputes over Parades, 1995-2003

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On 7 July 1996, when the police stopped members of the Orange Order from Portadown from marching down the Garvaghy Road on their return route from Drumcree Church, the decision led to widespread protests within the wider Protestant community. Thousands of people gathered at Drumcree, while others organised protests in towns and villages across Northern Ireland. Within a few hours there was rioting and disorder across the north. The violence continued for four days until the police felt under such pressure that, with the threat of even more extensive protests developing on the Twelfth of July, the Chief Constable reversed his decision and allowed the parade to take place (Bryan 2000; Garvaghy Residents 1999). This decision provoked anger among the residents of the Garvaghy Road area and led to three days of rioting in nationalist areas of Northern Ireland. During this period there was an incredible sense of confusion, fear and uncertainty and the press was full of headlines expressing a feeling that 'Ulster is on the brink of an abyss'. The sense of crisis was reduced after the Twelfth had passed, but Drumcree remained an unresolved dispute and one that continued to raise tension each summer as July approached.

On 6 July 2003 the Orange Order was again restricted from completing the route of the Drumcree Church parade and was banned from marching down the Garvaghy Road. A couple of hundred people gathered at Drumcree to watch members of Portadown District march down to the security barrier and hand a letter of protest to a senior police officer. After a few short speeches the crowds began to disperse. Within an hour of the Orangemen leaving Drumcree Church the area was deserted. There were no widespread protests, no violence and no sense of any crisis. This paper analyses the reasons for the different responses to the restrictions on the Drumcree Church parade in 1996 and 2003, it reviews the changing contexts around the disputes over parades and discusses the changing regime for managing the disputes.

The paper is based upon primary research by the author, carried out over the period from 1995 to date. During this time the author has been involved with this issue in a variety of ways, as a field researcher and as a parades monitor, as an advisor to the Secretary of State for Northern Ireland and to the Parades Commission, as contributor to both the Independent Review of Parades and the Quigley Review of the Parades Commission and in the development of training programmes and policy responses. Some of this work has been written up in an academic format and some as research reports; where this is the case these works are formally referenced. The paper also draws upon discussions with participants in the disputes, mediators, human rights groups, police officers and policy makers that have taken place over a period of several years and which have not been formally documented.

The paper begins by providing a brief review of the importance of parades in Northern Irish popular culture and the role of symbolic displays and ritual events in defining and mapping the competing ethnic identities as Protestant, unionist and British or Roman Catholic, nationalist and Irish. It is worth saying something briefly about the role of such events in defining ethnic identity and feeding inter-ethnic tensions. It has in fact become something of a truism to state that collective national and ethnic identities are socially constructed phenomenon and as such they are also always historically contextualised and thus remain relatively fragile and transitory, rather than permanent and essentialised categories of being (Anderson 1983; Eriksen 2002; Smyth 1986). Ethnic identity claims a sense of permanence and of unchangingness that can be traced to the deep roots of local history and tradition, and it draws upon longstanding cultural practices such as ritual

events, language, mythology, symbolism and music as evidence of its essence and substance. Ritual events and symbolic displays are thus often key elements in the construction and maintenance of collective identity (Connerton 1989; Kertzer 1988). Ritual events are opportunities to bring people together in celebration or commemoration of significant acts or events, they provide occasion for the display of obscure symbols, they offer a safe and legitimised outlet for emotional outbursts and they help to reaffirm a sense of collective destiny and purpose. The nature of such events, often perpetrated through arcane language, visual displays and bodily exertions allows for the widest possible participation because such ritual events and symbolic displays are always open to multiple meanings and interpretations (Barthes 1977; Cohen 1989). Closure and control of meaning may be attempted but is never complete, this in turn allows rituals and symbols to retain their power despite radical changes in social context. Such events and occasions that are used to define a collective identity also work because they serve to define the boundaries of such identity. Rituals of belonging and inclusion are also always rituals of exclusion. The definition of 'we' is always predicated on the presence of a 'not-we', and while this serves to reinforce solidarity it can also create social tension and hostility, particularly if ethnic identities are reinforced by differential access to power or relations to state authorities. In such situations ritual events can become the focus for processes of demonisation of the Other and thereby can serve to fuel ethnic tensions (Kapferer 1988; Tambiah 1996). If ritual events can readily become the source of ethnic tension, however, then so too can opposition to such events. In fact a threat or challenge to a ritual tradition may well be considered as a threat to the survival of the collective identity itself. Ritual events are often thus pivotal in the dramatisation and enactment of ethnic relations, of relations between ethnic communities and the state and in the eruption of ethnic violence (Brass 1996; Horowitz 2002; Varshney 2002). I offer these general observations as an indication of why parades have been so important in Irish history and why the current disputes have generated such intensity of passions.

The Marching Season

Parading has been the principal public ritual used to mark collective identity in the north of Ireland since the late eighteenth century. Parades are held by both main communities to mark significant anniversaries (Jarman 1997). The main anniversaries for the Protestant unionist community are the Battle of the Boyne of 1690, commemorated each July, the raising of the Siege of Derry in 1689, commemorated each August and the Battle of the Somme in 1916 marked by numerous parades each July. Catholics, nationalists and republicans in turn commemorate St Patrick's Day each March, the Easter Rising of 1916, which led to the formation of the Irish state, and more recent events such as Bloody Sunday and Internment in 1972, and the Hunger Strikes of 1981. Parades are also held to mark lesser local anniversaries, as a prelude to church services and they also function as social occasions when loyalist marching bands parade around towns and villages throughout the summer months. There are over three thousand parades each year with most parades held between June and August, a time known locally as the 'Marching Season'. About ninety percent of parades are organised from within the Protestant community (Jarman and Bryan 1996). Parades are rituals of both celebration and commemoration: they are regarded as a celebration of culture, a demonstration of faith and a commemoration of past sacrifices. They are also displays of collective strength, communal unity and of political power. Parades are also events that focus on the divided culture, history and traditions of the two main communities and as such they are events that have underpinned, consolidated and extended the processes of polarisation, segregation and division. While parades are important and popular events for many sections of the communities, many people also dislike the parades and the associated displays and celebrations. They regard the celebrations as offensive and triumphalist and the displays are often felt to be deliberately antagonistic. Most hostility is generated towards parades by the Protestant marching orders such as the Orange Order and the Apprentice Boys of Derry. Historically the state facilitated and encouraged Orange



parades whilst constraining Green (i.e. Irish Nationalist) parades in the years after Northern Ireland was created in 1921 (Jarman and Bryan 2000a). Parades by the Protestant loyal orders were established as virtual rituals of state and supported by government ministers, lesser politicians and establishment figures, in contrast public events organised by nationalists were suppressed by the police. Orange parades dominated public space, while Green events were constrained to nationalist dominated areas.

Disputes over parades have been one of the most prominent, problematic and persistent of the conflicts in the post-ceasefire period, but this is not a unique situation. Historically there have been numerous occasions when there has been violence and protests over parades in the history of the north of Ireland (Farrell 2001). This has particularly been the case when the use of parades as a means of defining collective identity and displaying collective political strength has coincided with periods of political or constitutional tension and change. These periods include the era of the United Irishmen in the late 18th century, during O'Connell's Reform campaigns in the 1820s and 1830s, throughout the campaign for Home Rule in the late 19th and early 20th centuries and during the campaign for civil rights in the 1960s. In each of these times parades were a source of local tension and recurrent violence and were a persistent problem for the authorities (Farrell 2001; Jarman 1997). The current disputes over parades are thus both a product of the contemporary context and tensions related to the peace process and also an illustration of how the failure to address the root causes of social conflict, in this case the unequal power relations between the unionist and the nationalist communities and the State, has ensured that such tensions continue to re-emerge at times of political uncertainty.

The Current Disputes

The current cycle of disputes can be dated to the period immediately after the declaration of the paramilitary cease-fires in late 1994. In the spring of 1995 groups emerged from within the nationalist community in many towns, villages and estates to protest against Orange parades marching through their areas. They argued that in the spirit of peace and in the interests of improving community relations parades should avoid areas where they are not welcome and should use alternative routes to and from their destinations. The loyal orders argued in turn that they have a right to march on the 'Queen's Highway' and they believed that the objections were a politically motivated attempt to undermine Orange culture (Lucy 1996; Montgomery and Whitten 1995). They claimed that the parades were not intended to cause offence and were relatively un-intrusive events and in the interests of tolerance and respect for cultural difference they should be allowed to pass in their time-honoured fashion. There was no common ground between the two positions, which alternatively view parades as legitimate expression of culture or as triumphal expressions of domination. The symbolic power of the parades is such that both communities have taken a hard line on the issue. When the disputes first emerged there was little readiness to seek compromise, to see the other's point of view or to seriously attempt to reach any 'local accommodation', which was the British Government's preferred solution.

Members of the loyal orders were resistant to engage with many of the residents' groups because they felt they were not raising genuine objections, but rather were part of a wider strategy within the republican movement to challenge and undermine Protestant or Orange culture. They believed that the protests against parades were thus simply a continuation of the republican campaign towards a united Ireland, if perhaps involving a shift from a strategy of the 'ballot box and the armalite' to one of 'ballot box and street protest'. This belief was supported by the presence of many republicans within the groups objecting to parades. While there was undoubted support for the protests among republicans, the objections to parades were more widespread within the Catholic and

nationalist population and they had in fact predated the ceasefires. Protests against the parade on the Garvaghy Road had been organised on an annual basis since 1986 by the Drumcree Faith and Justice Group (Bryan, Fraser and Dunn 1995), while protests against parades on the Ormeau Road began in 1992. Although 1995 clearly marked an escalation of public protests there is also evidence that the protests tapped an extensive vein of latent opposition. A survey of public attitudes to parades, carried out in 1996, indicated that 84% of Catholics and 47% of Protestants believed that the number of parades should be reduced and that 96% of Catholics and 61% of Protestants believed that parade organisers should take account of changes in the religious mix of an area when organising parades (Independent Review of Parades and Marches 1997b). These results indicate that even within the Protestant community there was considerable ambivalence if not hostility towards parades.

A lack of willingness by members of the loyal order to meet with those residents' groups meant that there was little opportunity for effective dialogue and as more residents' groups were formed there was a rapid escalation in the number of disputes through the 1995 and 1996 marching seasons. Drumcree was the most controversial of the events but many smaller protests and parades led to outbreaks of serious rioting and widespread public disorder. The intensity of protest, counter protest and violence peaked in 1996 and 1997, but the disputes remained and new disputes over routes and over the nature of the content and symbolic displays at parades continued to emerge. The disputes over parades and parade routes no longer threaten chaos and disorder each summer, but this change has not happened quickly nor occurred by chance, rather this has been the result of a number of factors relating both to changes in the way that the disputes and general threats to public order are now managed and also to changes in the wider political context. The remainder of this paper reviews some of these changes and analyses how they have contributed to the current situation. What I aim to draw out in this paper is that no single act or area of activity is responsible for the transition from the extreme violence of Drumcree II in 1996 to the virtual non-event of Drumcree IX in 2003. Instead I aim to sketch out some of the most significant activities that have contributed to the transition. This involves a review of diverse activities involving government policy, legislative changes, the creation of the Parades Commission, policing practices and the changing wider political context.

Policy Responses

Initially the parade disputes were treated as a public order problem and as such it was left to the police to attempt to broker an agreement between those wishing to march and those protesting. When these attempts failed, as they almost invariably did, in spite of a variety of attempts to bring about some form of mediated compromise (Kelly 1998), the police had the responsibility to decide, using public order legislation, whether a parade should go ahead or should be re-routed. This process proved to be increasingly problematic for a number of factors. One was that the disputes were clearly linked to the wider peace process and the willingness of any party to engage in discussions was related to the state of high-level political negotiations. At this stage unionist politicians were not prepared to talk face to face with republican politicians and local actors were unwilling to break ranks with the political elite. The police were thus seen to be ruling on what was increasingly a significant political dispute. Another factor was that the police were themselves seen to be part of the problem, particularly by nationalists who were demanding root and branch reform of the RUC as part of any political settlement. Furthermore, experiences on the ground, particularly when the police revoked their original decision on Drumcree in 1996 and then used plastic baton rounds extensively and freely against nationalists in Derry (when protests against the Drumcree decision degenerated into widespread rioting), bolstered a belief that the police were not acting from a neutral position (CAJ 1996; Human Rights Watch 1997). Finally the disputes were increasingly being framed in terms of a discourse of human rights, this included



determining the limits on the right to march and balancing the needs, demands and assertions of competing rights. In such a situation it was evident that the police were neither a competent nor the appropriate body to adjudicate on such matters (Jarman et al 1998; Hamilton et al 2001).

As a result it increasingly became the case that the decisions were ever more frequently dependent on who could mobilise the bigger crowd and thus the greater threat of violence and disorder. In July 1996 the violence associated with the Drumcree Church parade was some of the worst since the early days of the Troubles and threatened to completely undermine the rule of law. With further extensive violence likely to be provoked by the Apprentice Boys' Siege of Derry Parade in August, however the police dealt with the event, the government intervened. The Secretary of State, Sir Patrick Mayhew, invoked his powers under the 1987 Public Order (Northern Ireland) Order to ban the parade (the only time this has been done in the current cycle of disputes) and he also established an independent review of the management of disputes over parades.

The report of the Independent Review of Parades and Marches (1997a) recommended that the responsibility for deciding between the competing demands of marchers and protesters should be taken from the police and given to an independent Parades Commission. The Commission would encourage the search for local agreements but would also have the power to rule on whether a parade should take place or be re-routed, although the power to ban a parade remained with the Secretary of State. The Commission was set up in 1997, with the authority to issue determinations established the following year under the Public Processions (Northern Ireland) Act 1998 (Jarman 1999).

There was a range of responses to the creation of the Parades Commission. The nationalist community was broadly supportive, whereas unionists were generally suspicious and hostile towards it. Nationalists saw the Commission as a more neutral body than the police and therefore more likely to be sympathetic to their arguments whereas unionists saw the Commission as being designed to put a legal gloss on the desire to stop parades. Nationalists were willing to meet with the Commission and to engage with the process, whereas unionists were resistant to any form of engagement. The Orange Order in particular took a hard line towards the Parades Commission and has continued to refuse to recognise or formally engage with the body at any level. This approach has tended to reinforce perceptions that the Commission was an anti-parading body, as the inability to engage constructively with the Orange Order has limited the opportunity to develop compromise solutions or to facilitate mediation.

Despite the lack of dialogue and the difficulty in developing any mutually agreed compromises the Commission has been able to impose something approaching an acceptable and balanced determination in many of the disputed locations. In some cases this has involved imposing a settlement on the route of a parade, allowing a restricted route through a town or village and thus allowing the event to take place whilst reducing the opportunity for provocation and causing offence. In other locations the refusal by members of loyal order to engage with the local residents has meant that no parades have been permitted, but this situation has in turn created a new form of equilibrium, in which residents know that parades will not be permitted and marchers are limited to a ritualised protest.¹

¹ Bellaghy village, in rural Co. Derry/Londonderry, is a good example of a restricted route being imposed, Dunloy village in rural Co. Antrim is an example of a location where parades have not been permitted because of the local Orange Order's refusal to engage with local residents.

Over time the formal non-recognition of the Parades Commission by the Orange Order has been balanced by a growing range of informal, local contacts, which in turn have led to some localised agreements. In part these have been possible because the Orange Order, while nominally hierarchical and led by the Grand Lodge, is in practice a diverse organisation with a tradition of local autonomy. Furthermore the organisation contains members with a wide variety of political and religious beliefs, some hard line, some more open to engagement. Such local compromises have also been possible because the Parades Commission itself has developed an effective system of field workers, known as Authorised Officers (AOs), who have built up considerable local knowledge and contacts over recent years (Bryan and Jarman 1999). The twelve AOs work in pairs and each team has responsibility for a number of locations. They were initially responsible for gathering local knowledge, surveying local opinion and facilitating contacts with the Commission itself, but over time they have developed a more proactive role, which has included responding to disputes on the ground at parades.

The AOs have increasingly become the public face of the Commission and have been important in facilitating local solutions to the disputes. In some cases local members of the Orange Order were early on willing to engage with the Parades Commission because they saw this as the only way of ensuring that they would be able to continue to parade through the village.² More recently the informal contacts have led to some sort of solution to the disputes on the Ormeau Road in Belfast, by enabling the Orangemen to create a new route, which covers part of their 'traditional' route but avoids passing along the contentious section of the lower Ormeau Road while still reaching their destination in the city centre. Thus while the disputes remain a persistent problem, the work of the Parades Commission over the past six years has made a significant impact on reducing the likelihood for violence. In many cases some form of local accommodation has been imposed and accepted by the main parties. At best this local accommodation provides the space for further discussion to create more effective local dialogue, at worst it has simply helped to reduce the tensions of the cyclical patterns of the marching seasons.

Taking Responsibility

Part of the process of imposing a new sense of order on parades and parading organisations has been encouraging an understanding that exercising rights includes recognising social responsibility. This includes addressing the general behaviour and culture of the events. While some oppose parades per se, for many the main problem is the disruption they cause, the paramilitary displays and the unruly behaviour associated with the events. Orange parades may not be the carnival that some people have claimed, but they are ritual occasions and are often carnivalesque events (Bryan 2000; Jarman 1997). In other words they are occasions when the normal rules of public behaviour can be broken with some degree of license. However carnival is an occasion that occurs on one or two days of the year, not one that lasts through the summer. Carnival is also traditionally a festival that symbolically undermines class divisions and social pretensions rather than fostering ethnic hostility. One prominent feature of the debate over parades has been to try to address the issues of behaviour and to encourage the organisers of events to recognise their responsibility for the events that unfold. On one notorious occasion, in April 1996, the organiser of an Apprentice Boys parade led his members down to the police barrier at the Ormeau Bridge to protest at the re-routing without having a strategy for moving them on. As the crowd grew, alcohol consumption increased and tensions rose. But when people sought out the organiser they found that he had gone home for his tea.

² The village of Newtownbutler, near the border with the Republic of Ireland in rural Co. Fermanagh, is one example of a locality where the local Orange Order engaged with the Parades Commission.



Over recent years event organisers have been told that they cannot simply blame all trouble that occurs on the supporters who follow the parades, without recognising that those people are on the streets because the parade is taking place. At many parades an informal system of stewarding crowds has been developed by people close to paramilitaries. The priority has been to control the 'blue-bag brigade', (as the youths who are attracted to events are disparagingly called), but at many events the stewarding was too ad hoc and unpredictable. Organisers have thus been expected to provide trained stewards or marshals to control the behaviour of marchers and to help restrain the followers. In 1998 the Parades Commission funded a steward-training programme for members of the Apprentice Boys of Derry (Bryan and Jarman 1999). Following this, the Patten Report recommended that trained stewards should be required for all parades (Patten Report 1999) and since 2000 a training programme has been available for all marching organisations. The stewards do not have responsibility for dealing with protests against parades but they are expected to ensure that any restrictions imposed on the playing of music or carrying paramilitary flags and emblems are adhered to, and they often provide a line of communication between the police and those on parade. In Derry, where the scheme has been most fully developed, it is regarded as a major success and it has been used to build a more constructive relationship between the police and the marchers (Jarman and Bryan 2000b). While the stewards would struggle to control a violent situation, their responsibility is to try to ensure that behaviour is managed so that serious trouble can be avoided.

Policing

The police were initially very cautious about the new system for managing disputes over parades. They were concerned that the new system, which required the Parades Commission to announce its decision five days in advance, would enable people to plan strategies and organise more effectively, and this could lead to more disorder and disruption. They were also concerned that the creation of the Parades Commission could force them to police some controversial decisions and would reduce their power to act as they wished in certain situations. Others, including nationalists and members of the human rights community, were cautious that the police would still have too much influence on events and concerns were expressed that the Chief Constable had the power to overrule a determination issued by the Parades Commission if he invoked fears for public order. In practice none of these fears have materialised. The police soon realised that having the Parades Commission make controversial decisions meant that the police were thus one stage removed from the situation, they merely implemented the determination, they were not responsible for it. Furthermore there has never been a case where the police have publicly questioned a determination from the Commission nor sought to override it by invoking the threat of serious public disorder. Thus the advance notice of decisions did not lead to an increase in crowds on the streets, but rather the reverse.

Two main factors have influenced the reduction of public protests against parades. First, once people realised that a determination would not be changed on the day through the threat of force, there was no longer any compelling reason to mobilise large crowds to try to influence decisions. Instead organisers of parades and protests sought to change decisions through judicial review or, as that proved increasingly unsuccessful, by appealing to the Parades Commission for them to review their own decisions in the light of new evidence, which has proved fruitful on occasion. Second, as the organisers of the protests came to accept that the police would implement a determination whether they organised a public protest or not, there was less impetus to appear on the streets and to mobilise bodies in support. People gradually began to trust that the police would follow the rulings of the Parades Commission and not try to push a parade through a contested route even if there were no protesters. Thus protests only tend to be mobilised where the

Commission have not re-routed a parade. Even in such cases, for example around the Ardoyne Shops in North Belfast and on the Springfield Road in West Belfast, there have been attempts to agree the scale and form of the protests to ensure that while the parade is able to take place, the protesters are also able to make their objections in a visible and audible manner.

There has thus been a greater willingness to rely on debate and dialogue to determine if and how a parade should take place, and what form the protest should take, rather than attempting to mobilise the threat of force to make the police act against the other side. Over the same period the police have also reviewed their approach to the use of force when dealing with public disorder generally. From 1996 onwards local (and later international) human rights groups sent people to disputed parades to monitor the policing of such events and there was considerable criticism of the scale of force used by the police in responding to public disorder in both 1996 and 1997 (CAJ 1996, 1997; Pat Finucane Centre 1996, Peace Watch Ireland 1997; IPEC 2003). In subsequent years the use of plastic baton rounds was more restrained and the police began to make more effort to engage with a wider range of individuals and organisations in relation to managing disorder. This involved allowing community activists and people with a paramilitary background some license to help manage potentially unruly crowds and thus delaying the deployment of police in some situations. This approach has developed more widely over recent years, in part due to increased recognition among senior officers that this was a beneficial approach and in part following the recommendations of the Patten Report which emphasised the need for recognition of a wider concept of policing that involves actors beyond the police themselves.

Other Actors

The recognition that there is no single blueprint for responding to the threat of disorder related to parades has meant that diverse actors have become involved in different locations. The Parades Commission has responsibility for reviewing all contentious events, the organisers have responsibility for controlling their events and the police have ultimate responsibility for managing public order, but in some areas other actors have been more influential in responding to the problems and finding solutions. The most visible evidence of this situation has been in Derry, where after extensive rioting and damage to property in the commercial centre in 1996 and 1997 initiatives were taken by local politicians and the business community to ensure that the situation was not repeated. Inclusive discussions were held to reach an agreement that would enable the Apprentice Boys parades to take place, while reducing the impact on both the majority nationalist population and the local business community. This has meant changes to the route of the parade, restriction on alcohol and the use of transparent barriers to separate marchers from protesters, and in the case of the December parade the date on the event has been changed to reduce the impact on Christmas shopping.

This broadly win-win solution was possible in part because all parties have a strong sense of loyalty to and pride in the city, but the involvement of the business community was also a significant factor. Such engagement by the business community has not been developed in other areas. However, in Newry, the local council has been a key actor in trying to reduce opposition to loyal order parades and encourage a greater recognition that the minority Protestant community should not be excluded from the heart of the city and further undermine their sense of belonging. An important feature in both of these cases has been that the majority community is Catholic and local structures of authority have been keen to build a more inclusive identity for the city. This factor has not been so important in areas with a majority Protestant population or in Belfast where the size of the city and the fact that most of the contentious parades do not impact upon commercial life has restrained any impetus for more inclusive responses to disorder and violence.



This is not to say that local actors have ignored the issue in Belfast. Following the violence in north and west Belfast in 1996, Billy Hutchinson and other members of the Progressive Unionist Party (PUP) argued against people rioting and destroying their own areas in response to events at Drumcree and since that time the PUP and the Ulster Volunteer Force (with which they are aligned) have been prominent in trying to prevent local disorder. Similarly in nationalist areas, republicans have been involved in stewarding crowds at many of the protests and have acted to prevent rioting. The Ulster Defence Association (UDA) has historically been more equivocal in their responses and has often been accused of fomenting disorder, but they too became more active in trying to ensure areas in Belfast remained peaceful. During the summer of 2003, the Ulster Political Research Group, the political wing of the UDA, co-ordinated activists under the umbrella of the Protestant Interface Network to work in contentious interface areas.

The paramilitary organisations, and those with links to them, have been able to play a positive role in dealing with street violence. They have not always, however, chosen to do so. At times paramilitaries have been involved in creating street disorder and at other times they have taken a hands-off approach and simply allowed things to develop. These different responses have in part been linked to dynamics within and between the different organisations and may be affected by such matters as internal feuds and rivalry over territory. They may also be linked to the dynamics of the peace process and political developments, for example many areas were quiet in 1998 after the Agreement was reached and similarly the quiet summer of 2003 has been linked to positioning in advance of elections. Finally they may be linked to local dynamics that override consideration of the bigger picture, for example the need to appear resilient to local supporters or where extremely localised issues erupt uncontrollably. Each of these factors ensures that the role of the paramilitary organisations and their affiliates has been something of a wild card in these situations. At times they have been effective actors in controlling the violence, at others they have been less positively engaged in maintaining peace. However, one should also be cautious in placing too much emphasis on the role of the paramilitaries. The disputes over parades continue to be diverse and varied events that have attracted the attention of numerous parties. As this paper has tried to illustrate no single organisation has been able to either provoke violence or prevent violence, but rather a complex patchwork of actors have developed a complex range of initiatives to address what is a social, political and cultural problem.

Return to Drumcree

The proceeding sections of the paper illustrate something of the diversity of initiatives that have been developed in response to the parades disputes. Some have had a significant impact, others have been less successful. Some have been effective in one area, but not in others. The attempts to diffuse the tensions over parades have drawn upon a variety of conflict resolution approaches. Until relatively recently responding to conflicts primarily focused on negotiations and bargaining between political elites (sometimes referred to as Track I approaches). In more recent years these official, public, negotiations have often been supplemented by unofficial, informal and exploratory diplomacy that operates outside of official channels, often facilitated by trusted third parties such as international NGOs, the churches and academics (often referred to as Track II approaches) (Miall et al 1999; see Arthur, 1999, for a discussion of Track I & II in the Northern Ireland peace process). However the increasing diversity and scale of forms of conflict and the rapid growth of disputes internal to state boundaries has required a more diverse and varied range of approaches (Kalder 2001; Shawcross 2000; Varshney 2002).

This growing diversity of conflicts has in turn led to greater involvement of grassroots actors in what have become known as 'Track III' type initiatives. While the process of reaching the Agreement was a classic example of a Track I initiative involving the local and international political elite, the parallel issue of dealing with the parades, which many felt had the capacity on many occasions to disrupt the peace process, has required a varied combination of responses including the involvement of the British government, local religious leaders, local and international mediators, reform of the police and legislative change. Ultimately the response has been a melange of responses, but which have necessarily been developed 'on the hoof', and which serve to illustrate something of the complexity and flexibility that are required in managing conflict (Galtung et al 2000; Miall et al 1999). Collectively these different approaches have been important in helping to reach local compromises, reduce tensions and prevent outbreaks of widespread violence on the scale of 1996. As a result of the various efforts many of the disputes over parades have been effectively resolved. However, I would emphasise the use of the word 'effectively'. Few if any of the disputes have been resolved to the satisfaction of all parties, and tensions rise in most locations during the summer as the time for local parades approaches. But this also illustrates something of the processual nature of conflict resolution work; even relatively localised disputes frequently require constant attention or recurrent intervention.

In the majority of areas local people now know what will be permitted and what will not. In many areas some form of compromise has been reached, or imposed, which has ensured that each side has been given something. This may be a restricted route, a reduced number of parades, or constraints on behaviour, but it also means that both sides have been able to salvage something. As a result, much of the anger within the wider unionist community has been dissipated. The opposition to parades has not resulted in wholesale restrictions on public expressions of Orange culture, but it has demanded some tacit acknowledgement that if parades have their place, this place is limited by local context and local sensitivities. This is the case in most but not all areas. The Drumcree dispute has not been resolved by agreed or imposed compromise. The local lodges in Portadown have not engaged with the Parades Commission or local residents, the police have not taken a softer stance towards those who want to protest against the ban on marching the Garvaghy Road. Other actors, whether church leaders, mediators, international figures such as South African mediator, Brian Currin, or senior politicians, such as Tony Blair have been unable to broker a compromise that will satisfy both sides. And yet Drumcree in 2003 had the appearance of a dispute that had lost its capacity to raise tensions and threaten disorder in the way it was able to a few years earlier. We have to look to other factors to explain the 'non-event' of Drumcree IX.

One factor is that the disputes are ultimately local disputes. Drumcree had the ability to mobilise support in 1995 and 1996, because of the symbolic significance of Portadown as the 'Orange Citadel' and because the challenge to Drumcree could be presented as a challenge to all Orangemen. However, because many other disputes had been effectively resolved at local level, there is greater expectation that Drumcree should be able to be resolved at a local level. Other lodges and districts have moved on, they have sought local agreements, at least informally, and have been relatively successful in securing parades even if over reduced or changed routes. There has also been a decline in support because the Drumcree protests became more closely identified with the more extreme elements within the broader Orange community (Bryan 2001). The Orange Order has always been a broad church, and has been the only body within the Northern Irish Protestant community that has been able to unite and mobilise the diverse religious, social and political factions, even if this was only done as part of an annual commemoration. The response to David Trimble and Ian Paisley as they led the return parade through Portadown in 1995 was genuinely popular celebrations, but as the protests became more closely aligned with hard line factions and with sections of the



paramilitary constituency, active support wavered. The killing of three young boys in a petrol bomb attack by loyalists on their home, in Ballymoney in July 1998, was without doubt a key moment for the parades issue. The event divided the supporters of the 'right to march', inside and outside the Orange Order, into those who thought that the protests had gone too far and those who thought that the protests had to be maintained, whatever the fallout. The summer of 1998 may well prove to have been the decisive year, when Orangeism split into those who sought accommodation of some sort, and those who maintained the hard line. This division was further enhanced as unionists split into opposing pro and anti-Agreement camps at this time. The anti-Agreement camp soon identified Drumcree as a key symbol of the fears and a bridge too far. But the all too visible presence of paramilitary actors at Drumcree only served to widen the gulf between the two unionist camps.

Two other factors are worth mentioning at this stage. In 2002 the police decided to take a harder line in responding to people involved in public disorder during protests at Drumcree. Video evidence was gathered of members of the Orange Order involved in acts of violence and charges were brought against them. This shocked many people within the community. Not only because serious charges were being brought against respectable figures, but also because the Order could no longer blame the violence on 'outside influences' or rogue elements. Finally there is also perhaps a sense in which the Drumcree dispute has run its course, that Orange Order has been defeated over their demand to walk the Garvaghy Road and that playing the 'Orange card' no longer has the power it once had. The unionist community has become increasingly divided, over strategies and tactics for the peace process, over responding to change, and over if and how to engage with the republican movement. This division occurred at the very time that the unionist community needed to be most united if it was to resolve the Drumcree dispute to its benefit.

Without new thinking or a new strategy within the hierarchy of the Orange Order it is clear that nothing will change. Fewer people will turn up in support, fewer police will be deployed and fewer column inches will be spent on Drumcree. The first indication that there was some recognition of the new reality came in late June 2003 when the Portadown Orangemen began to talk of finding a compromise, which would enable them to end the protest that has continued since they were prevented from completing their favoured route from Drumcree Church in July 1998. In 2003 this was a case of too little too late, and the parade was once again rerouted. But it does hold out the possibility that some form of compromise could be agreed before Drumcree 2004.

Parades and the Peace Process

Bringing an end to violent conflicts and transforming countries wracked by ethnic conflict into a peaceful society is a long and slow process that involves working at multiple levels and requires the involvement of multiple actors. In many cases peace processes involve ebb and flow between the presence and threat of varying forms of violence as actors draw upon different resources to lend weight to their demands (Miall et al 1999). As I noted at the beginning, symbolic and ritual events can take on a hitherto unexpected significance, particularly when they become challenged or threatened by an ethnic rival (Horowitz 2002). This threat may in turn be considered still more significant in the context of a peace process. Unionists have accused the republican movement of encouraging the disputes over parades as part of their wider negotiating strategy, while unionists from the anti-Agreement camp have taken the issue of parades as an opportunity to rally support for their cause. Peace processes are uncertain times and the liminal status of society and many social institutions during a transitional period means that there is no certainty of the direction that will be taken or that society will not be drawn back into violent conflict. In such situations 'spoilers', actors who may try to

provoke a disruptive response, can have greater potential to impact on the proceedings. In the case of the parades disputes both sides have accused the other of using the issue to raise tensions and undermine political negotiations. But although the parade disputes have, on a number of occasions, threatened to destroy the peace process, this has ultimately been prevented.

The disputes over parades and parade routes have been an integral feature of the Northern Ireland peace process. But the disputes have been closely connected with that process rather than being determined by it or determining of it. The two have run in parallel, occasionally intersecting, at other times progressing under their own dynamics. The peace process in Northern Ireland has involved a Track I process that led to the Agreement, while Track II and III processes have been largely responsible for managing the lower level tensions. The problem has been that the different processes have run in parallel too often and have not been as integrated as they might have been or needed to be (Miall et al 1999). The linkages were closest in the earliest stages. At a time when unionist leaders were refusing to engage with Sinn Féin, it was unrealistic to expect Orangemen to engage with residents' groups with a strong republican presence. Unionist leaders could also benefit from a populist association with parades as was witnessed at Drumcree in 1995, which served as a platform for David Trimble to take in the leadership of the Ulster Unionist party. However, the fragmentation of the fragile unionist unity after 1998 proved to be the end of a unified position over parades. But in many ways this division within unionism also proved to be instrumental in marking the end of the era in which the disputes over parades could have a potentially devastating impact on the peace process. In the years since 1998, (Drumcree IV), the two processes have followed more distinct and separate trajectories. The disputes over parades no longer warrant the demonstrative support of the Unionist political leadership. In part this is because the war to defend 'traditional' parades routes has effectively been lost, even if minor skirmishes continue. In part it is because Unionist disunity over the Agreement has made it difficult for the opposing factions within that political community to remain united in their desire to maintain Orange parade routes (for a more general and detailed discussion of the divisions within the unionist community see McAuley in this volume).

The controversy over parades has thus largely been resolved through a blend of the relatively successful introduction of a new regime for managing disputes combined with an extensive variety of local engagement involving a range of actors. In retrospect the 'effective resolution' of this issue may appear to have followed some form of strategic design that was considered and thought through by policy makers. Instead the reality has been that the management of the conflict (or perhaps numerous localised conflicts is a better description) has been pursued in a haphazard manner, in which attention has too often drifted from the issue because of the cyclical nature of the problem, and in which local efforts have taken priority by default. Furthermore the inter-relationship of the parade disputes and wider peace process has rarely been explicit, except perhaps at the Weston Park talks in 2001, when David Trimble won yet another review of the Parade Commission. One consequence has been that the wider issue of acknowledging the importance of cultural, ritual and symbolic events and processes within the construction and maintenance of ethnic identities has tended to be seen as a subsidiary and minor issue. The Agreement was relatively successful in producing a blueprint for the structures for future government and governance of Northern Ireland, but it carefully avoided those issues that underpin the fundamentalism of the two main ethnic communities and help to sustain the sectarian divisions of the society. These remain key issues to be addressed if Northern Irish society is to move beyond ethnic division, competition and fear.

References

Anderson, B., 1983, *Imagined Communities: Reflections on the Origins and Spread of Nationalism*. London, Verso.



- Arthur, P., 1999, '“Quiet diplomacy and personal conversation”. Track Two diplomacy and the search for a settlement in Northern Ireland', in Ruane & Todd, eds., *After the Good Friday Agreement*. Dublin, UCD Press.
- Barthes, R. 1977, *Image - Music - Text*. London, Fontana.
- Brass, P. ed, 1996, *Riots and Pogroms*. Basingstoke, Macmillan.
- Bryan, D. 2000, *Orange Parades: Ritual, Tradition and Control*. London, Pluto Press.
- Bryan, D. 2001, 'Parade Disputes and the Peace Process'. *Peace Review* Vol. 13, No. 1.
- Bryan, D., Fraser, T. and Dunn, S. 1995, *Political Rituals: Loyalist Parades in Portadown*. Coleraine, Centre for the Study of Conflict, University of Ulster.
- Bryan, D. and Jarman, N. 1999, *Independent Intervention: Monitoring the Police, Parades and Public Order*. Belfast: Democratic Dialogue & Community Development Centre.
- CAJ (Committee on the Administration of Justice), 1996, *The Misrule of Law: A Report on the Policing of Events During the Summer of 1996 in Northern Ireland*. Belfast, CAJ.
- CAJ (Committee on the Administration of Justice), 1997, *Policing the Police: A Report on the Policing of Events During the Summer of 1997 in Northern Ireland*. Belfast, CAJ.
- Cohen, A. 1989, *The Symbolic Construction of Community*. London, Routledge.
- Connerton, P. 1988, *How Societies Remember*. Cambridge, Cambridge University Press.
- Eriksen, T. 2002, *Ethnicity and Nationalism: Anthropological Perspectives*. London, Pluto Press.
- Farrell, S 2001, *Rituals and Riots: Sectarian Violence and Political Culture in Ulster, 1784-1886*. Lexington, University of Kentucky Press.
- Galtung, J., Jacobsen, C. and Brand-Jacobsen, K. 2002, *Searching for Peace: The Road to Transcend*. London, Pluto Press.
- Garvaghy Residents 1999, *Garvaghy: A Community Under Siege*. Belfast, Beyond the Pale Publications.
- Hamilton, M., Jarman, N. and Bryan, D. 2001, *Parades, Protests and Policing: A Human Rights Framework*. Belfast, Northern Ireland Human Rights Commission.
- Horowitz, D. 2002, *The Deadly Ethnic Riot*. Berkeley, University of California Press.
- Human Rights Watch/Helsinki 1997, *To Serve Without Favor: Policing, Human Rights and Accountability in Northern Ireland*. New York, Human Rights Watch.
- Independent Review of Parades and Marches 1997a, *Report of the Independent Review of Parades and Marches*. Belfast, Stationary Office.
- Independent Review of Parades and Marches 1997b, *Public Attitudes to Parades and Marches: Northern Ireland Survey*. Belfast, Stationary Office.
- IPEC (Irish Parades Emergency Committee)/Brehon Law Society 2003, *Parading Paramilitarism: Conflict in Northern Ireland, Summer 2002 International Observers' Report*. New York, IPEC/Brehon Law Society.
- Jarman, N. 1997, *Material Conflicts: Parades and Visual Displays in Northern Ireland*. Oxford, Berg.
- Jarman, N. 1999, 'Regulating Parades and Managing Public Order: Parade Disputes and the Peace Process 1995-1998'. *Fordham International Law Journal* Vol 22: 4.
- Jarman, N. and Bryan, D. 1996, *Parade and Protest: A Discussion of Parading Disputes in Northern Ireland*. Coleraine, Centre for the Study of Conflict, University of Ulster.
- Jarman, N. and Bryan, D. 2000a, Green parades in an Orange State: Nationalist and Republican Commemorations and Demonstrations from Partition to the Troubles, 1920-1970. In Fraser, T. ed, *The Irish Parading Tradition: Following the Drum*. Basingstoke, Macmillan.
- Jarman, N. and Bryan, D. 2000b, *Stewarding Crowds and Managing Public Safety: Developing a Co-ordinated Policy for Northern Ireland*. Belfast, Community Development Centre.
- Jarman, N., Bryan, D., Caleyron, N. and De Rosa, C. 1998, *Politics in Public: Freedom of Assembly and the Right to Protest*. Belfast, Democratic Dialogue.

- Kapferer, B. 1988, *Legends of People, Myths of State*. Washington, Smithsonian Institute Press.
- Kaldor, M 2001, *New and Old Wars: Organised Violence in a Global Era*. Cambridge, Polity Press.
- Kertzer, D. 1988, *Ritual, Politics and Power*. New Haven, Yale University Press
- Kelly, G. ed, 1998, *Mediation in Practice: A Report of the Art of Mediation Project*. Derry/Londonderry, Incore.
- Lucy, G. 1996, *Stand-Off! Drumcree: July 1995 and 1996*. Lurgan, Ulster Society.
- Miall, H., Ramsbotham, O. and Woodhouse, T. 1999, *Contemporary Conflict Resolution*. Cambridge, Polity Press.
- Montgomery, G. and Whitten, J. 1995, *The Order on Parade*. Belfast, Grand Orange Lodge of Ireland.
- Pat Finucane Centre 1996, *In the Line of Fire: Derry July 1996*. Derry, Pat Finucane Centre.
- Patten Report 1999, *A New Beginning: Policing in Northern Ireland, the Report of the Independent Commission on Policing in Northern Ireland*. Belfast.
- Peace Watch Ireland 1997, *Looking Into the Abyss: Witness Reports from Garvaghy Road, Portadown July 4-6, 1997*. Boston, Peace Watch Ireland
- Shawcross, W. 2000, *Deliver Us From Evil: Warlords and Peacekeeping*. London, Bloomsbury.
- Smith, A. D. 1986, *The Ethnic Origin of Nations*. Oxford, Basil Blackwell.
- Tambiah, S. 1996, *Levelling Crowds: Ethnonationalist Conflicts and Collective Violence in South Asia*. Berkeley, University of California Press.
- Varshney, A. 2002, *Ethnic Conflict and Civic Life: Hindus and Muslims in India*. New Haven, Yale University Press.