**A fight for human rights? The Troubles through an interesting prism**

Maltese author Omar Grech’s insightful account of the conflict takes the long view

Brice Dickson

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**Book Title:** Human Rights and the Northern Ireland Conflict: Law, Politics and Conflict, 1921-2014

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**Author:** Omar Grech

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This book provides strong evidence to support the thesis that human-rights abuses not only shaped the way the conflict in Northern Ireland developed but also affected the way politicians from both sides sought to gain popular support for their respective ideologies. Ever since the creation of Northern Ireland in 1921, and particularly during the 1960s, nationalists have used the language of rights to frame their political demands. Unionists have reacted defensively, stressing that nearly every human right must be qualified in certain circumstances and insisting that not all controversies can be resolved merely by applying a human rights analysis to what is at stake.

Omar Grech is from Malta, where he directs the Centre for the Study and Practice of Conflict Resolution. His account of the role of human rights in the Northern Irish conflict is different from others because it takes the long view, spanning 93 years. It perceptively mingles a legal analysis with a political one and it relies not just on documents but on a range of interviews with past and present players in the so-called peace process.

Grech reminds his readers that during the Troubles, human-rights abuses were committed not just by the State but predominantly by unlawful paramilitary groups, especially the IRA. Most human-rights NGOs came relatively late to this realisation and even today some activists and politicians are reluctant to describe, say, the “punishment” shooting or beating of alleged juvenile delinquents as human-rights abuses

Human rights are entitlements we claim not just because various international treaties require states to protect those rights. Their protection is the fundamental rationale for criminal justice systems worldwide and for civilised interaction between individuals within every society.

Republican politicians in the North tend to be selective and hypocritical in the human rights they support. While prominent in rightly demanding that the state should disclose the truth about its violations of human rights during the Troubles, they do not practise what they preach when it comes to disclosing the truth about human rights violations committed by republican paramilitaries. They favour the right to freedom of assembly, but not if it means allowing members of the Orange Order to walk peacefully along certain roads. They campaign for equality but are happy to retain the system whereby schools can discriminate on the basis of religious belief when appointing teachers.

**Unionist veto**

Unionist politicians can be equally fastidious and self-contradictory. They support the rights of speakers of indigenous languages in other parts of the UK, but not in Northern Ireland. They believe in one person, one vote, yet in the Assembly they demand a veto over the conferment of rights on gay people. They accept that affirmative action is a useful tool to address inequality, but are firmly opposed to a quota system for recruiting Catholics into the police and prison services.

Grech laments that the promise of the Belfast Agreement regarding human rights has not yet been fully realised. In evidence he cites the failure of the UK government to enact a bill of rights for Northern Ireland. But that agreement did not promise a bill of rights. It merely required the Human Rights Commission to advise the government on what a bill of rights might contain. Advice was eventually delivered in 2008 but was roundly rejected by the UK government a year later. The proposed Bill went far beyond the Agreement’s requirements.

A bill of rights might well have helped stabilise the peace process in the early 2000s. Today, alas, it would contribute little to intercommunal harmony. Unionists are not as willing as nationalists to see unelected judges (who are almost invariably rich old men) deciding on whether government policies adequately protect social and economic rights. And the Irish Government cannot be taken seriously when it supports the idea that such rights should be justiciable in the North, for it knows full well that it would not be able to match that position in the South, despite its duty to do so under the agreement.

**Social constructs**

The reality is that human rights are social constructs. They are simply claims that individuals and some groups are entitled to because national and international law-makers have agreed that they are important enough to merit the “human rights” label. They develop over time. At present, for example, the claim of 17-year-olds to vote is not a human right, nor is the claim of a child not to be smacked. Not even the desire of gay people to marry has yet been recognised as a human right by the European Court of Human Rights.

Human-rights issues remain at the heart of intercommunal difficulties in Northern Ireland, but today they are very different from those that were central to the conflict between 1968 and 1998. It is now the right to use Irish in official discourse, the right to gay marriage and the right of victims to the truth which are to the fore. The reproductive rights of women are in the mix, too, just as they are in the Republic at present.

Politicians will inevitably manipulate the language of human rights in order to achieve their goals. Grech’s thoroughly researched and insightful book reminds us of that truism time and time again. Yet, important though they are, there is more to politics than the protection of human rights. Any political party that vetoes the re-establishment of the Northern Assembly until further human rights are recognised (or not) is putting the cart before the horse.

**Brice Dickson is emeritus professor of International and Comparative Law at Queen’s University Belfast**