

**THE NORTH-SOUTH INSTITUTIONS:
FROM BLUEPRINT TO REALITY**

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ABSTRACT

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This paper examines the extent and nature of institutional change arising from the Good Friday agreement in terms of the North-South dimension. The paper adopts an architectural analogy in its analysis of these developments, focusing on four main questions. What is the purpose of the institutional change? What has been the blueprint or plan for change? How has this blueprint been translated into reality? How has the emerging reality served the purpose for which it was established? The paper concludes with an analysis of the impact of institutional change in the all Ireland context after the Good Friday agreement on the character of state sovereignty.

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INTRODUCTION

The object of this paper is to describe a particular aspect of constitutional change in the context of the Good Friday agreement, and, in doing so, also to raise questions about the nature of sovereignty and the significance of recent constitutional and institutional changes in the island of Ireland for the character of the state as a territorial entity. This second question, to which I will return in the conclusion to this presentation, is of particular importance for our understanding of the nature of the contemporary state in the context of these islands. Both the Republic of Ireland and the United Kingdom have undergone considerable change since the mid-1990s, in their patterns of territorial organisation, in very different ways, and the wave of devolution in the latter raises fundamental questions regarding the character of the state. But as the European Union redefines itself, both of these states are being forced to consider their evolving relationship with Brussels, with each other, and with new regional focuses of territorial power.

But before commenting in a speculative way on what these recent changes may mean, I propose to turn to the very specific question of a new dimension to territorial politics that has emerged since 1998: the Irish dimension (or, as it may alternatively be described, the North-South or the cross-border axis). I propose to assess developments in this dimension in terms of a framework derived from a physical analogy. A constitutional or institutional edifice, like a physical or architectural one, raises at least four interesting questions.

- First, what is its purpose; what is the problem—ergonomic, cosmetic, or whatever—that it is designed to resolve?
- Second, what is the basic plan or blueprint that will take shape in the form of constitutional bricks and mortar?
- Third, to what extent is the blueprint translated into reality—or do changing background circumstances and unanticipated problems entail amendments to the original plan, resulting in a final construction that does not necessarily match perfectly the original blueprint?
- Fourth, how adequately does the structure that actually emerges respond to the purpose for which it was designed in the first place?

Let us consider these issues in turn.

THE TASK

Since the new North-South bodies and the North/South Ministerial Council appeared as a central component in the Good Friday agreement, it is tempting to see them essentially as a response to a particular type of nationalist demand. It was on strand two that nationalists—and especially republicans—hoped to make political gains, in return for concessions on strands one and three.¹ In an important sense, these institutions have had a *symbolic* or ideological role, constituting, at least in the eyes of many who had advocated a strong Irish dimension, the potential embryo of a united Ireland. But the new institutions were also designed to fill an important *functional* role: the reality is that in certain sectors it makes perfect sense to undertake planning on an all-island basis. The existence of separate bodies in Dublin and Belfast can amount at best to wasteful duplication, and at worst it can hinder development in both parts of the island.

North-South cooperation: the pragmatic case

At a purely functional level, it is only to be expected that the surprisingly complete nature of partition in the island of Ireland in 1921-22 would have caused problems. Before that, there had existed in Dublin a single administration for the whole island, its core dating back to the middle ages. That the Irish parliament disappeared in 1800 is well known. That a separate Irish executive survived the Act of Union is less well known. Indeed, throughout the entire period of the union, the existence of a “Government of Ireland” was recognised—a critical weakness in the scheme for Irish integration with Britain (Ward, 1994: 30-38). Headed by the Lord Lieutenant as representative of the sovereign, the government was run as regards day-to-day matters by the Chief Secretary for Ireland. This official had responsibility for the management of Irish affairs in the House of Commons and, although he was not always a member of the cabinet, he was at least a prominent member of the governing party. Underneath the political superstructure of the Irish government, the modern Irish civil service developed gradually. This consisted of a number of departments, offices and other bodies employing considerable numbers of officials. There were 29 of these bodies by 1911, employing a staff of 4,000. In addition to these “Irish” departments answerable to the Chief Secretary, a number of departments of the “Imperial” civil service also had branches in Ireland. These were controlled ultimately by the relevant British cabinet ministers, and in some cases employed very large staffs in Ireland. By 1911 these bodies, 11 in all, had some 23,000 employees in Ireland, of whom 20,000 worked in the Post Office (McDowell, 1964). If we add in two other important categories of state employees, the police and the national school teachers, we arrive at a figure of approximately 55,000 state employees in 1911-13, not including the large numbers of army and naval personnel stationed in Ireland.

¹ Given subsequent Sinn Féin commitment to the strand one institutions, it should not be forgotten that the appropriateness of *any* strand one institutions was initially challenged by republicans.

Ireland thus remained constitutionally distinct from the rest of the UK and, in an important sense, administratively unified. Although all legislation was enacted through the UK parliament after 1800, in many policy areas (including education, agriculture, land reform, policing, health and local government) separate legislation was enacted for the different components of the United Kingdom. For example, the parliament of 1880-85 passed 71 acts whose application was exclusively Irish (out of a total of 422 acts, the rest being “English”, “Scottish”, “United Kingdom” or other).

The significance of this position is that by 1921-22, notwithstanding the complete absence of island-level representative institutions, Ireland already had many of the trappings of a developed modern state. The existence of the institutions and of the bureaucracy described above would have greatly facilitated the creation of an autonomous or separate Irish state; conversely, they made the partitioning of the island much more complicated, since those who operationalised the partition scheme were faced with an elaborate institutional picture rather than a blank sheet.

Nevertheless, the challenge of establishing new institutions in Belfast (whether hewn out of existing departments or bodies in Dublin, or created *ab initio*), and of curtailing the jurisdiction of Dublin-based bodies to cover 26 rather than 32 counties, seems to have been met with speed, thoroughness and finality. Enthusiasm for partition may have been confined to the North and may have been qualified even there, but it was achieved with surprising completeness at the bureaucratic level. Two new states developed in isolation from each other, setting deep roots on either side of a boundary that became increasingly solidified (see Laffan, 1983: 106-125; O’Halloran, 1987; Kennedy, 1988).

The relationship between the two new states, notwithstanding their shared past and common issues facing both of them, was one of mutual hostility. It is true that there were areas (such as electricity supply, the railway system and the Lough Foyle fisheries) where the logic of cooperation was irresistible, and where a considerable measure of quiet North-South contact and collaboration indeed took place at official level (Kennedy, 2000). But in general Northern Ireland adhered to a frosty aloofness from the South; and the public rhetoric of the South focused on the wickedness of partition, putting its case volubly but not necessarily with conviction. The southern demand essentially was for all or nothing: a complete end to partition, or no cooperation. Anti-partition rhetoric, much of it unconvincing to the outside world, was propagated relentlessly, especially in the years immediately after 1949. The remark of a Canadian diplomat in Dublin summarised a common perception abroad: “the Southern republicans, by pressing endlessly for the abolition of the Border, have merely succeeded in laying a smokescreen between themselves and the real world in which they live”.²

²Despatch no. 139, Dublin, 17 May 1955, file 6939-40 pt. 3, vol. 4237, RG25, Canadian National Archives, Ottawa.

North-South cooperation: the ideological dimension

At the symbolic level, the new southern Irish state was for long preoccupied with establishing its independence from London rather than its dominion over Belfast. As far as partition was concerned, its initial perspective, shared after 1922 by all political parties, and written into the constitution in 1937, was that the island of Ireland was the home of the Irish people; it was the appropriate decision making unit; and no minority had the right to opt out. Northern Ireland was therefore illegitimate, a violation of the principle of the right of national self-determination; Britain had created this problem, and it was up to Britain to resolve it. This position continues to be articulated even now, but in the course of the 1970s it began increasingly to be marginalised in the South. It was replaced gradually by acceptance of the position that Northern Ireland is a separate decision making unit, which should have the right to determine its own future. Two features of this change in perspective are worthy of note. First, it derived from a recognition of the separate identity of northern unionists, arguably implying acceptance of their right to self-determination. Second, it increasingly implied diminishing interest in the complaints of northern nationalists, who, in the eyes of a sizeable number of people, were seen not as part of the Irish majority but as an irreconcilable Northern Irish minority who refused to accept conventional principles of democracy.

This development is not altogether surprising. The generation that grew to political maturity at a time when Ireland was a single political unit has now almost passed away. Three quarters of a century of partition have left an indelible mark, serving not only to distance northern Protestants further from the South but also to differentiate northern Catholics from their southern counterparts. Separate (and quite different) patterns of experience in the educational and welfare systems, in political life and in other aspects of societal infrastructure have contributed to cultural differentiation between those on either side of the border.

While northern nationalists' perspectives have also changed fundamentally over the past century, the direction of change has been rather different from that in the South. In the 1920s, when the boundary commission was considering the location of the border, the view was widely shared that a plebiscite on the matter was unnecessary: the views of the inhabitants could be inferred from the results of the 1911 census. This implied a perfect correlation between religion and political attitudes: Protestants would vote to remain in Northern Ireland, while Catholics would opt for the Irish Free State. Electoral and other data give us no reason to doubt the accuracy of this interpretation.

Fifty years later, however, the position had changed considerably. In the 1960s many Catholics began to adopt a pro-union position, and survey evidence since 1968 confirms an increasing tendency for Catholics to accept a union that they may not love but that has certainly brought many of them material benefits. This change in perspective reflects in large measure an acceptance of the inevitable, in the light of the apparent permanence of the border. The civil rights movement (out of which one of the two major nationalist parties sprang) indeed derived from acceptance of this reality, and of the need, to use the language of the 1990s, to "renegotiate the

Union". Although the other major nationalist party, Sinn Féin, continues to adhere to traditional rhetoric, it is to be assumed that many of its members have also come to recognise the fact the programme of Irish unity is obstructed not only by a passionate commitment to the constitutional status quo by one million Protestants, but also by a more lukewarm but nonetheless politically significant acceptance of this status quo by three and a half million southern Irish.

Notwithstanding the extent of ideological shift, though, the reality is that by the end of the twentieth century a large proportion of those in the South and of Northern Ireland Catholics still endorsed unity as a long-term goal, and adopted a position on this issue that was fundamentally different from that of the typical Northern Ireland Protestant. In the domain of North-South relations, then, the tasks facing the governments and parties in April 1998 were, first, to devise a set of structures that would satisfy certain functional needs for systematic cooperation in policy arenas where the pragmatic gains for both parts of the island were likely to outweigh any losses suffered by either; and, second, to reconcile the character of these institutions with sharply conflicting perspectives on the appropriate form that any cross-border bodies should take. This second task presented a challenge that was of great symbolic significance: how to present the new bodies in such a way that republicans could interpret them as the embryo of a united Ireland, while unionists could argue that they amounted to an endorsement of partition.

THE BLUEPRINT

Given this background, let us consider the type of institutional response that was planned under the Good Friday agreement. This response did not, however, arise in a vacuum; it needs to be seen in the context of earlier initiatives, ones from which it borrowed in places but to which it was also in part a reaction.³

The historical background

The Good Friday agreement might be seen as the third in a set of systematic efforts undertaken since the partition of Ireland in 1921 to promote institutionalised cooperation between north and south. The first two foundered on the rocks of nationalist indifference and unionist intransigence, respectively, in 1925 and 1974. The structures, financial provisions and areas of jurisdiction in respect of these bodies and of those agreed in 1998 may be described as follows.

The *Government of Ireland Act of 1920* provided for a 41-member Council of Ireland, comprising an independent chair and 20 representatives each from the northern and southern parliaments; there would be an all-Irish executive including the Lord Lieutenant, the Lord Chancellor and the Privy Council of Ireland; transferred civil servants and others appointed by the Council would service its needs; it would

³ For general background on Northern Ireland, see Arthur, 2000, McGarry and O'Leary, 1996, and Ruane and Todd, 1996; on the agreement, see Cox, Guelke and Stephen, 2000, Ruane and Todd, 1999, and Wilford, 2001.

be responsible initially for private bill legislation, railways, fisheries, and infectious diseases of animals; and powers that might later be transferred included responsibility for the post office, the registration of deeds and the Public Record Office.

These provisions were overtaken by the political dynamic of Irish nationalism. The proposed new state of Southern Ireland, whose status would have mirrored that of Northern Ireland as it existed to 1972, was stillborn; it was replaced by the Irish Free State, established in 1922 as an independent member of the Commonwealth. The price of departure from the United Kingdom was, however, a further weakening of the Irish dimension. Under consequential legislation, by agreement with the Irish side, the offices of Lord Lieutenant and Lord Chancellor and the Privy Council, long-established symbols of Irish administrative unity, were abolished.⁴ The Irish dimension was finally buried in 1925. As part of a package settlement between London, Dublin and Belfast in that year, designed mainly to sideline the report of the Irish boundary commission, it was agreed that the existing border would remain unchanged, and that the few powers of the Council of Ireland would be divided between the Free State and Northern Irish governments; only “neighbourly comradeship” would link North and South.⁵

Almost 50 years later, the *Sunningdale Agreement of 1973* provided for a 60-member Consultative Assembly, comprising 30 representatives each from the northern and southern parliaments; there would be a 14-member Council of Ministers, including seven from each government, which would have executive and harmonising functions but would act by unanimity; it would have its own secretariat staffed by civil servants with a permanent headquarters, under a Secretary General; although its responsibilities were not initially defined, the examples given were the areas of natural resources and environment, agriculture, trade and industry, electricity generation, tourism, roads and transport, advisory health services, and sport, culture and arts (cooperation might later be extended to the area of security).

As is well known, these institutions never came into being, and the destruction of the Sunningdale package brought with it the destruction also of the power-sharing experiment that had made it possible. The circumstances that led to this collapse represented an important change from the position in the 1920s. It is true that there was opposition to this settlement in the South (indeed, a court action by Kevin Boland, republican activist and former Fianna Fáil minister, alleging that the agreement was unconstitutional in that it conflicted with the state’s territorial claim on Northern Ireland, played a major part in its downfall). Nevertheless, politicians and the general public in the Republic by and large accepted the Sunningdale agreement as a fair compromise; the old horror of according recognition to partition appeared to have abated. In the North, positions were also reversed: unionist opposition to the agreement was bitter, and it was used as a stick with which to beat the three-party power-sharing executive, leading to its ultimate collapse in the face of

⁴Irish Free State (Consequential Provisions) Act, 1922 (13 Geo V, Ch. 2).

⁵Ireland (Confirmation of Agreement) Act, 1925 (15 & 16 Geo V, Ch. 77).

the Ulster Workers' Council general strike that began on 14 May. The events of May 1974 dealt a heavy blow to the Irish dimension; subsequent initiatives by British governments until the early 1980s gave priority to the pursuit of an internal settlement, largely ignoring the South.

Although the two councils of Ireland were the institutions that most obviously foreshadowed the North-South bodies established after 1998, the role of another structure with implications for the Irish dimension needs also to be considered: the Anglo-Irish agreement of 1985. Structurally, the institutions established by the agreement bore little resemblance to those of 1973-74, to which they in part represented a reaction (see appendix). Instead of a North-South assembly, the idea of an Anglo-Irish interparliamentary body was kick-started (this idea had originated some time before the agreement). Instead of a North-South council of ministers, there was to be an Anglo-Irish Intergovernmental Conference, jointly chaired by the Minister for Foreign Affairs and the Secretary of State for Northern Ireland. Although there was no provision for all-Ireland judicial or security institutions, there was to be a permanent secretariat, staffed jointly by Irish and British civil servants.

There are three salient respects in which the 1985 experiment contrasted with that of 1973. First, the composition of the new institutions was based on the East-West rather than on the North-South axis; in this respect, to use the terminology of the late 1990s, it resembled strand three rather than strand two; and it had thus been proofed against boycotting by unionists. Second, the jurisdiction of the new institutions was directed mainly (but not exclusively) at internal affairs in Northern Ireland; in this respect, it resembled strand one rather than strand two; and it was therefore all the more objectionable to unionists. Third, it worked, in the sense both of providing a short-term remedy to a range of nationalist grievances and in encouraging those who rejected its fundamental principles to come to the negotiating table to devise institutions to supplant it. In this last respect, its success was dramatic: who would have believed in 1985 that within ten years committed unionists would be discussing their future in Dublin Castle, and that they would tolerate Irish ministers pacing the corridors of Stormont? The fact that many unionists learned the lesson that the best way to fight Dublin is to talk to it was one of the most striking consequences of the 1985 agreement, and its demise in 1998 was arguably the supreme testimony of its success.

Provisions of the agreement

Under its "strand two" heading, the 1998 agreement created a set of pan-Irish bodies.⁶ The most significant of these is the North/South Ministerial Council (NSMC), smaller in scale than the Council of Ministers proposed in 1973 but not necessarily

⁶ In addition, although the agreement provided for the disappearance of the Intergovernmental Conference set up under the 1985 Anglo-Irish agreement, this was reborn in rather altered form as the British-Irish Intergovernmental Conference. Like its predecessor, this is serviced by a standing secretariat; unlike its predecessor, it also contains unionist representatives, since there is provision for participation in its affairs by "relevant" members of the new Northern Ireland executive.

less effective. In its plenary and most important form, this includes the Taoiseach, the First Minister and the Deputy First Minister as its core, and the agreement specifies that all decisions shall be by agreement between “the two sides”, a puzzling expression, since at this level there will normally be three distinct political perspectives. Inevitably in the circumstances, the only mechanism that can be devised to resolve disagreements is the (perhaps necessarily) platitudinous statement that the parties will “use best endeavours ... making determined efforts to overcome any disagreements”. The work of the council is serviced by a standing secretariat. Policy administration is carried out by “implementation bodies”, which may be existing bodies, bodies made up of mergers of existing bodies, or new bodies. In an important departure from the 1973 model, there was no provision for a parliamentary tier, though this was to be “considered” by the Oireachtas and the Northern Ireland Assembly. The NSMC was also to meet in sectoral format “on a regular and frequent basis”, with each side represented by the appropriate minister. Third, provision was made for other less specific kinds of meeting, to cover contingencies not included in the two main meeting types. The council’s work would be funded by the two administrations, its members would be accountable respectively to the Northern Ireland Assembly and the Dáil, and it would be supported by a standing joint secretariat, staffed by members of the Northern Ireland civil service and the Irish civil service.

The agreement left the detail of the areas to be covered by the North-South bodies to be discussed further, but specified that as part of its work programme, the North/South Council would “identify and agree at least 6 matters for co-operation and implementation” in each of two categories:

Matters where existing bodies will be the appropriate mechanisms for co-operation in each separate jurisdiction;

Matters where the co-operation will take place through agreed implementation bodies on a cross-border or all-island level.

The substantive areas, indicated in the left-hand column of table 1, were those where it appeared that significant benefits might flow from North-South cooperation. This list was much shorter than the more than 60 “subject areas” that appeared in an earlier draft of the agreement, having been negotiated down by unionists alarmed at the apparently powerful Irish dimension whose introduction was proposed (de Bréadún, 2001: 115-127).

THE STRUCTURE

Because of the fact that different components of the Good Friday agreement were designed to interlock, progress on the specification of areas for North-South bodies proceeded at the same pace as discussion of the establishment of the executive—and was subject to the same set of stumbling blocks (see Wilson, 2001). Agreement on these two areas was finally reached only on 18 December 1998, and even then it was no more than outline agreement.

Table 1. Inter-party agreement on areas for potential North-South co-operation and implementation

Area in Good Friday Agreement	Outcome of December 1998 agreement
1. Agriculture—animal and plant health	Cooperation in agriculture
2. Education—teacher qualifications and exchanges	Cooperation in education
3. Transport—strategic transport planning	Cooperation in transport
4. Environment—environmental protection, pollution, water quality, and waste management	Cooperation in environment
5. Waterways—inland waterways	Implementation body for inland waterways
6. Social Security/Social Welfare—entitlements of cross-border workers and fraud control	No agreement
7. Tourism—promotion, marketing, research, and product development	Cooperation in tourism
8. Relevant EU Programmes such as SPPR, INTERREG, Leader II and their successors	Implementation body for special EU programmes
9. Inland Fisheries	No agreement
10. Aquaculture and marine matters	Implementation body for aquaculture and marine matters
11. Health: accident and emergency services and other related cross-border issues	cooperation in health
12. Urban and rural development	No agreement
New area: agriculture: food safety	Implementation body for food safety
New area: economic development: trade and business	Implementation body for trade and business development
New area: language	Implementation body for language (Irish and Ulster Scots)

It covered the number and areas of responsibility of executive departments, and the nature of North-South implementation bodies.⁷ The areas covered by the latter are juxtaposed in table 1 with the set of areas originally agreed.

In terms of the original list of 12 areas specified in the Belfast agreement, three are missing from the list of areas in table 2: social security/social welfare, inland fisheries and urban and rural development. A further six are defined as areas for coop-

⁷ Provision for giving effect to the international aspects of this blueprint was made by a set of four simple British-Irish agreements concluded at a meeting between Foreign Minister Andrews and Northern Ireland Secretary Mowlam in Dublin on 8 March 1999; one of these covered the establishment of the NSMC; another covered the implementation bodies.

eration between existing bodies in Northern Ireland and the Republic. The remaining three areas were targeted as ones in which implementation bodies were to be established. The issue of inland waterways was relatively straightforward: a new body would take over from the Waterways Service of the Department of Arts, Heritage, Gaeltacht and the Islands and the Rivers Agency of the Department of Agriculture in Northern Ireland, and would also take over the functions of Shannon-erne Waterway Promotions Ltd. Second, in the area of aquaculture and marine matters, there would be a body with responsibility for the conservation, protection, management, development and promotion of Lough Foyle and Carlingford Lough, and for maintenance of lighthouses. Third, in a potentially important development there would be a body to coordinate EU Programmes such as SPPR, INTERREG, Leader II and their successors.

It is of some interest that the Northern parties agreed on three other areas that were not part of the original blueprint. One of these is the relatively uncontentious issue of food safety, where a single body to conduct research and to promote co-operation would be established. Rather more contentious is the area of trade and business development, where there was to be a body "to exchange information and co-ordinate work on trade, business development and related matters, in areas where the two administrations specifically agree it would be in their mutual interest". Finally, there was to be a body to promote the Irish language and, in a concession to an eccentric strand of unionist opinion, to promote "greater awareness and use of Ullans and of Ulster Scots cultural issues, both within Northern Ireland and throughout the island".

This framework was not completed without resistance. There were reports of unionist opposition to the body on trade and business development, though not to the body on language (which was regarded as mainly a matter for the nationalist community, that would not affect unionists). There appears also to have been a certain amount of bureaucratic resistance to the proposed changes. Even in advance of the agreement, cooperation in the area of tourism promotion had given rise to difficulties, and there were reports that the Department of Agriculture and the Industrial Development Authority had reservations about the form of cooperation that was being proposed. It is not likely that scepticism about the strand two bodies is confined to these departments or authorities.

Since the Northern Ireland executive finally took office long after the agreement itself (on 2 December 1999), the first meeting of the NSMC and the formal establishment of the implementation bodies had to wait until this point. Finally, however, on 13 December 1999 the first meeting of the NSMC took place in Armagh and the formal business of cross-border cooperation began. Like the other institutions established under the agreement, the cross-border bodies were affected by the suspension of devolved government by Northern Ireland Secretary Mandelson on 11 February 2000, and, similarly, they came back into full formal existence after the restoration of devolution on 30 May 2000. Even then, though, they remained subject to a range of political challenges. For example, the autumn of 2000 saw a hardening of attitudes within the Ulster Unionist Party (UUP), resulting in a decision of its governing body, the Ulster Unionist Council, on 28 October 2000 to endorse

David Trimble's policy of refusing to authorise Sinn Féin ministers to attend meetings of the North/South Ministerial Council (NSMC) until such time as the IRA was prepared to "engage meaningfully with the Independent International Commission on Decommissioning". This impeded the business of those bodies which depended on NSMC meetings at which Sinn Féin ministers would be participants, a position that lasted until October 2001. A second long-standing political obstacle has been the attitude of the Democratic Unionist Party (DUP), which has been altogether refusing to participate in NSMC meetings. Here the main casualty has been the area of transport, designated as an area of cooperation.

Cross-border developments fall conveniently under four headings. These are political direction through the *NSMC*, administrative support through the *joint secretariat*, the functioning of the *implementation bodies*, and steps taken to promote North-South planning in the *areas of cooperation*. These may be examined in turn.

The North-South Ministerial Council

By February 2002, three plenary meetings of the NSMC had taken place. The first followed quickly on the formal devolution of power on 2 December 1999. It took place in Armagh on 13 December in circumstances of some drama, as the full Irish cabinet arrived in a convoy of 12 ministerial cars, the Taoiseach and two other senior ministers arrived by helicopter and 10 of the 12 members of the Northern Ireland executive attended. The symbolism of the occasion was underscored in the comments of the Taoiseach and the Northern Ireland First Minister and Deputy First Minister, but important formal business was also conducted. This included an agreement on the locations of the offices of the six implementation bodies and of a North-South tourism company, and a set of appointments to the boards of these bodies. The meeting also considered an outline programme of work in the other areas of cooperation that had been agreed.

The second plenary meeting of the NSMC in Dublin Castle on 26 September 2000 was a less dramatic affair. It was attended by 12 of the 15 Irish cabinet ministers and two junior ministers, and by all members of the Northern Ireland executive except those of the Democratic Unionist party (DUP), with the Taoiseach and First Minister as co-chairs. The meeting attracted little public notice, and was overshadowed by a bilateral meeting later the same day between the Taoiseach and the First Minister. The business of this second NSMC meeting was largely formal, but it was nonetheless essential to further progress, since arrangements for the appointment of chief executives to the implementation bodies were among the more important of the matters discussed.

Advantage was taken of the second meeting of the British-Irish Council on 30 November 2001 to hold the third plenary meeting of the NSMC in Dublin Castle. The First Minister and Deputy First Minister headed the Northern Ireland group, which also included three other Ulster Unionist ministers, two SDLP ministers and two Sinn Féin ministers; the group from the Republic was led by the Taoiseach and the Tánaiste (deputy prime minister), and included nine other ministers and two junior ministers.

Table 2. Sectoral meetings of the North/South Ministerial Council, 2000-02

Area	Meetings	Principal political involvement:	
		Republic	Northern Ireland
Implementation bodies			
Waterways Ireland	4	Síle de Valera	Michael McGimpsey (UUP)
Food safety promotion board	(a)3	Micheál Martin	Bairbre de Brún (SF)
Trade and business development	6	Mary Harney	Reg Empey (UUP)
Special EU programmes	5	Charlie McCreevy	Mark Durkan (SDLP)
Language	3	Eamon Ó Cuív	Michael McGimpsey (UUP)
Foyle, Carlingford and Irish Lights	7	Frank Fahey	Bríd Rodgers (SDLP)
(sub total)	(28)		
Areas of cooperation			
Agriculture	5	Joe Walsh	Bríd Rodgers (SDLP)
Education	3	Michael Woods	Martin McGuinness (SF)
Environment	5	Noel Dempsey	Sam Foster (UUP)
Health	(b)1	Micheál Martin	Bairbre de Brún (SF)
Tourism	4	Jim McDaid	Reg Empey (UUP)
Transport	1	Mary O'Rourke	- (c)
(subtotal)	(19)		
Total	47		

Note: The meetings cover the period 24 Jan 2000 – 1 Feb 2002. All meetings were also attended by a third minister, representing the “other” community in Northern Ireland

a. Includes one meeting that also discussed cooperation in the area of health (attended also by a second southern representative, a junior minister)

b. An additional meeting in this area covered mainly the Food safety body; see note (a)

c. Attended also by a second southern minister and, from the northern side, in the absence of the DUP minister, by the First Minister, Deputy First Minister and another UUP minister.

Much of the work of the meeting was taken up by routine matters (noting the annual report for 2000, reviewing progress in the various sectors, approving a schedule for future NSMC meetings and giving outline agreement to a budget for the North/South bodies), but areas of some political substance were also addressed. These were covered by three reports considered by the council: one on the establishment of an Independent North/South Consultative Forum (on which it was agreed that further discussion was needed), one on obstacles to cross-border mobility (on which further consultation with interested bodies was proposed), and one on measures to improve competitiveness in the two economies (whose recommendations were endorsed).

In addition, by 1 February 2002 a total of 47 sectoral meetings of the NSMC had taken place, and it was in these that the day-to-day business of North-South cooperation was discussed (see table 2). Work proceeded most vigorously in the areas where implementation bodies were to be established, and the pace of development has been brisk. Progress has been more uneven in the case of the areas of cooperation, two of which were hindered by the fact that the relevant northern ministers were members of Sinn Féin and were for a time prevented from attending NSMC meetings. In a third area, transport—arguably one of those where cooperation is most urgently needed—the DUP boycott has had its effect. The agreement allows

obstruction of this kind to be bypassed, and a meeting did, indeed, take place in this area, but the amount of actual work under this heading has been limited.

In a further innovation, the first meeting of the NSMC in “institutional” format took place in Belfast on 17 December 2001 (meetings of this kind were designed to supplement plenary and sectoral meetings by providing an opportunity to discuss procedural matters or to resolve disagreements). The meeting, attended by the Northern Ireland First Minister and Deputy First Minister and the Republic’s Minister for Foreign Affairs, revisited some of the issues considered at the third plenary meeting, and examined certain cross-sectoral issues and the significance of the European dimension. It also considered options available in two areas where progress has been slow: cooperation in transport (important because of the refusal of the Democratic Unionist minister to participate in the work of the NSMC) and the Commissioners of Irish Lights (whose functions have not yet been transferred to the Loughs and lights body).

The joint secretariat

Meetings of the NSMC are served by a standing secretariat, which also monitors cross-border cooperation measures more generally. The secretariat came into existence in December 1999, and by summer 2000 it had reached its establishment strength of 24. It consists of career civil servants seconded in approximately equal numbers from government departments in Northern Ireland and the Republic. The fact that its staff is substantially self-selecting appears to have contributed to an ethos of commitment and enthusiasm in the new body, one that ensures that small size is counterbalanced by a high level of activity. The secretariat is housed in leased buildings in Armagh, whose status as the historical ecclesiastical capital of Ireland played a role in the selection of this location for its headquarters.

The implementation bodies

Of the new bodies, no two are identical in structure (see table 3 for an outline of the major features of each body). Four of the bodies have boards appointed by the NSMC (the exceptions are the waterways body and the body for special EU programmes). Three of these are made up of 12 members, but the fourth, the board of the language body, is more complex. Of its 24 members, 16 represent Irish language interests and the remaining eight represent Ulster-Scots interests, and for many purposes the two groups function separately. Four of the bodies have a chief executive appointed by the NSMC, but in the two remaining cases the board appoints two chief executives, one to head each of the two agencies into which the body is divided (the Irish language and Ulster Scots agencies in one case, and the Loughs agency and the Lights agency in the other).

The initial projected full staffing levels of the six bodies and projected budgets for 2000 are indicated in table 2. Direct quantitative comparison between the bodies is difficult. They range in staff size from Waterways Ireland, which accounts for more than half of the combined staff numbers of all of the bodies, to the Special EU Programmes body, with the smallest projected staff (numbering 24). But the figures for

budget size may be misleading. Waterways Ireland has the largest direct budget, but this is dwarfed by the budget for which the EU body is responsible: it is to implement programmes to the value of one billion euro.

Table 3. Initial projected financial and administrative arrangements for the North-South bodies

Implementation body	Management	Headquarters	Staff	Budget
Waterways Ireland	CE	Enniskillen (NI)	362	21.5
Food safety promotion board	CE, advisory board (12)	Cork (RI)	30	6.5
Trade and business development	CE, board (12)	Newry (NI)	42	11.5
Special EU programmes	CE	Belfast (NI)	25	*2.5
Language	2 CEs, board (16+8)	Dublin (RI) / Belfast (NI)	77	12.0
Foyle, Carlingford and Irish Lights	2 CEs, board (12)	Derry (NI)	43	1.6

Note: The details above are projected, and not necessarily currently operational. "CE" refers to a chief executive, who is normally to be appointed by the North-South Ministerial Council, but the two chief executives in the case of the Language body (to head the Irish language and Ulster Scots agencies) and of the Foyle, Carlingford and Irish Lights body (to head the Loughs agency and the Lights agency) are to be appointed by the body in question.

*not including EUR1bn to be distributed in connection with EU programmes.

Waterways Ireland. This body absorbed many of the functions of the Waterways Service of the Irish Department of Arts, Heritage, Gaeltacht and the Islands and the Rivers Agency of the Department of Agriculture in Northern Ireland, and it has assumed responsibility for the country's inland navigable waterway system. Because of the extent to which it has inherited existing staff, its personnel complement is by far the largest of all the bodies. Its domain of responsibility is essentially recreational, and is one where all-Ireland planning clearly makes sense. One of its major tasks is the marketing of existing waterways; its most ambitious planned project is the restoration of the Ulster canal, a 93 km stretch of waterway linking Lough Erne to Lough Neagh.

Food Safety Body. Although island-level planning is also sensible in the area of responsibility of this body, it has come into existence alongside two food safety agencies whose work in their respective jurisdictions is already well developed. Not surprisingly, its small staff is required to work closely with the existing agencies in Northern Ireland and the Republic in its efforts to promote food safety and to encourage research in this area. It is also responsible for the communication of food alerts, surveillance of food-borne diseases, promotion of scientific co-operation and linkages between laboratories, and development of cost-effective facilities for specialised laboratory testing. Its establishment was hindered by Mr Trimble's policy of refusing to authorise the attendance of the relevant minister, Sinn Féin's Bairbre de Brún, but the body was finally launched and its headquarters were officially opened in Cork on 24 November 2001.

Trade and Business Development Body. This has been established in a relatively clear field, and has the objective of promoting economic development, especially by encouraging cross-border trade. Given the extent to which the two economies have followed different paths and North-South trade patterns have weakened

after 80 year of partition, the scope for this body to have an impact is considerable. It was finally launched under the name InterTrade Ireland, and has since maintained a very high public profile and has been exceptionally energetic, developing an “all-island business model”, producing an electronic business directory covering the whole island, and engaging in a range of knowledge-enhancing activities (see the body’s web page: <http://www.tbdb.org/>).

Special EU Programmes Body. Since the European Union has been especially anxious to encourage North-South cooperation, many of its programmes up to the present have been organised on a cross-border basis. The purpose of the new body is provide institutionalised direction to EU programmes of this kind—to assist in coordinating existing programmes, advising the governments on further applications under EU programmes, preparing detailed applications, and assisting in the administration of existing programmes at a range of levels. The body has a particularly important function in monitoring and promoting implementation of the “common chapter”—the strategic framework for development, North and South, that forms part alike of the Northern Ireland Structural Funds Plan and the Republic’s National Development Plan (2000-06). Its role in respect of the EU’s Peace II and Interreg III programmes places it in a central position in an area where expenditure exceeds one billion euro. Its staffing level has been rising rapidly to match these responsibilities, but is still modest in the context of the range of areas it covers (see Laffan and Payne, 2001).

Language Body. Unlike the other bodies, whose remit is largely economic and social, the language body covers the much more sensitive area of culture; the very fact that political agreement its establishment could be reached was surprising to many. The body is divided into two agencies. One, largely constructed out of an existing body in the Republic whose objective is to promote the use of the Irish (Gaelic) language, Bord na Gaeilge, now has an all-Ireland mandate to encourage the use of Irish in its new shape as Foras na Gaeilge. The other, an entirely new agency, is intended to promote awareness of Ulster Scots. This development, surprising in the context of the relatively muted efforts of linguistic nationalists in the Scottish Lowlands even after devolution, is no doubt in part a reaction to the burgeoning cultural self-confidence of the nationalist community. This agency has, however, been engaging in a vigorous campaign to promote awareness of Ulster Scots and to develop the language itself (see <http://www.ulsterscotsagency.com/>).

Foyle, Carlingford and Irish Lights Body. This body represents in many respects a re-packaging of existing bodies. The issue of fisheries in the River Foyle (which separates Northern Ireland from the Republic in the North West) is unusual, in that it was one of the very few areas where institutionalised cooperation between North and South predated the Good Friday agreement. Responsibility for aquaculture, marine tourism and fisheries in the Foyle and in Carlingford Lough (on the South Eastern boundary between Northern Ireland and the Republic) was given to a new Loughs agency. A second section of this body’s responsibilities has not yet come on stream: the Commissioners of Irish Lights. This remarkable body, dating from 1786 and operating under its present name since 1867, continues to operate autonomously in maintaining lighthouses right around the whole coast of the island,

as it has done for many decades (see <http://www.cil.ie/>). It was to come under the responsibility of the new body only when the necessary legislation had been enacted in Dublin and Westminster.

The areas of cooperation

Unlike the areas in which implementation bodies have been established, where formal arrangements have been practically completed and day-to-day work has already begun, the pattern of development in the areas designated for North-South “cooperation” has been more uneven. Agreement was reached on cooperation in six of the 12 areas mentioned in the Good Friday agreement: transport, agriculture, education, health, environment and tourism.

In the areas of agriculture, education and tourism, programmes of cooperation were agreed at a relatively early stage. Sectoral meetings of the NSMC took place in the first two of these areas at an early stage, and similar meetings took place in respect of health and the environment. In the case of tourism, ambitious plans were made for the creation of an all-Ireland tourism agency—a development that would in effect constitute the creation of a seventh implementation body. But progress was more difficult in the sixth area, notwithstanding the obvious case for island-level planning: the domain of transport. This may be traced back to the fact that the relevant ministry in Northern Ireland is in the hands of the anti-Agreement DUP.

Agriculture. The logic of North-South cooperation was illustrated very forcefully in the arena of *agriculture*, where good working relationships have been developing between the two ministers and their departments, notwithstanding the inevitable tensions that arose over the foot-and-mouth crisis (for more general background on the area, see Ó Maoláin 2000a). Here the main issues, apart from foot-and-mouth disease, have been the broader question of other infectious diseases of animals, the promotion of cross-border rural development, and the study of issues as diverse as pig meat processing and the probable impact of global agreements and EU policies, following enlargement, on agricultural prices in Ireland.

Education. Progress in this area has been slow, in part because the Northern Ireland minister, Martin McGuinness, was prevented for some time from attending NSMC meetings. Nevertheless, some progress has been made on mechanisms for cross-border school, youth and teacher exchange and on facilitating mobility of teachers (for a survey of this area, see Pollak 2000).

Environment. Cooperation in this area has covered such issues as approaches to water quality in the Erne and Foyle catchment areas, waste recycling, monitoring of new technologies with implications for the environment and the development of information networks.

Health. Here, too, the First Minister’s ban on Sinn Féin attendance at NSMC meetings had an effect for its duration. Nevertheless, collaboration in the area of cancer research and planning for an all-Ireland accident and emergency service are being discussed (for a survey of this area, see Jamison et al, 2001).

Tourism. In this area, North-South cooperation followed the peace process but preceded the Good Friday agreement. Already in November 1996 a major joint marketing initiative, “Tourism Brand Ireland”, had been launched with the support of the southern tourist agency, Bord Fáilte, and the Northern Ireland Tourist Board, and an extremely generous budget underwritten by the Irish and British governments. One of the most concrete outcomes of this initiative was the adoption of a joint logo to assist in the marketing of the island of Ireland as a tourist destination, but this was abandoned in the South following the general election of June 1997, when a new Minister for Tourism, Dr Jim McDaid, took office (Ó Maoláin 2000b). The Good Friday agreement sought to breathe new life into this important area, but progress has been slow (no doubt reflecting the reality that there already exist two competing agencies in the area). Finally, however, a new body, Tourism Ireland Ltd, was established on 11 December 2000, and the authorities on the two sides of the border remain committed to further work on the “Tourism Brand Ireland” project (see <http://www.tourismireland.com/>). In the meantime, the two bodies that currently market tourism within the two jurisdictions (and which will continue to have a role under the new regime) continue to operate separately, and largely independently of each other (for the Irish tourist board, Bord Fáilte, see <http://www.bftrade.travel.ie/> and <http://www.ireland.travel.ie/home/>; for the Northern Ireland Tourist Board see <http://www.nitb.com/> and <http://www.discovernorthernireland.com/>).

Transport. This area is of particular interest since the northern minister, a DUP member, has been refusing to cooperate with the North/South Ministerial Council. However, advantage was taken of a sectoral meeting of the British-Irish Council in Dublin to arrange for an unusual meeting of the North/South Ministerial Council on 19 December 2000, bypassing the DUP minister and including three northern ministers (the First Minister, the Deputy First Minister and the Minister for the Environment), and two senior southern ministers. The fact that the meeting focussed on a relatively uncontroversial area that was widely seen as important—cooperation in the prosecution of driving offences—helped to undermine political objections. The flexibility of this approach was underscored by the fact that the meeting also dealt with business from another sector, tourism, by making appointments to the board of the new Tourism Ireland Ltd.

THE OUTCOME

Overall, then, it is clear that the NSMC is functioning effectively, that it is serviced by a small but committed and efficient secretariat, that most of the implementation bodies have settled down to a routine, and that they provide a useful mechanism for discussion and negotiation between North and South in some of the areas where this makes most practical sense. While there are still those who fear the symbolism of this kind of cooperation, the reality is that its low-key and pragmatic nature serves to defuse its potentially controversial political character and to allow these new institutions to establish themselves as part of the administrative landscape.

This discussion of the mechanics of the new North-South arrangements tells us little about the political significance of the cross-border bodies. To what extent do they correspond with the hopes of nationalists and the fears of unionists? When set against the size of the central civil service in the Republic and Northern Ireland, or even when compared with the personnel of the local authority sector, the staffing levels of the cross-border bodies are tiny. When compared with national or even local government budgets, the financial allocation for the bodies is insignificant. When compared with the domains of activity of central and local authorities, the responsibilities of the cross-border bodies are marginal. It would thus be premature to describe the cross-border bodies as the core of a new level of government (as this is understood in multi-level structures such as federal ones) in any meaningful sense.

On the other hand, there is little evidence that political posturing has had a negative impact on the work of the bodies. At the political level as well as the bureaucratic one, common sense seems to have taken precedence over ideological reservations, and the logic of cooperation in areas where the case for this is irresistible has been accepted. The bodies, in other words, have worked smoothly so far, even in cases where the group of ministers directing affairs has been a triangle made up of Fianna Fáil, Sinn Féin and the Ulster Unionist Party—a relationship that would have been inconceivable five years ago.

But the implementation bodies are not the full story. The agreement also provided for areas of North-South “cooperation”, and here progress has been much slower. It is true that in the areas of agriculture, education and tourism programmes of cooperation have been agreed, with a concrete outcome in the last of these areas in the shape of an all-Ireland tourism agency. But there are other areas where political considerations have impeded progress. Transport is the most obvious. Notwithstanding the normal priority of geographical arguments over political ones in transport planning, the intended cooperation in this area has not taken place. The role of the Democratic Unionist Party in frustrating cooperation in this area is an interesting illustration of the failure of the Good Friday agreement to proof itself in practice against particular forms of political resistance, notwithstanding formal provisions designed to do just this.

Any overview of the new North-South arrangements would be incomplete if it failed to note the model that is implicitly being followed. This is the strategy of functional cooperation so intimately associated with the process of European integration, and is based on the assumption that political accommodation will be facilitated by establishing intense patterns of contact between elites. The European Union is, indeed, a remarkable testimony of the capacity of determined elites to push through radical political change in the face of the indifference of the great majority and outright hostility on the part of many. By comparison with attitudes towards Europe, hostility to Irish unity may be more intense, though confined to one clearly defined segment of the island; sympathy for unity is probably uneven, and indifference is the norm, especially in the Republic; but the crucial question is the perspective of the relevant elites. While there are politicians and public servants in the Republic and in Northern Ireland who are driven by the goal of Irish unity, the reality is that

for most of the former Brussels takes priority over Belfast, while for most of the latter London had for long taken precedence over Dublin.

How, then, are the various parties to the agreement—and specifically those most directly involved in its work—likely to have reacted to the functioning of the North-South dimension? At one end of the political spectrum are the northern nationalists. For many, and especially for those represented by the SDLP, it is likely that the agreement provides a comfortable political bedrock as far as its Irish dimension is concerned. It acknowledges the principle of Irish unity by consent, promises the construction of significant North-South bodies and offers nationalists a role in shaping these. The perspective of Sinn Féin is necessarily more reserved: the agreement does not go nearly far enough, and a network of a few cross-border quangos falls far short of a united Irish parliament. While pressure from Sinn Féin is likely to continue, pushing for a reinforced Irish dimension, the lukewarm or unsympathetic viewpoint of other groups is likely to be an obstacle to this.

Second, at one level the south shares the perspective of northern nationalists: Irish unity has been an historic demand of all of the major political parties, and it is politically difficult to argue against progress in this direction. However, the psychological impact of almost eight decades of partition has been profound, and bureaucratic organisations that function happily within a 26-county context are unlikely to look with equanimity on the prospect of being submerged in all-Irish bodies. For many in the South, in other words, the emotional satisfaction of Irish unity is likely to be counterbalanced by the pain of institutional compromise and perhaps material cost.

Third, the position of the unionists takes us to the opposite end of the spectrum. Although their hostility to any form of integration with the South is likely to remain implacable, functional cooperation at an institutional level may be a politically sensible way of staving this off. It is also likely that the antagonisms that were for so long maintained by rigid state frontiers will be undermined a little as the European Union develops, improving the prospects for cooperation between the two parts of Ireland.

This discussion makes certain implicit assumptions about groups that are parties to the conflict that may not remain valid for all time. In particular, the relative size of the groups may alter significantly. The demographic strength of northern nationalism is an important factor for the future, notwithstanding declining Catholic birth-rates. Free movement of labour is likely to affect all groups, but it is also likely to result in the Protestant community being relatively less concentrated on the island. This may promote a major shift in relations within Northern Ireland, since as Catholics increase as a proportion of the population their nationalism is likely to become more assertive. The great question is, however, the form that this nationalism will take: whether traditional irredentism will survive, or be replaced by a currently unrecognisable variant that is based in part on the distinctiveness of Northern Ireland.

CONCLUSION

Finally, it is appropriate to return to the more general question raised at the outset: what are the implications of changes in the North-South relationship for the territorial character of the Irish state? The old definition of the “national territory” as comprising the whole island of Ireland is gone, but article 5 of the constitution still declares Ireland to be “a sovereign, independent, democratic state”. Does this continue to be an accurate description of the reality?

The answer may well depend on perspective. From the point of view of constitutional law, it is clear that the state has undergone a number of significant changes in terms of its sovereignty: successive stages in the process of European integration have impinged on this sovereignty, but appropriate constitutional cover has been provided through constitutional amendments, approved by referendum, designed to proof the sovereignty clauses of the constitution against the growing power of Brussels. By comparison, the compromises entailed by the Good Friday agreement to the sovereignty of the southern state are very small, indeed. The very fact that the constitution needed to be amended to ensure that all-Irish institutions would not conflict with its provisions was itself significant, symbolising an explicit recognition of the 26-county nature of the state. Ultimately, though, constitutional law is reversible and particular articles may be reshaped or changed back to their original form, so the sovereignty of the state can seem secure.

On the other hand, the picture is much more complex at a political level. Here, the image of multi-level governance emerges more sharply, if not altogether unambiguously. In one sense, a citizen living in, say, Mayo now has a whole host of bodies at different levels influencing his or her life: first, Mayo county council; second, the Border-Midlands-Western region; third, the Irish state; fourth, the North-South bodies; fifth, the British-Irish Council; and sixth, the European Union. In reality, though, only two of these levels are of ultimate political significance: it is Dublin that matters, with, at present, Brussels in second place; the significance of Castlebar is incomparably less, while that of Armagh is at present barely perceptible in this context.

The impact of the North-South bodies, then, may at this point be rather greater at the symbolic level than at that of citizens’ everyday life experiences. These institutions do, however, have a capacity to grow, and the very fluidity of the character of the contemporary state, especially in the context of deepening European integration, may well provide a more fertile soil for such growth. Only time will tell whether, like other young plants, they will thrive in competition with the robust maturity of the two existing Irish states.

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Appendix. Four versions of the Irish dimension

SOURCE	Government of Ireland Act, 1920	Sunningdale Agreement, 1973	Anglo-Irish Agreement, 1985	Belfast Agreement, 1998
STRUCTURES				
DELIBERATIVE BODY	Council of Ireland (41 members: chair; 20 SI; 20 NI)	Consultative Assembly (60 members: 30 RI, 30 NI)	<i>Anglo-Irish Parliamentary Body</i> (as established: 50 members)	(1) <i>British-Irish Council</i> (2) Joint NI/RI parliamentary forum (to be considered)
POLITICAL EXECUTIVE	Lord Lieutenant Privy Council of Ireland (including SI and NI ministers)	Council of Ministers (14 members; 7 RI, 7NI); executive and harmonising functions; acts by unanimity	<i>Intergovernmental Conference</i> (minimum of 2 members, one UK, one RI); responsibility with UK, consultative role for RI	(1) <i>British-Irish Intergovernmental Council</i> (2) North/South Ministerial Council (minimum of 3 members, 2 from NI and one from RI); non-plenary meetings possible
JUDICIAL BODY	Lord Chancellor; High Court of Appeal for Ireland	possible all-Ireland court (to be considered)	none	none
BUREAUCRATIC SUPPORT	transferred civil servants; others appointed by Council of Ireland	Secretariat with permanent headquarters, under Secretary General	<i>Secretariat</i>	(1) <i>Secretariat</i> (2) Secretariat, and implementation bodies
FUNCTIONS				
INITIAL AREAS	private bill legislation; railways; fisheries; infectious diseases of animals	to be discussed, such areas as: natural resources and environment; agriculture; trade and industry; electricity generation; tourism; roads and transport; advisory health services; sport, culture and arts	(mainly internal NI); also: policing and security cooperation; economic and social development of border areas	(1) security (and internal NI matters) (2) animal and plant health; teacher qualifications; transport planning; environment; inland waterways; cross-border workers; tourism; EU programmes; inland fisheries; aquaculture; emergency services; urban and rural development
FUTURE AREAS	post office; registration of deeds; Public Record Office; other matters agreed by parliaments of SI and NI	policing; other areas from above	(possible reduction in authority over NI matters); cross-border cooperation in devolved matters	other agreed areas
OTHER	Irish unity as goal; UK parliament supreme	change in status of NI only with consent of majority in NI	change in status of NI only with consent of majority in NI	change in status of NI only with consent of majority in both NI and RI

Note: italicised bodies are British-Irish.