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**IRELAND, BRITAIN, NORTHERN IRELAND  
AND THE EUROPEAN DIMENSION**

**Brigid Laffan**

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## ABSTRACT

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### IRELAND, BRITAIN, NORTHERN IRELAND AND THE EUROPEAN DIMENSION

This paper analyses the European dimension of British-Irish relations and the EU's role in altering the environment within which relations between these islands are played out. The paper examines relations between the two states in the context of EU membership and proceeds to an analysis of the evolution of an EU role under four headings: the EU as an arena, EU policies and reports, the EU as a model and the EU in Northern Ireland. The paper then assesses the EU dimension of the Good Friday Agreement in all three strands and finishes with a brief analysis of the longer-term contribution of the EU.

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## BIOGRAPHICAL INFORMATION

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# **IRELAND, BRITAIN, NORTHERN IRELAND AND THE EUROPEAN DIMENSION**

**Brigid Laffan**

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## **INTRODUCTION**

British and Irish membership of the European Union (EU) since 1973 has had profound effects on the economies and politics of both states. The decision to join the union represented the most significant foreign policy decision taken by either state in the post-war period. Moreover, membership of the EU went beyond the domain of the foreign, and membership implied taking the EU into the domestic. EU membership involved participation in an additional arena of public policy making, acceptance of an extra-national constitutional and legal system, and a commitment to an evolving set of political structures at EU level. It had important effects on legal and political sovereignty by embedding both states in a federal legal order and in a system of pooled or shared sovereignty. By sheer coincidence, the outbreak of communal conflict in Northern Ireland coincided with the decision by the EU to open accession negotiations with Britain, Ireland, Norway and Denmark in 1968-69. Neither Britain nor the Republic of Ireland were principally concerned with the potential impact of EU membership on the conflict in Northern Ireland when they sought and secured EU membership. However, EU membership altered the context of relations between successive British and Irish governments, impinged on relations between the two communities in Northern Ireland and had an impact on strategies for conflict management.

The objective of this paper is to analyse the dynamic of change in the relationship between these islands in the context of the regional or EU level of activity. The key claim of the paper is that joint membership of the European Union transformed relations between the two states and assisted them in their continuing search for ways of managing and perhaps resolving communal conflict in Northern Ireland. Although American diplomacy was central to the Good Friday Agreement, the agreement itself owes much to the changing context of statehood in Europe. This paper addresses the "European" dimension of relations between the United Kingdom and Ireland in the first section, and then proceeds to analyse the "European" dimension of conflict resolution or management in Northern Ireland.

## **BRITISH-IRISH RELATIONS IN THE EU**

Historically, Ireland's search for independence, identity, security, unity and prosperity, the key concerns of Irish foreign policy, were for long mediated by what Keatinge called the "British Isles sub-system", a sub-system characterised by dominance, dependence and "unequal sovereignty" (Keatinge, 1978: 228; Keatinge 1986). Joint membership of the EU altered the context of British/Irish relations in a radical manner by providing the Irish economy, polity and society with a highly-



institutionalised and rule-bound context within which it could adapt to economic and political internationalisation. The EU system offered a far more benign external environment for small states than balance of power systems or empire. EU membership enhanced the presence of the Irish state in the European and global arenas and the European market gave the Irish economy the opportunity to diversify and expand. It provided a continental home for the Irish economy and polity that enabled Ireland to move from dominance and dependence to interdependence.

The formal equality of the British and Irish states in the EU moderated and tamed the asymmetrical relationship between the two countries and embedded their relationship in a wider multilateral framework. Both states became part of an evolving regional polity. In the union,

the patron-client pattern was dissolved; in the new circumstance British ministers and diplomats could see their Irish counterparts as clever partners in Europe. Without this transformation it is almost impossible to see how Dublin-London relations could have been transformed as they were between the mid-seventies and the mid-eighties (Kennedy, 1994: 177).

The EU offered the Republic an escape from excessive economic dependence on Britain, clearly apparent in the changing geographical pattern of Irish exports. In 1971, the UK market absorbed 61 per cent of Irish exports; the proportion had fallen to 25 per cent by 1998 (McAleese, 2000). Although material considerations played a pivotal role in Ireland's decision to apply for membership, the EU was a powerful symbol of Ireland's place in the European order as an independent small state with a seat at the table. The significance of this was seen as early as 1975 during Ireland's first presidency of the Council of Ministers. The European Union became central to the state's external identity, as highlighted by the 1996 government white paper on foreign policy, which concluded that:

Irish people increasingly see the European Union not simply as an organisation to which Ireland belongs, but as an integral part of our future. We see ourselves increasingly as Europeans (Ireland, 1996: 59).

Such a statement would be inconceivable in a British, Danish or Swedish white paper on foreign policy.

EU membership was a project for Ireland's future which also vindicated one of Ireland's strongest traditions, nationalism. Ireland's engagement with Europe was part of a "very deep longing for an alliance, a friendship that was non-imperial and psychologically satisfying, combined with a culturally determined wish to be self-sufficient and to be true to no one but one's collective self". (Garvin, 2000: 37) Participation in the EU was intimately linked to the national project of economic and social modernisation. Ireland's decision in the late 1950s and early 1960s to switch from protectionism to an outward orientation was a highly conscious and strategic one. It was intended to achieve an exporting economy by re-orienting the indigenous economy and attracting inward investment. In order to do this Ireland had to embrace free trade and multilateralism in the context of the EU. Paradoxically, sharing sovereignty in the EU provided successive Irish governments with a wider

range of strategic policy choices than would have been possible if Ireland remained locked into an uneven and dependent relationship with the UK. Within two years of membership, when Britain engaged in a re-negotiation of its terms of membership in 1975, the then Irish government decided that even if the UK withdrew following the 1975 referendum, Ireland would remain in the union. This was followed by the decision in 1978 to join the European monetary system without Britain and to join the single currency in the first wave. In both of these instances, the Irish government was prepared to adopt an EU policy which had the potential to drive a wedge between North and South.

Until 2000, there was a relatively smooth fit between the dynamic of European integration, EU policy regimes and Irish preferences. The EU was a consensual political issue that had not led to serious splits in the main Irish parties. This has enabled successive Irish governments to display a *communautaire* approach to the development of the EU, in stark contrast to the controversial nature of the EU in domestic UK politics. Well schooled in the elusive nature of formal sovereignty, Irish politicians and administrators embraced the sharing of sovereignty, unlike their UK counterparts for whom sovereignty remained a core political value. Ireland portrayed itself and was perceived as a constructive player in the union. In contrast, the UK never exercised the influence in the EU that its size would warrant. Since 2000, however, the position of both these states in the union has altered. In summer 2000 a discernible shift in the tone of Ireland's engagement with the EU was evident, a shift highlighted in a series of speeches from the Tánaiste, Mary Harney and the Minister for Arts, Culture and the Gaeltacht, Síle de Valera. In July 2000, the Tánaiste, Mary Harney, in an address to the American Bar Association endorsed a neo-liberal Europe and ended by saying "I believe in a Europe of independent states, not a United States of Europe", and that Ireland was nearer to "Boston than Berlin" (Harney, 2000a). The July speech was followed by an opinion piece in the Irish Times in September 2000 in which she posed a number of questions about the prospect of a European government, a United States of Europe, and of all major social and economic decisions taken by qualified majority voting. In sum, the minister said, "we believe the future of the EU lies not in a United States of Europe, but in a union of independent sovereign states" (Harney, 2000b). The latter statement is reminiscent of De Gaulle's "l'Europe des patries" or Margaret Thatcher's celebrated Bruges speech in 1988. The Minister for Arts, Culture, Heritage, Gaeltacht and the Islands, Síle de Valera, in an address in Boston College in September 2000, adopted a Eurosceptical tone. She made reference to the fact that "directives and regulations agreed in Brussels can often seriously impinge on our identity, culture and traditions", without being specific about which directives and without offering any concrete evidence. She called for a more vigilant, questioning attitude towards the European Union and for more diligence in protecting Irish interests (de Valera, 2000). While offering support for enlargement, both ministers adopted a defensive and narrow approach to the future of the EU and Ireland's place in that union.

The change in the tone of Ireland's EU policy was followed in the first half of 2001 by a serious budgetary row between the Minister for Finance and the Commission

on Irish budgetary policy. Splits in the cabinet spilled over into public debate and the first Irish “no” in an EU referendum. Ireland was the only member state that had to submit the Nice Treaty to a popular referendum for constitutional reasons. This was the fifth referendum in Ireland on the EU since 1972. All of the others had been passed by a comfortable, albeit declining, majority. On June 7th 2001 the Irish electorate voted “no” to the Nice Treaty by 53.9% to 46.1%, in an extremely low turnout of 34.8%. The outcome of the referendum was a major reversal for the government that had negotiated the treaty, for the main opposition parties that had advocated a “yes” vote and for the peak groups in civil society, notably the main business associations, farming organisations and the trade union congress. Ireland’s relatively stable EU policy was suddenly loose of its moorings. Given the importance of the Nice Treaty for the process of enlargement, the Irish government committed itself to holding a second Irish referendum in the autumn 2002.

The second referendum was held on the 19<sup>th</sup> of October and on this occasion the electorate endorsed the Treaty with a decisive majority of 62% of the votes cast. The second referendum confirmed the underlying support of Irish public opinion for EU membership and its recognition of the centrality of the EU to Ireland’s economic and political prospects. It has not however resolved the challenge facing the Irish political class as they grapple with changes to Ireland’s position in the Union, the arrival of many more small states and the pressure for further constitutional change. Moreover, the Government and the wider political class now knows that it cannot take the electorate for granted and that it must begin to communicate politically about Europe. Otherwise it faces a difficult political battle in the inevitable referendum following the conclusion of the next treaty, a constitutional treaty.

Tony Blair, as Prime Minister, managed to alter the tone and substance of British European policy, and has positioned himself as one of the most influential prime ministers in the European Council. He has achieved this by engaging in extensive bilateral contacts with his counterparts in other member states and by taking the lead in a number of emerging EU policy areas, notably, the European Security and Defence Policy (ESDP) and the Lisbon process of economic policy reform. He has striven to promote a neo-liberal economic reform agenda at EU level and has found solid backing from a number of other member states. Difficulties within the Franco-German relationship have allowed him to promote a triad of big states in the union. There are, however, limits to his ability to put the UK at the heart of the union. These are the UK’s continuing absence from the Euro and his close relationship with the US. In the post September 11 environment, all EU member states were generally supportive of US policy, but this support is likely to ebb if the US embarks on widening the conflict to include Iraq.

Thirty years after joining the EU in 1973, both states find themselves facing critical choices about their future in the union. The Irish government and electorate face the choice between their traditional role as a constructive player in the system or becoming an outlier. The UK has the possibility of playing a central role as a large state in shaping the EU but its influence will be limited as long as it remains outside the Euro zone. In the case of both states, it is their electorates and not their governmental elites will decide on the position of these states in future.

## THE EU AND MANAGING THE CONFLICT

Joint membership of the European Union provided British and Irish ministers and officials with a forum for continuing contact across the range of public policy issues. EU meetings, particularly European Councils, provided British and Irish Prime Ministers with an informal arena to discuss Northern Ireland at the margins of EU deliberations. Bilaterals became such a common occurrence that officials began to prepare for them as a matter of routine. In addition to the business content of such meetings, they provided an important opportunity for relationship building between the heads of government. Opportunities for informal contact meant that even when Anglo-Irish relations were at a low ebb, there was not a complete breakdown in communications. The Milan European Council in 1985 opened the way not only for the Single European Act but also the Anglo-Irish Agreement (Fitzgerald, 1991: 551). Both governments sought to keep the question of Northern Ireland separate from their relationship in the union. The Irish government was never tempted to try to raise the issue in the context of European Political Co-operation (EPC) and devoted far greater diplomatic resources in getting the US actively involved in conflict resolution. That said, the EU was regarded as means of internationalising the question of Northern Ireland. In addition, given that Northern Ireland was part of the EU as a region of the United Kingdom, European institutions were external parties to the problem and gradually developed an interest in and a policy approach to the problem. EU institutions, notably the Commission, became very interested in Northern Ireland.

### ***The development of an EU involvement in Northern Ireland***

During the referendum on EU membership in 1972, there was a naive belief in the Republic that joint membership of the union would spirit the border away and that European integration would foster Irish unity almost by stealth. In an integrating Europe, the border would gradually decline in economic and political salience. A "borderless Europe" implied a "borderless" Ireland. Such expectations, although understandable, were based on the assumption that the EU was considerably more integrated than in fact it was, and that its development was leading to traditional statehood. It ignored the imbalance in the union between its impressive economic power and a much weaker degree of political integration. The disintegration of Europe's traditional nation states is a continuing theme in discussions of European regionalism. Proponents of a "Europe of the regions" saw such a project as offering the prospect of transcending the British and Irish states and thereby providing a lasting solution to the Northern Ireland conflict in a frontier free Europe (Kearney, 1988). Although regionalism has been a growing phenomenon in Europe over the last 20 years, it is unlikely to transcend the traditional nation states as each regionalism is highly contingent on the constitutional and political environment within which it evolves (Laffan, O'Donnell and Smith, 1999: 21). Rather than a "Europe of the regions", there is an emerging EU polity *with* regions. Post-Agreement Northern Ireland finds itself in a Europe of growing regional activism and multi-levelled governance.

Scholarly assessments of the EU role in Northern Ireland have tended to down-play the union's role and to conclude that the EU was essentially a "by-stander" that had not weakened the conditions of communal conflict (Ruane and Todd, 1996; Teague, 1996). Others argue that it has altered relations between the two states and the two communities involved in the conflict (Bew and Meehan, 1994; Hainsworth, 1981; Ó Cléireacháin, 1983) The development of an EU dimension can be analysed under four main headings; the EU as a political arena, EU policies and reports on Northern Ireland, the EU as a model of negotiated governance and the EU in Northern Ireland.

### ***The EU as a political arena***

The EU was not just an external party to Northern Ireland but an additional arena of politics above the UK and Irish states. Northern Ireland was part of this evolving and increasingly complex layer of politics and economics. Like all of Europe's regions and states, Northern Ireland had interests to represent and public goods to secure in the EU. As in all political systems, voice and representation mattered. Formally, Northern Ireland was represented in the union's policy process by London-based ministers and civil servants. The UK system for managing EU business was based on the dominance of the "lead ministry", with highly centralised mechanisms of co-ordination emanating from the Cabinet Office. This system favoured sectoral ministries rather than the three territorial ones as they did not have the status of lead ministries in any field. The representation of Northern Irish, Scottish or Welsh interests in the EU Council of Ministers had to pass through the processes of UK preference formation before they reached the table in Brussels. It has been argued that the UK system did not adequately represent the specific regional interests of the component parts of the UK. Specifically in relation to Northern Ireland, farming and community interests have felt poorly represented by the UK. Northern Ireland faces the additional problem of not having ministers in the British cabinet who could argue for its interests in cabinet debates (Bew and Meehan, 1994).

Concern with the under-representation of Northern Ireland in Brussels led to the opening of the Northern Ireland Centre in Europe in 1991. This office resembled the growing number of regional offices found in Brussels. It was a public-private partnership involving the Chamber of Commerce, local authorities, employers, trade unions and voluntary groups. Crucially, it received cross-party support. Both by its activities in Brussels and in Northern Ireland, the centre provides an example of the way in which the EU experience had led to the establishment of common ground where the various parties and sectors in society work together to define and pursue a common agenda for Northern Ireland in relation to EU policies. The centre established a working group involving the key chief executives of the councils and Northern Ireland's members of the Committee of the Regions. Its Concordia project was designed to develop an active social partnership. In November 1998, it organised a four-day working visit for members of the Assembly to Brussels. Such developments would be regarded as routine and mundane in most political systems, but were difficult to develop in Northern Ireland. The fact that the visit took place was regarded by the participants as the beginning of normal politics. The EU agenda

and the need to respond to the development of EU policies provided political space and political opportunities for co-operative and collaborative work. The question of representation in Brussels was re-opened in the context of the evolving constitutional changes in the United Kingdom and needed to be addressed in relation to the implementation of the Good Friday Agreement.

The absence of direct ministerial representation in Brussels meant that Northern Ireland's three MEPs played a pivotal political role in links to the Brussels arena. European Parliament (EP) elections provided an electoral contest every five years and an arena within which to conduct party politics. Since the first direct elections in 1979, Northern Ireland has been represented by John Hume of the SDLP and Ian Paisley of the DUP. The UUP was represented by John Taylor and is now represented by Jim Nicholson. The three MEPs collaborate in the EP on policy issues while at the same time differing in their attitudes towards the EU and the role of the EU in Northern Ireland (Bew and Meehan, 1994). During the negotiations on the Community Initiatives for 1994-99, considerable work was undertaken in relation to the eligibility of Belfast and Derry for this programme. The creation of the peace and reconciliation fund emerged from a task force established by Jacques Delors on the prompting of the three MEPs. Their three assistants in the EP worked closely with the Commission in the design of the programme. Given the importance of the agricultural agenda to Northern Ireland, each of the three main parties—UUP, SDLP and DUP—pay particular attention to this policy area and in the period before the establishment of the Executive, gave responsibility for it to Jim Nicholson, Denis Haughey and Nigel Dodds. They formed a close working relationship, which has been a valuable means of establishing a network of communication which can then be utilised on other issues. Co-operation on policy issues cannot, however, disguise divergence on the EU and its role in Northern Ireland.

Party attitudes towards Europe and an EU role in conflict resolution divide along communal lines. Nationalist opinion is generally supportive of European integration, whereas unionist opinion is far more sceptical. Unionist opinion is in line with British attitudes, whereas nationalist opinion is in line with opinion in the Republic of Ireland, albeit at a somewhat lower level of support (Reinhardt, 1996: 10) Among the political parties, the SDLP and the Alliance Party are the most pro-European. The pro-European stance of the SDLP has been largely moulded by John Hume. Hume played the European card with skill and used his position in the EP's Socialist Group to garner support for his analysis of the conflict and its resolution. In the EP, Hume successfully appropriated the European agenda and put it to use to promote his analysis of Northern Ireland. The SDLP went furthest in its support for an active EU role in the governance of Northern Ireland. In 1992, the SDLP proposed that the EU Commission should nominate one member of a six member commission which would govern Northern Ireland. The proposal found little support from other political parties, the British government or the Commission itself (Bew and Meehan, 1994). Partly because of the Hume approach and his success, the unionist parties were defensive about an EU dimension and were intergovernmental in their approach to European integration. The UUP favours intergovernmental co-operation among Europe's nation states but would not support radical federalisation which might un-

dermine the United Kingdom and its position. The UUP might have developed a more nuanced and less oppositional approach to the EU had it not been for the strident anti-European analysis introduced to the party by Enoch Powell, though its large farming supporters benefit from the Common Agricultural Policy. The DUP is fundamentally opposed to the EU, seeing Brussels as part of a wider Roman Catholic plot to control the continent. Both unionist parties have opposed the political involvement of the EU in Northern Ireland while accepting functional co-operation, if it can be ring fenced.

### ***EU policies and reports***

The EU's role in Northern Ireland has evolved on the basis of its policy regimes and functional competence in agriculture, market integration and regional policy. The latter is one of the most visible of the EU's policies in Northern Ireland. The development of a European regional policy was strengthened by the establishment of the European Regional Development Fund (ERDF) in 1975. The Commission, from the outset, favoured a role for EU regional policy in alleviating obstacles to the economic development of border areas. The Commission wanted to transform Europe's borders from barriers into bridges. Cross-border co-operation formed a central part of the policy in this domain. The Irish government supported Commission preferences and argued that the non-quota section of the ERDF should be used to finance cross-border projects. Once the possibility of cross-border projects was included in the regulations, the EU had a policy instrument to promote such projects in the context of the Irish border. Their development was slow, tortuous and contested. They began with a series of low key reports outlining the economic problems of the border region and strategies for development. In the late 1970s, the Londonderry/Donegal Communications Study and the Erne Catchment Area Study were co-financed by the Commission, in addition to a number of programmes for tourism, small business and handicrafts. This was followed by a report on Irish border areas by the Economic and Social Committee in 1983 which recommended a strengthening of cross-border initiatives and the use of EU budgetary mechanisms to finance such initiatives. In addition to cross-border projects, the Commission recognised Northern Ireland as a region deserving of special treatment (objective one status) in the context of its regional policy. It ranked, together with the Republic, as a priority area for structural fund monies. In the late 1970s and early 1980s, financial transfers became a key and enduring feature of the union's policy towards Northern Ireland. The significance of budgetary instruments owed much to the fact that the union had a sound treaty basis for involvement in the economic domain.

The visibility and salience of EU policies was enhanced by the reform of the structural funds and their increased financial resources after 1988. The new regulations required the development of an integrated plan covering all sectors, which was then submitted to the Commission, which in turn agreed a Community Support Framework (CSF), a package of financial aid over a number of years. The Commission favoured what it called a partnership model for the development of such plans. This implied that there was extensive consultation by government of political parties and societal groups in the establishment of priorities and programmes. Because of the

increase in financial resources and the manner of their delivery, the distribution of the funds became politicised with more and more groups seeking involvement in the programming process. Because of the weakness of the political process in Northern Ireland, the civil service and particularly the Department of Finance and Personnel (DFP) dominated the process at the outset. The department came under pressure from the political parties and the Commission to strengthen the consultative process.

A key feature of the reformed fund was a Community Initiative entitled INTERREG which was specifically designed to promote cross-border co-operation and integration. This provided an opportunity to up-grade the relatively low-key co-operation which had been built up during the 1980s. In practice, funding from INTERREG 1 went to separate projects on either side of the border. The next programming period, 1993-99 required a review of the mechanism for cross-border co-operation. Both the national plan submitted by the Republic to Brussels and the Single Programming Document submitted by the authorities in Northern Ireland contained a chapter on cross-border co-operation which identified five priority areas. What is known as the common chapter contained no new initiatives nor were there proposals for enhanced co-operation between the two administrations (Kennedy, 1996: 61) The experience of implementing the INTERREG programme did, however, lead to cross-border mobilisation in the border region as local politicians and voluntary groups sought to improve co-operation. Three cross-border networks—the North West Cross Border Group, the East Border Committee and the Irish Central Border Area Network— evolved from the “bottom-up” with a new approach to cross-border co-operation. The networks were determined to develop cross-border co-operation that went beyond the formal networks established by civil servants. They have used the new institutions to press their case for an enhanced role in the implementation of INTERREG III.

Once EU policies began to impinge on Northern Ireland as a region, it was inevitable that attention would be drawn to the conflict itself. Whereas the Commission and the Council of Ministers restricted their involvement to functional co-operation within the ambit of EU policy regimes, the European Parliament became increasingly involved in debating the political dimensions of the conflict. Between 1981 and 1984, growing attention was paid to political conditions within Northern Ireland by the European Parliament. The Maze hunger strike was debated in 1981 and the use of plastic bullets condemned in 1982. This was followed by a major report issued in March 1984, known as the Haagerup Report after the Danish MEP who was the main rapporteur, on the situation in Northern Ireland. The commissioning of a report on Northern Ireland by the Political Affairs Committee of the parliament was extremely controversial because it raised questions about the blurring of the boundary between what could be considered as the internal affairs of a member state and the competence of the union. The British government was extremely unhappy about the report and the Prime Minister instructed the Conservative MEPs to try to block the commissioning of the report. Unionist politicians were also implacably opposed to the intervention of the EP in the political and constitutional affairs of Northern Ireland.



The resolution which accompanied the report set out the role that the EU should play in relation to Northern Ireland, in addition to views about the perceived role of other actors. The report strongly endorsed an Anglo-Irish framework for the resolution of the conflict as it was replete with references to the need for “the closest possible co-operation between the United Kingdom and Irish governments” and “for expanding and enlarging their mutual co-operation” (European Parliament, 1984: 9) Concerning the EU itself, the report highlighted the role of EU expenditure and called on the Commission and the Council of Ministers to develop an integrated plan for the development of Northern Ireland. This was very much in line with what the EU was already doing, notably with respect to the Integrated Programme for Belfast. The political importance of the report should not be under-estimated, in that it emphasised the importance of Anglo-Irish relations and recognised the interest of the Republic in Northern Ireland. It has been argued that “the real significance of Haagerup was that it showed the extent to which an essentially nationalist analysis of the problem was being accepted by external neutrals, as was the idea that progress towards a solution lay in the broader Anglo-Irish context” (Kennedy, 1994: 179). Since Haagerup, the EU has supported and endorsed all political agreements between Britain and Ireland. The Commission responded to the Anglo-Irish Agreement by creating a Northern Ireland committee in its services which was followed by an EU donation to the Ireland Fund in 1989. Following the cease-fires in 1994, the Commission established a Commission Task Force which designed the Peace and Reconciliation Fund (1995-99), approved by the Essen European Council at the end of 1994. The Berlin European Council in March 1999 agreed to the continuation of the Peace Fund into the next financing period (2000-2006).

### ***The EU as a model***

The European Union, established as a peace project in the context of Cold War Europe, offered a model of inter-state relations that rested on co-operation, interdependence, mutual understanding and civic statehood. Its founding ideology was based on reconciliation and the transformation of neighbours into partners in a collective project. John Hume appropriated the rhetoric of European integration, arguing constantly that if conflict on the scale of two world wars could be resolved through dialogue, then so could the conflict in Northern Ireland. In addition to the rhetoric of integration, participation in the EU offered alternative models of politics and political order. First, the iterative and intensive EU Treaty negotiations, with no final settlement in prospect, underlined the adequacy of partial agreement. Second, the investment in the EU in building institutions drew attention to the importance of institutional innovation in promoting collective action and in socialising political actors into new procedures and norms of policy making. Third, the emphasis in the union on problem solving pragmatic politics was a useful antidote to the zero-sum bargaining of politics in Northern Ireland. Fourth, the sharing of sovereignty in the EU highlighted the divisibility of sovereignty in contemporary Europe. The language and style of politics in the EU—partnership, problem solving, experimentation, innovation, unending negotiations—offered a way of doing things which characterises the implementation and operation of the Agreement as it becomes a living settlement. The institutions of the Good Friday Agreement outlined below echo a number

of the institutional and procedural features of the EU. The d'Hondt system used for the allocation of political offices according to the share of seats in the European Parliament is used for the allocation of ministerial office to the parties in the Northern Ireland Assembly. The North/South Ministerial Council which meets in plenary and in different sectoral formations is not unlike the Council of Ministers, and meetings of the British and Irish heads of government resemble the European Council.

### ***The EU in Northern Ireland***

Membership of the European Union brought Commissioners, their officials and EP groups to Northern Ireland. A number of high ranking Commission officials, notably Carlo Trojan, former Secretary General of the Commission, were personally very committed to Northern Ireland. The Commission officials who sat on programme monitoring committees brought with them their experience of different administrative and political systems and could be regarded as neutral in terms of the division between the communities and the two parts of the island. Many Commission officials were active as "policy entrepreneurs", suggesting new approaches and financing research on future policy strategies. It was a Commission official who persuaded the three cross-border groups that they needed to think of a Border strategy that went beyond projects for their bit of the border. With the growing salience of the EU, more and more groups within Northern Ireland became active in transnational projects and in Brussels based lobbying groups. Knowledge and interest in the EU is expanding beyond the narrow confines of the mandarins in the civil service. The preparation of the Single Programming Document for structural fund finance provided opportunities for the identification of areas of common interest. The Peace and Reconciliation Fund (PRF) led to the establishment of new mechanisms of co-operation which enabled people to see the potential for co-operation when the dynamic was changed. It was an important validation and endorsement of the cease-fires and created political space for new developments. It forced politicians and wider civil society groups to take on the responsibility for resource allocation. The Fund was administered by the Northern Ireland Partnership Board which consists of the political parties, the voluntary and community sector, and the social partners. The Board managed the programme which was largely administered by 26 District Partnerships. At local level, there were funding mechanisms which push the political parties towards agreement on resource allocation which in turn promotes effective working mechanisms. Clearly, the performance of the partnerships was patchy and there continues to be tension between the politicians and wider civil society groups. The Commission regarded the delivery mechanisms and the inclusive nature of the process as a model for mainstream EU funding (Wolf-Mathies, 1998). The Peace and Reconciliation Fund will continue in the next funding period with minor changes in the mode of delivery.

## **THE GOOD FRIDAY AGREEMENT**

The constitutional settlement embodied in the Good Friday Agreement represented a complex set of institutional and political arrangements within Northern Ireland, between North and South and between Britain and Ireland. Important landmarks in

the lead-up to the Agreement were the Anglo-Irish Agreement (1985), the Downing Street Declaration (1993) and the Framework Document (1995). The Anglo-Irish Agreement had little EU content other than a reference to the determination of both governments to develop close co-operation as partners in the EU. The 1995 Framework Document contained a much stronger reference to the EU. It referred to “an agreed approach for the whole island in respect of the challenges and opportunities of the European Union”, to the implementation of EU programmes “on a cross-border or island wide basis” and to “joint submissions” to the EU (paragraph 26, Framework Document, 1995).

The Good Friday Agreement itself is replete with references to European issues, which may be assessed under its three main headings.

### ***Strand One***

This strand consisted of an elected Assembly and an Executive headed by a First Minister and Deputy First Minister. The duties of the latter consist in part of co-ordinating the work of the Executive and managing the external relationships of the administration. The December 1998 agreement on the Executive established 10 departments, all of which have a European dimension. Many of them, notably Regional Development, Social Development and Enterprise, Trade and Investment have over-lapping responsibilities in an EU context. Given the distribution of portfolios across the political parties, there are likely to be considerable turf battles about departmental responsibilities at the outset. Control of economic policy is a looming battle because there is an Economic Policy Unit and a Policy Innovation Unit in the Office of the First Minister and Deputy Minister, the Department of Enterprise, Trade and Investment has responsibility for economic development policy and the Department of Finance and Personnel is likely to want to continue to play its traditional treasury role. Responsibility for European matters was allocated to the Office of the First Minister and Deputy Minister, which co-ordinates the European briefs of the other departments and has developed relations with a range of EU players. The appointment by Seamus Mallon of two former senior Commission officials as advisors suggests that the SDLP intended to have a large input into the development of European policy. The UUP had no corresponding expertise at the outset.

Prior to the formation of the Executive, the Department of Finance and Personnel had the central co-ordinating role within the Northern Irish administration. It remains the lead player in developing and negotiating the Community Support Framework and Community Initiatives with the Commission. Because of direct rule, civil servants in Northern Ireland have had far less political direction in policy development than is the norm in a democratic system of government. The representation of Northern Ireland's interests in Europe had to be re-negotiated with London. The model followed the mechanisms that were negotiated with Edinburgh and Cardiff. Whitehall was determined to maintain overall control of the UK's European policy but had to agree standard operating procedures with the devolved administrations. Depending on the political complexion of these administrations, the relationship on EU affairs may be co-operative or conflictual (Robbins, 1998). The experience in

other countries, notably Germany, Belgium and Spain, suggests that there could be tensions about EU business.

### **Strand Two**

There were a number of references to EU matters in Strand Two. First, the North/South Ministerial Council has a remit to consider the European Union dimension of relevant matters, including the implementation of policies and programmes under consideration in the EU. Arrangements must be put in place to ensure that the views of the Council are taken into account and represented appropriately at relevant EU meetings (Agreement, Strand 2, Paragraph 17). This was deliberately ambiguous and offered the prospect that the views of the Council on EU matters may simply be noted by the relevant channels, or it could mean that at some future date members of the Council might participate in Irish delegations to the Council and its working parties. If this were to develop, it would have significant consequences for Ireland's management of EU policy in the long term. To date, EU business has not impinged that much on the work of the North/South Ministerial Council, apart from its treatment of EU funded programmes.

The second EU dimension in strand two related to the implementation bodies proposed in the Agreement. In the December 1998 agreement on implementation bodies, it was decided to establish an implementation body for Special EU Programmes. The body was given responsibility for the existing cross-border programmes, the development of the Community Initiatives in the next programming period and their implementation. An implementation body on EU programmes was high on the SDLP's shopping list and was agreed by the UUP, albeit with reservations.

Cross-border co-operation to date has had a modest impact on co-operation and integration in border regions. There are three models for the development of cross-border initiatives:

- parallel or back to back implementation
- joint planning but separate implementation
- joint planning and implementation.

The implementation of cross-border initiatives on the Irish border were largely characterised by the first model with an attempt to move to model two in the 1994-99 programming period. The implementation body on Special EU Programmes was clearly designed to move the process to the third model with joint planning and implementation.

The Special EU Programmes Body (SEUPB) was established under an Agreement between the Government of Ireland and the Government of Great Britain and Northern Ireland in March 1999 and came into effect on the 2 December 1999. It is directly accountable to the North/South Ministerial Council which in turn is accountable to the Oireachtas and the Northern Ireland Assembly. Its work was hampered in the early period by the suspension of the Executive but in the latter half of 2000 it

began the slow process of establishing itself in the institutional landscape of Northern Ireland the Republic. In its first year of operation its chief executive and his deputy resigned leading to considerable instability in the organisation. The SEUPB finds itself at the confluence of a number of different changes—regionalisation in the Republic, changes in the EU guidelines on cross-border co-operation, the evolution of the new institutions and “bottom-up” mobilisation in the border region (Laffan and Payne, 2001).

The appointment of John McKinney as chief executive from 1 February 2001 marked an important development for the body. McKinney as chief executive of Omagh District Council had considerable experience of local partnership based development and was highly regarded throughout civil society. Since becoming chief executive, he has striven to establish the Body as an organisation with the human resources and internal organisation that can animate cross-border co-operation on an all island and cross-border basis. Differences in labour laws in both jurisdictions has made the recruitment of staff very difficult although the body is now reaching a more stable organisational profile.

### ***Strand Three***

The EU dimension to strand three manifested itself in the suggestion that EU matters were suitable for discussion by the British-Irish Council. Moreover, the stipulation that two or more members were free to develop bilateral or multilateral arrangements has encouraged the development of political and policy links between Dublin, Cardiff and Edinburgh. It will act as an additional spur to the Ireland-Wales Interreg programme. The development of multiple relations between the component parts of the two islands, might over time lead to “these islands” emerging as a subsystem in the EU, not unlike the Benelux or Franco-German relationships, and Nordic Co-operation. Enlargement to the East and the addition of many more states will in any case promote the growth of more subsystem groupings in the EU.

## **CONCLUSION**

This paper analysed the dynamic role that joint membership of the European Union has played in the changing relations between Britain and Ireland and North and South. Since the 1970s, the Irish state and its political elite has continued to grapple with the dilemmas of British-Irish relations and the continuing conflict in Northern Ireland. The Good Friday Agreement concluded in April 1998 and subsequent legislation went a long way towards providing a constitutional settlement for conflict management if not conflict resolution in Northern Ireland. Its achievement showed just how far British-Irish relations had evolved and developed since the trauma of 1968-69. Tony Blair’s address to the Oireachtas in November 1998 provided a symbolic marker of the change.

The outbreak of communal conflict in Northern Ireland coincided with accession negotiations to the EU and subsequent membership. Without the embedding of both states in the wider system of European integration and without the model of

politics offered by the EU, it is unlikely that both states and other political actors could have found the political capacity and the institutional models to craft the Good Friday Agreement. The EU made an essential contribution to the changing relations between Britain and Ireland and to conflict management in Northern Ireland.

Constitutional change within Great Britain—the devolution project—has brought that state's constitution into the mainstream of contemporary European governance. Adshead and Bache distinguish between regionalisation—“the process leading to enhanced governing capacity at the regional level”, on the one hand, and regionalism—“bottom-up movements seeking to strengthen regional governance in order to develop or support their own political, cultural and/or economic autonomy within the wider state system”, on the other hand (Adshead and Bache, 2000). At its most basic, regionalisation might simply be the territorial division of state for administrative purposes, where the boundaries of these territories have no defining historical or cultural characteristic. Regionalism, in contrast, is a process driven by local aspirations, and a sense of regional identity. Prior to devolution, Britain was the last remaining large European state that had not experimented with devolution, regionalisation and regionalism. The process is likely to proceed with the regionalisation of England, whatever form that might take. The division of the Republic into the Border Midlands West (BMW) region and the rest, is an example of very limited and “top-down” regionalisation. The driving motivation behind the policy was to establish an entity which would encompass those parts of the country still eligible for EU “Objective One” structural funding.

The institutions established by the Good Friday Agreement, involving as they do two sovereign states in addition to sub-state entities, is different in kind to the other processes of change on the archipelago. It is also different in kind to the structures and processes of cross-border co-operation found on other European borders. On Europe's settled and uncontested borders, cross-border co-operation, if institutionalised, is animated by local and regional actors without the involvement of the central state. The institutions of the Good Friday Agreement, particularly in the North-South and East West context, accord a significant role to the governments. In addition, however, they allow for the development of institutional nodes and networks on the Irish border and in an all island context provided that the implementation bodies succeed in embedding themselves in the wider frame of governance. The British Irish Council has the potential also to enhance the breath and depth of sub-state policies between Dublin, Edinburgh and Cardiff.

Neither of the models commonly suggested as underlying recent territorial changes—state realism and European regionalism—captures territorial politics on the archipelago. Membership of the EU, constitutional change within Great Britain and between Ireland and the United Kingdom pushes territorial politics in the direction of multi-levelled governance, though not what might be described as European regionalism, if by that is meant a hollowing out of the power of the central state. Central governments remain powerful, albeit not the only actors, in the institutions and governance regimes of the EU. Central governments and national administrations remain key focal points within the growing number of multi levelled and multi-centric policy networks that are prevalent in the EU. The exercise of state sover-

eighty has been transformed, not transcended, by membership of the EU. The same might be said of the change processes on these islands.

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