

The Good Friday Agreement's Impact on Political Cooperation

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Abstract

This article aims to examine the impact of the Good Friday Agreement on political cooperation. It examines party political cooperation in Northern Ireland and also bilateral British-Irish intergovernmental cooperation. In the first section, the Agreement's consociational system and its criticisms are outlined. In section two, the effect of the Agreement on cooperation between the Northern Ireland political parties is assessed. In section three, the impact on British-Irish East-West cooperation is assessed along with the effects of Brexit. In conclusion, it is argued that Strand Three of the Good Friday Agreement, providing for the institutionalisation of intergovernmental cooperation was not implemented adequately and this weakness has been exposed by Brexit.

Key words: Good Friday Agreement, Brexit, political cooperation, intergovernmental cooperation, British-Irish Intergovernmental Conference.

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‘The Good Friday Agreement has the potential...to completely change political relationships, not only in Northern Ireland, but in both British and Irish Isles’ (Fortnight Magazine, 1998).

Twenty years on from the signing of the Good Friday Agreement, decades of peace, but also of political acrimony, have led to both praise for and criticism of the Agreement. It is credited with bringing peace to Northern Ireland. In that fundamental sense, its impact on political cooperation is unequivocal. However, despite its apparent success, it has many critics, mainly from within Northern Ireland, whose arguments include claims that it has reinforced sectarian political divides and that it has not facilitated adequate grass-root and local participation in governance. The suspension of the Executive in January 2017 is but one example of the Agreement’s failings, plus the oft-cited evidence of peace walls reflecting the societal divisions between Protestant and Catholic communities in Northern Ireland (Browne, 2017).

In this article, the impact of the Agreement on political party cooperation within Northern Ireland and also on British-Irish intergovernmental cooperation is assessed. Cooperation is defined as actors reaching joint compromises and making joint policies, where they have conflicting interests. The article begins by setting out the Agreement’s consociational system and the criticism of that system. In section two, the effect of the Agreement on cooperation between the Northern Ireland political parties is assessed. In section three, the impact on British-Irish East-West cooperation is assessed and in conclusion, the overall political impact of the Agreement is identified.

Consociationalism and the Agreement

The essence of the consociational system is the existence of cooperation among political elites (O’Leary and McGarry, 2003: 98). It is typified by the eschewal of the majoritarian model of government, that denied the Catholic minority executive power in Northern Ireland’s devolved government from 1922 to 1972. Thus the following characteristics typify consociationalism: the existence of a mutual veto, the adoption of a proportional representation and the allocation of ministerial portfolios on a proportion basis (O’Leary and McGarry, 2003: 98). There is no ‘opposition’ – the government operates on a consensual basis. Consociationalist systems also permit the blocs which divide the regime freedom to make autonomous decisions on matters of profound concern to them’ (O’Leary and McGarry, 2003: 98) – they endorse segmental autonomy.

The Agreement is an example of a complex consociational system (O’Leary, 2009). It utilises John Hume’s three strands approach: that resolving the conflict in Northern Ireland involves the totality of the relationship: i. internal relations in Northern Ireland; ii. cross-border relations and iii. British-Irish intergovernmental relations. Thus, Strand One of the Agreement deals with democratic institutions in Northern Ireland and provides for a devolved government in Northern Ireland, with a power-sharing executive, whereby all parties in the executive have veto over issues of key concern to their communities’ rights. Ministerial portfolios are allocated according to the proportional D’Hondt system used by the European Parliament and the posts of 1st Minister and Deputy Prime Minister to head the Executive were established, each representing the unionist and nationalist communities, with the largest two parties electorally taking 1st and deputy positions respectively. Under Strand One, there was no institutionalised opposition to the Executive-the executive comprised all the main

Northern Irish parties together. Strand One also provides for a review of the arrangements, including electoral arrangements and assembly procedures.

Strand Two deals with cross-border issues and provides for the creation of the North-South Ministerial Council. The North-South Ministerial Council was established to manage various areas of cooperation. Six policy areas were given designated cross-border joint bodies: Trade and Business Development Body (Intertrade Ireland), Waterways Ireland, Food Safety Body (Safefood), Foyle, Carlingford and Irish Lights Commission, The Language Body, Special EU Programmes Body (SEUPB) (NSMC, 2016, <https://www.northsouthministerialcouncil.org/content/north-south-implementation-bodies>). In addition, six areas of cooperation, without joint bodies were identified: agricultural policy, education, health, tourism and transport. (NSMC, 2016, <https://www.northsouthministerialcouncil.org/areas-of-cooperation>).

The EU framework is explicitly mentioned as an incentive to advance cross-border cooperation and the SEUPB highlighted the relevance of the EU and its funding in cross-border provisions (see Bradley in this volume). The SEUPB is dedicated to managing cross-border EU Interreg funding projects, as well as Common Agricultural Policy (CAP) funding and the EU Peace packages to foster peace and reconciliation.

Strand Three of the Agreement dealt with British-Irish relations ('East-West' relations). The British-Irish Council (BIC) provided a forum for both heads of government to discuss common economic interests with Welsh, Northern Irish, Scottish and Crown Dependencies executive heads. The British-Irish Intergovernmental Conference subsumed the older Anglo-Irish Conference, created by the Anglo-Irish Agreement in 1985. Its aim was to complete provisions for the 'totality of relationships':

The Conference will bring together the British and Irish Governments to promote bilateral co-operation at all levels on all matters of mutual interest within the competence of both Governments' (Good Friday Agreement, 1998, Strand 3, paragraph 2).

It was stated that the governments 'will make determined efforts to resolve disagreements between them'. In addition:

In recognition of Irish government's special interest in Northern Ireland and of the extent to which issues of mutual concern arise in relation to Northern Ireland, there will be regular and frequent meetings of the Conference concerned with non-devolved Northern Ireland matters, on which the Irish government may put forward views and proposals' (Agreement, Strand three, 5). Specifically mentioned are policing, security, rights, justice and prisons (Strand Three, 6).

The Agreement's section on Rights, Safeguards and Equality of Opportunity provided for the creation of a new Northern Ireland Human Rights Commission and obliged the UK government to complete its incorporation of the Council of Europe's European Convention on Human Rights (ECHR). The Irish government similarly was obliged to establish a Human Rights Commission and implement equality legislation. The Agreement also acknowledged the rights of victims of violence to remember as well as to contribute to a changed society'. (Text of Multi-Party Agreement, 1998, p. 21). The importance 'of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language and Ulster Scots' is enshrined (Text of Multi-Party Agreement, 1998, Economic, Social and Cultural issues, 3) and there are specific provisions for promotion and protection of the Irish language (4). In addition, 'all participants recognise the sensitivity of the use of symbols and emblems for public purposes'(5).

The Agreement also called for decommissioning of paramilitary weapons and the gradual reduction in numbers of UK security forces in Northern Ireland, the removal of security installations (Text of Multi-Party Agreement, 1998, Decommissioning, Security). Under policing and justice, the Agreement pledges to devolve policing to Northern Ireland, after consultation as appropriate with the Irish government' (Text of Multi-Party Agreement, 1998, Policing and Justice, 7) and to create an Independent Commission to make

recommendations about future policing arrangements and review of the criminal justice system (Text of Multi-Party Agreement, 1998: 21, Policing and Justice). Provisions are made for release of prisoners. The Agreement also provides for review procedures, if there are difficulties in the operation of one, or more of the Agreement's institutions.

Overall, the Agreement placed great emphasis on institutionalising relations-internally, cross-border and East-West, reflecting the need to embed lasting cooperation. In addition, according to institutionalist logic, in a crisis, formal frameworks for high-level meetings ensure that cooperation and coherent policy making to solve the crisis exist (Keohane and Nye, 1977) The core principle is that a formal framework that obliged governments to meet, regardless of time constraints, or political will would ensure that communication and joint problem-solving practices continue to prevent crises from destroying cooperation.

The Agreement, Consociationalism and Their Critics.

There are many criticisms and counter-criticisms of consociationalism in the Northern Irish case, captured most comprehensively in Rupert Taylor's 2009 book *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict* (Taylor ed., 2009). Primarily, consociationalism has been criticised for embedding sectarian divides by prioritising segmental autonomy. Rather than fences making good neighbours, fences are argued to further entrench societal divides, making conflict transformation, as opposed to the absence of violence, impossible and eventually leading to violence itself. Consociationalism pigeon holes every individual 'into the categories of ethno-nationalist division' (Wilson, 2009: 221) and thus does not create an integrated society:

In fact, precisely because consociational theory is formulated from and imposed on a sectarian social structure that is ...taken for granted, it remains grounded in the very structures it aspires to transcend, contributes to their reproduction, and proves incapable of addressing the scope of injustice linked to systematic sectarianism (Taylor, 2009: 320).

For critics of the Agreement, consociationalism makes no room for moderates (Wilson, 2009: 226-7). Similarly, the 1974 power-sharing Sunningdale Agreement failed because it lost the support of moderate unionists and the same fate awaits the Agreement (Wilson: 227). For critics of consociationalism, the ethnic divide will be played out at elite level, especially by using the mutual veto, once the agreement has been reached: 'Power sharing may get ethnic leaders to leave the battlefield, but then after a short lull transforms the bargaining room into a new battlefield' (Rothchild and Roeder 2005: 9). Rather than civil society actors impeding cooperation, their identities can change and are not fixed (Dixon, 2011). Conflict transformation can occur at local level. However, as long as a consociationalist system exists, this transformation will be impeded by segregated elites.

In return, O'Leary and McGarry argue that it was ability of extremists to prevent moderates from joining a voluntary coalition that prevented peace in Northern Ireland. Time and time again, British and Irish governments and moderate unionist leaders, such as Terence O'Neill in the 1960s, yielded to sectarian extremism in Northern Irish society. For example, as regards the Sunningdale Agreement: 'We personally witnessed its collapse as frightened schoolboys. Wilson's 'moderates' who brought it down were dressed in camouflage, balacavas and sunglasses' (O'Leary and McGarry, 2009: 370). Similarly, for consociationalists, civil society itself is divided along sectarian lines and identities are not malleable and 'politicians seeking to make cross-community appeals have typically been dispatched to the political wilderness in Northern Ireland' (Nagle and Clancy, 2012: 92). Consociational democracy is far better than no meaningful democracy and 'graveyards filled

through armed conflict' (O'Leary, 2018, forthcoming: 24). In addition, rather than civil society causing the peace process, it did not have a direct impact at all (Cochrane, 2001) and the Agreement's consociational framework was needed to allow civil society to flourish (O'Leary, 2018: 25).

The incorporation of the UK and Irish governments' role is slightly more problematic conceptually in the original consociationalist framework (Wilson, 2009). The term 'complex consociation' indicates specific aspects of the Northern Irish consociation, including 'international involvement in the mediation, negotiation, arbitration and implementation of peace settlements; and cross-border or confederal relationships (and sometimes institutions) for national minorities with their kin in other states (O'Leary, 2018: 42).. Strand 2 and 3 of the Agreement by creating East-West and cross-border institutions are complex consociationalist features and the British-Irish Intergovernmental Conference is an example of an international mechanism to resolve differences.

As regards the Agreement's negotiation and the peace process itself, British and Irish governments' joint strategy and intervention were argued to be central. Both governments adopted a carrot and stick strategy to incentivise all the main parties to cooperate (O'Leary, 1987). The strategy dates back to the 1985 Anglo-Irish Agreement and the underpinning principle is that any agreement is not just between the parties in Northern Ireland, but between the British and Irish governments. Thus, in 1985, unlike in the Sunningdale case, if unionists objected, then they were mobilizing against the British government, not against an internal power-sharing executive (O'Leary, 2003: 85). The underlying principle was to entice unionist support for the agreement by implicitly offering them the chance of autonomy in a devolved government, free from direct rules' strictures, or if not, offer the threat of having less power under direct rule and also the possibility of a large Irish dimension in the 1985 Anglo-Irish Conference.

The SDLP did not need enticing, but for Sinn Féin, there was a trickier path, as it had to retain its traditional nationalist credentials and extremist support, as well as proving its democratic credentials. However, the promise of real policy-making power and legitimacy in a devolved government was a major carrot, especially in the context of a weary IRA leadership. Legitimacy and peace would also improve Sinn Féin's electoral fortunes across the border. In addition, the prospect that the Agreement, like the Anglo-Irish Agreement before it (O'Leary, 1987: 90) would further improve Catholics' civil rights and prosperity in Northern Ireland could eventually lessen the then minority support for Sinn Féin in Northern Ireland. All these carrots were matched by the ultimate threat that if they did not agree, some form of Agreement would go ahead without them, thereby excluding them. The success of this strategy depended on a durable commitment from British and Irish governments. Durable commitment was argued to rely on British and Irish governments' stable postures' and therefore on stable governments (O'Leary, 1987: 91), who do not enter a 1970s-type 'un-holy alliance' (UK Labour Party-UUP, 1976-1978) (O'Leary, 1987: 92) with one side.

O'Leary and McGarry's application of consociationalism was considered the orthodoxy in 2009 (Taylor, 2009), but writing in February 2018, the integrationists appear to have the upper hand, against the backdrop of a failure to agree a language act in Northern Ireland, blamed either on the intransigence of DUP MPs in Westminster, or of Sinn Féin. The failure to restore the Executive and the many political disagreements from 1998 to 2018, with four periods of Direct Rule, appeared to defend the argument that the Agreement, as a consociational agreement, by entrenching sectarian division at elite level, had failed. Similarly, the failure to develop civil society participation under the Agreement is argued to impede societal integration.

In the remainder of this article, this assessment is examined. Firstly, the impact of the Agreement on political cooperation in Northern Ireland is assessed and secondly, the impact of the Agreement on British-Irish intergovernmental cooperation and the role of intergovernmental cooperation are examined. Finally, the significance of Brexit for the Agreement and for political cooperation is assessed.

The Impact of the Agreement on Political Party Cooperation in Northern Ireland

The Agreement's impact on party cooperation is examined in three parts. Firstly, the scope and nature of political-party co-operation is reviewed. Secondly, the evolution of the party system and what this suggests about political co-operation is analysed. A third sub-section assesses the impact of the Agreement on the quality of governance and what this suggests about levels of cooperation.

The nature of political co-operation

The Agreement was negotiated, and power in government initially shared, along a UUP-SDLP axis; indeed, it was widely assumed that the very survival of the Agreement depended on the durable partnership of those then-dominant moderate parties. Unionist-nationalist power-sharing had only before operated for a matter of months in 1974, following the Sunningdale Agreement. Subsequently, much of unionism was uninterested in power-sharing, instead nostalgic about majoritarian rule or desiring greater integration into UK politics. The very return of power from Westminster to Stormont in December 1999, devolved on the basis of sharing to local parties from both sides of the political divide, was a great leap forward in political co-operation.

Sinn Féin was also part of that Government in 1999. For republicans, this was an extraordinary shift: former militants embracing the mundane minutia of democratic administration in a parliament building which for them had been a symbol of unionist oppression. Just weeks before the Agreement, Sinn Féin had still been opposed to an Assembly in Northern Ireland (Adams, 1998). For unionists' part, sharing the Executive table with those whom they had previously refused to share newsrooms and platforms was immensely significant, yet the decommissioning issue prevented the stable bedding down of power-sharing throughout the 1999-2002 period. The UUP's participation in the Executive was always conditional on progress on IRA disarmament, and party leader David Trimble attempted to give force to the UUP slogan, 'no guns, no government' through tactics such as entering government with a post-dated letter of resignation to be triggered should no decommissioning occur, and excluding Sinn Féin from NSMC meetings. Even with these compulsion tactics, he only had the support of narrow majorities of his party council, the rest of the UUP more in tune with the anti-Agreement DUP which railed against 'terrorists in government' (Mitchell, 2015: 60-70).

The DUP had been outside the process since September 1997 when it left the negotiations on Sinn Féin's entry. Yet it too indicated a major change of direction when it took the ministerial positions to which it was entitled under the d'Hondt method of proportional allocation. Immediately after the Agreement, the party had said it would not participate in the Executive and appeared un-reconciled to power-sharing of any variety (Moloney, 2008: 379), but in the June 1998 Assembly election, the DUP offered itself as unionists' 'best guarantee' – not a guarantee of destroying the Agreement but ensuring that unionist interests were protected in the new politics (DUP, 1998). The party was devolutionist and clearly did not want to exclude itself from the power and privileges of

office. Like Sinn Féin, these perennial ‘outsider’ agitators were now on the inside, or almost – the DUP ministers refused to participate in meetings of the Executive or NSMC.

The Assembly was suspended in October 2002 when Trimble threatened to resign in response to allegations of Sinn Féin spying at Stormont, but power-sharing was already in jeopardy due to ongoing unionist frustration over yet-uncompleted IRA weapons decommissioning. Power-sharing was not restored until May 2007, then on a more solid and unlikely basis. The DUP overtook the UUP in the elections of November 2003, mirroring Sinn Féin’s new dominance of nationalism. The prospects for a return of power-sharing appeared slim, but by that stage, the DUP – now holding the responsibility of negotiating for unionism – had begun to seek a ‘fair deal’ (DUP, 2003), rather than an end to the Agreement. The IRA decommissioned its weapons in July 2005 and following the St. Andrews talks in October 2006 and Sinn Féin’s support for the reformed police service, the DUP and Sinn Féin entered government in May 2007.

Ian Paisley and Martin McGuinness, First and Deputy First Ministers, appeared to form a genuine bond, something that symbolised, perhaps more than any other facet of the process, that Northern Ireland had travelled a significant distance from conflict to co-operation. However, over the subsequent nine and half years, a series of set-piece accords was required to sustain power-sharing (see below). McGuinness was on the brink of resigning before the Hillsborough Agreement (2010) resolved the issue of the devolution of policing and justice powers. The Haass-O’Sullivan talks (2013), then a year later, the Stormont House Agreement (2014), sought a way forward on flags, parades and dealing with the past. The Fresh Start Agreement (2015) dealt with a standoff over the implementation of welfare reform and tackling residual paramilitarism.

On the surface, what finally ended the partnership of Sinn Féin and the DUP had nothing to do with conflict politics, but a financial scandal. Sinn Féin left the Executive in protest over the DUP's handling of a renewable heating incentive scheme (British Broadcasting Corporation, 2017). However, on a deeper level, Martin McGuinness made clear in his resignation letter that the financial scandal was merely the final straw after years of the DUP's 'shameful disrespect' and 'the most crude and crass bigotry' (McGuinness, 2017). Thirteen months of talks to resolve the impasse, which came to focus on the contested issue of an Irish Language Act, finally ended in mutual recrimination in February 2018. The debacle appeared to confirm the views of those critics who argued that the Agreement would do nothing to overcome basic sectarian cleavages in Northern Ireland and would embed them further. However, the years following the Agreement had witnessed considerable moderation in the ideological outlooks of the parties.

Change in the party system

There was a popular belief at the time of the Agreement that a significant indicator of meaningful change wrought by the deal would be a benign evolution of the party system: from one based on polarised national preferences towards one defined by non-nationalist, socio-economic issues, or at least more moderate and inclusive nationalisms. The cross-community Alliance Party hoped that it would benefit from such a re-alignment, as voters saw it as a credible alternative to the UUP and SDLP and a shared allegiance to Northern Ireland grew (Farry, 1997). In 1995, McGarry and O'Leary suggested that the main electoral loser from a political settlement would be the party that was implacably opposed to such a

settlement, the DUP: 'In conditions of peace ... there is no compelling reason why the DUP's electoral bloc should hold together' (McGarry and O'Leary 1995: 406).

But in reality, a centrifugal dynamic favouring hardliners appeared to operate from the outset. Sinn Féin overtook the SDLP for the first time in the 2001 Westminster election, the republican party moving from two seats to four seats while the SDLP retained its three. In the 2003 Assembly election, Sinn Féin secured twenty-four seats compared to the SDLP's eighteen, an exact reversal of the 1998 result. Also in that election, the DUP gained more seats than the UUP for the first time (thirty to twenty-seven) while the trend was confirmed in the 2005 Westminster election when the DUP won nine seats and the UUP just one. In 2007, with the 'moderate middle' gone, power-sharing was entrusted to the 'extreme' parties of Sinn Féin and the DUP, something unimaginable in 1998. Since 2007, the ascendancy of those two parties within their respective blocs has been unquestioned; the 2017 Assembly and Westminster elections re-confirmed their dominance, and the failure of their rivals to make headway.

Meanwhile, there was no breakthrough for civic, post-conflict, or non-nationalist parties. The percentage vote share of the Alliance Party remained in single figures, while the Green Party, People Before Profit, and the Northern Ireland Women's Coalition, did not gain more than one or two Assembly seats. Attempts at advancing culturally inclusive pro-Union politics, via parties such as NI21 and the NI Conservatives, failed (all election results sourced from ARK elections website, www.ark.ac.uk/elections).

Thus, on the surface, there was the appearance of post-Agreement polarisation and 'ethnic outbidding' (Horowitz, 2000: 346). Of this, two possible explanations – not mutually exclusive – were advanced. Firstly, as noted above, the Agreement's consociational aspects

were blamed for entrenching and emboldening unionism and nationalism, and failing to incentivise moderation. Secondly, the British Government was accused of being excessively concerned with ‘buying in’ the extreme parties, lending them the appearance of being effective in securing gains for their community and thus swelling their vote at the expense of the moderates. The UUP believed the British dealt with Sinn Féin with relentless concessions – ‘a conveyor belt of tinned carrots’ (Jeffrey Donaldson quoted in Farrington, 2006: 147). The SDLP and Alliance consistently complained about being sidelined in negotiations, while Alliance wanted a ‘voluntary’ coalition that it argued would allow the creation of a more effective government without the presence of destabilising parties (Mitchell, 2018).

But while the moderates’ rivals triumphed, the rivals moderated. The transformation of Sinn Féin and DUP from parties of perpetual protest into modern, efficient bureaucratic machines, capable of the responsibilities of governing and in particular, winning votes, has been thoroughly documented (e.g. Tonge et al., 2014; Maillot, 2005). Mitchell, Evans and O’Leary (2009) show that the moderation of Sinn Féin and the DUP was broadly in tune with their electorates, which were desirous of a pragmatic approach to power-sharing while attracted by the kind of strong defence of group identity offered by the DUP and Sinn Féin:

Essentially, each community wants its ‘strongest voice’ to represent it, but sections of each community want this ethnic champion to act in a more cooperative fashion, or at least in a less ‘anti-system’ or ‘rejectionist’ manner – since nothing worthwhile can be gained by choosing to ‘exit’ the power-sharing framework. (Mitchell, Evans and O’Leary, 2009: 403).

Once the DUP and Sinn Féin could not be outflanked by intra-bloc rivals, they were able to pursue an accommodation. Thus, consociationalists credit the incentives of inclusive power-sharing with engendering the moderation of the DUP and Sinn Féin (Tonge, 2017; McCrudden et al. 2016).

In sum, despite the victory of the ‘extremes’ and the failure of non-nationalist politics, the DUP and Sinn Féin came to occupy the same political ground once held by the UUP and SDLP. Regardless of the fractious relationship between the DUP and Sinn Féin, key peace process principles – consent, North-South co-operation, power-sharing – are more widely accepted in 2018 than in 1998, when they were rejected by the DUP and equivocally endorsed by Sinn Féin. Even the right-wing, anti-DUP Traditional Unionist Voice (TUV) acknowledges the need for cross-community composition of the Executive, though it opposes all-inclusive coalition (TUV, 2017). At the same time, the renewed mandates won in 2017 by the DUP and Sinn Féin, in the midst of political deadlock, suggest that many of the parties’ supporters do not want power-sharing at the price of key identity interests.

Quality of governance

A further domain in which enhanced political co-operation might be expected to make a manifest impact is the quality of governance produced by the Agreement: was the Executive able to deliver policy outcomes that made a difference to citizens’ lives? In fact, post-Agreement politics was criticised by some as ineffective due to the shallowness of party relationships within flawed consociational structures (e.g. Alliance Party, 2017; Wilford, 2010). Firstly, the ‘mandatory coalition’ was thought to force unwilling partners into government, partners who neither respected nor trusted each other and who lacked a shared vision for the region. Hence, government was disjointed and ministers lacked collective responsibility. Secondly, government was thought to be gridlocked by the inability of parties to agree on policy, and the Agreement’s provision of mutual veto which could be triggered by a ‘petition of concern’ on behalf of at least thirty Assembly members. Thirdly, the lack of an

official opposition supposedly made for unaccountable government (for a concise review of these criticisms McGarry and O’Leary, 2009: 47-83).

However, scholarly supporters of consociationalism dispute the charges that the Agreement’s political institutions were both malformed and ineffective. Challenging the accusations of gridlock and excessive use of mutual vetoes, McCrudden et al. (2016) note that the amount of legislation passed compares favourably with the Scottish Parliament, and that ‘contrary to the doomsayers, the Petition of Concern does not appear to have made the Assembly relatively less productive’ (McCrudden et al. 2016, p. 50). They also make the important point – borne out by events – that the coalition was not mandatory; parties could leave if they wished, as happened in 2016 when the Alliance Party, SDLP and UUP departed and the latter two formed an officially recognised opposition which was newly provided for in the Stormont House Agreement. Furthermore, regardless of whether or not an official opposition existed, there were still accountability mechanisms in government including the committee system and Assembly questioning.

Nevertheless, by any standard, considerable effort was required to keep power-sharing afloat, and the circumscribed nature of party co-operation did limit the ability of devolved power-sharing to deliver for citizens. Wilford (2010) calls the first, interrupted period of power-sharing from 1999-2002 a ‘disjointed affair’ (p. 134) and ‘a series of fitful events’ (p. 135). Even during the much longer period from 2007-17, the record of crises, impasses and ‘brinks’ is long. The ‘honeymoon’ period of devolution after 2007, in which Paisley and McGuinness were so publicly amicable with each other, ended with the dispute over the devolution of policing and justice. When the target date for devolution of these powers in the St. Andrew’s Agreement – May 2008 – came and went, Sinn Féin boycotted Executive meetings from June until November. The issue was finally resolved in the Hillsborough

Agreement of 2010, but not before Martin McGuinness's threat of resignation, which would have triggered the collapse of the institutions.

The Assembly completed its first full mandate in 2011, yet the flag protests of 2012-13 and the perceived 'cultural war' poisoned the political atmosphere (Nolan et al., 2014) while policy and legislative disagreements – usually along unionist-nationalist lines – accumulated. For instance, the 2014 Peace Monitoring Report, in a section entitled 'Logjams', detailed six major running issues: implementation of welfare reform; establishment of the Education and Skills Authority; restructuring of the Housing Executive; redevelopment of the Maze/Long Kesh prison site; an Irish Language Act; and a replacement for the '11-plus' transfer test for school pupils (Nolan, 2014: 144-45). The latter three, of greatest symbolic import, remained unresolved. In the autumn of 2015, the UUP and DUP withdrew their ministers from the Executive – though stopped short of collapsing it – in protest at murders linked to the IRA.

A lack of collective responsibility manifested itself in what were locally called 'solo runs' by ministers – decisions taken without the support of Executive colleagues (McEvoy, 2017: 221). The impression of clashing political worldviews at the heart of government was epitomised in the fact that the DUP and Sinn Féin were unable to agree a strategy for tackling social division until 2013. The DUP's use of the petition of concern to block same-sex marriage, despite a majority in support of the measure in the Assembly, deepened the public image of Stormont as a place where significant change did not and could not happen. The government also performed badly in the realm that many people regard the most important: improving health care and reducing medical waiting times (see Wilson, 2016: 145-46).

Power-sharing did record some achievements. The most tangible improvement to the lives of people in Northern Ireland was the reduction in violence and the concomitant security-related infrastructure and disruption. Power-sharing was crucial to incentivising

republican commitment to peaceful means, including decommissioning and support for the police, while the devolution of policing and justice, achieved successfully in 2010, was vital for republican confidence and participation in power-sharing. Hence, ‘as a measure of good governance, these security improvements arguably indicate the considerable progress under power-sharing’ (McEvoy, 2017: 219). Other achievements included foreign and local investment in jobs, urban regeneration, tourism development, investment in infrastructure, a community relations strategy, free medical prescriptions and free public transport for those over the age of 60.

That said, in 2016, an investigation by *The Detail* news website concluded that the Government had only managed to deliver 46 out of 82 commitments made in the 2011-2015 Programme for Government (Smyth, 2016). Public attitudes to the performance of the Assembly progressively worsened over its duration (Wilson, 2016: 148). Overall, the impact of the Agreement on party cooperation was profound in certain respects but with clear limitations. In the next section, bilateral intergovernmental cooperation is examined.

The Agreement and British-Irish Intergovernmental Cooperation.

The relationship between consociationalism and British-Irish intergovernmentalism is unclear in that whereas consociationalists do expect that over generations elite level cooperation will have an integrating effect on society, their aim is not to increase British-Irish intergovernmental cooperation. Rather, in Northern Ireland, intergovernmental cooperation was the key tool in John Hume’s three strand approach, to create a consociation. Hume emphasised the need for institutionalised British-Irish intergovernmental cooperation from the 1970s and in 1980 after an historic summit meeting between then prime ministers Charles

Haughey and Margaret Thatcher, the Anglo-Irish Conference was created a bilateral summit to represent both governments with respect to Northern Ireland. Again reflecting John Hume's approach, the Anglo-Irish Conference continued and was central to the 1985 Anglo-Irish Agreement and was legally enshrined. Under the Anglo-Irish Agreement UK and Irish prime ministers were obliged to meet at the least every six months, imitating the European Union's model formalised meetings. The Irish government had a consultative role in all matters of concern to the nationalist minority in Northern Ireland. Unionists' opposition to the Anglo-Irish Agreement was primarily focused on the Anglo-Irish Conference, as both the UUP and the DUP regarded the Conference as a ploy to achieve Irish unification.

Therefore, under the 1998 Agreement, the creation of the British-Irish Intergovernmental Conference to serve the 'totality of relations' clearly built on the 1985 Anglo-Irish Conference and reflected John Hume's emphasis on the necessity of ensuring continued UK and Irish governmental involvement. Therefore, it is not that the Agreement was expected necessarily to increase British-Irish intergovernmental cooperation, but intergovernmental cooperation was nonetheless integral to the Agreement's content under Strand 3. The logic of the peace process was that British-Irish intergovernmental cooperation was essential to Northern Irish cooperation, so in post-conflict fragile setting, that cooperation would be assumed to continue, if not increase. However, although in many ways, the British-Irish relationship flourished after 1998, in other ways, older processes were neglected and the Agreement's new intergovernmental institutions were under-utilised, as the next section shows.

Strengths of the British-Irish Intergovernmental Relationship

The success of the peace process reflected a strongly cooperative British-Irish intergovernmental relationship. In the early 1980s, megaphone diplomacy was used by both governments, for example in response to the H-Block hunger strikes and subsequent death of 13 prisoners and in response to the Falklands War. Irish and UK prime ministers' response to these crises to use megaphone diplomacy and not to meet for 16 months. In contrast from the mid-1980s onwards, 'joined-up' policy approaches emerged and any differences were discussed privately and resolved. Successive governments followed this norm and the negotiations that led to the 1998 Agreement were characterised by strong UK and Irish executive control and a coherent and shared strategy (Tannam, 2011).

That is not to say that there were no differences of opinion. For example, the governments differed about the decommissioning process (Rees, 2003). Unionist perceptions that the IRA was not committed to decommissioning verifiably contributed to a break down in trust between unionist and nationalist parties, aggravated by allegations of IRA intelligence-gathering at Stormont (Rees, 2003). The devolved government was suspended in October 2002 and the then Taoiseach, Bertie Ahern and then British prime minister Tony Blair, in a joint statement, acknowledged that devolved government 'cannot be made to work effectively in circumstances where there has been a breakdown of trust between those involved' (Rees, 2003).

Both governments continued to cooperate closely and joint statements from both prime ministers were emphasised. However, there was a difference of opinion in that the Irish government believed that issues such as policing and other Agreement issues should be addressed simultaneously with IRA decommissioning, whereas the UK government argued that IRA decommissioning should occur first, as it was argued to be central to building trust

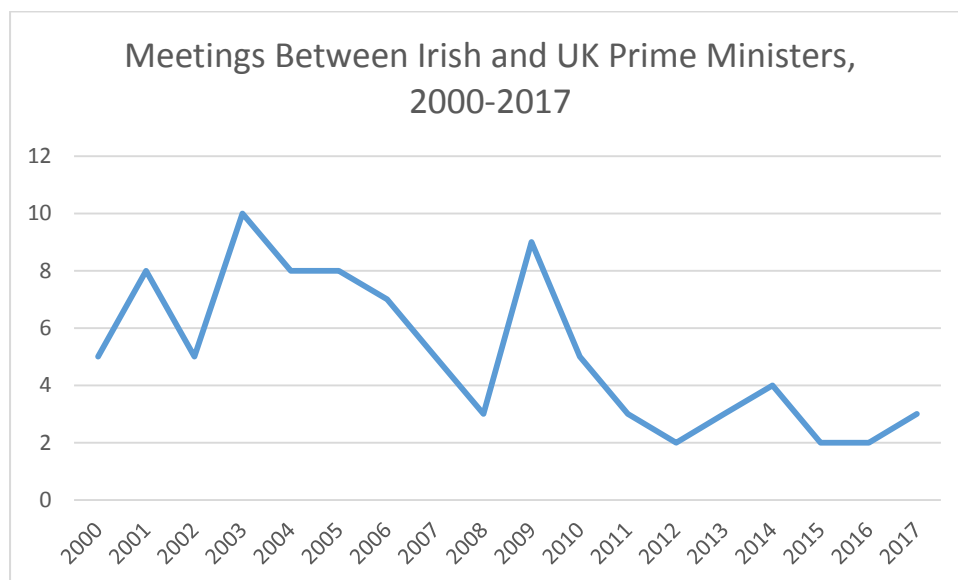
among unionists. There was intensive intergovernmental activity involving both government leaders during 2002 to resolve the decommissioning issue and Irish and UK governments eventually agreed on the sequence of decommissioning (Rees, 2003). The talks were marked by frequent prime ministerial and/or secretary of state and Irish Minister for Foreign Affairs meetings and also US government hosting of bilateral meetings to break the impasse. Agreement was finally reached in Hillsborough in February 2002 to establish an independent monitoring commission comprising nominees of the British, Irish and American governments (Rees, 2003: 222). However, tensions continued into 2003 about the speed and commitment of IRA decommissioning. Any tensions between both governments though were beneath the radar and both governments presented a joint front in the negotiations.

Similarly, in 2006, still in the absence of a restored Executive, there were five meetings of the British-Irish Intergovernmental conference in the effort to maintain and move along the last steps of the peace process, with a perception that '2006 was a critical year for the peace process' (Rees, 2007: 223). The St Andrew's Agreement, giving the devolved government authority over policing and leading to the restoration of the executive, was marked by intensive formal and informal British-Irish governmental cooperation. In April 2006, 'the taoiseach and the British prime minister laid out their joint strategy whereby the assembly would be recalled on 15 May, leading to the eventual full restoration of the institutions' (Rees, 2007: 224). Following the restoration of the Executive in March 2007, 'the North-South institutional framework created under the Good Friday Agreement provided a basis for a continuing dialogue between the Irish government and the Northern Ireland Executive, as well as between the Irish government and British governments (Rees, 2008: 244).

Thus, after 1998, until 2010, despite periodic differences, intergovernmental cooperation continued and was highly institutionalised, reflected in table 1. However, as the next section shows, intergovernmentalism weakened gradually, especially from 2007

Weaknesses of the Intergovernmental Relationship.

Tables 1 and 2 show the incidence of meetings between both prime ministers and between Northern Ireland Secretaries of State and Irish Ministers for Foreign Affairs, from 2000 to 2017.



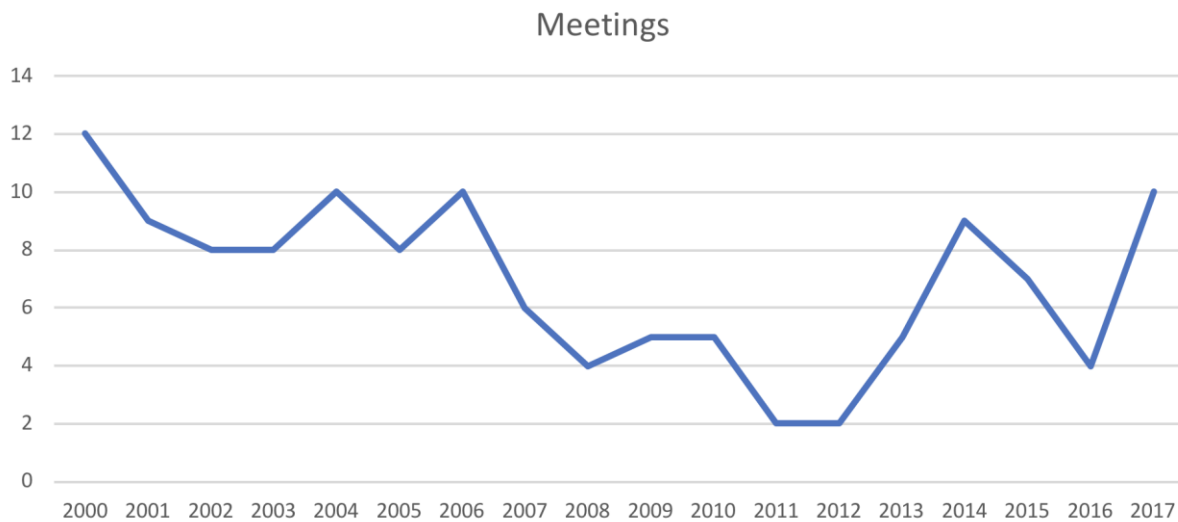
Source¹: see Appendix 1

Clearly intensive and joint direct prime ministerial management of Northern Ireland issues existed until 2010. However, beneath the symbolism of British-Irish cooperation, there were other changes in the relationship after 2010, stemming from the success of the peace process, from the St Andrew's Agreement and from the economic crisis of 2008-2015. Contrary to the

above prediction of bilateral intent, in fact neither government felt that investing time in the institutional or informal aspects of the relationship was a burning priority, in the context of peace in Northern Ireland. When the Brexit referendum hit, its aftermath exposed institutional weaknesses in the intergovernmental relationship.

Meetings between prime ministers reached peaks of ten and nine in 2003 and 2009 respectively. However, incidence fell dramatically after 2009 and even in 2017, there were only three meetings, despite Brexit’s challenges. There is a different distribution of meetings for Secretaries of State for Northern Ireland and Irish Ministers for Foreign Affairs, as Table 2 shows.

Table 2. Number of meetings between Secretaries of State for Northern Ireland and Irish Ministers for Foreign Affairs, 2000-2017



Source: see Appendix 2

Like the case of prime ministerial meetings, in the years after the Good Friday Agreement until 2007, there was a high number of meetings - from twelve to ten meetings a year.

However gradually these declined to between five and two from 2008 to 2011, coinciding with the economic recession and bailout period in Ireland. However, there are periodic increases in the number of meetings when both governments become involved in solving impasses in Northern Ireland. Thus, in 2014 and 2015 there were nine and seven meetings respectively culminating in the Stormont House meeting. However, in 2016, there were only four meetings. In 2017, again in attempting to restore the Northern Ireland Executive, there were ten meetings.

The tables provide ambivalent conclusions. On the one hand the level of prime ministerial and ministerial meetings fell from 2010. However, while the number of prime ministerial meetings did not return to its peaks and remained relatively to the time of writing in April 2018, the number of ministerial meetings did rise from 2012 and remained relatively high until 2016. It then dropped and rose again in 2017 to ten meetings, one of its highest figures in the overall period. The slippage in 2009 can be explained by the economic recession that lasted in both the UK and Ireland from 2009 to 2014, but in Ireland also precipitated heralded the economic bailout. All public policy attention was focused on managing economic crisis. In addition, there was peace in Northern Ireland, so British-Irish formalised meetings seemed less necessary. Clearly, when problems arose in Northern Ireland, ministers did intervene, as demonstrated by the rise in the number of meetings to negotiate the Stormont House Agreement in 2007 and the Fresh Start Agreement in 2014.

It is also clear that although there have been peaks and troughs for both sets of actors, there is more extreme variation for prime ministerial meetings. This finding is not surprising in that prime ministers have overarching responsibility, but the Secretaries of State and Minister for Foreign Affairs has a designated responsibility for the Northern Ireland policy area. Also,

clearly behind the scenes prime ministers and ministers will work closely. In addition, from 2010, in the context of peace, the economic crisis in Ireland and the aftermath of the St Andrew's Agreement, this lower frequency of meetings is not surprising. What is surprising is that in the aftermath of the Brexit referendum and throughout the remainder of 2016 and in 2017, during repeated failed attempts to restore the Northern Ireland Executive, the number of prime ministerial meetings was still relatively low. Thus, from July to December 2016 there were two prime ministerial meetings and in 2017 there were three prime ministerial meetings (table 1).

In addition, the graphs highlight an apparent *ad hoc* approach. There are very few institutionalised meetings, that occur at regular intervals, but instead they occur in response to crises, or impasses, if at all. In this way, there is evidence of a muddling through approach, rather than a rational long-term strategic approach.

Similarly, the 2000-2017 period is characterised by the relative weakness of the Agreement's East-West and cross-border institutions. As regards the British-Irish Council, no UK prime minister has attended its meetings since Tony Blair was leader. As years passed, the British-Irish Intergovernmental Conference's remit became increasingly identified with non-devolved policy areas in Northern Ireland (Good Friday Agreement, 1998, Strand 3, paragraph 3), rather than a more general role in areas of mutual bilateral concern (Good Friday Agreement, 1998, Strand 3, paragraph 2). When policing became a devolved area, the Conference's role declined further:

The St Andrews Agreement of 2006 had the effect of reducing further the role of the Intergovernmental Conference. By providing for the creation of an inclusive Northern Ireland executive to manage major devolved areas...and for the devolution of control over policing...it removed responsibility over these areas from the Intergovernmental Conference and the momentum behind the conference seems to have evaporated (Coakley, 2014, p. 81).

Thus, staff numbers fell in the British-Irish Intergovernmental Conference after 2007 and the UK side of the secretariat left the British-Irish Intergovernmental Conference office to move to Stormont (Coakley, 2014, p.81). Unlike the formal underpinning of the Anglo-Irish Intergovernmental Conference, the BIIGC no longer holds regular and frequent meetings (Coakley, 2014, p. 81). It last met in 2007. The identification of the British-Irish Intergovernmental Conference with non-devolved policy-making, rather than broader bilateral interests served two purposes, although not necessarily consciously: Diminishing the British-Irish Intergovernmental Conference would: i. minimise unionist sensitivities when the main focus was to create a functioning power-sharing executive; ii. By minimising sensitivities, would enable the cross-border and East-West institutions to function quietly also; iii. Suited UK and Irish governments that had many other policy priorities, particularly after 2011. Sensitivity to unionists was particularly important given the DUP's failure to sign up to the Agreement initially and its deep suspicion of the British-Irish Intergovernmental Conference.

Another reason for the decline in British-Irish institutional involvement is that the cross-border and East-West dimensions of the Agreement were part of a package deal between unionists and nationalists in reaching agreement. The DUP's attitude to the North South Ministerial Council was minimalist and successive suspensions of the Executive meant that the North South Ministerial Council did not meet for long periods. Although North South Ministerial Council weakness is not directly related to British-Irish Intergovernmental Conference's weakness, the three strands were part of the 'whole' agreement and weaknesses in one area made other areas more sensitive also.

Therefore, although the explanation for trends on one level is simply that sensitive unresolved issues arose from 2000 to 2011 and that under devolution the Northern Irish parties were responsible for governing Northern Ireland themselves, there were also other

factors. The response of both governments to political sensitivities in Northern Ireland after 1998 ceased to be the carrot and stick response of the mid-1980s onwards and was a more hand-off approach.

From this point on, although the ultimate disincentive to defect from cooperation was the threat of the imposition of Direct Rule, the broader British-Irish governmental carrot and stick strategy, with a package of incentives and disincentives was increasingly absent:

Over time, especially since the financial crash, the Agreement lost its élan in London and Dublin; increasingly, the only measure of its effectiveness was the absence of violence and the extent to which Northern Irish affairs could be ‘managed off’ the agenda of governments, and contained within Northern Ireland (Morrow, 2018).

Thus, peace and devolved government in Northern Ireland saw the relatively rapid decrease of UK and Irish governmental direct involvement, after 15 years of intense involvement. In itself this was not a problem – after all, there was peace. However, as the next section shows, the Brexit era combined with the collapse of power-sharing in Northern Ireland in January 2016 exposed the relative weakness of bilateral institutions and relations and highlighted their necessity.

Brexit, Northern Irish Politics and the Intergovernmental Relationship.

The collapse of power-sharing in Belfast in 2017 was not the most pressing issue in Dublin or London, but rather, Brexit. The UK referendum result on June 23 2016 to leave the EU represented a challenge at best. As time passed it increasingly represented a crisis in British-Irish and Northern Irish politics. The EU had created a deep and expansive framework for the

peace process, for Northern Ireland, Ireland and the UK. EU membership was taken for granted in the text of the Good Friday Agreement. Attitudes to Brexit were correlated, although not perfectly, with nationalist and unionist preferences. In short Brexit threatened stability in Northern Ireland and the totality of relations between Ireland and the UK. The challenges faced were multi-faceted (Tannam, 2017a):

- A majority (56 per cent) of the Northern Irish electorate voted in the Brexit referendum to remain in the EU. Although, many Unionists also voted to remain, the stronger support base for Remain among nationalists and Catholics meant that the Brexit result created a potentially reinforcing sectarian cleavage and immediately led to calls for a united Ireland, thereby potentially destabilizing the Good Friday Agreement and peace itself.
- Cross-border provisions under Strand 2 of the Agreement referred explicitly to the EU framework and explicit references were made in the Agreement to EU funding.
- As regards the bilateral intergovernmental relationship, in the Brexit negotiations, the Irish government as part of the 27 member state EU negotiating team and the UK government are clearly on opposite sides of the EU bargaining table for the first time. The Irish government is not free to bargain unilaterally with the UK and both governments cannot share information in the way they once did.
- The EU's framework for Brexit negotiations revealed divergent preferences between the UK and Ireland. The European Council's decision that stage one of the Brexit negotiations would include the Northern Ireland border issue and protection of the Agreement and that progress to stage 2 (trade talks) would

not occur unless substantial progress was made in stage 1, reflected strong Irish lobbying and undermined the UK government's wish that the negotiations would occur simultaneously. The EU's decision reflected the Irish government's concerns that the UK government would try to link the border issue to gaining concessions in a trade deal. Adding to UK frustrations, the Irish government had a *de facto* veto over moving to trade talks, if it felt that insufficient progress had been made on the border issue.

- More generally, Brexit means that the Irish and UK governments have lost the benefits of the EU's framework for corridor talks and increased communication. Ireland has lost a powerful ally with whom it shared many common interests in the EU. Instead, it is faced with conflicts of interest emerging from economic conflicts, for example, in fisheries and from the border issue.

The negative impact of these challenges was clear by 2018. Apart from the Brexit decision itself, an indirect impact of Brexit was the weakness of the UK government and the stranglehold of hard-line Tory Brexiteers over the UK government despite their minority status in Westminster. The disastrous election result for the Conservatives in June 2017 exacerbated the government's indecisiveness and empowered the DUP, with whom the Conservative government formed a 'confidence and supply arrangement'. The perfect storm of events cast doubt on the UK government as an honest broker under the Good Friday Agreement. In addition, the UK government's weakness and management of the Brexit negotiations led to widespread criticism from the EU and from the Irish government that it provided no clarity about how it would protect a soft border, while leaving the Customs Union and the Single Market. As the next section shows, all these factors led either directly,

or indirectly to a deterioration in intergovernmental relations and in political cooperation in Northern Ireland from July 2016 to March 2018 and the Agreement's institutions did not alleviate tensions.

Northern Irish Political Cooperation: Although Brexit did not cause the fall of power-sharing, the two developments interacted in significant ways. Sinn Féin, the SDLP and Alliance were strongly opposed to Brexit, the DUP was supportive, and the UUP was ambivalent. Although Sinn Féin was Eurosceptic until the 1990s and was strongly critical of EU austerity policies, nationalists perceived the EU to have a role in aligning the two parts of the island and helping 'soften' the border, and in a wider historical context, enabling Ireland to overcome the asymmetry of its colonial relationship with Britain. The DUP was traditionally a Euro-sceptic party, and although it had a strong agricultural constituency that would be hit by Brexit, it eventually announced it would support the Brexit-side of the campaign. Brexit therefore contained the potential to upset the stability of opinion which underpinned the post-1998 dispensation (Gormley-Heenan and Aughey, 2017). A majority of northern nationalists were content with the post-1998 political settlement and overwhelmingly support the EU (Northern Ireland Life and Times Survey). However, Brexit immediately precipitated Sinn Féin calls for a border poll. The call was followed by a similar call from Fianna Fail, despite the prudent warning that 'talk of a border poll is only serving to fuel greater insecurity, volatility and division' (Murphy, 2016).

In addition, the significance of the EU in the Agreement led to questions about whether Brexit undermined it and whether the Agreement would be amended, or at worst, rendered obsolete. The possibility of a hard Brexit led to fears that cross-border cooperation would be undermined:

UK withdrawal from the EU means that the trajectories of the UK and Ireland will now diverge. The divergence will be wide-ranging and will be manifest not just in trade and economic policy but also in law, political institutions, security, rights and their safeguards – all areas that reach to the core of the Agreement (Hayward and Phinnemore, 2017).

Any customs posts would lead to an increase in sectarian violence from dissident republicans and eventually lead to UK securitisation of the border – a clear return to the borders of the past (Connolly and Doyle, 2017).

For hard-line Brexiteers, some of whom had always opposed the Agreement, if the Agreement hindered a hard Brexit, then it was clearly dispensable. For example, Owen Patterson, former Secretary of State for Northern Ireland said that the Agreement had outlived its usefulness (Belfast Telegraph, 2018). The question marks raised by Brexit for the border and for the Agreement itself accentuated instability in a sensitive post-conflict situation.

To make matters worse, the absence of an Executive weakened the influence of Northern Ireland – the part of the UK which will be most affected by Brexit – in the Brexit debates and negotiations. Moreover, given the SDLP's electoral weakness and Sinn Féin's abstentionist policy from Westminster, only the DUP was represented in Westminster. The ingredients for a perfect storm seemed complete when the Conservative Party's poor electoral performance in the June 2017 general election led to the unintended consequence of the DUP holding the balance of power. Thus, in June 2017, the DUP agreed to support Theresa May's Conservative Government in Westminster. The DUP's 'confidence and supply' arrangement challenged the British-Irish policy-making principle that both governments would act as neutral honest brokers in relation to the Northern Ireland. It may have convinced some in the DUP that the party's best influence is at Westminster, not Stormont, and that it would face little pressure from the Government to concede to Sinn Féin and restore power-sharing (Tonge, 2018). Overall, a core purpose of the peace process was to encourage party co-

operation by removing borders and sovereignty from everyday political contestation; it succeeded in doing so to a great extent, but Brexit returned them centre stage. This return coincided and interacted with separate power-sharing tensions in Northern Ireland and the failure to restore the Executive by February 2018. British-Irish relations were also strained, as the next section shows.

Brexit and British-Irish intergovernmental cooperation: By any stretch Brexit constituted a crisis. Automatically there was a decrease in trust, given the fear that Northern Ireland might be used as a pawn to secure a favourable trade deal. In addition, arguably EU membership had contributed to the cooperative bilateral relationship that underpinned the Anglo-Irish Agreement and the Belfast Agreement:

EC membership...facilitated a transformation of the British-Irish relationship since the EC offered neutral political spaces in Brussels and Strasbourg where British and Irish government ministers, parliamentarians and officials could build a new relationship unsullied by economic dependence, political antagonism and mutual suspicion. Their priority was dealing with the escalating ethno-national conflict in Northern Ireland. The new interstate relationship gradually became characterised by co-operation to that end (Phinnemore, McGowan, McCall and McLoughlin, 2012: 569).

According to intergovernmentalist logic, Brexit's challenges implied that British and Irish executives would play a key strategic leadership role, involving frequent face-face prime ministerial meetings, joint decision-making and also issuing joint statements. However, even before the Brexit referendum result, the weakness of intergovernmental cooperation was signified by the absence of any British-Irish joint consultation about the implications of Brexit for Northern Ireland and the Agreement. Before the referendum, while Irish officials were instructed by the Irish government to prepare various scenarios of the implications of Brexit for the Irish border and cooperation, depending on the Brexit result and the final EU-UK deal that might occur, the UK government did not plan. Again, according to

intergovernmental logic, joint planning should have occurred. However, there were no British-Irish Intergovernmental Council meetings before or after the Brexit referendum result and writing in March 2018, the Permanent Secretaries and Secretaries General Group has not met since before the referendum.

By July 2017, the bilateral relationship had clearly deteriorated (Tannam, 2017b). The Irish government's rhetoric became tougher. For example Leo Varadkar stated 'What we're not going to do is to design a border for the Brexiteers because they're the ones who want a border' (<https://www.irishtimes.com/news/politics/defiant-varadkar-tells-british-we-won-t-design-brexit-border-for-you-1.3170014>and observed) 'If anyone should be angry, it's us, quite frankly' (<https://www.irishtimes.com/news/politics/defiant-varadkar-tells-british-we-won-t-design-brexit-border-for-you-1.3170014>). The EU's Task Force paper in October angered UK government members and was viewed as reflecting Irish government lobbying. The paper stated that 'it seems essential, it said, that in order to guarantee no hard border, there would have to be no regulatory divergence on either side of the border on the rules of the single market and customs union and referred to all-island economy.

In response to the Irish government's red-line' about the border, negative coverage of the Irish government resurfaced in some UK media channels and arguments were made that the Irish government was playing tough about the border only because it feared Sinn Fein electoral gains. The resurfacing of old stereotypes (on the Irish side about the UK's arrogance and nostalgia for the Empire, although nearly half the electorate supported Remain and on the UK side that Ireland was awkward and troublesome) was obvious by summer 2017 and harked back to an era that many had assumed was gone:

At the tabloid and social media level, anti-Irish sentiment and mutual hostility respectively reached new levels. At a political level there were serious attempts by both sides to tone

things down. Nevertheless, one senior British official has told me that Anglo Irish relations are at their worst since the early 1990s (Connelly, 2018 <https://www.iea.com/wp-content/uploads/2018/01/Tony-Connelly-RTE-Europe-Editor-Speech.pdf>Before).

By 2018, Brexit had created strains in the intergovernmental relationship. Not only the rhetoric, but also the low frequency of prime ministerial meetings from 2016 to February 2018 indicated a change in the conduct of relations, compared to the period 2000 to 2010.

Given Brexit's implications for the border and Northern Ireland, as well as its potential implications for the Agreement, a larger number of meetings and /or convening the British-Irish Intergovernmental Conference would have seemed appropriate and necessary. An unintended consequence of the British-Irish Intergovernmental Conference falling into abeyance after 2007 is that it became harder to re-activate it, given its political sensitivity in the first place. Thus, by late 2016, although it would have seemed appropriate to convene the Conference, Sinn Féin had begun demanding its resurrection and in predictable fashion, the DUP strongly opposed it despite accepting it by signing up to the Agreement eventually. Had the Conference continued below the radar each year and become part of the normal fabric of the East-West relationship, such politicisation may have been less likely.

Overall, Brexit highlighted a lack of dynamism in the Good Friday Agreement's Northern Irish, cross-border and East-West institutions and exposed their weakness. Doubtless the UK government's weakness and 'muddling through' approach to Brexit has been a large hindrance to any joined up policy approach to Northern Ireland and the fact that the Irish government is part of the EU's 27 member state bargaining team limits bilateral problem-solving in some ways. However, according to intergovernmental logic, a bilateral approach could have been formulated before Article 50 was triggered and under the Agreement, Brexit would seem to be a clear case where mutual interests should be discussed on the British-Irish Intergovernmental Conference.

As this article went to press, a softening of rhetoric has occurred. For example, in February 2017, Simon Coveney mentioned the possibility of a new bilateral Irish-UK agreement, after Brexit occurred and the use of blunt language by the Taoiseach and by the Minister for foreign Affairs was less frequent. There was also no reference to a united Ireland and Michael Martin, the leader of the Irish opposition party Fianna Fail, criticised Sinn Fein for mentioning a united Ireland at its 1916 commemoration event. However, there were also reports that the Irish government was having difficulty getting the UK government to engage properly with it about the border issue and Brexit, highlighting an observation from one former Irish diplomat that in every generation Irish governments have to persuade British governments to pay attention to Northern Ireland ().

Conclusion

The impact of the Agreement on political cooperation in Northern Ireland has been positive in that there is peace, albeit imperfect in Northern Ireland. However, the mixed success of power-sharing is perhaps most clearly evident in the basic fact that it only operated for around twelve out of twenty years; a functioning Executive lasted for sixty per cent of this period. Moreover, the indefinite collapse of power-sharing (at the time of writing), arguably delivers a final, negative verdict on the Agreement's ability to foment co-operation. Yet the mere existence of partnership government, and duration for nearly ten years after 2007, could be regarded as a success, given the deep enmity that existed between the DUP and Sinn Féin. Consociationalism's determined inclusivity undoubtedly played a major role in incentivising the moderation of those parties. Elite-level, consociational deals require skilled political leadership in their formation and maintenance, and it has been observed that earlier periods of the Northern Ireland peace process were favoured with serendipitous configurations of

leaders, in the parties and the Governments (Powell, 2008). It was an awareness of the need for British-Irish intergovernmental cooperation that contributed to John Hume's three strands approach to the peace process. Thus, this article has shown that increasing intergovernmental cooperation was not a central aim of the Agreement, but that *maintaining* the British-Irish dimension was central to the Agreement's complex consociational system.

Intergovernmental cooperation did flourish in many ways because of peace, but not the Agreement *per se* - the relationship became more normalised. However, this article has also shown that Brexit exposed a relatively weak institutional basis to the relationship and the under-utilisation of the British-Irish Intergovernmental Conference and the British-Irish Council.

These findings do not undermine consociationalism's worth, but they indicate that the British-Irish dimension of the Agreement has not been adequately emphasised. A key dimension of the complex consociational agreement in the Northern Irish context - Strand 3 - became increasingly less central to the post-conflict operation of the Agreement. Attention centred on Strand 1 and when the political parties had apparently irreconcilable policy differences, over sections of the Agreement that dealt with legacy issues and language and cultural issues, attention was paid to those dimensions by both governments in a relatively *ad hoc* manner. The overriding criticism by many of the Agreement (for example, Wilson, 2009) was that it had failed to involve civil society in helping resolve these issues and that this failure reflected the failure of the top-down consociational model. In contrast, this article argues that since 2011, an under-emphasis of Strand 3 also existed (most definitely a 'top down' strand) and was also a key factor in Northern Ireland's political problems and that this weakness was exposed when the Brexit referendum occurred.

Overall, the optimism of 1998 that the Agreement had the potential to transform Northern Irish and British-Irish relations was not misplaced and some of that potential has

been realised. The millennials have grown up in a world free of curfews, armed soldiers and balaclavas and bilateral relations were comfortable enough for Queen Elizabeth to receive a rapturous welcome from most people in Ireland. Unfortunately, the loose cannon that is Brexit has removed some certainties in relationships and is a reminder of how fast relations can deteriorate and how fast old stereotypes can re-emerge. Whatever the reasons for the weakness of institutionalised bilateral cooperation in recent years, Brexit and the 2017 collapse of power-sharing have highlighted the need for its revival.

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