

íreLanD and palestíne

DIVIDED COUNTRIES UNITED BY HISTORY



PASSIA Seminar

PASSIA

Palestinian Academic Society for the Study of International Affairs



PASSIA Seminar 2004

*Íreland and palestine
divided countries united by history*

PASSIA, Jerusalem
Palestinian Academic Society for the Study of International Affairs

PASSIA is a financially and legally independent Palestinian institution in Jerusalem, which seeks to present the Palestine Question in its national, Arab and international contexts through academic research, dialogue and publication.

With its *Education and Training in International Affairs* program, PASSIA has pioneered educational seminars for Palestinian graduates. This seminar program provides a much needed focus inside Palestine for training Palestinian graduates and mid-career professionals in the field of international affairs with lectures and workshops held by the highest quality Palestinian and foreign specialists. Where possible, fellowships or study visits abroad are awarded to the most outstanding seminar participants.

The PASSIA seminar 2004 on *Ireland and Palestine – Divided Countries United by History* was kindly supported by the **Development Cooperation – Ireland** through the **Irish Representative Office** in Ramallah.

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Introduction

by Mahdi Abdul Hadi
Head of PASSIA

It was due to a desire to facilitate an increased understanding of foreign policies, diplomacy and international affairs that PASSIA, back in 1992, formulated a project entitled *Training and Educational Program in International Affairs*, which has over the years earned a widespread reputation.

The program designs seminars to help Palestinian professionals and practitioners broaden their working knowledge of the political system, regional policies and external relations of other states and equip them to take on the responsibilities expected of them in the international sphere. These seminars aim at developing Palestinian expertise in international relations, diplomacy and conflict resolution, and at building relationships with external partners and benefactors. Subjects dealt with to date include *Diplomacy and Conflict Resolution, Strategic and Security Studies, The European Union, The Foreign Policies of Arab States, The USA and Canada, Japan, Palestine and the Middle East, and Israel – State, Society & Politics*.

Based on the supposition that it is especially beneficial for the Palestinian situation to study the experience of other countries facing an ethnic/territorial-based conflict with all its local manifestations and impacts, PASSIA became interested in the case of Ireland.

In consultation with colleagues and scholars in Ireland as well as at the Irish Representative Office in Ramallah, PASSIA then designed a seminar that incorporated introductory material on Irish history, society, and politics as well as analysis of the peace process in Northern Ireland, its success or failure, and why or why not a similar process could set work between Israelis and Palestinians.

The major goal was to give Palestinian participants an opportunity to gain a better understanding of the components and workings of the political systems of the Republic of Ireland and Northern Ireland, which, at the same time,

present an excellent case study of a seemingly endless, intractable conflict.

There are many differences between the conflicts in Ireland and Palestine, but there are also key similarities. For instance, both conflicts are characterized by a long history of struggle for independence and both have a deep-rooted religious aspect. Both peoples have witnessed uprisings, revolutions, wars and attempts to partition their land, and both have developed and maintained a strong identity. In both cases major documents were signed in 1993 aiming at an end to decades of confrontation (the PLO-Israel Declaration of Principles in September and the Anglo-Irish Joint Declaration on Peace in December), and there have been ongoing negotiations ever since. Both declarations did not really present any new ideas but provided the necessary political conditions allowing the parties to start negotiations.

Furthermore, both sides experienced divisions between military and politically oriented leaderships; in both conflicts, the respective national movements - the IRA and the PLO - have engaged in a guerrilla military struggle, leading to diplomatic negotiations. And in both cases, to a great extent, the same leaders are in power who have been in power for decades.

Although it was not the goal to compare the Irish and Palestinian experiences, we believed that there are many lessons to be learned from the theoretical and practical implications of the Irish practice of conflict resolution and preventive diplomacy.

The seminar itself took place from 10-14 October 2004 in Ramallah with a group of 18 Palestinian professionals that were selected from a pool of applicants from the West Bank, including Jerusalem, and Gaza Strip. The team of lecturers consisted of Irish academics, Palestinian specialists and the head of the Irish Representative Office in Ramallah.

IRELAND AND PALESTINE

This publication contains a selection of the seminar proceedings and additional informative materials on Ireland/Northern Ireland. It is hoped that its distribution will ensure wider dissemination of information on Ireland/ Northern Ireland within the Palestinian community and beyond.

PASSIA would also like to take this opportunity to express its appreciation to the **Development Cooperation – Ireland**, whose kind support - through the Irish Representative Office in Ramallah - made this seminar program possible.

Our thanks go also to the lecturers, who contributed greatly to the success of the seminar. Last, but not least, the PASSIA team would like to thank the Palestinian participants for their comments and enthusiasm to learn about the Irish case.

1 Ireland & the Irish - history¹

Early History

Ireland's location as an island to the west of continental Europe and close to Britain has, in large measure, shaped her history. Ireland, which has been inhabited for about 7,000 years, has experienced many incursions and invasions, resulting in a rich mixture of ancestry and traditions. The first settlers were mostly hunters from Britain who brought with them a **Mesolithic culture**. They were followed around 3000 B.C. by farmers who raised animals and cultivated the soil and later prospectors and metalworkers arrived. By the 6th Century B.C., waves of Celtic invaders from Europe began to reach the country. While Ireland was never unified politically by the Celts, they did generate a cultural and linguistic unity. The introduction of **Christianity** in the 5th Century A.D. is traditionally credited to Saint Patrick, though there is evidence that there were Christians on the island before his arrival.

Unlike most of western Europe, Ireland never experienced the barbarian invasions of the early medieval period and, partly as a result, the 6th and 7th Centuries saw a flowering of Irish art, learning and culture centering on the monasteries. Irish monks brought Christianity to many parts of Europe in the period before 800 A.D. During the ninth and tenth centuries, Ireland was regularly raided by the **Vikings**. They were also traders and did much to develop life in Dublin, Cork and Waterford. Following the defeat of the Vikings by Brian Boru, the High King of Ireland, at Clontarf in 1014, the Viking influence faded.

In the 12th Century, the arrival of the **Normans**, who had earlier settled in England and Wales,

shattered such progress as had been made towards the creation of a centralised State under a single High King. They quickly gained control over large parts of Ireland, which then came under the political authority of the King of England. For the next 400 years the Normans and their descendants were an influential presence in Ireland. However, many areas of the country remained in Irish hands and, by the early 16th Century there were widespread fears in England that English influence was in danger of collapse, both as a result of Gaelic incursions and of the progressive Gaelicisation of the Norman settlers.

The Gradual Eclipse of Gaelic Ireland

Religious change in England at this time had a major impact on Ireland. The descendants of the Norman settlers in Ireland, who came to be called the Old English, were, by and large, hostile to the Protestant reformation which had led to the establishment of the (Anglican) Church of Ireland. In addition, the central strategic importance of Ireland, as an island close to both Britain and continental Europe, and hence a possible base for English malcontents or foreign enemies, gave Irish affairs an urgency that they had not had for centuries. Following a series of revolts in Ireland - which arose in response to religious differences and to the English Crown's policy of introducing new settlers from Britain - Gaelic resistance was worn down and in 1603, the last Gaelic stronghold, Ulster, was brought under Crown control. The Ulster **plantation** which followed brought many English and Scots settlers to Ulster and had a lasting impact on the religious and political complexion of the province.

Irish political history in the 17th Century was intimately linked to events in England and Scotland, including the Civil War, the rise of Oliver Cromwell, the restoration of Charles II, and the Glorious Revolution of 1688 which placed William and Mary on the English throne. A struggle for supremacy between the Catholic Old English and Gaelic Irish on the one hand, and the Protestant New English (who included further new settlers) on the other was, after numerous ebbs and flows throughout the period, finally settled at the Battles of the Boyne (1690) and Aughrim (1691). The Old English and the Gaelic Irish were crushed and many of their leaders and followers ('The Wild Geese') left Ireland to pursue military, religious or commercial careers abroad. The Protestants of the Established Church monopolised political

¹ This chapter is based on material from 'Facts about Ireland,' published by the Department of Foreign Affairs, Dublin.

power and ownership of the land, and penal laws discriminated against Catholics.

Eighteenth Century

In the 18th Century, there was much economic development. The linen industry flourished, particularly in Ulster, and Irish wool, beef, butter and pork were important exports. The Protestant Ascendancy came to see itself as the Irish nation and developed a vigorous and distinctive parliamentary tradition. Sustained Irish **emigration** began in the 18th Century, as many thousands of Ulster Presbyterians and a lesser number of Catholics departed for the New World.

The developing dispute between Britain and her colonies in North America from the 1760s helped create a tradition of radical patriotism that was ultimately, under the impact of the French Revolution, to produce the Society of United Irishmen. In 1798 the **United Irishmen** staged an insurrection in Ireland, with the objective of establishing an independent Irish republic in which all religions would be equal (though the rebellion itself was marked by some episodes of sectarian violence). This rebellion was crushed and the **Act of Union** of 1800 created a full parliamentary Union between Britain and Ireland.

By this time, however, Britain and Ireland were moving apart, especially in economic and demographic terms. As Britain industrialized and urbanised, Ireland, outside Ulster, in effect de-industrialised, with the bulk of its rapidly growing population becoming ever more dependent on the potato for sustenance. In the late 1840s, as a result of the wholesale failure of the potato crop in successive years, a terrible **famine** occurred: one million people died and a further million fled Ireland. Within ten years (1846–56) the population had fallen by a quarter (8 million to 6 million), and would fall further as emigration became a dominant feature of Irish society.

In politics, the 19th Century was dominated, initially, by the pursuit of **Catholic emancipation** (the penal laws were gradually loosened from the late 18th Century on, and in 1829 Catholics, led by Daniel O'Connell, won the right to sit in parliament). Thereafter, there was a succession of efforts to reform or undo the Union between Great Britain and Ireland. The Great Famine (1845–1848) was not just an

immense human tragedy and a socio-economic watershed, but had far reaching political repercussions. The British Government stood indicted in the popular mind and the desire of a majority of Irish voters for some form of self-government was strengthened. Irish landlords, too, came under political and economic pressure in the post-Famine decades. By the early 20th Century, after sustained agrarian unrest, legislation was in place inducing the great landlords to sell land to their tenants. The tenants were offered loans to enable them to purchase their holdings.

The question of self-government, or '**Home Rule**' had not, however, been settled: attempts by Daniel O'Connell and Isaac Butt in the 1840s and 1870s came to little, but under the leadership of Charles Stewart Parnell in the 1880s, the Irish Parliamentary Party placed the Irish question at the centre of British politics. In 1886, the Liberal party under W.E. Gladstone came to support a limited form of self-government for Ireland. The prospects of Home Rule galvanised the Unionists in Ireland, who were predominantly Protestant, and were a majority in the province of Ulster. Along with their allies in England who feared that Home Rule for Ireland would lead to the break-up of the Empire, Unionists set out to prevent the granting of Home Rule. Nonetheless, a Home Rule Bill was finally enacted in 1914.

Towards Independence

In an increasingly militarised atmosphere, private paramilitary armies (the Ulster Volunteer Force and the Irish Volunteers) marched and drilled, and hostilities between the two were only averted by the outbreak of the First World War and the consequent postponement of Home Rule. The war changed everything: in 1916 a republic was declared in Dublin and an armed insurrection took place. The **1916 rising**, which initially enjoyed little public support, was suppressed but its supporters, capitalising on public revulsion at the execution of its leaders, and on opposition to the introduction of military conscription to Ireland in the First World War, were successful in the General Election of 1918, when they swept aside the Irish Parliamentary Party who had campaigned for Home Rule. *Sinn Féin* ('Ourselves'), the election victors, set up the first *Dáil* (Parliament) and a war of national independence ensued.

By the time an Anglo-Irish Treaty was concluded in 1921, six counties in North-East Ulster, with a roughly two-thirds Unionist majority at that time, had already been constituted as Northern Ireland. As a result of the Treaty, the remaining 26 counties formed the **Irish Free State**, which had dominion status within the British Empire. The establishment of the Free State was followed by a short civil war between those who accepted the Treaty as offering effective self-government and those who held out for a full republic. Despite its brevity, the **Civil War** was to colour attitudes and determine political allegiances for decades.

The first government of the new State was headed by W.T. Cosgrave of *Cumann na nGaedheal*, later the *Fine Gael* party. From the 1930s onwards the *Fianna Fáil* party, founded by Eamon de Valera, dominated Irish politics. First coming to power in 1932, Fianna Fáil drew support from those who had opposed the Treaty. A dispute over continuous land payments to the British Government led to the 'economic war' of 1932-38. Trade with Britain was restricted and considerable hardship resulted. In 1937 de Valera introduced a new **constitution** declaring Ireland to be a sovereign, independent, democratic state. Ireland remained neutral during the Second World War, 1939-45. Although the wartime years were a period of shortages and difficulties, the country was spared the worst effects of the conflict.

Fianna Fáil lost office in the 1948 election after 16 continuous years in power. The new administration, headed by John A. Costello, was an inter-party Government formed by Fine Gael, Labour and other parties. In 1948 the Republic of Ireland Act was passed, severing the last constitutional links with Britain. Ireland was admitted to the **United Nations** (UN) in 1955 (see International Relations, below). In the 1960s, under the leadership of Seán Lemass, Ireland began a period of economic growth and the signing of the Anglo-Irish free-trade agreement in 1965 led to significant developments in trading patterns and to industrial expansion. Even more importantly, Ireland became a member of what is now the **European Union** (EU) in 1973.

In the late 1960s the '**Troubles**' broke out in Northern Ireland (see following section), impacting the Irish State also. After the economically moribund decades of the 1970s and 1980s, which saw new waves of emigration,

new economic development policies in the early 1990s led to substantial and **rapid growth**. As elsewhere in Europe, coalition governments have become quite common and have normally involved one of the two larger political parties with the Labour Party or the Progressive Democrats.

NB: On the history of Northern Ireland and the peace process see Chapter 5

2

population & religion¹

Ireland has been inhabited since the stone-age. People moved westwards across the European continent for more than 7,000 years and settled in the country. Each new group of immigrants, Celts, Vikings, Normans, English, has contributed to its present population. The major centres of population are Dublin, Cork, Galway, Limerick and Waterford. Sixty per cent of the population lives in cities and towns of 1,000 people or more. A high proportion of the population is concentrated in the younger age groups. As a consequence of improved economic performance in recent years there has been a significant increase in net migration. The present population is just over **4 million**, the highest on record since 1871. The present population of Northern Ireland is around **1,700,000**.

The Irish Abroad

There are **over 1 million** Irish-born people living abroad and it is estimated that **over 70 million** people across the globe can claim Irish descent. The tradition of travelling to other countries dates back to medieval times when Irish monks and scholars helped to spread Christian learning throughout the world. In the last two centuries, emigration has been driven largely by economic and social factors, notably in the aftermath of the Great Famine in 1845 and during the economic recessions of the 1950s and 1980s. Irish people have spread to almost every part of the world, with the main destinations for Irish emigrants traditionally being Great Britain and the United States which continue to have the largest Irish communities outside Ireland.

Ireland has had the highest rate of emigration of any European country for the past two centuries, taking one decade with another. Unusually in the context of European emigration, as

many women as men have emigrated. This enabled Irish people to intermarry to a great extent, and thus sustain a lively sense of community abroad. Ireland, until recently, has also had an exceptionally low rate of return migration. This has now changed with the growth in the number of educated emigrants returning during the 1990s.

Many Irish people, both religious and lay, have played prominent roles in missionary activity throughout the world. Together with their missionary work, they have contributed to the development of educational and medical facilities in many developing countries. In addition, a number of Irish development agencies, such as Concern, Trocaire, GOAL and Gorta, have in recent years made enormous contributions to development activities and humanitarian relief operations.

RELIGION

The Irish Constitution guarantees freedom of conscience and the free profession and practice of religion to all citizens. The stated religion of most people in Ireland (Republic) is **Roman Catholic**. According to the 1991 census 91.6% of the population were Roman Catholics, 2.5% were Church of Ireland (Anglican), 0.4% Presbyterians, 0.1% Methodists and less than 0.1% Jewish. About 3% of the population belonged to other religious groupings or have no specific religious beliefs. No information on religion was supplied in respect of 2.4% of the population.

The combined Catholic population of the island of Ireland is about 3.9 million. There are 1,329 parishes served by about 4,000 priests. While there are no definitive figures about 60% of Catholics are regular church goers. There are approximately 20,000 men and women in various religious orders of priests, brothers and nuns. The Catholic Church is closely involved in the provision of education and health services. This involvement began as a service to the poor but expanded considerably over the years. The Church co-operates with State agencies in many areas such as education and welfare. The Irish Catholic Church sends missionaries to every continent. In 1998 there were over 3,277 Irish Missionaries working in 92 different countries throughout Africa, Asia, Central and South America, and Oceania.

¹ This chapter is based on material from 'Facts about Ireland,' published by the Department of Foreign Affairs, Dublin.

IRELAND AND PALESTINE

The **Church of Ireland** (a Protestant Episcopal Church) is actively involved in education and social services. The **Presbyterian Church** is a Protestant Church of the Reformed tradition, with approximately 290,000 Presbyterians in Ireland. Some 12,000 of these live in the Republic of Ireland, where they are a small but significant minority. The total membership of the **Methodist Church** in Ireland is around 57,500 people, about 5,000 of whom live in the Republic of Ireland. Irish Methodism has developed a wide range of social work activities, mainly through its Missions in the larger cities, which benefit the wider community. These provide facilities for the elderly and the needy. The Church is also involved at all levels of education.

3 president, parliament, government & constitution¹

Ireland is a parliamentary democracy. The national parliament (in the Irish language, Oireachtas) consists of the President (an tUachtarán) and two Houses: a House of Representatives (Dáil Éireann) and a Senate (Seanad Éireann). The functions and powers of the President, Dáil and Seanad derive from the Constitution of Ireland and law.

THE PRESIDENT

Under the Constitution, the President of Ireland (Uachtarán na hÉireann) is elected by the direct vote of the people. Every citizen of 35 years of age or over is eligible for the office. Every citizen who has a right to vote at an election for members of Dáil Éireann has the right to vote at an election for President. The President's term of office is seven years. A President can be re-elected once only. Presidents elected since the creation of the office in 1937 have been Dr. Douglas Hyde (1938-1945), Seán T. Ó Ceallaigh (1945-1959), Eamon de Valera (1959-1973), Erskine Childers (1973-1974), Cearbhall Ó Dálaigh (1974-1976), Dr. Patrick Hillery (1976-1990), Mary Robinson (1990-1997). President Mary McAleese was elected on 30 October 1997.

The President is Head of State only and does not have executive functions. The Constitution, however, envisages the President as more than a ceremonial Head of State. It gives the President certain powers that make the President in effect the guardian of the Constitution.

The President normally acts on the advice and authority of the Government. On the nomina-

tion of Dáil Éireann the President appoints the Taoiseach (Prime Minister). On the advice of the Taoiseach and with the prior approval of Dáil Éireann the President appoints members of the Government. On the advice of the Taoiseach, the President accepts the resignation or terminates the appointment of a member of the Government. Dáil Éireann is summoned and dissolved by the President on the advice of the Taoiseach.

Before a Bill may become law, it must have the President's signature.

The President has certain discretionary powers. First, the President may, after consultation with the Council of State, an advisory body to the President, refer any Bill to the Supreme Court for a decision as to whether it contains anything repugnant to the Constitution.

Secondly, if a majority of the Seanad and not less than one-third of the Dáil petition the President to decline to sign a Bill on the grounds that it contains a proposal of such national importance that the will of the people thereon ought to be ascertained, the President may accede to the request after consultation with the Council of State. In these circumstances the President may sign the Bill only when the proposal has been approved by the people in a referendum or by a new Dáil after a dissolution and a General Election.

The President has one power which may be exercised at his or her absolute discretion. This allows the President to refuse to dissolve the Dáil on the advice of a Taoiseach who has ceased to retain the support of a majority in the Dáil.

The supreme command of the defence forces is vested in the President and all Army Officers hold their commission from the President.

There is no Vice-President of Ireland. If the President dies in office, or is incapacitated, or is abroad, or is removed from office or fails to carry out functions enjoined on the office by the Constitution, the Constitution provides for a Commission to act in his or her place. The Commission would consist of the Chief Justice, the Chairman of Dáil Éireann (the Ceann Comhairle), and the Chairman of Seanad Éireann (the Cathaoirleach).

¹ This chapter is based on material from 'Facts about Ireland,' published by the Department of Foreign Affairs, Dublin.

PARLIAMENT

Subject to the obligations of EU membership, as provided in the Constitution of Ireland the sole and exclusive power of making laws is vested in the Oireachtas. Government policy and administration may be examined and criticised in both Houses; but under the Constitution the Government is responsible to the Dáil alone. In the passage of legislation the primacy of the Dáil is clearly shown in relation to Money Bills, on which the Seanad is empowered only to make recommendations (not amendments) and these must be made within 21 days.

Dáil Éireann

At present Dáil Éireann has 166 members called Teachta Dála (abbreviated TD and meaning Dáil deputy). Members are returned by the 41 constituencies into which the country is divided. Under present arrangements, 12 constituencies return three members each, 15 constituencies return four members each, and 14 constituencies return five members each.

Under the Constitution

- the Houses of the Oireachtas must revise the constituencies at least once every 12 years;
- no constituency may return less than three members;
- the total number of members shall from time to time be fixed by law, but the total number of members of Dáil Éireann shall not be fixed at less than one member for each 30,000 of the population, or at more than one member for each 20,000 of the population;
- the ratio of elected members to population shall, as far as is practicable, be the same for each constituency throughout the country.

Seanad Éireann

Seanad Éireann has 60 members. Eleven members are nominated directly by the Taoiseach. Forty-three members are elected from five panels of candidates - The Cultural and Educational Panel, The Agricultural Panel, The Labour Panel, The Industrial and Commercial Panel and The Administrative Panel. Each panel consists of persons with knowledge and practical experience of the interests represented by the panel. The remaining six members are elected by two universities - three by the National University of Ireland and three by the University of Dublin.

The powers of the Seanad, as defined by the Constitution, are in general less than those of the Dáil. It has complementary powers with the Dáil in broad areas such as the removal from office of a President or a judge; the declaration and termination of a state of emergency; the initiation of Bills other than Money Bills; and the annulment of statutory instruments. The Seanad has prior or exclusive powers in other areas, however. A petition to the President to decline to sign a Bill until the matter can be put before the people in a referendum requires the assent of a majority of the members of the Seanad (and not less than one-third of the members of the Dáil).

In cases where the Government requires that a Bill be signed earlier than the fifth day after it has been presented to the President, as is laid down in the Constitution, the Government needs the concurrence of the Seanad. A private Bill, where it is intended to promote the particular interest or benefit of any person or locality, as distinct from a measure of public policy, must be introduced in the Seanad. After it has been passed by the Seanad the Bill is dealt with in the Dáil and, when and if agreed to, it is sent to the President for signing.

Parliamentary Committees

Each House of the Oireachtas has power under its Standing Orders to form Committees for specific purposes. There are two types of Committees - Special and Select - and the main difference is that a Select Committee can take oral and written evidence and seek any documents it requires. The Houses also form Joint Committees which are Select Committees of each House sitting and voting together. Some Committees are referred to as "Standing Committees" and this is because there is a provision in Standing Orders for the automatic creation of such Committees following a General Election.

As required, Ministers will be *ex officio* members of Committees and in the case of the Joint Committee on Foreign Affairs and the Joint Committee on European Affairs, Irish MEPs (including Northern Ireland MEPs) and members of the Irish delegation to the Parliamentary Assembly of the Council of Europe can attend and participate at their meetings but without voting rights. These Committees can also invite MEPs of other Member States to attend under similar conditions.

Committees common to each House

- i. Committee on Procedure and Privileges (considers matters relating to Standing Orders and Members' privileges);
- ii Committee on Members' Interests (performs the functions conferred on it by the Ethics in Public Office Act, 1995).

Dáil Committees (28th Dáil)

- i. Committee of Public Accounts (responsible for examining and reporting on reports of the Comptroller and Auditor General on Departmental Expenditure),

Joint Committees of both Houses (28th Dáil)

The following are the Joint Committees of the 28th Dáil which consider certain standard aspects in relation to specified Government Departments including:

- public affairs administered by the Department as it may select including bodies under the aegis of the Department in respect of Government policy;
- matters of policy for which the Minister is responsible as it may select;
- the Strategy Statement of the Department as laid before the Houses;
- iv certain Annual Reports (and Accounts) of bodies under the aegis of Departments (does not apply to the Joint Committee on European Affairs);
- such other matters as may be referred to the Committee from time to time.

European Affairs (deals with European Union matters only and has no departmental scrutiny function):

- Foreign Affairs
- Heritage and the Irish Language
- Justice, Equality and Women's Rights
- Family, Community and Social Affairs
- Enterprise and Small Business
- Agriculture, Food and the Marine
- Environment and Local Government
- Finance and the Public Service
- Public Enterprise and Transport
- Health and Children
- Education and Science
- Tourism, Sport and Recreation.

These Committees sit as Select Committees of Dáil Éireann only for certain functions as set out in Standing Orders. These functions consist of considering the Committee stage of Bills which are referred to them by the Dáil and considering

the annual Estimates (essentially the expenditure proposals for Government Departments and Offices) which are also referred to them by the Dáil.

Other Committees of the Houses (28th Dáil)

- i. Joint Committee on Broadcasting and Parliamentary Information (responsible for televising of Parliamentary proceedings and monitoring the operation of the Information and Public Relations service for the Houses and their Members collectively);
- ii Joint House Services Committee (responsible for the administration of the Oireachtas Library and Restaurants).

Powers of Committees

The powers of Committees depend on their terms of reference and include or relate to:

- Power to send for persons, papers and records;
- Power to receive submissions and hear evidence from interested parties or groups;
- Power to draft recommendations for legislative change and for new legislation;
- Power to print and publish minutes of evidence and related documents;
- Power to require attendance of Ministers to discuss current policies;
- Power to require attendance of Ministers to discuss proposed legislation;
- Power to require attendance of principal office holders in State funded bodies (subject to certain constraints).

Standing Joint Committee on Consolidation Bills

From time to time, it becomes necessary to codify statute law. Where this arises, the Committee Stage of a Consolidation Bill, with the agreement of both Houses, will be dealt with by this Committee. The Attorney General certifies that such a Bill does not involve the creation of new law.

Standing Joint Committee on Standing Orders (Private Business)

This Committee consists of three members of each House and a Chairman who may be a member of either House nominated by the Ceann Comhairle and Cathaoirleach jointly. The reports of the Examiner of Private Bills can be referred to the Joint Committee which in turn will nominate the members to the Joint Committee on a Private Bill.

GOVERNMENT

The executive powers of the State are exercised by, or on the authority of, the Government. The Constitution provides that the Government shall consist of not less than seven and not more than 15 members. The Taoiseach, Tánaiste and Minister for Finance must be members of the Dáil. The other members of the Government may be members of the Dáil or Seanad, but not more than two may be members of the Seanad. The Government acts collectively and is responsible to the Dáil.

The Taoiseach is appointed by the President on the nomination of the Dáil. He must resign if he ceases to retain the support of a majority in the Dáil.

The Taoiseach assigns Departments of State to members of the Government. Usually, each member of the Government heads one Department of State, but occasionally a Minister is responsible for more than one Department. Ministers of State, who are not members of the Government, assist Government Ministers in their Parliamentary and Departmental work. The maximum number of Ministers of State is fixed by law at 17.

The Taoiseach nominates one member of the Government to be Tánaiste. The Tánaiste acts in place of the Taoiseach if the Taoiseach is temporarily absent or becomes incapacitated.

The Attorney General, while not a member of the Government, acts as legal advisor to the Government and may attend Cabinet meetings. The Attorney General's tenure of office is normally coterminous with that of the Government.

Voting in Elections and Referenda

Opportunities to vote arise in five decision-making procedures:

- the election of the President every seven years;
- Dáil (parliamentary) elections, at least every five years;
- referenda on proposed Constitutional amendments;
- the election of representatives to the European Parliament, every five years;
- elections to local authorities, every five years.

Resident citizens over the age of 18 years may vote at Dáil, Presidential, local and European

elections, and referenda. British citizens living in Ireland may vote at Dáil, European and local elections. European Union citizens may vote at European and local elections. All residents, regardless of citizenship, may vote at local elections.

The electoral system is proportional representation by means of a single transferable vote (PR-STV) in multi-member constituencies.

Dáil Elections

Voting in Dáil elections is by secret ballot; postal voting is confined to members of the defence forces, police service and civil servants and their spouses serving abroad. Persons with disabilities and persons whose occupations are likely to prevent them from polling at their local polling station may apply for a postal vote. Certain full time students may also apply.

The system of voting used can be described as follows: The voter marks the ballot paper by placing the figure '1' opposite the name of the candidate of his or her first choice and, if the voter wishes, '2' is placed opposite the name of the second choice, and so on.

The elector is, in effect, telling the returning officer 'I wish to vote for A, but if that candidate does not need my vote or has no chance of being elected, transfer my vote to B; if B in turn does not need my vote, or in turn has no chance of election, transfer my vote to C'. At the opening of the count, the ballot papers are mixed together and then sorted according to the first preferences recorded for the candidates. The total number of valid papers is counted, and the electoral quota is calculated. The quota is the smallest number of votes necessary to secure the election of a candidate. The quota is established according to the formula:

$$\frac{\text{Total valid votes}}{\text{number of seats} + 1} + 1$$

Thus, if there were 40,000 valid votes and four seats to be filled, the quota for election would be 8,001 and only four candidates could reach the quota.

If, on the first count, no candidate has reached the quota, the candidate who received the lowest number of votes is eliminated and his or her votes are transferred to the candidate for whom

a second preference is recorded. If a candidate receives more than the quota required for election, his or her surplus votes are transferred to the remaining candidates in accordance with the subsequent preferences expressed by the electors.

When the number of remaining candidates who have neither been elected nor eliminated corresponds to the number of vacancies to be filled, those candidates are declared elected. This applies even though the remaining candidates may not have reached the quota.

Seanad Elections

An election for the Seanad takes place not later than 90 days after a dissolution of Dáil Éireann. The voting system used is proportional representation by secret postal ballot.

The electorate for the 43 members of the Seanad elected from panels of candidates, numbers just over 1,100. The electorate comprises the members of the newly-elected Dáil, the members of the outgoing Seanad, and the members of every council of a county or county borough. There is a separate election for each of the five panels. The electorate for the six members elected from the universities consists of every citizen who has received a degree (other than an honorary one) from those universities and who has attained the age of 18 years and is registered as an elector.

Political Parties

Fianna Fáil, Fine Gael, Labour, The Progressive Democrats, the Green Party, the Socialist Party and Sinn Féin are represented in the Dáil.

Fianna Fáil

Fianna Fáil, the Republican Party, was founded by Éamon de Valera in 1926. Its aims are to secure in peace and agreement the unity and independence of Ireland and its people; to develop a distinctive national life in accordance with the diverse traditions of the Irish people and to restore Irish as a living language; to guarantee religious and civil liberty and equal opportunities; to develop the resources and wealth of Ireland to their full potential to provide the maximum sustainable employment based on fostering a spirit of enterprise and self-reliance and on social partnership; to protect the natural environment and heritage of Ireland; to promote the family and a wider sense

of social responsibility; to maintain the status of Ireland as a sovereign state, as a full member of the European Union and the United Nations on the basis of Ireland's independent foreign policy tradition and to reform the laws and institutions of the state to make them caring and responsive to the needs of the citizen.

Fianna Fáil has been in government in 1932-1948, 1951-1954, 1957-1973, 1977-1981, in 1982, 1987-1994 and June 1997 to date. Its leaders have been Éamon de Valera, 1926-1959, Seán Lemass, 1959-1966, Jack Lynch, 1966-1979, Charles Haughey, 1979-1992, Albert Reynolds, 1992-1994, and Bertie Ahern, from November, 1994 to date. Its achievements have included the consolidation of Irish independence, promulgation of the Constitution in 1937, maintenance of Irish neutrality in the Second World War, construction of a domestic industrial base, redistribution of agricultural land, the introduction and extension of housing and social assistance programmes, the introduction of free secondary education, the opening up of Ireland to trade and investment, negotiating entry into the EEC and participation in the single currency, including substantial increases in EU structural and cohesion funding and the attraction of high technology industry and financial services to Ireland.

Building on the success of the Downing Street Agreement of 1993 and the ensuing ceasefires the Taoiseach and leader of Fianna Fáil, Bertie Ahern, signed the Good Friday Agreement with the British Government and the Northern Ireland parties.

Fianna Fáil is a broad based party with strong representation in both urban and rural Ireland. Since 1932 it has consistently been the largest party in the Dáil, and at the General Election of June 1997 won almost 40% of the popular vote. It holds 75 out of the 166 seats in Dáil Éireann and 31 out of the 60 seats in Seanad Éireann. In November, 1997, the Fianna Fáil candidate, Mary McAleese was elected President of Ireland.

Fianna Fáil is part of the Union for Europe group in the European Parliament. (Website: www.fianna.fail.ie)

Fine Gael

Fine Gael won over 28% of the total votes cast in the general election of June, 1997. This represented a 3% increase in the party's vote on

the previous general election, and left the party holding 54 out of the 166 seats in Dáil Éireann, making it the largest opposition party. Although the Fine Gael-led coalition that governed from 1994 to 1997 was not returned, Fine Gael was nonetheless reinvigorated by that term in government, and was further encouraged by the increase in its vote share that followed.

The leader of Fine Gael is John Bruton, former Taoiseach and current vice-president of the Christian Democrat International. Fine Gael was founded in 1933 by the coming together of a number of parties. The predominant party in this amalgamation was Cumann na nGaedheal. Cumann na nGaedheal had been founded in 1923 to sustain the Government of the infant Free State in its efforts to build and develop the new nation on the basis of the treaty negotiated a few months earlier. The Cumann na nGaedheal party governed from the foundation of the State until 1932. Fine Gael has committed itself to an ideal which was shared by Cumann na nGaedheal of developing a wider, pluralistic sense of Irish nationalism.

Fine Gael policy is based on the principles of the encouragement of enterprise combined with social justice and with decision-making devolved to the appropriate level. A core ideal of the party is reconciliation with and between the peoples of the island of Ireland, and the belief that this will not be achieved through confrontation. Fine Gael favours a planned approach to sustain Irish economic development while at the same time maintaining the economy's openness. This is to be done by a mixture of State encouragement for private enterprise and effort and direct State involvement in a number of areas. It has as its immediate objectives improved access for young people and women to decision-making, greater tax equity, the improvement and development of the country's infrastructure, fairer opportunities in education and the elimination of social exclusion.

Fine Gael is also committed to the development and unification of the EU. Along with its sister parties in the European People's Party, Fine Gael seeks solutions on a European level to the problems and challenges of the new century. The EPP is the largest group in the European Parliament, has played a leading role in the founding of the EU, and is a strong advocate of European integration (Website: www.finegael.ie).

Labour Party

The Labour Party is represented in Dáil Éireann, Seanad Éireann and in the European Parliament as a member of the Party of European Socialists (PES). The Party was founded in 1912 at a conference of the Irish Trade Union Congress in Clonmel under the inspiration of James Connolly, Jim Larkin and William O'Brien. Through its affiliation to the Socialist International is a sister party of the Social Democratic Labour Party in Northern Ireland.

The Labour Party seeks to build a society free from deprivation and based on the principles of democracy, equality, participation and co-operation. The Labour Party has 12 affiliated trade unions representing 50% of all trade union members in the State.

Since its foundation, the Labour Party has taken part in seven coalition Governments, the latest of which ended in 1997. In the 1997 General Election, the Party won 10.4% of the votes and currently has 21 seats in the Dáil. In 1999, it merged with Democratic Left. The Leader of the Labour Party is Ruairi Quinn TD who represents Dublin South East in the Dáil and a former Minister for Finance. (Website: www.labour.ie)

The Progressive Democrats

The Progressive Democrats were formed in 1985. There are seven members of the parliamentary party, four Dáil Deputies and three Senators. The leader of the Progressive Democrats is Mary Harney, the first woman leader of a political party in the history of the State. Mary Harney was elected leader in October 1993. She succeeded the founder of the Party, Desmond O'Malley TD. The Progressive Democrats were established with the aim of providing Ireland with a modern, forward-looking liberal party in the European mould.

The party formed the current Coalition Government with Fianna Fail in 1997 and were previously in coalition with Fianna Fail from 1989 to 1992. The party favours positive State action to create an enterprise society and is working in Government to develop the role of the State in the economic and social life of the country. The leader of the Progressive Democrats is Mary Harney TD, the current Tánaiste and Minister for Enterprise Trade and Employment. (Website: www.progressivedemocrats.ie).

The Green Party/Comhaontas Glas

The Green Party/Comhaontas Glas was founded in 1982 from an alliance of social movements and protest groups. The Party's electoral breakthrough came in 1989 when their first Green TD, Roger Garland (Dublin South), was elected. This was followed by further electoral successes in the 1991 local government elections. In the 1992 General Election the Greens lost their Dublin South seat but the election of Trevor Sargent (Dublin North) continued their parliamentary representation. A further breakthrough was achieved in the 1994 European elections when Patricia McKenna (Dublin) and Nuala Ahern (Leinster) were both elected as Green MEPs to the European Parliament. In the 1997 General Election the Greens increased their Dail representation by one, when John Gormley (Dublin South East) joined Trevor Sargent, who successfully retained his seat. In the 1999 European Elections both Green MEPs successfully retained their seats.

The party is a member of the European-wide Green movement through the European Federation of Green Parties while its two MEPs are members of the Green Group in the European Parliament.

The motto of the Irish Green Party is, Think Globally, Act Locally. It puts this motto into practice through its many policies on a wide range of social and environmental issues. The Party has no leader and attempts at all times to work through consensus decision-making. The Irish Greens are now represented at local, national and European throughout Ireland (Website: www.greenparty.ie).

Socialist Party

The Socialist Party is a party campaigning in the interests of ordinary workers, the unemployed and young people. The Socialist Party stands in the best traditions of James Larkin and James Connolly. The Socialist Party believes that real campaigners and real socialists will make a real difference. The party is represented in Dail Eireann by Joe Higgins T.D. (Website: www.socialistparty.net).

Sinn Féin

Sinn Féin, founded in 1905, is an Irish republican party. The party has as its objectives: the reunification of Ireland, political independence and national sovereignty. Sinn Féin has representatives elected to local councils and the Northern Ireland Assembly, as well as a representative in

Dáil Éireann. The party has two Westminster MPs, Gerry Adams and Martin McGuinness.

According to Sinn Féin, their political priority is their peace strategy and in the last ten years the party has seen the development of a peace process, which led to the Good Friday Agreement in April 1998. They are committed to the full implementation of the Agreement and are continuing to work towards Irish unity and independence.

Sinn Féin is a republican labour party committed to far reaching social, economic and political change. They have wide ranging all Ireland policies designed to see the wealth which is currently being created used to the benefit of all. Sinn Féin states that they are working to establish a new Ireland based on genuine democracy, equality, respect for difference and justice at all levels of society.

Sinn Féin's vision is of a future in which people, whatever their social or economic status, are part of a society that affords them opportunity, dignity and the right to participate in the processes of power that affect their lives. The leader of Sinn Féin is Gerry Adams MP. (Website: <http://sinnfein.ie>).

The Civil Service

The legal basis for the present system of central public administration is contained in the Public Service Management Act 1997 and the Ministers and Secretaries Act 1924 and its 11 subsequent amendments. This body of law provides for a statutory classification of the functions of Government under the various Departments and Offices of State. There are 15 Government Departments each headed by a Minister, who collectively form the Government. They are assisted by 17 Ministers of State. Ministers have responsibility for the performance of the functions of a Government Department as assigned by the Ministers and Secretaries Act 1924, as amended. The day-to-day management and administration of a Department's functions is the responsibility of its Secretary General, who is a permanent civil servant, appointed by the Government.

The civil service is independent in the performance of its duties and has no involvement in party politics. Party political activity is strictly forbidden for all middle and high-ranking civil servants.

Recruitment to the civil service is by open public competition administered by the independent Civil Service Commission. Staff are recruited at a number of different grades up to middle management level.

The civil service comprises a number of grade categories with different functions. These functions cover, broadly, four categories of duties: the administrative grades have responsibility for policy formulation; the professional grades provide specialist knowledge and skills within the civil service; the executive grades are involved in the implementation of policy decisions; the clerical grades are responsible for general duties. There are some 30,000 people employed in the civil service.

Teachers and members of An Garda Síochána (police force) and staff of local authorities and of the health services, as well as members of the Defence Forces, belong to the wider public service, rather than the civil service. Their salaries are also, however, paid from central Government funds, through the Departments of Education, Justice, Environment, Health, and Defence respectively.

Departments of State

The Department of An Taoiseach provides the secretariat to the Government and assists the Taoiseach in the carrying out of his constitutional and legal functions. The Department has responsibility for the National Economic and Social Council, the Government Information Services and the Central Statistics Office. It has responsibility in regard to the administration of all public services which do not fall within the remit of another Government Department while also being charged with the custody of public archives and state papers.

The Department of Finance has responsibility for the administration and guardianship of the public finances of the State. It is concerned with the raising and the provision of money for State purposes, the control of public expenditure, and social and economic planning. It is responsible for the co-ordination and the improvement of personnel and management functions in the public service. It is also responsible for other central Government services such as the Office of the Revenue Commissioners and the Office of Public Works.

The Department of Agriculture, Food and Rural Development provides a wide range of services to the agriculture and food sectors. Its Inspectorate is responsible for the maintenance of Plant and Animal Health and Agricultural Research. An important element of the Department's functions is the implementation and administration of EU agricultural policies.

The Department of Arts, Heritage, Gaeltacht and the Islands is responsible for the formulation of national policy relating to Arts Heritage and Culture, promotion of the social and economic welfare of the Gaeltacht, and encouraging the preservation and extension of the use of Irish as a vernacular language, as well as responsibilities in relation to the development of offshore islands.

The national cultural institutions (the National Museum, the National Library, the National Gallery of Ireland, the National Archives, the National Concert Hall and the Irish Museum of Modern Art), the Arts Council and the Heritage Council come under its aegis.

The Department of Defence is responsible for the external security of the State. This involves the administration, recruitment, regulation and organisation of the army including the air corps, the naval service, as well as civil defence.

The mission of the Department of Defence is to contribute to national security and stability by the provision of Defence Forces capable of fulfilling the roles assigned by Government and to provide an effective Civil Defence capability.

The Department of Education administers, oversees and finances primary, secondary and third-level education services and operates the State examination system for schools.

The mandate of the Department of Enterprise, Trade and Employment is to implement Government policy in five key areas- development of enterprise, employment promotion, trade development, protection of workers and the regulation of businesses.

The Department also has policy responsibility for a number of state-sponsored bodies (Forfás, IDA Ireland, Shannon Development, Enterprise Ireland, FÁS, Health and Safety Authority (HSA), National Standards Authority of Ireland (NSAI)).

The Department of the Environment and Local Government is responsible for setting the legislative and policy framework for local authorities. The Department also provides finance for local authorities as well as playing a role in providing general guidance and support.

The Department of Foreign Affairs' primary function is the promotion and protection of Irish interests abroad. It also advises the Government on Ireland's foreign relations and acts as the channel of official communication with foreign Governments and official organisations. The Department is responsible for diplomatic representation abroad and for the implementation of Ireland's aid programme for developing countries.

The Department of Health and Children's role is to protect, promote and restore the health and well-being of people by ensuring that the health and personal social services are planned, managed and delivered to achieve measurable health and social gain and to provide the optimum return on resources invested. It oversees the work of the health boards, the voluntary hospitals and a range of specialist agencies.

The Department of Justice, Equality and Law Reform has a wide range of responsibilities including responsibility for the internal security of the State and the provision of support for the Courts, the Prison Service and An Garda Síochána (police force). It is also charged with promoting equality of opportunity within the State and has responsibility for instituting law reform measures, in relation to both the civil and criminal law. It is also responsible for the provision of Legal Aid Schemes for criminal and civil matters, for the proper registration of ownership of land, for processing applications by non-nationals in relation to admission, residence, citizenship, asylum and for a range of other matters such as censorship, Data Protection and criminal injuries compensation.

The Department of the Marine and Natural Resources is responsible for policy issues in relation to the fishing and marine related industries, shipping, marine research and technology, aquaculture, marine safety and general marine conservation policy.

The Department of Social, Community and Family Affairs has responsibility for the administration of the social insurance and the social

assistance schemes within the State social security system.

The Department of Tourism, Sport and Recreation has responsibility for the formulation of policies in relation to tourism and sport matters, and for local development with a particular emphasis on improving the quality of life of communities characterised by high levels of social deprivation.

The Department of Public Enterprise is charged with policy formulation in the areas of aviation, rail and road transport, energy, as well as postal, radio and telecommunications policies. Many Departments also have responsibility for State-sponsored companies entrusted with the implementation of policy. There are also a number of other organisations within the civil service:

The Office of the Revenue Commissioners is responsible for the administration, enforcement and collection of taxes and duties.

The Office of Public Works provides accommodation for Government Departments and offices, police stations, primary schools and it undertakes civil engineering projects on behalf of the State.

Other State services include: the Government Supplies Agency, the Central Statistics Office, the Valuation and Ordnance Survey Office, the State Laboratory, the Office of the Comptroller and Auditor General, the Office of the Attorney General, The Local Appointments Commission and the Government Information Services.

Ombudsman

The Ombudsman is empowered to investigate the actions of Government Departments, Local Authorities, Health Authorities and the Postal Service and their officers. The Ombudsman is appointed by the President on the advice of the Government and is independent in the performance of his or her duties. The office has its own investigative staff and is free to determine its own procedures.

Information Commissioner

The role of the Information Commissioner is to review (on application) decisions made by Government Departments, other public bodies, Local Authorities and Health Boards in relation to requests made under the Freedom of Infor-

mation Act, 1997 and to make binding decisions. It fosters an attitude of openness among public bodies by encouraging the voluntary publication by them of information on their activities.

The Data Protection Commissioner: The Data Protection Act, 1988 protects the rights of individuals in relation to personal data kept about them on computer. The Act obliges persons who hold information about individuals to conform to standards of fairness and quality when obtaining and using personal data.

Public Offices Commission: The role of the Commission is to provide advice and assist compliance with the Ethics in Public Office Act, 1995 and to investigate contraventions of the Act. These functions relate to holders of certain public offices (including Ministers and Ministers of State), special advisers and persons employed in designated positions in certain public bodies. The Commission also has the principal supervisory role under the Electoral Acts, 1997 and 1998, dealing with the disclosure of political donations, the public funding of political parties and the capping of election expenditure.

State-Sponsored Bodies

There are about 120 State-sponsored bodies. These can be loosely classified as commercial, developmental, health, cultural, regulatory and advisory. Until recently several of the Commercial State-sponsored bodies had a monopoly in their area of activity but almost all are now operating in a competitive environment, providing a range of goods and services. The Developmental bodies are concerned with the provision of a range of technical and support services to industrialists, farmers and start up businesses. The Health bodies, which include some hospitals, are concerned primarily with the direct provision of services and research to the public and health professionals, as well as to the State. Cultural bodies are involved in the promotion throughout the State of cultural activities. Regulatory bodies often perform functions previously carried out by central Government, sometimes on a semi-commercial basis, and include the registration of medical professionals and the licensing of telecommunications operators. Advisory bodies are on the whole permanent consultative bodies which have an input to the policy making process.

Within general policy guidelines laid down by the Government and within the limits of statute law, State-sponsored bodies have significant autonomy. Although the Government or an individual Minister usually appoints members to the Boards or Councils of the bodies, they are not subject to detailed Ministerial control over day-to-day matters.

Publicly owned utility Companies

The Electricity Supply Board was responsible for all electricity generation and supply until competition in generation and supply of electricity began in February, 2000. An Post provides mail services. Bord Gáis (Irish Gas Board) is responsible for the supply of natural gas. RTÉ, the radio and television network, runs national television and radio services.

Transport: The publicly owned road and rail transport system is operated by the Coras Iompair Éireann (CIE) group of companies. Iarnród Éireann (Irish Rail) operates the nationwide railway system for passengers and freight, including the Dublin Area Rapid Transit (DART) network. Bus Átha Cliath (Dublin Bus) operates urban bus services in the Greater Dublin area. Bus Éireann (Irish Bus) operates a network of bus services outside Dublin city. Aer Rianta manages international airports at Dublin, Cork and Shannon. Aer Lingus, the Irish international airline, provides international air services.

Other Trading Companies: IFI (Irish Fertilizer Industries) manufacture agricultural fertilisers. The Irish National Petroleum Corporation deals in the international oil market and operates its own refinery. Bord na Móna is responsible for the development and processing of Ireland's peat resources. Coillte Teo is responsible for the commercial functions of the forest service.

Promotional Agencies: The State has established a number of agencies responsible for the promotion of various aspects of the Irish economy. These include Forfás, Enterprise Ireland, IDA Ireland, the Irish Tourist Board (Bord Fáilte), Bord Bia, Bord Iascaigh Mhara (BIM) and Shannon Development.

Forfás is the policy advisory and co-ordination board for industrial development and science and technology in Ireland. It is the body in which the State's legal powers for industrial promotion and technology development have been vested. It is also the body through which

powers are delegated to Enterprise Ireland for the promotion of indigenous industry and to IDA Ireland for the promotion of inward investment.

Enterprise Ireland is responsible for the development of exports and export markets by and for Irish indigenous companies.

IDA Ireland has national responsibility for securing new investment from overseas in manufacturing and international service sectors and for encouraging existing foreign enterprises in Ireland to expand their businesses.

Bord Fáilte Éireann (the Irish Tourist Board) is responsible for marketing Ireland internationally. Bord Bia's role is to develop export markets for Irish food and drink companies.

Bord Iascaigh Mhara (BIM) is responsible for the sustainable development of the Irish seafood and aquaculture industry both at sea and ashore and the diversification of the coastal economy.

Shannon Development is a regional development organisation funded by central Government which is responsible for the integrated development of tourism, manufacturing and trade in the Shannon Region.

Udarás na Gaeltachta is responsible for economic development in the Gaeltacht areas.

Economic Development Organisations

Enterprise Ireland (incorporating the former Irish Trade Board and Forbairt) helps Irish companies to build their competitive advantage through innovation, marketing and technology. Enterprise Ireland offices worldwide link international buyers with Ireland's competitive supply capability.

The Industrial Development Agency - Ireland is the agency responsible for attracting foreign investment into Ireland and Bord Fáilte (the Irish Tourist Board) markets Ireland as an international tourist destination.

Other State-sponsored bodies are engaged in the areas of education and research, public administration, fisheries and corporate finance. Within general policy guidelines laid down by the Government, State-sponsored bodies have significant autonomy. Although the Government

or an individual Minister usually appoints members to the Boards or Councils of the bodies, they are not subject to detailed Ministerial control over day-to-day matters.

Local Government

At present the local government system is undergoing a process of renewal and reform. Changes are being made to strengthen and modernise the powers of local authorities while enhancing the focus on customer service and efficiency. The two key broader aims of the reforms are to strengthen the role of elected councillors and to encourage stronger links between local authorities and the local community and these changes are reflected in the new Local Government Bill which was published in 2000.

There are 114 local authorities: 29 County Councils, 5 County Borough Corporations, 5 Borough Corporations, 49 Urban District Councils (UDCs) and 26 Town Commissions.

In June 1999 a referendum was passed to afford constitutional recognition to local government and to provide for periodic local elections and the relevant legislation is being drafted.

Membership and Election of Local Authorities:

The members of local authorities are elected for a five year term of office in accordance with the system of proportional representation by means of a single transferable vote. Anyone who has reached the age of 18 and is either a citizen or ordinarily resident in the State is eligible to become a local authority member. Every person who is over 18 years of age and ordinarily resident in the State is eligible to vote at local elections.

Membership of local authorities is as follows:

- County Councils varies from 20 to 48 members
- County Borough Corporations varies from 15 to 52 members
- Borough Corporations and 3 largest UDCs 12 members
- Other UDCs 9 members
- Town Commissions 9 members

The functions carried out by elected members at their meetings are called reserved functions. These functions mainly relate to matters of policy and principle, including control over the financial affairs of the authority, the making of

the development plan and the making of by-laws. The elected members also have a role in overseeing the activities of the manager, including the power to issue directions in certain circumstances.

Each county and city authority has a full time chief executive, the city or county manager, who is also responsible for the other local authorities within that area. Any functions which are not "reserved functions" automatically fall to be performed by the manager and are termed executive functions and are primarily concerned with the day-to-day running of the authority. The manager also has a duty to advise and assist the elected members in the exercise of their functions.

Reserved functions are discharged by the elected members at their meetings; they comprise mainly decisions on important matters of policy and principle, including control over the financial affairs of the authority, the making of a development plan, and the making of by-laws. Any function which is not a 'reserved' function is automatically an executive one to be performed by the Manager, but the elected members have various powers enabling them to oversee the activities of the Manager, and to give directions in certain circumstances. In turn, the Manager has a duty to advise and assist the elected members in the exercise of their functions.

Services:

The services provided by the major local authorities can be described under eight main headings, known as programme groups: housing and building; road transportation and safety; water supply and sewerage; development incentives and controls; environmental protection; recreation and amenity; agriculture, education, health and welfare; and miscellaneous services.

Financing:

Expenditure by local authorities on the various services provided by them accounts for a sum corresponding to approximately 4.5% of GNP. This consists of current spending (approximately 65% of the total) and capital expenditure (approximately 35%). Almost all of the capital spending is funded by State grants, covering the cost of major construction works on roads, water and sanitary services facilities, and much of the housing construction programme. Revenue (current) expenditure is financed through a combination of State grants, local rates on commercial and industrial property,

and through fees, charges, rents and services provided by the local authorities.

Regional Structures

Regional authorities - eight of which were established in 1994 - are statutory bodies comprising local elected representatives selected by constituent local authorities. Their main tasks are to promote the co-ordination of public services in their region and to review and advise on the implementation of EU structural and cohesion funds programmes.

Two Regional Assemblies - the Border, Midland and Western Regional Assembly, and the Southern and Eastern Regional Assembly - were established on 21 July, 1999 under the new structures for regionalisation. The assemblies are based on the existing regional authority structure and their functions are to:

- promote co-ordination of the provision of public services in their areas;
- monitor the general impact of all EU programmes of assistance under the Community Support Framework in their areas; and
- manage new regional operational programmes in the next Community Support Framework.

Health Boards:

For health purposes, the country is divided into eight regions, each of which is administered by a health board. The boards are responsible for the management and delivery of health and personal social services in their regions. The Eastern Health Board, which covers the Dublin, Kildare and Wicklow region, was replaced in 2000 by the Eastern Regional Health Authority. The Authority will oversee the work of three new Area Health Boards and will also be responsible for funding the voluntary hospitals in the region.

Regional Tourism Authorities:

The country is divided into seven regions with six Regional Tourism Authorities and Shannon Development, who are responsible for tourism in the Shannon Region. Each Regional Tourist Authority is a public company. The role of the Regions is to co-ordinate and assist in the development of tourism and to provide visitor services facilities.

Vocational Education Committees:

Vocational Education Committees provide technical and vocational education, including adult

and continuing education. The committees have their own corporate status and are financed by State grants and by the local authorities.

County Enterprise Boards:

A nationwide system of City and County Enterprise Boards was established in 1993 to provide a focus for enterprise and employment promotion at local level. The Boards are locally controlled enterprise development companies established in each county and urban local authority area in Ireland. Their function is to develop indigenous enterprise potential and to stimulate economic activity at local level. This is done primarily by providing financial support, advice and training for the development of micro enterprise. Micro enterprise is generally defined as that in which less than ten people are employed. The Boards support individuals, firms and community groups provided that the projects have the capacity to achieve commercial viability.

Fisheries Boards:

The Central Fisheries Board and seven Regional Fisheries Boards are responsible for the protection, conservation, management and development of inland fisheries and of sea angling resources within their respective regions.

Port Companies and Harbour Authorities:

Eight Port Companies, covering the States major ports, were established under the 1996 Harbours Act; a ninth company was created in 1999. These Companies have responsibility for management and development of their respective ports.

There are 17 Harbour authorities, which are responsible for the operation and maintenance of the commercial harbours. Both Port Companies and Harbour Authorities are under the general supervision of the Department of the Marine and Natural Resources.

LEGAL SYSTEM

Irish law is based on Common Law as modified by subsequent legislation and by the Constitution of 1937. Statutes passed by the British Parliament before 1921 have the force of law unless repealed by the Irish Parliament or found to be unconstitutional. In accordance with the Constitution, justice is administered in public in courts established by law. Judges are appointed by the President on the advice of the

Government. They are invariably senior practising members of the legal profession. They are guaranteed independence in the exercise of their functions and can be removed from office for misbehaviour or incapacity only by resolution of both Houses of the Oireachtas (the National Parliament).

The court of summary jurisdiction is the District Court. The country is divided into 23 District Court districts. There is legislative provision for the appointment of 51 judges of the District Court (including the President of the Court). There are currently 50 judges serving in the District Court (including the President of the Court). A District Court is presided over by a District Court judge sitting without a jury. It tries minor criminal offences and has powers to impose fines of up to IRE1,500 (€1,904) or prison sentences up to a maximum of one year or both. The District Court also handles minor civil cases. The civil jurisdiction of the court is IRE5,000 (€6,349).

More serious cases are tried by the Circuit Court. The country is divided into eight Circuit Court circuits. Legislation provides for the appointment of 27 judges of the Circuit Court (including the President of the Court). Currently, there are 24 judges serving in the Circuit Court (including the President of the Court). The Circuit Court can try all criminal cases except rape, treason, piracy, murder and allied offences. The jurisdiction of the Circuit Court in civil cases is limited to IRE30,000 (€38,092) unless both parties consent to its jurisdiction being unlimited. It also acts as an appeal court from the District Court. In criminal cases the Circuit Court is presided over by a judge sitting with a jury of 12 ordinary citizens. In other cases the Court is presided over by a judge sitting alone.

The High Court has full original jurisdiction and determining power in all matters of law or fact, civil or criminal. It can decide the validity of any law, having regard to the provisions of the Constitution. When trying criminal cases the High Court is known as the Central Criminal Court.

The High Court hears appeals from the Circuit Court in civil cases. In criminal cases, and in a limited number of civil cases, the Court is presided over by a judge sitting with a jury of 12 ordinary citizens. In other cases the Court is presided over by a judge sitting alone. The maximum number of ordinary judges which may be appointed is 25.

Legislation provides for the establishment of Special Criminal Courts whenever the Government is satisfied that the ordinary courts are inadequate to secure the effective administration of justice and the preservation of public peace and order. The Special Criminal Court is presided over by three serving judges drawn from the High Court, the Circuit Court and the District Court sitting together. There is no jury in the Special Criminal Court but, in most other respects, procedure governing this Court is the same as in criminal trials generally.

Criminal appeals from the Circuit Court, the Central Criminal Court and the Special Criminal Court are heard by the Court of Criminal Appeal, a court consisting of three judges drawn from the High Court and Supreme Court.

The Supreme Court is the court of final appeal. It consists of the Chief Justice, seven other judges and, in an ex-officio capacity, the President of the High Court. The Court hears appeals from the High Court and the Court of Criminal Appeal. The Court is empowered to decide if the provisions of any statute are repugnant to the Constitution in the event of the President referring such provisions to the Court prior to the statute becoming law.

Although there is a limited right of private prosecution, most criminal prosecutions are instituted by the Director of Public Prosecutions (DPP) on behalf of the State. The DPP is a State official but is independent of Government in the performance of his functions.

The legal profession is divided into solicitors and barristers. Solicitors deal with legal business outside the courts such as transfer of land ownership, administration of the assets of deceased persons, and formation of limited companies. They also attend Court and while they have a right of audience before all courts, most of their work in this area comprises District Court cases and appeals to the Circuit Court. The Law Society of Ireland, founded in 1852, acts as a regulatory body for the solicitors' profession.

In the higher courts, cases are normally conducted by barristers who are either junior or senior counsel. Barristers are advised by, and in most cases can only be retained by, solicitors. The Benchers of the Honorable Society of King's Inns constitute the governing body of the Bar of Ireland.

Legal aid is available, at the discretion of the Court, in criminal cases and, on a more limited scale, in civil cases.

Police

The police service, An Garda Síochána (in English - Guardians of the Peace), was established in 1922 and is a national force of approximately 11,450 members. The general direction and control of the service is, subject to regulations made by the Minister for Justice, Equality and Law Reform vested in a Commissioner appointed by the Government. Apart from some specialised units Irish police are unarmed. Garda Headquarters is in the Phoenix Park, Dublin. Under the Commissioner there is a staff of two Deputy Commissioners, ten Assistant Commissioners and a Surgeon to the force. A Regional Command Structure was introduced in 1996 whereby the country is divided into six regions, one being the Dublin Metropolitan Region. Each region is under the control of an Assistant Commissioner. The other four Assistant Commissioners are based at Headquarters in charge of operational and administrative departments.

The ranks of An Garda Síochána are, in descending order, Deputy Commissioner, Assistant Commissioner, Chief Superintendent, Superintendent, Inspector, Sergeant and Garda. Entry to the force is at the rank of Garda. The force operates in 25 Divisions, each of which is divided into Districts and Sub-Districts. Divisions include regular and special forces for crime detection and prevention. Divisions also carry out local police administrative functions. The Training College is located at Templemore, Co. Tipperary. Garda trainees undergo a comprehensive two year training programme before being appointed to the force. Among developed countries, Ireland has one of the lowest levels of serious crimes of violence while the crime detection rate is comparable to that of other European countries.

The misuse of drugs has presented probably the greatest challenge to policing in the developed world in modern times. Ireland has not escaped these developments in illegal drug activity, which is now truly a "global phenomenon". An Garda Síochána continues to commit significant resources, both directly and indirectly, to curbing the drug problem in Ireland.

In 1989, the Garda Síochána participated in its first United Nations peace-keeping mission,

with the dispatch of a 50 member contingent to Namibia. Since then the Gardaí have been involved in other such missions, most notably in Angola, Cambodia, Mozambique and East Timor. Garda contingents are currently serving with the UN in Cyprus and Bosnia-Herzegovina. Members of An Garda Síochána are also serving overseas in Croatia with the OSCE (Organisation for Security and Cooperation in Europe).

The Criminal Assets Bureau was established under the Proceeds of Crime Act 1996. It has staff drawn from the Gardaí, the Revenue Commissioners and the Department of Social, Community and Family Affairs. Its remit involves confiscating, freezing or seizing criminal assets, ensuring that criminal proceeds are subjected to tax and investigating and determining the eligibility of claims for social security payments, under the Social Welfare Acts, by criminals or suspected criminals.

The Permanent Defence Forces

The policy planning, legislative and administration activities in relation to defence policy generally, Defence Forces organisation, regulation and control, recruitment and training, conciliation and arbitration, pay and allowances, conditions and superannuation and purchase of stores and equipment are the responsibility of the Department of Defence.

The Defence (Amendment) Act, 1998, created a single military element in the Department of Defence, which is known as Defence Forces Headquarters, the head of which is the Chief of Staff. He is supported by two deputies - Deputy Chief of Staff (Operations) and Deputy Chief of Staff (Support).

The Department is responsible also for the general planning, organisation and co-ordination of Civil Defence measures, including special guidance for local authorities.

The Department plays a key role in providing aid to the civil power, mainly in the area of security, fishery protection, search and rescue and air emergency services, Government air transport and international peacekeeping. The Department also assists in the provision of aid to the community through maintenance, when necessary, of essential services.

The roles currently assigned by the Government to the Defence Forces are:

- to defend the State against armed aggression; this being a contingency, preparations for its implementation will depend on an ongoing Government assessment of the security and defence environment;
- to aid the civil power (meaning in practice to assist, when requested, the Garda Síochána, who have primary responsibility for law and order, including the protection of the internal security of the State);
- to participate in multinational peace support, crisis management and humanitarian relief operations in support of the United Nations and under UN mandate, including regional security missions authorised by the UN;
- to provide a fishery protection service in accordance with the State's obligations as a member of the EU;
- to carry out such other duties as may be assigned to them from time to time, eg search and rescue, air ambulance service, Ministerial air transport service, assistance on the occasion of natural or other disasters, assistance in connection with the maintenance of essential services, assistance in combatting oil pollution at sea.

Recruitment:

All recruitment is on a voluntary basis. Recruits are enlisted for general service for five years in the Permanent Defence Force followed by seven years in the Reserve Defence Force (First Line). Cadets in the Army, Naval Service and Air Corps are inducted every year and apprentices in all services are inducted as required.

Structure:

The Defence Forces consist of the Permanent Defence Force and the Reserve Defence Force.

The Permanent Defence Force, which consists of Army, the Air Corps, and Naval components, has an approximate current strength of 10,500 personnel. The Reserve Defence Force, comprising the First Line Reserve (former members of the Permanent Force), the F.C.A. (An Fórsa Cosanta Áitiúil - second-line army reserve) and An Slua Muirí (the second-line naval reserve) has a total strength of approximately 14,200 personnel.

Under the Constitution, the supreme command of the Defence Forces is vested in the Presi-

dent, from whom all officers hold their commissions. Military command is exercised by the Government through the Minister for Defence.

The country is divided into three territorial Brigades - Eastern, Southern and Western Brigades. Defence Forces Headquarters is located in Dublin and the Defence Forces Training Centre is located in the Curragh.

The Army has three infantry brigades, comprising nine battalions in total. The current strength of the Army is approximately 8,900 personnel all ranks. The part-time reserve (An Fóras Cosanta Áitiúil) has a strength of approximately 13,500 personnel and is organised into 18 infantry battalions, six field artillery regiments and a number of squadron/company size units of support corps.

The Air Corps is based at Casement Aerodrome Baldonnell and undertakes operations such as Fishery Surveillance, Search and Rescue, Air Ambulance; Aid to the Civil Power; and flying and technical training. The Air Corps fleet is comprised of 17 fixed wing aircraft and 13 helicopters.

The Garda Air Support Unit comprises one fixed wing aircraft and one helicopter, which are operated by the Air Corps on behalf of the Gardai. The Air Corps has a current strength of 850 approximately.

The Naval Service is equipped with a total of eight vessels comprising one helicopter carrying vessel, five offshore vessels and two coastal patrol vessels. All vessels are based at Haulbowline, Co. Cork and are mainly engaged in fishery protection duties. At present there are approximately 980 personnel in the Naval Service. The part-time naval reserve, An Siua Muiri, has 330 personnel and is organised in five companies located at Cork, Waterford, Limerick and Dublin (two companies).

Service with the United Nations:

Ireland joined the United Nations in 1955 and has been involved in international peacekeeping missions since 1958 when a group of 50 officers of the Defence Forces served with the United Nations Observer Group in Lebanon (UNOGIL). Since then, Ireland has contributed to a total of 33 UN missions and 13 other peacekeeping and related missions with the EU, the OSCE as well as with various humanitarian

agencies engaged in relief work in Africa, South America, Albania and Honduras.

Defence Forces personnel are currently serving with 13 United Nations peacekeeping missions including SFOR (stabilisation force) in Bosnia Herzegovina, KFOR in Kosovo, UNTAET in East Timor and 5 OSCE missions as well as with the European Community Monitoring Mission in the former Yugoslavia.

Financing

Expenditure on the Defence Forces accounts for approx. 0.92% of GNP or 0.80% of GDP.

Civil Defence

Civil Defence provides a community support service in addition to being a support to the primary emergency services. The Minister of State at the Department of Defence has ministerial responsibility for Civil Defence. The Department's functions include financial control, planning, central training, and direction of civil defence activities at Local Authority level. Each of the 32 Civil Defence Local Authorities has responsibility for the provision locally of a Civil Defence service, which is under the control of a Civil Defence official reporting to the County or City Manager. There are approximately 6,000 active members in the organisation who provide services on a voluntary basis.

The services provided by Civil Defence include first aid and ambulance cover, search and recovery on land or water, stewarding, provision of assistance during floods or blizzards, responding to major emergencies, provision of assistance during forest fires, and to be available to assist with refugee issues, if needed.

CONSTITUTION

The basic law of the State is the **Constitution of Ireland** (Bunreacht na hÉireann) adopted by referendum in 1937. It is the successor to the Constitution of Dáil Éireann (1919) and the Constitution of the Irish Free State (1922). The Constitution states that all legislative, executive and judicial powers of Government derive under God from the people. It sets out the form of government and defines the powers of the President, of the two Houses of the Oireachtas (Parliament), and of the Government. It defines the structure and powers of the Courts, and it contains a number of directive principles of

social policy for the general guidance of the Oireachtas.

The Constitution regulates the method of election of the President and defines the President's powers in relation to the two Houses of the Oireachtas and the Government. It also defines the system of Courts and regulates the appointment of the judiciary.

The Constitution sets out the fundamental rights of the citizen. The definition of rights covers five broad headings: Personal Rights, The Family, Education, Private Property and Religion.

Personal Rights:

The Constitution declares that all citizens are equal before the law, it guarantees to defend and vindicate the personal rights of citizens, it provides that there will be no deprivation of liberty except in accordance with law, it provides for the right of Habeas Corpus, it guarantees the inviolability of citizens' dwellings except in accordance with law, it guarantees the liberty to express freely one's convictions and opinions, the right to assemble peaceably and without arms, and the right to form associations and unions. The Supreme Court has identified additional personal rights which, although not listed in the Constitution, are protected by it, such as the right to travel and to marry and the right of access to the Courts.

The Family:

Through the Constitution the State guarantees to protect the family and the institution of marriage.

Education:

The State recognises the primacy of the family in the education of children and undertakes to provide for free primary education and to supplement and aid private educational initiative with due regard to the rights of parents.

Private Property:

The right to hold private property is guaranteed and is subject only to the exigencies of the common good.

Religion:

The Constitution guarantees freedom of conscience and the free profession and practice of religion, subject only to public order and morality.

The Constitution may be amended only by an Act of the Oireachtas, the Bill for which has been approved by the people in a referendum after being passed by both Houses of the Oireachtas.

Citizens, and in certain cases non-citizens, have the right to apply to the Courts to protect from infringement their rights under the Constitution. They may also apply to have a judgement pronounced as to whether legislation is compatible with the Constitution, provided the legislation affects, or is likely to affect, the person challenging it. Moreover, the President may, before signing a Bill, refer it to the Supreme Court for a decision on its compatibility with the Constitution. These procedures have been employed on a number of occasions.

4

international relations

NIALL HOLOHAN¹

The Constitution of Ireland affirms Ireland's devotion to the ideal of peace and friendly co-operation amongst nations founded on international justice and morality. Ireland's foreign policy is based on this conviction. As a small country in a changing world, Ireland remains firmly committed to collective approaches to international relations and security based on the primacy of the Charter of the United Nations. Key principles underlying this commitment are respect for human rights and fundamental freedoms, democracy and the rule of law. Ireland seeks to pursue these core objectives in cooperation with regional and bilateral partners and through its membership of international organisations, in particular its membership of the United Nations and of the European Union.

UNITED NATIONS

Ireland joined the United Nations (UN) on 14 December 1955. Within the UN, Ireland has sought to promote effective international action on global issues such as disarmament, peace-keeping, human rights and development. Ireland's membership of the UN Security Council in 2001–2002 reinforced its commitment to working with the wider UN membership for international peace and security. This commitment is reflected in the continuous participation in UN peace keeping operations by Irish Defence and Police Forces since 1958. Irish personnel are currently serving in eight UN peace support operations in the Middle East, Asia, Africa and Europe. Ireland is also a strong supporter of

the International Criminal Court established by the UN in 2002.

EUROPEAN UNION MEMBERSHIP

Ireland joined the European Economic Community (EEC) on 1 January 1973 and has participated actively in the evolution of what is now the *European Union* (EU). EU membership is pivotal to Government policy. It is a central framework within which the Government pursues its foreign policy objectives. Ireland's membership of the European Union is rooted in an understanding that the Union is the cornerstone of political and economic stability in Europe. Membership gives Irish exporters full access to the European single market, and this has contributed to Ireland's economic success. EU involvement enables Ireland's views and interests to be reflected in the policies of the Union which exercises considerable influence in world affairs. Ireland's participation in world affairs enhances its capacity to pursue its traditional policy of promoting a stable, peaceful and prosperous international environment with structures based on the rule of law, respect for human rights and representative government. Ireland has held the six-month Presidency of the Council of the European Union on six occasions, in 1975, 1979, 1984, 1990 and 1996 and 2004. This last Presidency witnessed the accession of ten new Member States to the European Union – Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia – and the concluding of an agreement on an EU Constitution.

In its bilateral relations, Ireland has sought to build mutually beneficial relationships with a broad range of countries, reflecting the varied and deep connections, which have been built up over many years with different parts of the world. These relationships have, in part, contributed to our recent economic progress. However, economic considerations are only one aspect of Ireland's relations with other countries. A particular focus has been relations with the countries of Africa, reflecting a longstanding tradition and commitment to development cooperation and to the pursuit of peace and stability, good governance and respect for human rights in Africa. Ireland has also sought to deepen its relations with the countries of Asia and Latin America through the developing trade, business and cultural links, and through cooperation with regional organisations and at the UN.

¹ Niall Holohan is the Head of the Irish Representative Office to the Palestinian Authority in Ramallah. This article is based on material from 'Facts about Ireland' published by the Department of Foreign Affairs, Dublin, as well as on Mr. Holohan's remarks at the PASSIA seminar.

The search for a peaceful resolution to the conflict between Israelis and Palestinians and for stability in the wider Middle East is also a key concern for Ireland, mindful of the experience of our own peace process in Northern Ireland. In this regard we value the role played by the European Union as a member of the Quartet alongside the United States, the UN and Russia.

Ireland has also traditionally attached considerable importance to disarmament and non-proliferation, including of Weapons of Mass Destruction. This is a concern which continues to motivate our approach to broader questions of international security including the threat posed by international terrorism and other non-State actors. A more recent concern is to reach agreement on a global approach to environmental protection and sustainable development, a challenge which faces the wider international community.

Ireland's Presidency of the European Union (January-June 2004)

Ireland began its sixth Presidency of the European Union on 1 January 2004. This six month period was a time of great challenge and hope for the European Union and its neighbours. The accession of the ten new Member States on May 1st was a truly historic moment, laying finally to rest the east-west divisions of the post-war period.

This new dawn was celebrated at the "Day of Welcomes" in Ireland when European leaders as well as the Presidents of the European Parliament and the Commission, came together in Dublin to launch the European Union on this new phase of its development.

The European Union took another significant step forward when, on June 18th, the European Council agreed the new Constitutional Treaty for Europe. The new Constitution now falls to be ratified in accordance with the democratic procedures in each Member State. When in place, the new Constitution will give the enlarged Union a solid foundation to work more effectively and respond better to the expectations of its citizens, neighbours, and the international community.

Against this background of major historical and institutional change, Ireland's Presidency also sought to make progress on the Union's main policy areas. We made significant progress in advancing the Union's economic, social and en-

vironmental agenda. On the legislative front some 80 legislative proposals were concluded with the European Parliament during the Irish Presidency representing some 20% of all legislation adopted during the Parliament's five year term.

In the justice and home affairs area a substantial body of work was completed in the areas of immigration, asylum, police cooperation and crime, action against drugs and better access to justice across borders for Europe's citizens. The fight against terrorism was also a major focus of attention with the adoption at the March European Council of a Declaration on Combating Terrorism aimed at ensuring the safety of EU citizens while developing a comprehensive strategy to address all aspects of the terrorist threat. Work on implementing the strategy was taken forward intensively throughout the Presidency.

In the international sphere the Irish Presidency worked to develop the Union's relations with the wider world through the development of policies aimed at promoting a fairer, peaceful and more secure world. An important element informing the Presidency's approach was the need for the Union to be both effective and coherent in its actions. There was a particular focus on strengthening support for the UN system. A renewed emphasis was placed on the Union's relationship with Africa and particular attention was given to the Union's development priorities, including the fight against HIV/AIDS.

Enlargement and the European Neighbourhood

The accession of the ten new Member States was one of the defining moments of the Irish Presidency. The celebrations in Dublin on May 1st with the participation of leaders from the 25 Member States, Bulgaria, Romania and Turkey, as well as the Presidents of the European Parliament and Commission marked the historic and inclusive nature of the occasion.

Making a success of enlargement was a key priority for the Irish Presidency which worked intensively with the Commission and the Member States to ensure a smooth transition from a Union of fifteen to twenty five.

Looking towards the future, Bulgaria and Romania remain on course to join the Union in 2007. Agreement on the overall financial package for both countries in March paved the way

for the provisional conclusion of the enlargement negotiations with Bulgaria in June and for important progress in the negotiations with Romania. Drafting of the Accession Treaty began in July 2004 with a view to signature in 2005.

A Europe without dividing lines

The Irish Presidency also worked to develop relations with the countries on the Union's new border in order to ensure that enlargement does not create new dividing lines in Europe.

The Western Balkans

The Irish Presidency followed through on its commitment to maintain momentum in bringing the Western Balkans closer to the European Union. The June European Council decided to grant Croatia candidate status for membership of the EU and to begin accession negotiations during 2005. In making this decision the European Council stated that it should be a strong encouragement to the other countries of the region to pursue their reforms, which will bring them closer to the EU. In March, at a ceremony in Dublin, the Taoiseach accepted the formal application for membership of the Union from the Prime Minister of the Former Yugoslav Republic of Macedonia.

The EU's engagement with Bosnia-Herzegovina also strengthened significantly during this period. The June European Council adopted a comprehensive policy towards Bosnia-Herzegovina and the Union will shortly launch the peace-keeping mission to follow on from the current UN-authorized NATO-led Stabilisation Force in Bosnia-Herzegovina. This mission will work to ensure stability for all the people of the country as they rebuild their society and economy and develop a closer partnership with the EU.

Working Together for Growth and Employment

The Irish Presidency highlighted in its programme its commitment to the goal of a strong and competitive European economy capable of delivering sustainable growth, quality employment and social progress to its people. At the Spring European Council, the European Union reiterated its commitment to implementing the Lisbon Agenda for economic, social and environmental renewal. It also agreed that delivering sustainable growth and more and better

jobs for the Union's 450 million citizens were the key priorities for the years ahead.

The Presidency's broad based approach included action in support of maintaining sound macro-economic policies and ensuring the sustainability of public finances. The June European Council endorsed the Broad Economic Policy Guidelines as well as the Employment Guidelines and Employment Recommendations, now updated to take account of the report of the Employment Task Force.

Reform Partnerships

The Irish Presidency secured agreement at the Spring European Council to broaden the participation of relevant stakeholders in implementing the Lisbon Agenda through the establishment of Reform Partnerships. These Partnerships, involving social partners, civil society and public authorities in accordance with national arrangements and traditions, will have the role of generating support and promoting complementary strategies for change.

Mid-term Review of the Lisbon Agenda - Competitiveness and Growth

The mid-term review of the Lisbon Agenda will provide a significant opportunity for an in-depth review of delivery of the range of reforms. The Irish Presidency secured agreement at the Spring European Council on the parameters for that review. The European Council invited the Commission to establish a high-level group to prepare an independent analysis of progress on the Lisbon Agenda.

In keeping with its emphasis on jobs and growth, the Irish Presidency worked, together with the Commission and the European Parliament, to complete several important measures which are of direct and tangible benefit to the quality of life enjoyed by citizens.

The Irish Presidency prioritised action in support of competitiveness, entrepreneurship and innovation as central to the creation of economic growth. Work was also progressed to advance the development of the European Research Area.

Effective Multilateralism and the United Nations

Ireland made supporting an effective multilateral system, with a strengthened UN at its core,

a key priority of its Presidency. Work achieved included:

- Agreement on an EU contribution to UN Secretary-General Annan's High-Level Panel on Threats, Challenges and Change which included important recommendations on more effective international action in the case of gross violations of human rights and closer UN cooperation on terrorism and weapons of mass destruction;
- Agreement on joint commitments of support for effective multilateralism with key regional partners including Africa, Latin America and the Caribbean and with Asian partners;
- Implementing the EU-UN Joint Declaration on Cooperation in Crisis Management and improving the European Union's capacity to undertake rapid response operations at the request of the UN;
- Implementing the EU Strategy against the Proliferation of Weapons of Mass Destruction, as well as encouraging the continued engagement by Iran with the International Atomic Energy Agency, discussing non-proliferation concerns with India and Pakistan at Ministerial level and emphasising EU support for the Six Party Talks process with regard to the Democratic People's Republic of Korea.
- Initiating a review of the EU Code of Conduct on Arms Exports.
- Strengthening co-operation between the EU and the Council of Europe and presiding over a landmark decision to reform the European Court of Human Rights.

The Irish Presidency programme, while ambitious, sought against the background of major historical and institutional change to be realistic. It also reflected the Presidency's wish to work cooperatively with the other Member States, the European Parliament and the Commission to agree on joint aims. Reflecting this approach, the Union made considerable progress in all the priority areas identified at the outset of the Presidency.

DEVELOPMENT COOPERATION IRELAND

Development Cooperation Ireland (DCI) is the Government of Ireland's official programme of assistance to developing countries. Ireland has had an official development assistance programme since 1974. It has grown steadily over the years from modest beginnings to a projected budget of €535 million for total ODA in 2005. Ireland's development cooperation policy is an integral part of Ireland's wider foreign policy, reflecting Ireland's longstanding commitment to human rights and fairness in international relations. (For Ireland's Development Assistance in Palestine see the Annex).

A significant feature of Ireland's development assistance is that it has always been completely untied; that is to say, it is not conditional in any way on the use of Irish goods or services. It is Government policy that funding should remain untied, as it takes the view that tied aid is less effective in its impact, leads to a proliferation of different standards and technologies in developing countries and can be abused to provide hidden export subsidies.

5 the peace process in northern ireland – an overview

NIALL HOLOHAN¹

POLITICAL BACKGROUND

The existing political division of Ireland dates from the Government of Ireland Act 1920. The Anglo-Irish Treaty was signed in 1921 and after centuries of British rule including 120 years when the country was governed as part of the United Kingdom, 26 of the 32 counties of Ireland gained independence. The remaining six counties formed Northern Ireland, which continued to be governed within the United Kingdom. However, while the United Kingdom Parliament at Westminster exercised sovereignty, power on a variety of matters was devolved to a local Parliament and Government established at Stormont in Belfast in 1920.

From 1921 to 1972, although Northern Ireland elected members to the Westminster Parliament, the devolved Government at Stormont operated with virtual autonomy from London on local matters. Power remained exclusively in the hands of the Unionist party which drew its support from the majority community in the area which favoured union with Britain. The nationalist community — at the time of partition approximately one third of the population — shared the desire of the people of the rest of the island for Irish unity. Nationalists had in practice no role in government and they suf-

¹ Niall Holohan is the Head of the Irish Representative Office to the Palestinian Authority in Ramallah. This article is based on material from 'Facts about Ireland' published by the Department of Foreign Affairs, Dublin, as well as on Mr. Holohan's remarks at the PASSIA seminar.

fered discrimination in many areas, including voting rights, housing and employment.

In 1969 non-violent campaigners for civil rights met with a hostile and repressive response from the Stormont authorities, which was followed by a period of sustained political paramilitary activity by the IRA. There was also a corresponding growth in paramilitary violence by loyalist extremist groups.

In a deteriorating security situation the Northern Ireland Parliament and Government were prorogued in 1972 and the British Government assumed direct responsibility for all aspects of the government of Northern Ireland. With the exception of one brief period in 1974 when a local executive was established on a power-sharing basis under the Sunningdale Agreement, Northern Ireland was governed under a system of direct rule under the authority of the Secretary of State for Northern Ireland (a member of the British Cabinet) until December 1999.

On **2 December 1999**, power was devolved from Westminster to an Assembly and Executive in Northern Ireland established under the terms of the Good Friday Agreement and including representatives of both nationalist and unionist communities.

THE 1980s AND 1990s - THE SEARCH FOR A POLITICAL SETTLEMENT

From the early 1980s onwards, the British and Irish Governments began to cooperate more closely in an effort to achieve a widely acceptable and durable political resolution to the Northern Ireland conflict. This effort involved both the successive establishment of a number of structures and mechanisms for dialogue and negotiation, and a growing convergence on the fundamental constitutional and other principles which underpin a settlement.

In **1981** an **Anglo-Irish Intergovernmental Council** was established to provide a formal framework within which relations between the two countries could be conducted.

In **November 1985**, the British and Irish Governments signed the **Anglo-Irish Agreement** enabling the Irish Government to further put forward views and proposals on many aspects of Northern Ireland affairs.

In **1991/1992**, the two Governments convened round-table talks involving the Ulster Unionist Party (UUP), the Social Democratic and Labour Party (SDLP), the Democratic Unionist Party (DUP) and the Alliance Party of Northern Ireland. The talks were conducted on a three-stranded basis reflecting the three sets of relationships underlying the Northern Ireland situation, namely relationships within Northern Ireland, between the North and South of the island, and between Britain and Ireland. While some common ground was identified, overall agreement could not be reached.

On **15 December 1993**, the two Governments issued a **Joint Declaration** which set out basic principles which could underpin a peace process designed to culminate in a political settlement of relationships in Ireland and between Ireland and Britain. Central to the Declaration were the principles of self-determination and consent. The Declaration also stated that democratically mandated parties which established a commitment to exclusively peaceful methods were free to participate fully in democratic politics and in dialogue with the Governments and political parties on the way ahead.

On **31 August 1994**, the IRA announced a "complete cessation of military operations".

This announcement was followed on **13 October 1994**, by a similar statement from the Combined Loyalist Military Command. Following the ceasefires the two Governments engaged in direct political dialogue with Sinn Fein and the two loyalist parties, the Progressive Unionist Party (PUP) and the Ulster Democratic Party (UDP).

On **22 February 1995**, the two Governments published A **New Framework for Agreement** (known as the **Framework Document**), setting out their shared understanding of the possible outcome of comprehensive negotiations, which could be submitted for democratic ratification through referendums North and South. The document sketched out proposals for balanced constitutional change in Britain and Ireland and for new political structures (covering relations in Northern Ireland, and between Britain and Ireland). It also envisaged enhanced protection for human rights.

The year following the publication of the Joint Framework Document was dominated by efforts to move forward to comprehensive and inclu-

sive political talks. In December 1995 the two Governments established an International Body under the chairmanship of US Senator George Mitchell to provide an independent assessment of the issue of decommissioning illegally held weapons, which was blocking progress to all-party talks. In its report of **24 January 1996**, the International Body recommended that all parties participating in negotiations should commit themselves to six principles of democracy and non-violence, including the total and verifiable decommissioning of all paramilitary weapons.

On **9 February 1996**, the IRA announced an end to its ceasefire. Both Governments undertook to continue the search for political agreement and said that a restoration of the ceasefire would allow for the resumption of political dialogue with Sinn Fein.

Multi-Party Talks

Multi-Party Talks involving the two Governments and the political parties in Northern Ireland which had been successful in a specially convened election in May 1996 (the UUP, DUP, SDLP, Alliance, PUP, UDP, United Kingdom Unionist Party (UKUP), Northern Ireland Women's Coalition (NIWC) and Labour, but excluding Sinn Fein in the absence of a ceasefire) began on **10 June 1996**. The talks were chaired by Senator Mitchell, assisted by the former Finnish Prime Minister, Harri Holkeri, and the former Chief of Staff of the Canadian Army, General John de Chastelain. For the first year there was little progress as issues of procedure, agenda, and decommissioning were slowly addressed. On **20 July 1997**, the IRA announced a resumption of its ceasefire, thereby opening the way for the entry of Sinn Fein to the talks on 9 September. (Two of the unionist parties withdrew from the negotiations on the entry of Sinn Fein, but parties representing a majority of the unionist community remained at the negotiating table.)

Substantive negotiations began in Belfast on **24 September 1997**. As the talks progressed, the Independent Chairmen worked with the two Governments and the parties to identify areas of broad agreement and isolate areas of remaining difficulty. On **12 January 1998** the Governments published **Propositions on Heads of Agreement** which they presented as a basis for discussion possibly offering the outline of an acceptable agreement. This helped to focus the negotiations. In the final and intensive negotia-



PASSIA Seminar 2004

*Íreland and Palestine
divided countries united by history*

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Introduction

by Mahdi Abdul Hadi
Head of PASSIA

It was due to a desire to facilitate an increased understanding of foreign policies, diplomacy and international affairs that PASSIA, back in 1992, formulated a project entitled *Training and Educational Program in International Affairs*, which has over the years earned a widespread reputation.

The program designs seminars to help Palestinian professionals and practitioners broaden their working knowledge of the political system, regional policies and external relations of other states and equip them to take on the responsibilities expected of them in the international sphere. These seminars aim at developing Palestinian expertise in international relations, diplomacy and conflict resolution, and at building relationships with external partners and benefactors. Subjects dealt with to date include *Diplomacy and Conflict Resolution, Strategic and Security Studies, The European Union, The Foreign Policies of Arab States, The USA and Canada, Japan, Palestine and the Middle East, and Israel – State, Society & Politics*.

Based on the supposition that it is especially beneficial for the Palestinian situation to study the experience of other countries facing an ethnic/territorial-based conflict with all its local manifestations and impacts, PASSIA became interested in the case of Ireland.

In consultation with colleagues and scholars in Ireland as well as at the Irish Representative Office in Ramallah, PASSIA then designed a seminar that incorporated introductory material on Irish history, society, and politics as well as analysis of the peace process in Northern Ireland, its success or failure, and why or why not a similar process could set work between Israelis and Palestinians.

The major goal was to give Palestinian participants an opportunity to gain a better understanding of the components and workings of the political systems of the Republic of Ireland and Northern Ireland, which, at the same time,

present an excellent case study of a seemingly endless, intractable conflict.

There are many differences between the conflicts in Ireland and Palestine, but there are also key similarities. For instance, both conflicts are characterized by a long history of struggle for independence and both have a deep-rooted religious aspect. Both peoples have witnessed uprisings, revolutions, wars and attempts to partition their land, and both have developed and maintained a strong identity. In both cases major documents were signed in 1993 aiming at an end to decades of confrontation (the PLO-Israel Declaration of Principles in September and the Anglo-Irish Joint Declaration on Peace in December), and there have been ongoing negotiations ever since. Both declarations did not really present any new ideas but provided the necessary political conditions allowing the parties to start negotiations.

Furthermore, both sides experienced divisions between military and politically oriented leaderships; in both conflicts, the respective national movements - the IRA and the PLO - have engaged in a guerrilla military struggle, leading to diplomatic negotiations. And in both cases, to a great extent, the same leaders are in power who have been in power for decades.

Although it was not the goal to compare the Irish and Palestinian experiences, we believed that there are many lessons to be learned from the theoretical and practical implications of the Irish practice of conflict resolution and preventive diplomacy.

The seminar itself took place from 10-14 October 2004 in Ramallah with a group of 18 Palestinian professionals that were selected from a pool of applicants from the West Bank, including Jerusalem, and Gaza Strip. The team of lecturers consisted of Irish academics, Palestinian specialists and the head of the Irish Representative Office in Ramallah.

IRELAND AND PALESTINE

This publication contains a selection of the seminar proceedings and additional informative materials on Ireland/Northern Ireland. It is hoped that its distribution will ensure wider dissemination of information on Ireland/ Northern Ireland within the Palestinian community and beyond.

PASSIA would also like to take this opportunity to express its appreciation to the **Development Cooperation – Ireland**, whose kind support - through the Irish Representative Office in Ramallah - made this seminar program possible.

Our thanks go also to the lecturers, who contributed greatly to the success of the seminar. Last, but not least, the PASSIA team would like to thank the Palestinian participants for their comments and enthusiasm to learn about the Irish case.

1 Ireland & the Irish - history¹

Early History

Ireland's location as an island to the west of continental Europe and close to Britain has, in large measure, shaped her history. Ireland, which has been inhabited for about 7,000 years, has experienced many incursions and invasions, resulting in a rich mixture of ancestry and traditions. The first settlers were mostly hunters from Britain who brought with them a **Mesolithic culture**. They were followed around 3000 B.C. by farmers who raised animals and cultivated the soil and later prospectors and metalworkers arrived. By the 6th Century B.C., waves of Celtic invaders from Europe began to reach the country. While Ireland was never unified politically by the Celts, they did generate a cultural and linguistic unity. The introduction of **Christianity** in the 5th Century A.D. is traditionally credited to Saint Patrick, though there is evidence that there were Christians on the island before his arrival.

Unlike most of western Europe, Ireland never experienced the barbarian invasions of the early medieval period and, partly as a result, the 6th and 7th Centuries saw a flowering of Irish art, learning and culture centering on the monasteries. Irish monks brought Christianity to many parts of Europe in the period before 800 A.D. During the ninth and tenth centuries, Ireland was regularly raided by the **Vikings**. They were also traders and did much to develop life in Dublin, Cork and Waterford. Following the defeat of the Vikings by Brian Boru, the High King of Ireland, at Clontarf in 1014, the Viking influence faded.

In the 12th Century, the arrival of the **Normans**, who had earlier settled in England and Wales,

shattered such progress as had been made towards the creation of a centralised State under a single High King. They quickly gained control over large parts of Ireland, which then came under the political authority of the King of England. For the next 400 years the Normans and their descendants were an influential presence in Ireland. However, many areas of the country remained in Irish hands and, by the early 16th Century there were widespread fears in England that English influence was in danger of collapse, both as a result of Gaelic incursions and of the progressive Gaelicisation of the Norman settlers.

The Gradual Eclipse of Gaelic Ireland

Religious change in England at this time had a major impact on Ireland. The descendants of the Norman settlers in Ireland, who came to be called the Old English, were, by and large, hostile to the Protestant reformation which had led to the establishment of the (Anglican) Church of Ireland. In addition, the central strategic importance of Ireland, as an island close to both Britain and continental Europe, and hence a possible base for English malcontents or foreign enemies, gave Irish affairs an urgency that they had not had for centuries. Following a series of revolts in Ireland - which arose in response to religious differences and to the English Crown's policy of introducing new settlers from Britain - Gaelic resistance was worn down and in 1603, the last Gaelic stronghold, Ulster, was brought under Crown control. The Ulster **plantation** which followed brought many English and Scots settlers to Ulster and had a lasting impact on the religious and political complexion of the province.

Irish political history in the 17th Century was intimately linked to events in England and Scotland, including the Civil War, the rise of Oliver Cromwell, the restoration of Charles II, and the Glorious Revolution of 1688 which placed William and Mary on the English throne. A struggle for supremacy between the Catholic Old English and Gaelic Irish on the one hand, and the Protestant New English (who included further new settlers) on the other was, after numerous ebbs and flows throughout the period, finally settled at the Battles of the Boyne (1690) and Aughrim (1691). The Old English and the Gaelic Irish were crushed and many of their leaders and followers ('The Wild Geese') left Ireland to pursue military, religious or commercial careers abroad. The Protestants of the Established Church monopolised political

¹ This chapter is based on material from 'Facts about Ireland,' published by the Department of Foreign Affairs, Dublin.

power and ownership of the land, and penal laws discriminated against Catholics.

Eighteenth Century

In the 18th Century, there was much economic development. The linen industry flourished, particularly in Ulster, and Irish wool, beef, butter and pork were important exports. The Protestant Ascendancy came to see itself as the Irish nation and developed a vigorous and distinctive parliamentary tradition. Sustained Irish **emigration** began in the 18th Century, as many thousands of Ulster Presbyterians and a lesser number of Catholics departed for the New World.

The developing dispute between Britain and her colonies in North America from the 1760s helped create a tradition of radical patriotism that was ultimately, under the impact of the French Revolution, to produce the Society of United Irishmen. In 1798 the **United Irishmen** staged an insurrection in Ireland, with the objective of establishing an independent Irish republic in which all religions would be equal (though the rebellion itself was marked by some episodes of sectarian violence). This rebellion was crushed and the **Act of Union** of 1800 created a full parliamentary Union between Britain and Ireland.

By this time, however, Britain and Ireland were moving apart, especially in economic and demographic terms. As Britain industrialized and urbanised, Ireland, outside Ulster, in effect de-industrialised, with the bulk of its rapidly growing population becoming ever more dependent on the potato for sustenance. In the late 1840s, as a result of the wholesale failure of the potato crop in successive years, a terrible **famine** occurred: one million people died and a further million fled Ireland. Within ten years (1846–56) the population had fallen by a quarter (8 million to 6 million), and would fall further as emigration became a dominant feature of Irish society.

In politics, the 19th Century was dominated, initially, by the pursuit of **Catholic emancipation** (the penal laws were gradually loosened from the late 18th Century on, and in 1829 Catholics, led by Daniel O'Connell, won the right to sit in parliament). Thereafter, there was a succession of efforts to reform or undo the Union between Great Britain and Ireland. The Great Famine (1845–1848) was not just an

immense human tragedy and a socio-economic watershed, but had far reaching political repercussions. The British Government stood indicted in the popular mind and the desire of a majority of Irish voters for some form of self-government was strengthened. Irish landlords, too, came under political and economic pressure in the post-Famine decades. By the early 20th Century, after sustained agrarian unrest, legislation was in place inducing the great landlords to sell land to their tenants. The tenants were offered loans to enable them to purchase their holdings.

The question of self-government, or '**Home Rule**' had not, however, been settled: attempts by Daniel O'Connell and Isaac Butt in the 1840s and 1870s came to little, but under the leadership of Charles Stewart Parnell in the 1880s, the Irish Parliamentary Party placed the Irish question at the centre of British politics. In 1886, the Liberal party under W.E. Gladstone came to support a limited form of self-government for Ireland. The prospects of Home Rule galvanised the Unionists in Ireland, who were predominantly Protestant, and were a majority in the province of Ulster. Along with their allies in England who feared that Home Rule for Ireland would lead to the break-up of the Empire, Unionists set out to prevent the granting of Home Rule. Nonetheless, a Home Rule Bill was finally enacted in 1914.

Towards Independence

In an increasingly militarised atmosphere, private paramilitary armies (the Ulster Volunteer Force and the Irish Volunteers) marched and drilled, and hostilities between the two were only averted by the outbreak of the First World War and the consequent postponement of Home Rule. The war changed everything: in 1916 a republic was declared in Dublin and an armed insurrection took place. The **1916 rising**, which initially enjoyed little public support, was suppressed but its supporters, capitalising on public revulsion at the execution of its leaders, and on opposition to the introduction of military conscription to Ireland in the First World War, were successful in the General Election of 1918, when they swept aside the Irish Parliamentary Party who had campaigned for Home Rule. *Sinn Féin* ('Ourselves'), the election victors, set up the first *Dáil* (Parliament) and a war of national independence ensued.

By the time an Anglo-Irish Treaty was concluded in 1921, six counties in North-East Ulster, with a roughly two-thirds Unionist majority at that time, had already been constituted as Northern Ireland. As a result of the Treaty, the remaining 26 counties formed the **Irish Free State**, which had dominion status within the British Empire. The establishment of the Free State was followed by a short civil war between those who accepted the Treaty as offering effective self-government and those who held out for a full republic. Despite its brevity, the **Civil War** was to colour attitudes and determine political allegiances for decades.

The first government of the new State was headed by W.T. Cosgrave of *Cumann na nGaedheal*, later the *Fine Gael* party. From the 1930s onwards the *Fianna Fáil* party, founded by Eamon de Valera, dominated Irish politics. First coming to power in 1932, Fianna Fáil drew support from those who had opposed the Treaty. A dispute over continuous land payments to the British Government led to the 'economic war' of 1932-38. Trade with Britain was restricted and considerable hardship resulted. In 1937 de Valera introduced a new **constitution** declaring Ireland to be a sovereign, independent, democratic state. Ireland remained neutral during the Second World War, 1939-45. Although the wartime years were a period of shortages and difficulties, the country was spared the worst effects of the conflict.

Fianna Fáil lost office in the 1948 election after 16 continuous years in power. The new administration, headed by John A. Costello, was an inter-party Government formed by Fine Gael, Labour and other parties. In 1948 the Republic of Ireland Act was passed, severing the last constitutional links with Britain. Ireland was admitted to the **United Nations** (UN) in 1955 (see International Relations, below). In the 1960s, under the leadership of Seán Lemass, Ireland began a period of economic growth and the signing of the Anglo-Irish free-trade agreement in 1965 led to significant developments in trading patterns and to industrial expansion. Even more importantly, Ireland became a member of what is now the **European Union** (EU) in 1973.

In the late 1960s the '**Troubles**' broke out in Northern Ireland (see following section), impacting the Irish State also. After the economically moribund decades of the 1970s and 1980s, which saw new waves of emigration,

new economic development policies in the early 1990s led to substantial and **rapid growth**. As elsewhere in Europe, coalition governments have become quite common and have normally involved one of the two larger political parties with the Labour Party or the Progressive Democrats.

NB: On the history of Northern Ireland and the peace process see Chapter 5

2 population & religion¹

Ireland has been inhabited since the stone-age. People moved westwards across the European continent for more than 7,000 years and settled in the country. Each new group of immigrants, Celts, Vikings, Normans, English, has contributed to its present population. The major centres of population are Dublin, Cork, Galway, Limerick and Waterford. Sixty per cent of the population lives in cities and towns of 1,000 people or more. A high proportion of the population is concentrated in the younger age groups. As a consequence of improved economic performance in recent years there has been a significant increase in net migration. The present population is just over **4 million**, the highest on record since 1871. The present population of Northern Ireland is around **1,700,000**.

The Irish Abroad

There are **over 1 million** Irish-born people living abroad and it is estimated that **over 70 million** people across the globe can claim Irish descent. The tradition of travelling to other countries dates back to medieval times when Irish monks and scholars helped to spread Christian learning throughout the world. In the last two centuries, emigration has been driven largely by economic and social factors, notably in the aftermath of the Great Famine in 1845 and during the economic recessions of the 1950s and 1980s. Irish people have spread to almost every part of the world, with the main destinations for Irish emigrants traditionally being Great Britain and the United States which continue to have the largest Irish communities outside Ireland.

Ireland has had the highest rate of emigration of any European country for the past two centuries, taking one decade with another. Unusually in the context of European emigration, as

many women as men have emigrated. This enabled Irish people to intermarry to a great extent, and thus sustain a lively sense of community abroad. Ireland, until recently, has also had an exceptionally low rate of return migration. This has now changed with the growth in the number of educated emigrants returning during the 1990s.

Many Irish people, both religious and lay, have played prominent roles in missionary activity throughout the world. Together with their missionary work, they have contributed to the development of educational and medical facilities in many developing countries. In addition, a number of Irish development agencies, such as Concern, Trocaire, GOAL and Gorta, have in recent years made enormous contributions to development activities and humanitarian relief operations.

RELIGION

The Irish Constitution guarantees freedom of conscience and the free profession and practice of religion to all citizens. The stated religion of most people in Ireland (Republic) is **Roman Catholic**. According to the 1991 census 91.6% of the population were Roman Catholics, 2.5% were Church of Ireland (Anglican), 0.4% Presbyterians, 0.1% Methodists and less than 0.1% Jewish. About 3% of the population belonged to other religious groupings or have no specific religious beliefs. No information on religion was supplied in respect of 2.4% of the population.

The combined Catholic population of the island of Ireland is about 3.9 million. There are 1,329 parishes served by about 4,000 priests. While there are no definitive figures about 60% of Catholics are regular church goers. There are approximately 20,000 men and women in various religious orders of priests, brothers and nuns. The Catholic Church is closely involved in the provision of education and health services. This involvement began as a service to the poor but expanded considerably over the years. The Church co-operates with State agencies in many areas such as education and welfare. The Irish Catholic Church sends missionaries to every continent. In 1998 there were over 3,277 Irish Missionaries working in 92 different countries throughout Africa, Asia, Central and South America, and Oceania.

¹ This chapter is based on material from 'Facts about Ireland,' published by the Department of Foreign Affairs, Dublin.

IRELAND AND PALESTINE

The **Church of Ireland** (a Protestant Episcopal Church) is actively involved in education and social services. The **Presbyterian Church** is a Protestant Church of the Reformed tradition, with approximately 290,000 Presbyterians in Ireland. Some 12,000 of these live in the Republic of Ireland, where they are a small but significant minority. The total membership of the **Methodist Church** in Ireland is around 57,500 people, about 5,000 of whom live in the Republic of Ireland. Irish Methodism has developed a wide range of social work activities, mainly through its Missions in the larger cities, which benefit the wider community. These provide facilities for the elderly and the needy. The Church is also involved at all levels of education.

3 president, parliament, government & constitution¹

Ireland is a parliamentary democracy. The national parliament (in the Irish language, Oireachtas) consists of the President (an tUachtarán) and two Houses: a House of Representatives (Dáil Éireann) and a Senate (Seanad Éireann). The functions and powers of the President, Dáil and Seanad derive from the Constitution of Ireland and law.

THE PRESIDENT

Under the Constitution, the President of Ireland (Uachtarán na hÉireann) is elected by the direct vote of the people. Every citizen of 35 years of age or over is eligible for the office. Every citizen who has a right to vote at an election for members of Dáil Éireann has the right to vote at an election for President. The President's term of office is seven years. A President can be re-elected once only. Presidents elected since the creation of the office in 1937 have been Dr. Douglas Hyde (1938-1945), Seán T. Ó Ceallaigh (1945-1959), Eamon de Valera (1959-1973), Erskine Childers (1973-1974), Cearbhall Ó Dálaigh (1974-1976), Dr. Patrick Hillery (1976-1990), Mary Robinson (1990-1997). President Mary McAleese was elected on 30 October 1997.

The President is Head of State only and does not have executive functions. The Constitution, however, envisages the President as more than a ceremonial Head of State. It gives the President certain powers that make the President in effect the guardian of the Constitution.

The President normally acts on the advice and authority of the Government. On the nomina-

tion of Dáil Éireann the President appoints the Taoiseach (Prime Minister). On the advice of the Taoiseach and with the prior approval of Dáil Éireann the President appoints members of the Government. On the advice of the Taoiseach, the President accepts the resignation or terminates the appointment of a member of the Government. Dáil Éireann is summoned and dissolved by the President on the advice of the Taoiseach.

Before a Bill may become law, it must have the President's signature.

The President has certain discretionary powers. First, the President may, after consultation with the Council of State, an advisory body to the President, refer any Bill to the Supreme Court for a decision as to whether it contains anything repugnant to the Constitution.

Secondly, if a majority of the Seanad and not less than one-third of the Dáil petition the President to decline to sign a Bill on the grounds that it contains a proposal of such national importance that the will of the people thereon ought to be ascertained, the President may accede to the request after consultation with the Council of State. In these circumstances the President may sign the Bill only when the proposal has been approved by the people in a referendum or by a new Dáil after a dissolution and a General Election.

The President has one power which may be exercised at his or her absolute discretion. This allows the President to refuse to dissolve the Dáil on the advice of a Taoiseach who has ceased to retain the support of a majority in the Dáil.

The supreme command of the defence forces is vested in the President and all Army Officers hold their commission from the President.

There is no Vice-President of Ireland. If the President dies in office, or is incapacitated, or is abroad, or is removed from office or fails to carry out functions enjoined on the office by the Constitution, the Constitution provides for a Commission to act in his or her place. The Commission would consist of the Chief Justice, the Chairman of Dáil Éireann (the Ceann Comhairle), and the Chairman of Seanad Éireann (the Cathaoirleach).

¹ This chapter is based on material from 'Facts about Ireland,' published by the Department of Foreign Affairs, Dublin.

PARLIAMENT

Subject to the obligations of EU membership, as provided in the Constitution of Ireland the sole and exclusive power of making laws is vested in the Oireachtas. Government policy and administration may be examined and criticised in both Houses; but under the Constitution the Government is responsible to the Dáil alone. In the passage of legislation the primacy of the Dáil is clearly shown in relation to Money Bills, on which the Seanad is empowered only to make recommendations (not amendments) and these must be made within 21 days.

Dáil Éireann

At present Dáil Éireann has 166 members called Teachta Dála (abbreviated TD and meaning Dáil deputy). Members are returned by the 41 constituencies into which the country is divided. Under present arrangements, 12 constituencies return three members each, 15 constituencies return four members each, and 14 constituencies return five members each.

Under the Constitution

- the Houses of the Oireachtas must revise the constituencies at least once every 12 years;
- no constituency may return less than three members;
- the total number of members shall from time to time be fixed by law, but the total number of members of Dáil Éireann shall not be fixed at less than one member for each 30,000 of the population, or at more than one member for each 20,000 of the population;
- the ratio of elected members to population shall, as far as is practicable, be the same for each constituency throughout the country.

Seanad Éireann

Seanad Éireann has 60 members. Eleven members are nominated directly by the Taoiseach. Forty-three members are elected from five panels of candidates - The Cultural and Educational Panel, The Agricultural Panel, The Labour Panel, The Industrial and Commercial Panel and The Administrative Panel. Each panel consists of persons with knowledge and practical experience of the interests represented by the panel. The remaining six members are elected by two universities - three by the National University of Ireland and three by the University of Dublin.

The powers of the Seanad, as defined by the Constitution, are in general less than those of the Dáil. It has complementary powers with the Dáil in broad areas such as the removal from office of a President or a judge; the declaration and termination of a state of emergency; the initiation of Bills other than Money Bills; and the annulment of statutory instruments. The Seanad has prior or exclusive powers in other areas, however. A petition to the President to decline to sign a Bill until the matter can be put before the people in a referendum requires the assent of a majority of the members of the Seanad (and not less than one-third of the members of the Dáil).

In cases where the Government requires that a Bill be signed earlier than the fifth day after it has been presented to the President, as is laid down in the Constitution, the Government needs the concurrence of the Seanad. A private Bill, where it is intended to promote the particular interest or benefit of any person or locality, as distinct from a measure of public policy, must be introduced in the Seanad. After it has been passed by the Seanad the Bill is dealt with in the Dáil and, when and if agreed to, it is sent to the President for signing.

Parliamentary Committees

Each House of the Oireachtas has power under its Standing Orders to form Committees for specific purposes. There are two types of Committees - Special and Select - and the main difference is that a Select Committee can take oral and written evidence and seek any documents it requires. The Houses also form Joint Committees which are Select Committees of each House sitting and voting together. Some Committees are referred to as "Standing Committees" and this is because there is a provision in Standing Orders for the automatic creation of such Committees following a General Election.

As required, Ministers will be *ex officio* members of Committees and in the case of the Joint Committee on Foreign Affairs and the Joint Committee on European Affairs, Irish MEPs (including Northern Ireland MEPs) and members of the Irish delegation to the Parliamentary Assembly of the Council of Europe can attend and participate at their meetings but without voting rights. These Committees can also invite MEPs of other Member States to attend under similar conditions.

Committees common to each House

- i. Committee on Procedure and Privileges (considers matters relating to Standing Orders and Members' privileges);
- ii Committee on Members' Interests (performs the functions conferred on it by the Ethics in Public Office Act, 1995).

Dáil Committees (28th Dáil)

- i. Committee of Public Accounts (responsible for examining and reporting on reports of the Comptroller and Auditor General on Departmental Expenditure),

Joint Committees of both Houses (28th Dáil)

The following are the Joint Committees of the 28th Dáil which consider certain standard aspects in relation to specified Government Departments including:

- public affairs administered by the Department as it may select including bodies under the aegis of the Department in respect of Government policy;
- matters of policy for which the Minister is responsible as it may select;
- the Strategy Statement of the Department as laid before the Houses;
- iv certain Annual Reports (and Accounts) of bodies under the aegis of Departments (does not apply to the Joint Committee on European Affairs);
- such other matters as may be referred to the Committee from time to time.

European Affairs (deals with European Union matters only and has no departmental scrutiny function):

- Foreign Affairs
- Heritage and the Irish Language
- Justice, Equality and Women's Rights
- Family, Community and Social Affairs
- Enterprise and Small Business
- Agriculture, Food and the Marine
- Environment and Local Government
- Finance and the Public Service
- Public Enterprise and Transport
- Health and Children
- Education and Science
- Tourism, Sport and Recreation.

These Committees sit as Select Committees of Dáil Éireann only for certain functions as set out in Standing Orders. These functions consist of considering the Committee stage of Bills which are referred to them by the Dáil and considering

the annual Estimates (essentially the expenditure proposals for Government Departments and Offices) which are also referred to them by the Dáil.

Other Committees of the Houses (28th Dáil)

- i. Joint Committee on Broadcasting and Parliamentary Information (responsible for televising of Parliamentary proceedings and monitoring the operation of the Information and Public Relations service for the Houses and their Members collectively);
- ii Joint House Services Committee (responsible for the administration of the Oireachtas Library and Restaurants).

Powers of Committees

The powers of Committees depend on their terms of reference and include or relate to:

- Power to send for persons, papers and records;
- Power to receive submissions and hear evidence from interested parties or groups;
- Power to draft recommendations for legislative change and for new legislation;
- Power to print and publish minutes of evidence and related documents;
- Power to require attendance of Ministers to discuss current policies;
- Power to require attendance of Ministers to discuss proposed legislation;
- Power to require attendance of principal office holders in State funded bodies (subject to certain constraints).

Standing Joint Committee on Consolidation Bills

From time to time, it becomes necessary to codify statute law. Where this arises, the Committee Stage of a Consolidation Bill, with the agreement of both Houses, will be dealt with by this Committee. The Attorney General certifies that such a Bill does not involve the creation of new law.

Standing Joint Committee on Standing Orders (Private Business)

This Committee consists of three members of each House and a Chairman who may be a member of either House nominated by the Ceann Comhairle and Cathaoirleach jointly. The reports of the Examiner of Private Bills can be referred to the Joint Committee which in turn will nominate the members to the Joint Committee on a Private Bill.

GOVERNMENT

The executive powers of the State are exercised by, or on the authority of, the Government. The Constitution provides that the Government shall consist of not less than seven and not more than 15 members. The Taoiseach, Tánaiste and Minister for Finance must be members of the Dáil. The other members of the Government may be members of the Dáil or Seanad, but not more than two may be members of the Seanad. The Government acts collectively and is responsible to the Dáil.

The Taoiseach is appointed by the President on the nomination of the Dáil. He must resign if he ceases to retain the support of a majority in the Dáil.

The Taoiseach assigns Departments of State to members of the Government. Usually, each member of the Government heads one Department of State, but occasionally a Minister is responsible for more than one Department. Ministers of State, who are not members of the Government, assist Government Ministers in their Parliamentary and Departmental work. The maximum number of Ministers of State is fixed by law at 17.

The Taoiseach nominates one member of the Government to be Tánaiste. The Tánaiste acts in place of the Taoiseach if the Taoiseach is temporarily absent or becomes incapacitated.

The Attorney General, while not a member of the Government, acts as legal advisor to the Government and may attend Cabinet meetings. The Attorney General's tenure of office is normally coterminous with that of the Government.

Voting in Elections and Referenda

Opportunities to vote arise in five decision-making procedures:

- the election of the President every seven years;
- Dáil (parliamentary) elections, at least every five years;
- referenda on proposed Constitutional amendments;
- the election of representatives to the European Parliament, every five years;
- elections to local authorities, every five years.

Resident citizens over the age of 18 years may vote at Dáil, Presidential, local and European

elections, and referenda. British citizens living in Ireland may vote at Dáil, European and local elections. European Union citizens may vote at European and local elections. All residents, regardless of citizenship, may vote at local elections.

The electoral system is proportional representation by means of a single transferable vote (PR-STV) in multi-member constituencies.

Dáil Elections

Voting in Dáil elections is by secret ballot; postal voting is confined to members of the defence forces, police service and civil servants and their spouses serving abroad. Persons with disabilities and persons whose occupations are likely to prevent them from polling at their local polling station may apply for a postal vote. Certain full time students may also apply.

The system of voting used can be described as follows: The voter marks the ballot paper by placing the figure '1' opposite the name of the candidate of his or her first choice and, if the voter wishes, '2' is placed opposite the name of the second choice, and so on.

The elector is, in effect, telling the returning officer 'I wish to vote for A, but if that candidate does not need my vote or has no chance of being elected, transfer my vote to B; if B in turn does not need my vote, or in turn has no chance of election, transfer my vote to C'. At the opening of the count, the ballot papers are mixed together and then sorted according to the first preferences recorded for the candidates. The total number of valid papers is counted, and the electoral quota is calculated. The quota is the smallest number of votes necessary to secure the election of a candidate. The quota is established according to the formula:

$$\frac{\text{Total valid votes}}{\text{number of seats} + 1} + 1$$

Thus, if there were 40,000 valid votes and four seats to be filled, the quota for election would be 8,001 and only four candidates could reach the quota.

If, on the first count, no candidate has reached the quota, the candidate who received the lowest number of votes is eliminated and his or her votes are transferred to the candidate for whom

a second preference is recorded. If a candidate receives more than the quota required for election, his or her surplus votes are transferred to the remaining candidates in accordance with the subsequent preferences expressed by the electors.

When the number of remaining candidates who have neither been elected nor eliminated corresponds to the number of vacancies to be filled, those candidates are declared elected. This applies even though the remaining candidates may not have reached the quota.

Seanad Elections

An election for the Seanad takes place not later than 90 days after a dissolution of Dáil Éireann. The voting system used is proportional representation by secret postal ballot.

The electorate for the 43 members of the Seanad elected from panels of candidates, numbers just over 1,100. The electorate comprises the members of the newly-elected Dáil, the members of the outgoing Seanad, and the members of every council of a county or county borough. There is a separate election for each of the five panels. The electorate for the six members elected from the universities consists of every citizen who has received a degree (other than an honorary one) from those universities and who has attained the age of 18 years and is registered as an elector.

Political Parties

Fianna Fáil, Fine Gael, Labour, The Progressive Democrats, the Green Party, the Socialist Party and Sinn Féin are represented in the Dáil.

Fianna Fáil

Fianna Fáil, the Republican Party, was founded by Éamon de Valera in 1926. Its aims are to secure in peace and agreement the unity and independence of Ireland and its people; to develop a distinctive national life in accordance with the diverse traditions of the Irish people and to restore Irish as a living language; to guarantee religious and civil liberty and equal opportunities; to develop the resources and wealth of Ireland to their full potential to provide the maximum sustainable employment based on fostering a spirit of enterprise and self-reliance and on social partnership; to protect the natural environment and heritage of Ireland; to promote the family and a wider sense

of social responsibility; to maintain the status of Ireland as a sovereign state, as a full member of the European Union and the United Nations on the basis of Ireland's independent foreign policy tradition and to reform the laws and institutions of the state to make them caring and responsive to the needs of the citizen.

Fianna Fáil has been in government in 1932-1948, 1951-1954, 1957-1973, 1977-1981, in 1982, 1987-1994 and June 1997 to date. Its leaders have been Éamon de Valera, 1926-1959, Seán Lemass, 1959-1966, Jack Lynch, 1966-1979, Charles Haughey, 1979-1992, Albert Reynolds, 1992-1994, and Bertie Ahern, from November, 1994 to date. Its achievements have included the consolidation of Irish independence, promulgation of the Constitution in 1937, maintenance of Irish neutrality in the Second World War, construction of a domestic industrial base, redistribution of agricultural land, the introduction and extension of housing and social assistance programmes, the introduction of free secondary education, the opening up of Ireland to trade and investment, negotiating entry into the EEC and participation in the single currency, including substantial increases in EU structural and cohesion funding and the attraction of high technology industry and financial services to Ireland.

Building on the success of the Downing Street Agreement of 1993 and the ensuing ceasefires the Taoiseach and leader of Fianna Fáil, Bertie Ahern, signed the Good Friday Agreement with the British Government and the Northern Ireland parties.

Fianna Fáil is a broad based party with strong representation in both urban and rural Ireland. Since 1932 it has consistently been the largest party in the Dáil, and at the General Election of June 1997 won almost 40% of the popular vote. It holds 75 out of the 166 seats in Dáil Éireann and 31 out of the 60 seats in Seanad Éireann. In November, 1997, the Fianna Fáil candidate, Mary McAleese was elected President of Ireland.

Fianna Fáil is part of the Union for Europe group in the European Parliament. (Website: www.fianna.fail.ie)

Fine Gael

Fine Gael won over 28% of the total votes cast in the general election of June, 1997. This represented a 3% increase in the party's vote on

the previous general election, and left the party holding 54 out of the 166 seats in Dáil Éireann, making it the largest opposition party. Although the Fine Gael-led coalition that governed from 1994 to 1997 was not returned, Fine Gael was nonetheless reinvigorated by that term in government, and was further encouraged by the increase in its vote share that followed.

The leader of Fine Gael is John Bruton, former Taoiseach and current vice-president of the Christian Democrat International. Fine Gael was founded in 1933 by the coming together of a number of parties. The predominant party in this amalgamation was Cumann na nGaedheal. Cumann na nGaedheal had been founded in 1923 to sustain the Government of the infant Free State in its efforts to build and develop the new nation on the basis of the treaty negotiated a few months earlier. The Cumann na nGaedheal party governed from the foundation of the State until 1932. Fine Gael has committed itself to an ideal which was shared by Cumann na nGaedheal of developing a wider, pluralistic sense of Irish nationalism.

Fine Gael policy is based on the principles of the encouragement of enterprise combined with social justice and with decision-making devolved to the appropriate level. A core ideal of the party is reconciliation with and between the peoples of the island of Ireland, and the belief that this will not be achieved through confrontation. Fine Gael favours a planned approach to sustain Irish economic development while at the same time maintaining the economy's openness. This is to be done by a mixture of State encouragement for private enterprise and effort and direct State involvement in a number of areas. It has as its immediate objectives improved access for young people and women to decision-making, greater tax equity, the improvement and development of the country's infrastructure, fairer opportunities in education and the elimination of social exclusion.

Fine Gael is also committed to the development and unification of the EU. Along with its sister parties in the European People's Party, Fine Gael seeks solutions on a European level to the problems and challenges of the new century. The EPP is the largest group in the European Parliament, has played a leading role in the founding of the EU, and is a strong advocate of European integration (Website: www.finegael.ie).

Labour Party

The Labour Party is represented in Dáil Éireann, Seanad Éireann and in the European Parliament as a member of the Party of European Socialists (PES). The Party was founded in 1912 at a conference of the Irish Trade Union Congress in Clonmel under the inspiration of James Connolly, Jim Larkin and William O'Brien. Through its affiliation to the Socialist International is a sister party of the Social Democratic Labour Party in Northern Ireland.

The Labour Party seeks to build a society free from deprivation and based on the principles of democracy, equality, participation and co-operation. The Labour Party has 12 affiliated trade unions representing 50% of all trade union members in the State.

Since its foundation, the Labour Party has taken part in seven coalition Governments, the latest of which ended in 1997. In the 1997 General Election, the Party won 10.4% of the votes and currently has 21 seats in the Dáil. In 1999, it merged with Democratic Left. The Leader of the Labour Party is Ruairi Quinn TD who represents Dublin South East in the Dáil and a former Minister for Finance. (Website: www.labour.ie)

The Progressive Democrats

The Progressive Democrats were formed in 1985. There are seven members of the parliamentary party, four Dáil Deputies and three Senators. The leader of the Progressive Democrats is Mary Harney, the first woman leader of a political party in the history of the State. Mary Harney was elected leader in October 1993. She succeeded the founder of the Party, Desmond O'Malley TD. The Progressive Democrats were established with the aim of providing Ireland with a modern, forward-looking liberal party in the European mould.

The party formed the current Coalition Government with Fianna Fail in 1997 and were previously in coalition with Fianna Fail from 1989 to 1992. The party favours positive State action to create an enterprise society and is working in Government to develop the role of the State in the economic and social life of the country. The leader of the Progressive Democrats is Mary Harney TD, the current Tánaiste and Minister for Enterprise Trade and Employment. (Website: www.progressivedemocrats.ie).

The Green Party/Comhaontas Glas

The Green Party/Comhaontas Glas was founded in 1982 from an alliance of social movements and protest groups. The Party's electoral breakthrough came in 1989 when their first Green TD, Roger Garland (Dublin South), was elected. This was followed by further electoral successes in the 1991 local government elections. In the 1992 General Election the Greens lost their Dublin South seat but the election of Trevor Sargent (Dublin North) continued their parliamentary representation. A further breakthrough was achieved in the 1994 European elections when Patricia McKenna (Dublin) and Nuala Ahern (Leinster) were both elected as Green MEPs to the European Parliament. In the 1997 General Election the Greens increased their Dail representation by one, when John Gormley (Dublin South East) joined Trevor Sargent, who successfully retained his seat. In the 1999 European Elections both Green MEPs successfully retained their seats.

The party is a member of the European-wide Green movement through the European Federation of Green Parties while its two MEPs are members of the Green Group in the European Parliament.

The motto of the Irish Green Party is, Think Globally, Act Locally. It puts this motto into practice through its many policies on a wide range of social and environmental issues. The Party has no leader and attempts at all times to work through consensus decision-making. The Irish Greens are now represented at local, national and European throughout Ireland (Website: www.greenparty.ie).

Socialist Party

The Socialist Party is a party campaigning in the interests of ordinary workers, the unemployed and young people. The Socialist Party stands in the best traditions of James Larkin and James Connolly. The Socialist Party believes that real campaigners and real socialists will make a real difference. The party is represented in Dail Eireann by Joe Higgins T.D. (Website: www.socialistparty.net).

Sinn Féin

Sinn Féin, founded in 1905, is an Irish republican party. The party has as its objectives: the reunification of Ireland, political independence and national sovereignty. Sinn Féin has representatives elected to local councils and the Northern Ireland Assembly, as well as a representative in

Dáil Éireann. The party has two Westminster MPs, Gerry Adams and Martin McGuinness.

According to Sinn Féin, their political priority is their peace strategy and in the last ten years the party has seen the development of a peace process, which led to the Good Friday Agreement in April 1998. They are committed to the full implementation of the Agreement and are continuing to work towards Irish unity and independence.

Sinn Féin is a republican labour party committed to far reaching social, economic and political change. They have wide ranging all Ireland policies designed to see the wealth which is currently being created used to the benefit of all. Sinn Féin states that they are working to establish a new Ireland based on genuine democracy, equality, respect for difference and justice at all levels of society.

Sinn Féin's vision is of a future in which people, whatever their social or economic status, are part of a society that affords them opportunity, dignity and the right to participate in the processes of power that affect their lives. The leader of Sinn Féin is Gerry Adams MP. (Website: <http://sinnfein.ie>).

The Civil Service

The legal basis for the present system of central public administration is contained in the Public Service Management Act 1997 and the Ministers and Secretaries Act 1924 and its 11 subsequent amendments. This body of law provides for a statutory classification of the functions of Government under the various Departments and Offices of State. There are 15 Government Departments each headed by a Minister, who collectively form the Government. They are assisted by 17 Ministers of State. Ministers have responsibility for the performance of the functions of a Government Department as assigned by the Ministers and Secretaries Act 1924, as amended. The day-to-day management and administration of a Department's functions is the responsibility of its Secretary General, who is a permanent civil servant, appointed by the Government.

The civil service is independent in the performance of its duties and has no involvement in party politics. Party political activity is strictly forbidden for all middle and high-ranking civil servants.

Recruitment to the civil service is by open public competition administered by the independent Civil Service Commission. Staff are recruited at a number of different grades up to middle management level.

The civil service comprises a number of grade categories with different functions. These functions cover, broadly, four categories of duties: the administrative grades have responsibility for policy formulation; the professional grades provide specialist knowledge and skills within the civil service; the executive grades are involved in the implementation of policy decisions; the clerical grades are responsible for general duties. There are some 30,000 people employed in the civil service.

Teachers and members of An Garda Síochána (police force) and staff of local authorities and of the health services, as well as members of the Defence Forces, belong to the wider public service, rather than the civil service. Their salaries are also, however, paid from central Government funds, through the Departments of Education, Justice, Environment, Health, and Defence respectively.

Departments of State

The Department of An Taoiseach provides the secretariat to the Government and assists the Taoiseach in the carrying out of his constitutional and legal functions. The Department has responsibility for the National Economic and Social Council, the Government Information Services and the Central Statistics Office. It has responsibility in regard to the administration of all public services which do not fall within the remit of another Government Department while also being charged with the custody of public archives and state papers.

The Department of Finance has responsibility for the administration and guardianship of the public finances of the State. It is concerned with the raising and the provision of money for State purposes, the control of public expenditure, and social and economic planning. It is responsible for the co-ordination and the improvement of personnel and management functions in the public service. It is also responsible for other central Government services such as the Office of the Revenue Commissioners and the Office of Public Works.

The Department of Agriculture, Food and Rural Development provides a wide range of services to the agriculture and food sectors. Its Inspectorate is responsible for the maintenance of Plant and Animal Health and Agricultural Research. An important element of the Department's functions is the implementation and administration of EU agricultural policies.

The Department of Arts, Heritage, Gaeltacht and the Islands is responsible for the formulation of national policy relating to Arts Heritage and Culture, promotion of the social and economic welfare of the Gaeltacht, and encouraging the preservation and extension of the use of Irish as a vernacular language, as well as responsibilities in relation to the development of offshore islands.

The national cultural institutions (the National Museum, the National Library, the National Gallery of Ireland, the National Archives, the National Concert Hall and the Irish Museum of Modern Art), the Arts Council and the Heritage Council come under its aegis.

The Department of Defence is responsible for the external security of the State. This involves the administration, recruitment, regulation and organisation of the army including the air corps, the naval service, as well as civil defence.

The mission of the Department of Defence is to contribute to national security and stability by the provision of Defence Forces capable of fulfilling the roles assigned by Government and to provide an effective Civil Defence capability.

The Department of Education administers, oversees and finances primary, secondary and third-level education services and operates the State examination system for schools.

The mandate of the Department of Enterprise, Trade and Employment is to implement Government policy in five key areas- development of enterprise, employment promotion, trade development, protection of workers and the regulation of businesses.

The Department also has policy responsibility for a number of state-sponsored bodies (Forfás, IDA Ireland, Shannon Development, Enterprise Ireland, FÁS, Health and Safety Authority (HSA), National Standards Authority of Ireland (NSAI)).

The Department of the Environment and Local Government is responsible for setting the legislative and policy framework for local authorities. The Department also provides finance for local authorities as well as playing a role in providing general guidance and support.

The Department of Foreign Affairs' primary function is the promotion and protection of Irish interests abroad. It also advises the Government on Ireland's foreign relations and acts as the channel of official communication with foreign Governments and official organisations. The Department is responsible for diplomatic representation abroad and for the implementation of Ireland's aid programme for developing countries.

The Department of Health and Children's role is to protect, promote and restore the health and well-being of people by ensuring that the health and personal social services are planned, managed and delivered to achieve measurable health and social gain and to provide the optimum return on resources invested. It oversees the work of the health boards, the voluntary hospitals and a range of specialist agencies.

The Department of Justice, Equality and Law Reform has a wide range of responsibilities including responsibility for the internal security of the State and the provision of support for the Courts, the Prison Service and An Garda Síochána (police force). It is also charged with promoting equality of opportunity within the State and has responsibility for instituting law reform measures, in relation to both the civil and criminal law. It is also responsible for the provision of Legal Aid Schemes for criminal and civil matters, for the proper registration of ownership of land, for processing applications by non-nationals in relation to admission, residence, citizenship, asylum and for a range of other matters such as censorship, Data Protection and criminal injuries compensation.

The Department of the Marine and Natural Resources is responsible for policy issues in relation to the fishing and marine related industries, shipping, marine research and technology, aquaculture, marine safety and general marine conservation policy.

The Department of Social, Community and Family Affairs has responsibility for the administration of the social insurance and the social

assistance schemes within the State social security system.

The Department of Tourism, Sport and Recreation has responsibility for the formulation of policies in relation to tourism and sport matters, and for local development with a particular emphasis on improving the quality of life of communities characterised by high levels of social deprivation.

The Department of Public Enterprise is charged with policy formulation in the areas of aviation, rail and road transport, energy, as well as postal, radio and telecommunications policies. Many Departments also have responsibility for State-sponsored companies entrusted with the implementation of policy. There are also a number of other organisations within the civil service:

The Office of the Revenue Commissioners is responsible for the administration, enforcement and collection of taxes and duties.

The Office of Public Works provides accommodation for Government Departments and offices, police stations, primary schools and it undertakes civil engineering projects on behalf of the State.

Other State services include: the Government Supplies Agency, the Central Statistics Office, the Valuation and Ordnance Survey Office, the State Laboratory, the Office of the Comptroller and Auditor General, the Office of the Attorney General, The Local Appointments Commission and the Government Information Services.

Ombudsman

The Ombudsman is empowered to investigate the actions of Government Departments, Local Authorities, Health Authorities and the Postal Service and their officers. The Ombudsman is appointed by the President on the advice of the Government and is independent in the performance of his or her duties. The office has its own investigative staff and is free to determine its own procedures.

Information Commissioner

The role of the Information Commissioner is to review (on application) decisions made by Government Departments, other public bodies, Local Authorities and Health Boards in relation to requests made under the Freedom of Infor-

mation Act, 1997 and to make binding decisions. It fosters an attitude of openness among public bodies by encouraging the voluntary publication by them of information on their activities.

The Data Protection Commissioner: The Data Protection Act, 1988 protects the rights of individuals in relation to personal data kept about them on computer. The Act obliges persons who hold information about individuals to conform to standards of fairness and quality when obtaining and using personal data.

Public Offices Commission: The role of the Commission is to provide advice and assist compliance with the Ethics in Public Office Act, 1995 and to investigate contraventions of the Act. These functions relate to holders of certain public offices (including Ministers and Ministers of State), special advisers and persons employed in designated positions in certain public bodies. The Commission also has the principal supervisory role under the Electoral Acts, 1997 and 1998, dealing with the disclosure of political donations, the public funding of political parties and the capping of election expenditure.

State-Sponsored Bodies

There are about 120 State-sponsored bodies. These can be loosely classified as commercial, developmental, health, cultural, regulatory and advisory. Until recently several of the Commercial State-sponsored bodies had a monopoly in their area of activity but almost all are now operating in a competitive environment, providing a range of goods and services. The Developmental bodies are concerned with the provision of a range of technical and support services to industrialists, farmers and start up businesses. The Health bodies, which include some hospitals, are concerned primarily with the direct provision of services and research to the public and health professionals, as well as to the State. Cultural bodies are involved in the promotion throughout the State of cultural activities. Regulatory bodies often perform functions previously carried out by central Government, sometimes on a semi-commercial basis, and include the registration of medical professionals and the licensing of telecommunications operators. Advisory bodies are on the whole permanent consultative bodies which have an input to the policy making process.

Within general policy guidelines laid down by the Government and within the limits of statute law, State-sponsored bodies have significant autonomy. Although the Government or an individual Minister usually appoints members to the Boards or Councils of the bodies, they are not subject to detailed Ministerial control over day-to-day matters.

Publicly owned utility Companies

The Electricity Supply Board was responsible for all electricity generation and supply until competition in generation and supply of electricity began in February, 2000. An Post provides mail services. Bord Gáis (Irish Gas Board) is responsible for the supply of natural gas. RTÉ, the radio and television network, runs national television and radio services.

Transport: The publicly owned road and rail transport system is operated by the Coras Iompair Éireann (CIE) group of companies. Iarnród Éireann (Irish Rail) operates the nationwide railway system for passengers and freight, including the Dublin Area Rapid Transit (DART) network. Bus Átha Cliath (Dublin Bus) operates urban bus services in the Greater Dublin area. Bus Éireann (Irish Bus) operates a network of bus services outside Dublin city. Aer Rianta manages international airports at Dublin, Cork and Shannon. Aer Lingus, the Irish international airline, provides international air services.

Other Trading Companies: IFI (Irish Fertilizer Industries) manufacture agricultural fertilisers. The Irish National Petroleum Corporation deals in the international oil market and operates its own refinery. Bord na Móna is responsible for the development and processing of Ireland's peat resources. Coillte Teo is responsible for the commercial functions of the forest service.

Promotional Agencies: The State has established a number of agencies responsible for the promotion of various aspects of the Irish economy. These include Forfás, Enterprise Ireland, IDA Ireland, the Irish Tourist Board (Bord Fáilte), Bord Bia, Bord Iascaigh Mhara (BIM) and Shannon Development.

Forfás is the policy advisory and co-ordination board for industrial development and science and technology in Ireland. It is the body in which the State's legal powers for industrial promotion and technology development have been vested. It is also the body through which

powers are delegated to Enterprise Ireland for the promotion of indigenous industry and to IDA Ireland for the promotion of inward investment.

Enterprise Ireland is responsible for the development of exports and export markets by and for Irish indigenous companies.

IDA Ireland has national responsibility for securing new investment from overseas in manufacturing and international service sectors and for encouraging existing foreign enterprises in Ireland to expand their businesses.

Bord Fáilte Éireann (the Irish Tourist Board) is responsible for marketing Ireland internationally. Bord Bia's role is to develop export markets for Irish food and drink companies.

Bord Iascaigh Mhara (BIM) is responsible for the sustainable development of the Irish seafood and aquaculture industry both at sea and ashore and the diversification of the coastal economy.

Shannon Development is a regional development organisation funded by central Government which is responsible for the integrated development of tourism, manufacturing and trade in the Shannon Region.

Udarás na Gaeltachta is responsible for economic development in the Gaeltacht areas.

Economic Development Organisations

Enterprise Ireland (incorporating the former Irish Trade Board and Forbairt) helps Irish companies to build their competitive advantage through innovation, marketing and technology. Enterprise Ireland offices worldwide link international buyers with Ireland's competitive supply capability.

The Industrial Development Agency - Ireland is the agency responsible for attracting foreign investment into Ireland and Bord Fáilte (the Irish Tourist Board) markets Ireland as an international tourist destination.

Other State-sponsored bodies are engaged in the areas of education and research, public administration, fisheries and corporate finance. Within general policy guidelines laid down by the Government, State-sponsored bodies have significant autonomy. Although the Government

or an individual Minister usually appoints members to the Boards or Councils of the bodies, they are not subject to detailed Ministerial control over day-to-day matters.

Local Government

At present the local government system is undergoing a process of renewal and reform. Changes are being made to strengthen and modernise the powers of local authorities while enhancing the focus on customer service and efficiency. The two key broader aims of the reforms are to strengthen the role of elected councillors and to encourage stronger links between local authorities and the local community and these changes are reflected in the new Local Government Bill which was published in 2000.

There are 114 local authorities: 29 County Councils, 5 County Borough Corporations, 5 Borough Corporations, 49 Urban District Councils (UDCs) and 26 Town Commissions.

In June 1999 a referendum was passed to afford constitutional recognition to local government and to provide for periodic local elections and the relevant legislation is being drafted.

Membership and Election of Local Authorities:

The members of local authorities are elected for a five year term of office in accordance with the system of proportional representation by means of a single transferable vote. Anyone who has reached the age of 18 and is either a citizen or ordinarily resident in the State is eligible to become a local authority member. Every person who is over 18 years of age and ordinarily resident in the State is eligible to vote at local elections.

Membership of local authorities is as follows:

- County Councils varies from 20 to 48 members
- County Borough Corporations varies from 15 to 52 members
- Borough Corporations and 3 largest UDCs 12 members
- Other UDCs 9 members
- Town Commissions 9 members

The functions carried out by elected members at their meetings are called reserved functions. These functions mainly relate to matters of policy and principle, including control over the financial affairs of the authority, the making of

the development plan and the making of by-laws. The elected members also have a role in overseeing the activities of the manager, including the power to issue directions in certain circumstances.

Each county and city authority has a full time chief executive, the city or county manager, who is also responsible for the other local authorities within that area. Any functions which are not "reserved functions" automatically fall to be performed by the manager and are termed executive functions and are primarily concerned with the day-to-day running of the authority. The manager also has a duty to advise and assist the elected members in the exercise of their functions.

Reserved functions are discharged by the elected members at their meetings; they comprise mainly decisions on important matters of policy and principle, including control over the financial affairs of the authority, the making of a development plan, and the making of by-laws. Any function which is not a 'reserved' function is automatically an executive one to be performed by the Manager, but the elected members have various powers enabling them to oversee the activities of the Manager, and to give directions in certain circumstances. In turn, the Manager has a duty to advise and assist the elected members in the exercise of their functions.

Services:

The services provided by the major local authorities can be described under eight main headings, known as programme groups: housing and building; road transportation and safety; water supply and sewerage; development incentives and controls; environmental protection; recreation and amenity; agriculture, education, health and welfare; and miscellaneous services.

Financing:

Expenditure by local authorities on the various services provided by them accounts for a sum corresponding to approximately 4.5% of GNP. This consists of current spending (approximately 65% of the total) and capital expenditure (approximately 35%). Almost all of the capital spending is funded by State grants, covering the cost of major construction works on roads, water and sanitary services facilities, and much of the housing construction programme. Revenue (current) expenditure is financed through a combination of State grants, local rates on commercial and industrial property,

and through fees, charges, rents and services provided by the local authorities.

Regional Structures

Regional authorities - eight of which were established in 1994 - are statutory bodies comprising local elected representatives selected by constituent local authorities. Their main tasks are to promote the co-ordination of public services in their region and to review and advise on the implementation of EU structural and cohesion funds programmes.

Two Regional Assemblies - the Border, Midland and Western Regional Assembly, and the Southern and Eastern Regional Assembly - were established on 21 July, 1999 under the new structures for regionalisation. The assemblies are based on the existing regional authority structure and their functions are to:

- promote co-ordination of the provision of public services in their areas;
- monitor the general impact of all EU programmes of assistance under the Community Support Framework in their areas; and
- manage new regional operational programmes in the next Community Support Framework.

Health Boards:

For health purposes, the country is divided into eight regions, each of which is administered by a health board. The boards are responsible for the management and delivery of health and personal social services in their regions. The Eastern Health Board, which covers the Dublin, Kildare and Wicklow region, was replaced in 2000 by the Eastern Regional Health Authority. The Authority will oversee the work of three new Area Health Boards and will also be responsible for funding the voluntary hospitals in the region.

Regional Tourism Authorities:

The country is divided into seven regions with six Regional Tourism Authorities and Shannon Development, who are responsible for tourism in the Shannon Region. Each Regional Tourist Authority is a public company. The role of the Regions is to co-ordinate and assist in the development of tourism and to provide visitor services facilities.

Vocational Education Committees:

Vocational Education Committees provide technical and vocational education, including adult

and continuing education. The committees have their own corporate status and are financed by State grants and by the local authorities.

County Enterprise Boards:

A nationwide system of City and County Enterprise Boards was established in 1993 to provide a focus for enterprise and employment promotion at local level. The Boards are locally controlled enterprise development companies established in each county and urban local authority area in Ireland. Their function is to develop indigenous enterprise potential and to stimulate economic activity at local level. This is done primarily by providing financial support, advice and training for the development of micro enterprise. Micro enterprise is generally defined as that in which less than ten people are employed. The Boards support individuals, firms and community groups provided that the projects have the capacity to achieve commercial viability.

Fisheries Boards:

The Central Fisheries Board and seven Regional Fisheries Boards are responsible for the protection, conservation, management and development of inland fisheries and of sea angling resources within their respective regions.

Port Companies and Harbour Authorities:

Eight Port Companies, covering the States major ports, were established under the 1996 Harbours Act; a ninth company was created in 1999. These Companies have responsibility for management and development of their respective ports.

There are 17 Harbour authorities, which are responsible for the operation and maintenance of the commercial harbours. Both Port Companies and Harbour Authorities are under the general supervision of the Department of the Marine and Natural Resources.

LEGAL SYSTEM

Irish law is based on Common Law as modified by subsequent legislation and by the Constitution of 1937. Statutes passed by the British Parliament before 1921 have the force of law unless repealed by the Irish Parliament or found to be unconstitutional. In accordance with the Constitution, justice is administered in public in courts established by law. Judges are appointed by the President on the advice of the

Government. They are invariably senior practising members of the legal profession. They are guaranteed independence in the exercise of their functions and can be removed from office for misbehaviour or incapacity only by resolution of both Houses of the Oireachtas (the National Parliament).

The court of summary jurisdiction is the District Court. The country is divided into 23 District Court districts. There is legislative provision for the appointment of 51 judges of the District Court (including the President of the Court). There are currently 50 judges serving in the District Court (including the President of the Court). A District Court is presided over by a District Court judge sitting without a jury. It tries minor criminal offences and has powers to impose fines of up to IRE1,500 (€1,904) or prison sentences up to a maximum of one year or both. The District Court also handles minor civil cases. The civil jurisdiction of the court is IRE5,000 (€6,349).

More serious cases are tried by the Circuit Court. The country is divided into eight Circuit Court circuits. Legislation provides for the appointment of 27 judges of the Circuit Court (including the President of the Court). Currently, there are 24 judges serving in the Circuit Court (including the President of the Court). The Circuit Court can try all criminal cases except rape, treason, piracy, murder and allied offences. The jurisdiction of the Circuit Court in civil cases is limited to IRE30,000 (€38,092) unless both parties consent to its jurisdiction being unlimited. It also acts as an appeal court from the District Court. In criminal cases the Circuit Court is presided over by a judge sitting with a jury of 12 ordinary citizens. In other cases the Court is presided over by a judge sitting alone.

The High Court has full original jurisdiction and determining power in all matters of law or fact, civil or criminal. It can decide the validity of any law, having regard to the provisions of the Constitution. When trying criminal cases the High Court is known as the Central Criminal Court.

The High Court hears appeals from the Circuit Court in civil cases. In criminal cases, and in a limited number of civil cases, the Court is presided over by a judge sitting with a jury of 12 ordinary citizens. In other cases the Court is presided over by a judge sitting alone. The maximum number of ordinary judges which may be appointed is 25.

Legislation provides for the establishment of Special Criminal Courts whenever the Government is satisfied that the ordinary courts are inadequate to secure the effective administration of justice and the preservation of public peace and order. The Special Criminal Court is presided over by three serving judges drawn from the High Court, the Circuit Court and the District Court sitting together. There is no jury in the Special Criminal Court but, in most other respects, procedure governing this Court is the same as in criminal trials generally.

Criminal appeals from the Circuit Court, the Central Criminal Court and the Special Criminal Court are heard by the Court of Criminal Appeal, a court consisting of three judges drawn from the High Court and Supreme Court.

The Supreme Court is the court of final appeal. It consists of the Chief Justice, seven other judges and, in an ex-officio capacity, the President of the High Court. The Court hears appeals from the High Court and the Court of Criminal Appeal. The Court is empowered to decide if the provisions of any statute are repugnant to the Constitution in the event of the President referring such provisions to the Court prior to the statute becoming law.

Although there is a limited right of private prosecution, most criminal prosecutions are instituted by the Director of Public Prosecutions (DPP) on behalf of the State. The DPP is a State official but is independent of Government in the performance of his functions.

The legal profession is divided into solicitors and barristers. Solicitors deal with legal business outside the courts such as transfer of land ownership, administration of the assets of deceased persons, and formation of limited companies. They also attend Court and while they have a right of audience before all courts, most of their work in this area comprises District Court cases and appeals to the Circuit Court. The Law Society of Ireland, founded in 1852, acts as a regulatory body for the solicitors' profession.

In the higher courts, cases are normally conducted by barristers who are either junior or senior counsel. Barristers are advised by, and in most cases can only be retained by, solicitors. The Benchers of the Honorable Society of King's Inns constitute the governing body of the Bar of Ireland.

Legal aid is available, at the discretion of the Court, in criminal cases and, on a more limited scale, in civil cases.

Police

The police service, An Garda Síochána (in English - Guardians of the Peace), was established in 1922 and is a national force of approximately 11,450 members. The general direction and control of the service is, subject to regulations made by the Minister for Justice, Equality and Law Reform vested in a Commissioner appointed by the Government. Apart from some specialised units Irish police are unarmed. Garda Headquarters is in the Phoenix Park, Dublin. Under the Commissioner there is a staff of two Deputy Commissioners, ten Assistant Commissioners and a Surgeon to the force. A Regional Command Structure was introduced in 1996 whereby the country is divided into six regions, one being the Dublin Metropolitan Region. Each region is under the control of an Assistant Commissioner. The other four Assistant Commissioners are based at Headquarters in charge of operational and administrative departments.

The ranks of An Garda Síochána are, in descending order, Deputy Commissioner, Assistant Commissioner, Chief Superintendent, Superintendent, Inspector, Sergeant and Garda. Entry to the force is at the rank of Garda. The force operates in 25 Divisions, each of which is divided into Districts and Sub-Districts. Divisions include regular and special forces for crime detection and prevention. Divisions also carry out local police administrative functions. The Training College is located at Templemore, Co. Tipperary. Garda trainees undergo a comprehensive two year training programme before being appointed to the force. Among developed countries, Ireland has one of the lowest levels of serious crimes of violence while the crime detection rate is comparable to that of other European countries.

The misuse of drugs has presented probably the greatest challenge to policing in the developed world in modern times. Ireland has not escaped these developments in illegal drug activity, which is now truly a "global phenomenon". An Garda Síochána continues to commit significant resources, both directly and indirectly, to curbing the drug problem in Ireland.

In 1989, the Garda Síochána participated in its first United Nations peace-keeping mission,

with the dispatch of a 50 member contingent to Namibia. Since then the Gardaí have been involved in other such missions, most notably in Angola, Cambodia, Mozambique and East Timor. Garda contingents are currently serving with the UN in Cyprus and Bosnia-Herzegovina. Members of An Garda Síochána are also serving overseas in Croatia with the OSCE (Organisation for Security and Cooperation in Europe).

The Criminal Assets Bureau was established under the Proceeds of Crime Act 1996. It has staff drawn from the Gardaí, the Revenue Commissioners and the Department of Social, Community and Family Affairs. Its remit involves confiscating, freezing or seizing criminal assets, ensuring that criminal proceeds are subjected to tax and investigating and determining the eligibility of claims for social security payments, under the Social Welfare Acts, by criminals or suspected criminals.

The Permanent Defence Forces

The policy planning, legislative and administration activities in relation to defence policy generally, Defence Forces organisation, regulation and control, recruitment and training, conciliation and arbitration, pay and allowances, conditions and superannuation and purchase of stores and equipment are the responsibility of the Department of Defence.

The Defence (Amendment) Act, 1998, created a single military element in the Department of Defence, which is known as Defence Forces Headquarters, the head of which is the Chief of Staff. He is supported by two deputies - Deputy Chief of Staff (Operations) and Deputy Chief of Staff (Support).

The Department is responsible also for the general planning, organisation and co-ordination of Civil Defence measures, including special guidance for local authorities.

The Department plays a key role in providing aid to the civil power, mainly in the area of security, fishery protection, search and rescue and air emergency services, Government air transport and international peacekeeping. The Department also assists in the provision of aid to the community through maintenance, when necessary, of essential services.

The roles currently assigned by the Government to the Defence Forces are:

- to defend the State against armed aggression; this being a contingency, preparations for its implementation will depend on an ongoing Government assessment of the security and defence environment;
- to aid the civil power (meaning in practice to assist, when requested, the Garda Síochána, who have primary responsibility for law and order, including the protection of the internal security of the State);
- to participate in multinational peace support, crisis management and humanitarian relief operations in support of the United Nations and under UN mandate, including regional security missions authorised by the UN;
- to provide a fishery protection service in accordance with the State's obligations as a member of the EU;
- to carry out such other duties as may be assigned to them from time to time, eg search and rescue, air ambulance service, Ministerial air transport service, assistance on the occasion of natural or other disasters, assistance in connection with the maintenance of essential services, assistance in combatting oil pollution at sea.

Recruitment:

All recruitment is on a voluntary basis. Recruits are enlisted for general service for five years in the Permanent Defence Force followed by seven years in the Reserve Defence Force (First Line). Cadets in the Army, Naval Service and Air Corps are inducted every year and apprentices in all services are inducted as required.

Structure:

The Defence Forces consist of the Permanent Defence Force and the Reserve Defence Force.

The Permanent Defence Force, which consists of Army, the Air Corps, and Naval components, has an approximate current strength of 10,500 personnel. The Reserve Defence Force, comprising the First Line Reserve (former members of the Permanent Force), the F.C.A. (An Fórsa Cosanta Áitiúil - second-line army reserve) and An Slua Muirí (the second-line naval reserve) has a total strength of approximately 14,200 personnel.

Under the Constitution, the supreme command of the Defence Forces is vested in the Presi-

dent, from whom all officers hold their commissions. Military command is exercised by the Government through the Minister for Defence.

The country is divided into three territorial Brigades - Eastern, Southern and Western Brigades. Defence Forces Headquarters is located in Dublin and the Defence Forces Training Centre is located in the Curragh.

The Army has three infantry brigades, comprising nine battalions in total. The current strength of the Army is approximately 8,900 personnel all ranks. The part-time reserve (An Fóras Cosanta Áitiúil) has a strength of approximately 13,500 personnel and is organised into 18 infantry battalions, six field artillery regiments and a number of squadron/company size units of support corps.

The Air Corps is based at Casement Aerodrome Baldonnell and undertakes operations such as Fishery Surveillance, Search and Rescue, Air Ambulance; Aid to the Civil Power; and flying and technical training. The Air Corps fleet is comprised of 17 fixed wing aircraft and 13 helicopters.

The Garda Air Support Unit comprises one fixed wing aircraft and one helicopter, which are operated by the Air Corps on behalf of the Gardai. The Air Corps has a current strength of 850 approximately.

The Naval Service is equipped with a total of eight vessels comprising one helicopter carrying vessel, five offshore vessels and two coastal patrol vessels. All vessels are based at Haulbowline, Co. Cork and are mainly engaged in fishery protection duties. At present there are approximately 980 personnel in the Naval Service. The part-time naval reserve, An Siua Muiri, has 330 personnel and is organised in five companies located at Cork, Waterford, Limerick and Dublin (two companies).

Service with the United Nations:

Ireland joined the United Nations in 1955 and has been involved in international peacekeeping missions since 1958 when a group of 50 officers of the Defence Forces served with the United Nations Observer Group in Lebanon (UNOGIL). Since then, Ireland has contributed to a total of 33 UN missions and 13 other peacekeeping and related missions with the EU, the OSCE as well as with various humanitarian

agencies engaged in relief work in Africa, South America, Albania and Honduras.

Defence Forces personnel are currently serving with 13 United Nations peacekeeping missions including SFOR (stabilisation force) in Bosnia Herzegovina, KFOR in Kosovo, UNTAET in East Timor and 5 OSCE missions as well as with the European Community Monitoring Mission in the former Yugoslavia.

Financing

Expenditure on the Defence Forces accounts for approx. 0.92% of GNP or 0.80% of GDP.

Civil Defence

Civil Defence provides a community support service in addition to being a support to the primary emergency services. The Minister of State at the Department of Defence has ministerial responsibility for Civil Defence. The Department's functions include financial control, planning, central training, and direction of civil defence activities at Local Authority level. Each of the 32 Civil Defence Local Authorities has responsibility for the provision locally of a Civil Defence service, which is under the control of a Civil Defence official reporting to the County or City Manager. There are approximately 6,000 active members in the organisation who provide services on a voluntary basis.

The services provided by Civil Defence include first aid and ambulance cover, search and recovery on land or water, stewarding, provision of assistance during floods or blizzards, responding to major emergencies, provision of assistance during forest fires, and to be available to assist with refugee issues, if needed.

CONSTITUTION

The basic law of the State is the **Constitution of Ireland** (Bunreacht na hÉireann) adopted by referendum in 1937. It is the successor to the Constitution of Dáil Éireann (1919) and the Constitution of the Irish Free State (1922). The Constitution states that all legislative, executive and judicial powers of Government derive under God from the people. It sets out the form of government and defines the powers of the President, of the two Houses of the Oireachtas (Parliament), and of the Government. It defines the structure and powers of the Courts, and it contains a number of directive principles of

social policy for the general guidance of the Oireachtas.

The Constitution regulates the method of election of the President and defines the President's powers in relation to the two Houses of the Oireachtas and the Government. It also defines the system of Courts and regulates the appointment of the judiciary.

The Constitution sets out the fundamental rights of the citizen. The definition of rights covers five broad headings: Personal Rights, The Family, Education, Private Property and Religion.

Personal Rights:

The Constitution declares that all citizens are equal before the law, it guarantees to defend and vindicate the personal rights of citizens, it provides that there will be no deprivation of liberty except in accordance with law, it provides for the right of Habeas Corpus, it guarantees the inviolability of citizens' dwellings except in accordance with law, it guarantees the liberty to express freely one's convictions and opinions, the right to assemble peaceably and without arms, and the right to form associations and unions. The Supreme Court has identified additional personal rights which, although not listed in the Constitution, are protected by it, such as the right to travel and to marry and the right of access to the Courts.

The Family:

Through the Constitution the State guarantees to protect the family and the institution of marriage.

Education:

The State recognises the primacy of the family in the education of children and undertakes to provide for free primary education and to supplement and aid private educational initiative with due regard to the rights of parents.

Private Property:

The right to hold private property is guaranteed and is subject only to the exigencies of the common good.

Religion:

The Constitution guarantees freedom of conscience and the free profession and practice of religion, subject only to public order and morality.

The Constitution may be amended only by an Act of the Oireachtas, the Bill for which has been approved by the people in a referendum after being passed by both Houses of the Oireachtas.

Citizens, and in certain cases non-citizens, have the right to apply to the Courts to protect from infringement their rights under the Constitution. They may also apply to have a judgement pronounced as to whether legislation is compatible with the Constitution, provided the legislation affects, or is likely to affect, the person challenging it. Moreover, the President may, before signing a Bill, refer it to the Supreme Court for a decision on its compatibility with the Constitution. These procedures have been employed on a number of occasions.

4

international relations

NIALL HOLOHAN¹

The Constitution of Ireland affirms Ireland's devotion to the ideal of peace and friendly co-operation amongst nations founded on international justice and morality. Ireland's foreign policy is based on this conviction. As a small country in a changing world, Ireland remains firmly committed to collective approaches to international relations and security based on the primacy of the Charter of the United Nations. Key principles underlying this commitment are respect for human rights and fundamental freedoms, democracy and the rule of law. Ireland seeks to pursue these core objectives in cooperation with regional and bilateral partners and through its membership of international organisations, in particular its membership of the United Nations and of the European Union.

UNITED NATIONS

Ireland joined the United Nations (UN) on 14 December 1955. Within the UN, Ireland has sought to promote effective international action on global issues such as disarmament, peace-keeping, human rights and development. Ireland's membership of the UN Security Council in 2001–2002 reinforced its commitment to working with the wider UN membership for international peace and security. This commitment is reflected in the continuous participation in UN peace keeping operations by Irish Defence and Police Forces since 1958. Irish personnel are currently serving in eight UN peace support operations in the Middle East, Asia, Africa and Europe. Ireland is also a strong supporter of

the International Criminal Court established by the UN in 2002.

EUROPEAN UNION MEMBERSHIP

Ireland joined the European Economic Community (EEC) on 1 January 1973 and has participated actively in the evolution of what is now the *European Union* (EU). EU membership is pivotal to Government policy. It is a central framework within which the Government pursues its foreign policy objectives. Ireland's membership of the European Union is rooted in an understanding that the Union is the cornerstone of political and economic stability in Europe. Membership gives Irish exporters full access to the European single market, and this has contributed to Ireland's economic success. EU involvement enables Ireland's views and interests to be reflected in the policies of the Union which exercises considerable influence in world affairs. Ireland's participation in world affairs enhances its capacity to pursue its traditional policy of promoting a stable, peaceful and prosperous international environment with structures based on the rule of law, respect for human rights and representative government. Ireland has held the six-month Presidency of the Council of the European Union on six occasions, in 1975, 1979, 1984, 1990 and 1996 and 2004. This last Presidency witnessed the accession of ten new Member States to the European Union – Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia – and the concluding of an agreement on an EU Constitution.

In its bilateral relations, Ireland has sought to build mutually beneficial relationships with a broad range of countries, reflecting the varied and deep connections, which have been built up over many years with different parts of the world. These relationships have, in part, contributed to our recent economic progress. However, economic considerations are only one aspect of Ireland's relations with other countries. A particular focus has been relations with the countries of Africa, reflecting a longstanding tradition and commitment to development cooperation and to the pursuit of peace and stability, good governance and respect for human rights in Africa. Ireland has also sought to deepen its relations with the countries of Asia and Latin America through the developing trade, business and cultural links, and through cooperation with regional organisations and at the UN.

¹ Niall Holohan is the Head of the Irish Representative Office to the Palestinian Authority in Ramallah. This article is based on material from 'Facts about Ireland' published by the Department of Foreign Affairs, Dublin, as well as on Mr. Holohan's remarks at the PASSIA seminar.

The search for a peaceful resolution to the conflict between Israelis and Palestinians and for stability in the wider Middle East is also a key concern for Ireland, mindful of the experience of our own peace process in Northern Ireland. In this regard we value the role played by the European Union as a member of the Quartet alongside the United States, the UN and Russia.

Ireland has also traditionally attached considerable importance to disarmament and non-proliferation, including of Weapons of Mass Destruction. This is a concern which continues to motivate our approach to broader questions of international security including the threat posed by international terrorism and other non-State actors. A more recent concern is to reach agreement on a global approach to environmental protection and sustainable development, a challenge which faces the wider international community.

Ireland's Presidency of the European Union (January-June 2004)

Ireland began its sixth Presidency of the European Union on 1 January 2004. This six month period was a time of great challenge and hope for the European Union and its neighbours. The accession of the ten new Member States on May 1st was a truly historic moment, laying finally to rest the east-west divisions of the post-war period.

This new dawn was celebrated at the "Day of Welcomes" in Ireland when European leaders as well as the Presidents of the European Parliament and the Commission, came together in Dublin to launch the European Union on this new phase of its development.

The European Union took another significant step forward when, on June 18th, the European Council agreed the new Constitutional Treaty for Europe. The new Constitution now falls to be ratified in accordance with the democratic procedures in each Member State. When in place, the new Constitution will give the enlarged Union a solid foundation to work more effectively and respond better to the expectations of its citizens, neighbours, and the international community.

Against this background of major historical and institutional change, Ireland's Presidency also sought to make progress on the Union's main policy areas. We made significant progress in advancing the Union's economic, social and en-

vironmental agenda. On the legislative front some 80 legislative proposals were concluded with the European Parliament during the Irish Presidency representing some 20% of all legislation adopted during the Parliament's five year term.

In the justice and home affairs area a substantial body of work was completed in the areas of immigration, asylum, police cooperation and crime, action against drugs and better access to justice across borders for Europe's citizens. The fight against terrorism was also a major focus of attention with the adoption at the March European Council of a Declaration on Combating Terrorism aimed at ensuring the safety of EU citizens while developing a comprehensive strategy to address all aspects of the terrorist threat. Work on implementing the strategy was taken forward intensively throughout the Presidency.

In the international sphere the Irish Presidency worked to develop the Union's relations with the wider world through the development of policies aimed at promoting a fairer, peaceful and more secure world. An important element informing the Presidency's approach was the need for the Union to be both effective and coherent in its actions. There was a particular focus on strengthening support for the UN system. A renewed emphasis was placed on the Union's relationship with Africa and particular attention was given to the Union's development priorities, including the fight against HIV/AIDS.

Enlargement and the European Neighbourhood

The accession of the ten new Member States was one of the defining moments of the Irish Presidency. The celebrations in Dublin on May 1st with the participation of leaders from the 25 Member States, Bulgaria, Romania and Turkey, as well as the Presidents of the European Parliament and Commission marked the historic and inclusive nature of the occasion.

Making a success of enlargement was a key priority for the Irish Presidency which worked intensively with the Commission and the Member States to ensure a smooth transition from a Union of fifteen to twenty five.

Looking towards the future, Bulgaria and Romania remain on course to join the Union in 2007. Agreement on the overall financial package for both countries in March paved the way

for the provisional conclusion of the enlargement negotiations with Bulgaria in June and for important progress in the negotiations with Romania. Drafting of the Accession Treaty began in July 2004 with a view to signature in 2005.

A Europe without dividing lines

The Irish Presidency also worked to develop relations with the countries on the Union's new border in order to ensure that enlargement does not create new dividing lines in Europe.

The Western Balkans

The Irish Presidency followed through on its commitment to maintain momentum in bringing the Western Balkans closer to the European Union. The June European Council decided to grant Croatia candidate status for membership of the EU and to begin accession negotiations during 2005. In making this decision the European Council stated that it should be a strong encouragement to the other countries of the region to pursue their reforms, which will bring them closer to the EU. In March, at a ceremony in Dublin, the Taoiseach accepted the formal application for membership of the Union from the Prime Minister of the Former Yugoslav Republic of Macedonia.

The EU's engagement with Bosnia-Herzegovina also strengthened significantly during this period. The June European Council adopted a comprehensive policy towards Bosnia-Herzegovina and the Union will shortly launch the peace-keeping mission to follow on from the current UN-authorized NATO-led Stabilisation Force in Bosnia-Herzegovina. This mission will work to ensure stability for all the people of the country as they rebuild their society and economy and develop a closer partnership with the EU.

Working Together for Growth and Employment

The Irish Presidency highlighted in its programme its commitment to the goal of a strong and competitive European economy capable of delivering sustainable growth, quality employment and social progress to its people. At the Spring European Council, the European Union reiterated its commitment to implementing the Lisbon Agenda for economic, social and environmental renewal. It also agreed that delivering sustainable growth and more and better

jobs for the Union's 450 million citizens were the key priorities for the years ahead.

The Presidency's broad based approach included action in support of maintaining sound macro-economic policies and ensuring the sustainability of public finances. The June European Council endorsed the Broad Economic Policy Guidelines as well as the Employment Guidelines and Employment Recommendations, now updated to take account of the report of the Employment Task Force.

Reform Partnerships

The Irish Presidency secured agreement at the Spring European Council to broaden the participation of relevant stakeholders in implementing the Lisbon Agenda through the establishment of Reform Partnerships. These Partnerships, involving social partners, civil society and public authorities in accordance with national arrangements and traditions, will have the role of generating support and promoting complementary strategies for change.

Mid-term Review of the Lisbon Agenda - Competitiveness and Growth

The mid-term review of the Lisbon Agenda will provide a significant opportunity for an in-depth review of delivery of the range of reforms. The Irish Presidency secured agreement at the Spring European Council on the parameters for that review. The European Council invited the Commission to establish a high-level group to prepare an independent analysis of progress on the Lisbon Agenda.

In keeping with its emphasis on jobs and growth, the Irish Presidency worked, together with the Commission and the European Parliament, to complete several important measures which are of direct and tangible benefit to the quality of life enjoyed by citizens.

The Irish Presidency prioritised action in support of competitiveness, entrepreneurship and innovation as central to the creation of economic growth. Work was also progressed to advance the development of the European Research Area.

Effective Multilateralism and the United Nations

Ireland made supporting an effective multilateral system, with a strengthened UN at its core,

a key priority of its Presidency. Work achieved included:

- Agreement on an EU contribution to UN Secretary-General Annan's High-Level Panel on Threats, Challenges and Change which included important recommendations on more effective international action in the case of gross violations of human rights and closer UN cooperation on terrorism and weapons of mass destruction;
- Agreement on joint commitments of support for effective multilateralism with key regional partners including Africa, Latin America and the Caribbean and with Asian partners;
- Implementing the EU-UN Joint Declaration on Cooperation in Crisis Management and improving the European Union's capacity to undertake rapid response operations at the request of the UN;
- Implementing the EU Strategy against the Proliferation of Weapons of Mass Destruction, as well as encouraging the continued engagement by Iran with the International Atomic Energy Agency, discussing non-proliferation concerns with India and Pakistan at Ministerial level and emphasising EU support for the Six Party Talks process with regard to the Democratic People's Republic of Korea.
- Initiating a review of the EU Code of Conduct on Arms Exports.
- Strengthening co-operation between the EU and the Council of Europe and presiding over a landmark decision to reform the European Court of Human Rights.

The Irish Presidency programme, while ambitious, sought against the background of major historical and institutional change to be realistic. It also reflected the Presidency's wish to work cooperatively with the other Member States, the European Parliament and the Commission to agree on joint aims. Reflecting this approach, the Union made considerable progress in all the priority areas identified at the outset of the Presidency.

DEVELOPMENT COOPERATION IRELAND

Development Cooperation Ireland (DCI) is the Government of Ireland's official programme of assistance to developing countries. Ireland has had an official development assistance programme since 1974. It has grown steadily over the years from modest beginnings to a projected budget of €535 million for total ODA in 2005. Ireland's development cooperation policy is an integral part of Ireland's wider foreign policy, reflecting Ireland's longstanding commitment to human rights and fairness in international relations. (For Ireland's Development Assistance in Palestine see the Annex).

A significant feature of Ireland's development assistance is that it has always been completely untied; that is to say, it is not conditional in any way on the use of Irish goods or services. It is Government policy that funding should remain untied, as it takes the view that tied aid is less effective in its impact, leads to a proliferation of different standards and technologies in developing countries and can be abused to provide hidden export subsidies.

5 the peace process in northern ireland – an overview

NIALL HOLOHAN¹

POLITICAL BACKGROUND

The existing political division of Ireland dates from the Government of Ireland Act 1920. The Anglo-Irish Treaty was signed in 1921 and after centuries of British rule including 120 years when the country was governed as part of the United Kingdom, 26 of the 32 counties of Ireland gained independence. The remaining six counties formed Northern Ireland, which continued to be governed within the United Kingdom. However, while the United Kingdom Parliament at Westminster exercised sovereignty, power on a variety of matters was devolved to a local Parliament and Government established at Stormont in Belfast in 1920.

From 1921 to 1972, although Northern Ireland elected members to the Westminster Parliament, the devolved Government at Stormont operated with virtual autonomy from London on local matters. Power remained exclusively in the hands of the Unionist party which drew its support from the majority community in the area which favoured union with Britain. The nationalist community — at the time of partition approximately one third of the population — shared the desire of the people of the rest of the island for Irish unity. Nationalists had in practice no role in government and they suf-

¹ Niall Holohan is the Head of the Irish Representative Office to the Palestinian Authority in Ramallah. This article is based on material from 'Facts about Ireland' published by the Department of Foreign Affairs, Dublin, as well as on Mr. Holohan's remarks at the PASSIA seminar.

fered discrimination in many areas, including voting rights, housing and employment.

In 1969 non-violent campaigners for civil rights met with a hostile and repressive response from the Stormont authorities, which was followed by a period of sustained political paramilitary activity by the IRA. There was also a corresponding growth in paramilitary violence by loyalist extremist groups.

In a deteriorating security situation the Northern Ireland Parliament and Government were prorogued in 1972 and the British Government assumed direct responsibility for all aspects of the government of Northern Ireland. With the exception of one brief period in 1974 when a local executive was established on a power-sharing basis under the Sunningdale Agreement, Northern Ireland was governed under a system of direct rule under the authority of the Secretary of State for Northern Ireland (a member of the British Cabinet) until December 1999.

On **2 December 1999**, power was devolved from Westminster to an Assembly and Executive in Northern Ireland established under the terms of the Good Friday Agreement and including representatives of both nationalist and unionist communities.

THE 1980s AND 1990s - THE SEARCH FOR A POLITICAL SETTLEMENT

From the early 1980s onwards, the British and Irish Governments began to cooperate more closely in an effort to achieve a widely acceptable and durable political resolution to the Northern Ireland conflict. This effort involved both the successive establishment of a number of structures and mechanisms for dialogue and negotiation, and a growing convergence on the fundamental constitutional and other principles which underpin a settlement.

In **1981** an **Anglo-Irish Intergovernmental Council** was established to provide a formal framework within which relations between the two countries could be conducted.

In **November 1985**, the British and Irish Governments signed the **Anglo-Irish Agreement** enabling the Irish Government to further put forward views and proposals on many aspects of Northern Ireland affairs.

In **1991/1992**, the two Governments convened round-table talks involving the Ulster Unionist Party (UUP), the Social Democratic and Labour Party (SDLP), the Democratic Unionist Party (DUP) and the Alliance Party of Northern Ireland. The talks were conducted on a three-stranded basis reflecting the three sets of relationships underlying the Northern Ireland situation, namely relationships within Northern Ireland, between the North and South of the island, and between Britain and Ireland. While some common ground was identified, overall agreement could not be reached.

On **15 December 1993**, the two Governments issued a **Joint Declaration** which set out basic principles which could underpin a peace process designed to culminate in a political settlement of relationships in Ireland and between Ireland and Britain. Central to the Declaration were the principles of self-determination and consent. The Declaration also stated that democratically mandated parties which established a commitment to exclusively peaceful methods were free to participate fully in democratic politics and in dialogue with the Governments and political parties on the way ahead.

On **31 August 1994**, the IRA announced a "complete cessation of military operations".

This announcement was followed on **13 October 1994**, by a similar statement from the Combined Loyalist Military Command. Following the ceasefires the two Governments engaged in direct political dialogue with Sinn Fein and the two loyalist parties, the Progressive Unionist Party (PUP) and the Ulster Democratic Party (UDP).

On **22 February 1995**, the two Governments published A **New Framework for Agreement** (known as the **Framework Document**), setting out their shared understanding of the possible outcome of comprehensive negotiations, which could be submitted for democratic ratification through referendums North and South. The document sketched out proposals for balanced constitutional change in Britain and Ireland and for new political structures (covering relations in Northern Ireland, and between Britain and Ireland). It also envisaged enhanced protection for human rights.

The year following the publication of the Joint Framework Document was dominated by efforts to move forward to comprehensive and inclu-

sive political talks. In December 1995 the two Governments established an International Body under the chairmanship of US Senator George Mitchell to provide an independent assessment of the issue of decommissioning illegally held weapons, which was blocking progress to all-party talks. In its report of **24 January 1996**, the International Body recommended that all parties participating in negotiations should commit themselves to six principles of democracy and non-violence, including the total and verifiable decommissioning of all paramilitary weapons.

On **9 February 1996**, the IRA announced an end to its ceasefire. Both Governments undertook to continue the search for political agreement and said that a restoration of the ceasefire would allow for the resumption of political dialogue with Sinn Fein.

Multi-Party Talks

Multi-Party Talks involving the two Governments and the political parties in Northern Ireland which had been successful in a specially convened election in May 1996 (the UUP, DUP, SDLP, Alliance, PUP, UDP, United Kingdom Unionist Party (UKUP), Northern Ireland Women's Coalition (NIWC) and Labour, but excluding Sinn Fein in the absence of a ceasefire) began on **10 June 1996**. The talks were chaired by Senator Mitchell, assisted by the former Finnish Prime Minister, Harri Holkeri, and the former Chief of Staff of the Canadian Army, General John de Chastelain. For the first year there was little progress as issues of procedure, agenda, and decommissioning were slowly addressed. On **20 July 1997**, the IRA announced a resumption of its ceasefire, thereby opening the way for the entry of Sinn Fein to the talks on 9 September. (Two of the unionist parties withdrew from the negotiations on the entry of Sinn Fein, but parties representing a majority of the unionist community remained at the negotiating table.)

Substantive negotiations began in Belfast on **24 September 1997**. As the talks progressed, the Independent Chairmen worked with the two Governments and the parties to identify areas of broad agreement and isolate areas of remaining difficulty. On **12 January 1998** the Governments published **Propositions on Heads of Agreement** which they presented as a basis for discussion possibly offering the outline of an acceptable agreement. This helped to focus the negotiations. In the final and intensive negotia-

tions the Taoiseach, Mr Bertie Ahern TD, and the British Prime Minister, Mr Tony Blair MP, led their Governments' delegations.

GOOD FRIDAY AGREEMENT 1998

On **Friday 10 April 1998**, a comprehensive political agreement was approved at a plenary session of the Talks. The two Governments signed immediately thereafter a new **British-Irish Agreement committing** them to give effect to the provisions of the Multi-Party Agreement, in particular those relating to constitutional change and the creation of new institutions.

The Good Friday (or Belfast) Agreement is in eleven sections (for the full text of the Agreement see *Annex I*).

There is a **Declaration of Support** in which the participants set out their commitment to a range of basic principles, including nonviolence and partnership, equality and mutual respect. They promise to work in good faith to ensure the success of all the arrangements to be established, and recognise the interdependence of the institutions.

In relation to **Constitutional Issues** the Governments set out a shared position, based on the principles of self-determination and consent, in regard to the status of Northern Ireland as part of the United Kingdom and how a united Ireland might be achieved with the consent of majorities in both parts of Ireland.

The Agreement provides for:

A Northern Ireland **Assembly** to exercise devolved legislative powers over broad areas of social and economic policy with executive authority being discharged by Ministers in an Executive Committee. Appointments are proportionate to party strength and all key decisions in the Assembly are taken only with cross-community support.

A **North/South Ministerial Council** to bring together the Irish Government and the Northern Ireland administration to develop consultation, cooperation and action on matters of mutual interest, which will meet regularly and frequently and is supported by a joint standing Secretariat. The Council will oversee the work of six implementation bodies carrying out a range of functions on an all-island, cross-border, basis.

A **British-Irish Council** comprising representatives of the two Governments and of devolved institutions in Northern Ireland, Scotland and Wales, together with the Isle of Man and the Channel Islands, to promote the harmonious and mutually beneficial development of the totality of relationships among the peoples of these islands.

A **British-Irish Intergovernmental Conference** to bring together the Irish and British Governments to promote bilateral cooperation at all levels on matters of mutual interest, with a particular focus on non-devolved Northern Ireland matters, and supported by a joint standing Secretariat.

The Agreement also includes:

New and enhanced provisions on **Human Rights and Equality Issues** with steps, including the establishment of Human Rights Commissions, to be taken in the North and the South, and a range of commitments on economic, social and cultural issues, including on the Irish language in Northern Ireland.

A commitment by all parties to work constructively and in good faith with the Independent International Commission on Decommissioning, headed by General de Chastelain, to achieve the **decommissioning** of paramilitary weapons within two years of the approval of the Agreement.

A commitment by the British Government to achieve, as early as possible, a return to normal **security** arrangements in Northern Ireland.

Terms of reference for an Independent Commission on **Policing** to bring forward proposals designed to ensure that policing arrangements, including composition, recruitment, training, culture, ethos and symbols, are such that Northern Ireland has a police service that can enjoy widespread support from, and is seen as an integral part of, the community as a whole, and provision for a wide-ranging review of **criminal justice**. Provision for an accelerated release programme for **prisoners** affiliated to organisations maintaining a ceasefire, with all releases to be completed by June 2000.

A final section of the Agreement deals with its **validation, implementation and review** providing for referendums to be held in both parts of the island on **22 May 1998**. It also

provides for each institution to review its own operation; for the review of difficulties across two or more institutions with the Governments acting in consultation with the parties in the Assembly; and for a review conference involving the two Governments and all parties in the Assembly after four years.

Implementation of the Agreement

In **referendums** held on **22 May 1998** the people of Ireland, both North and South, overwhelmingly endorsed the Good Friday Agreement. In Northern Ireland, 71.1 per cent voted to approve the Agreement. In the South, 94.4 per cent voted to allow the Government to become party to the Agreement. The combined Yes vote in both parts of Ireland was 85 per cent of those voting. This was the first occasion since 1918 on which all the people in Ireland had voted together to decide their political future. The electorate in the South approved amendments to the Irish Constitution, which formed part of the Agreement, to take effect when the British-Irish Agreement entered into force.

Institutional and Constitutional Aspects

On **25 June 1998** elections were held to the Northern Ireland Assembly. On **1 July 1998**, David Trimble and Seamus Mallon were jointly elected First and Deputy First Ministers respectively. On **18 December 1998**, the parties agreed the designation of ten Government Departments to be overseen by the Executive.

Also on **18 December 1998**, agreement was reached on six areas for **North/South Implementation Bodies** (Inland Waterways; Food Safety; Trade and Business Development; Special EU Programmes; Language (Irish and Ulster Scots); and Aquaculture and Marine Matters) and on six areas where cooperation will take place through existing agencies (Transport; Agriculture; Education; Health; Environment and Tourism).

Four supplementary Agreements providing for the establishment of the **North/South Ministerial Council, Implementation Bodies, the British-Irish Council and the British-Irish Intergovernmental Conference** were signed by the two Governments on **8 March 1998**.

However, disagreement between the parties on the relationship between the formation of the Executive and decommissioning led to delay in the institutions under the Agreement coming into being. In **September 1999**, following the failure of several attempts to secure agreement, the two Governments instigated a review of the implementation of these aspects of the Agreement with Senator George Mitchell acting as facilitator. Following the conclusion of the review on **29 November 1999** the Assembly, under the d'Hondt procedure (based on the seats each party holds in the Assembly), nominated 10 Ministers to serve on the Executive with the UUP and the SDLP each nominating three Ministers and the DUP and Sinn Fein, two. On **2 December 1999**, power was devolved to the Assembly and the Executive, the North/South and British-Irish Institutions came into being, the British-Irish Agreement entered into force and constitutional change was effected in Britain and Ireland.

Other Aspects of the Agreement

Human Rights Commissioners have been established in both jurisdictions. The Northern Ireland Human Rights Commission began its work on 1 March 1999, while the Commission in the South was established in 2000. A Joint Committee comprising both Commissions will consider human rights issues in the island of Ireland. ^ The **Equality Commission** in Northern Ireland began its work on 1 October 1999. To tackle discrimination both in the workplace and in the non-employment sphere, the Irish Government has put in place enhanced **Employment Equality and Equal Status** legislation.

In keeping with its obligation under the Agreement on **7 May 1999** Ireland ratified the **Council of Europe Framework Convention on National Minorities**.

The Independent Commission on **Policing** in Northern Ireland, chaired by the former Governor of Hong Kong, Chris Patten, reported in September 1999 making comprehensive proposals to bring about a police service representative in its makeup and capable of receiving the support of both communities. The consequential Policing Act came into force in November 2000. Following lengthy negotiations, the new **Police Service of Northern Ireland (PSNI)** was established in 2002 which has to

date received the support of all the political parties except Sinn Fein.

MOST RECENT DEVELOPMENTS

Difficulties between the political parties caused the new Assembly and Executive to be suspended on 11 February 2000. On 6 May, the Irish Republican Army (IRA) issued a statement on the decommissioning of weapons which paved the way for the re-establishment of the Executive and the Assembly was re-convened on 30 May 2000. Although an effective shared administration involving the four largest parties in the Assembly continued for some time, renewed difficulties occurred and the Northern Ireland Secretary of State announced the suspension of devolved government once more on 14 October 2002. Fresh Assembly elections took place on 26 November 2003 and resulted in the Democratic Unionist Party and Sinn Fein becoming the two largest parties in the Assembly representing the unionist and nationalist communities respectively. To date, these parties have failed to reach agreement on the sharing of devolved power – a major obstacle in this regard relates to the manner and timing of the complete decommissioning of arms by the IRA as provided for in the Good Friday Agreement.

On 1 May 2003, the British and Irish governments published a series of proposals (the '**Joint Declaration**'). These set out in detail the steps they believed necessary to promote trust among all sides and to secure the complete and permanent end to paramilitary activity necessary to bring about a peaceful and normal society in Northern Ireland and the full implementation of the Good Friday Agreement. Both governments continue to be committed to implementing those elements of the proposals which are not dependent on an end to paramilitary activity and to create the circumstances whereby a restoration of all the devolved institutions in Northern Ireland will become possible.

A review of the Good Friday Agreement which commenced in February 2004 and negotiations in September-December 2004 failed to result in agreement on restoring the Northern Ireland Assembly and Executive, and a complete end to paramilitarism. Initiatives to achieve both these goals are ongoing.

6 community relations in northern ireland

HELEN LEWIS¹

During Northern Ireland's history, relations between the Protestant and Catholic communities have often been characterized by separation, mistrust, prejudice, conflict and division. These negative relationships have been both a cause and consequence of the conflict in Northern Ireland. Significant efforts however, have been made by individuals, community-based groups, non-governmental organizations (NGO's) and policymakers to promote understanding and peaceful interaction between the Protestant and Catholic communities. These efforts are generally referred to as 'community relations' work. This paper briefly outlines the concept, policy and practice of community relations in Northern Ireland. It then turns to consider the state of present and future relations between the Protestant and Catholic communities.

A CONCEPT

Relations between the Protestant and Catholic communities in Northern Ireland are not only a function of religious difference, but also a function of different political aspirations, different cultural identities and socio-economic inequalities. To promote understanding and peaceful interaction between the Protestant and Catholic communities, it is therefore necessary to address a tangle of interrelated problems. As Eyben, Morrow and Wilson suggest:

"In order for community relations to have any substantive meaning, it must be constructively linked with policies for

equity and diversity. Likewise, if equity and diversity are to contribute to stability rather than heightened competition, they need to be brought together with an acknowledgement of interdependence between groups in Northern Ireland."²

Thus, community relations is generally defined as being based on three key principles which are inextricably linked to each other. These three key principles are diversity, interdependence and equity. According to this broad definition, community relations work means: promoting recognition, respect and tolerance for the variety of different communities within Northern Irish society; ensuring equality of opportunity and equality of access to resources, services and decision-making; and developing a cohesive society in which different interest or identity groupings recognize their obligations and commitments to one another.

A POLICY

In 1985, a review of existing strategies for resolving the conflict in Northern Ireland "found (community relations) work to be inadequate, unstrategic, and poorly funded, incurring...less than 1 per cent of the security budget."³ In response to this review, a Central Community Relations Unit was established at the heart of government to oversee the development of relations between the Protestant and Catholic communities. In 1990, this unit set up the Community Relations Council, an independent agency dedicated to "enabling a society free from sectarianism."⁴ The Community Relations Council currently provides significant support in terms of finance, training, advice and information to individuals, community-based groups, and NGO's interested in community relations work. In addition, the Council plays an important role in encouraging government and statutory organizations to develop a community relations aspect to *all* their policies and practices, including areas such as education, planning, economic and community development.

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² *A Worthwhile Venture, Practically Investing in Equity, Diversity and Interdependence in Northern Ireland*. K. Eyben, D. Morrow & D. Wilson, (University of Ulster, 1997).

³ *Beyond Violence: Conflict Resolution Process in Northern Ireland*. M. Fitzduff, (United Nations University, 2002), pxiv.

⁴ Community Relations Council, <http://www.community-relations.org.uk/>

Recently, the aims and objectives of community relations policies in Northern Ireland have come under the spotlight. In 2002, the 'Harbinson Report,' commissioned by the Office of the First Minister and Deputy First Minister, noted that:

"current policy and associated policy instruments were established at a particular period in the history of Northern Ireland between 1987 and 1990. The aims and objectives of community relations policies and actions were designed to improve relations between the two main traditions in Northern Ireland through the encouragement of greater contact and the development of mutual understanding and respect for different cultural traditions."⁵

The Harbinson Report continues, "there is (currently) widespread agreement that the aims of community relations policy do not remain appropriate and that changes are required to existing policy instruments." In response, the government published a public consultation paper on improving relations in Northern Ireland entitled 'A Shared Future.' More than 10,000 people contributed to the consultation – an indication of the level of controversy the publication provoked. Much of the debate around 'A Shared Future' centred on the government's presentation of the future of Northern Ireland as a choice between two stark alternatives:

"accept that the existing patterns of segregation and division is likely to remain for some time, and focus our efforts on stabilising and managing the worst consequences of division, both between and within the two main communities...Alternatively, we should try to promote rapid progress towards a more integrated and shared society."⁶

Many people replied that, "integrated/shared communities is a middle class concept predicated on people having the resources to make choices to live in this way" and called for more attention to be focused on equality of opportu-

nity and outcome.⁷ Others argued that the two alternative futures presented by the government in 'A Shared Future' are, in fact, overlapping realities in Northern Ireland today. To date, the new government policy on community relations has not been finalized and remains subject to developments in the current round of talks between Northern Ireland's political parties.

A PRACTICE

Community relations work is perhaps, above all else, something that people have felt driven to *do* throughout Northern Ireland's history. There are countless stories of individuals acting to develop positive relationships between the Protestant and Catholic communities – for example, by attending the funeral of a member of the 'other' community. Beyond the individual however, there are a large number of community-based groups and NGO's involved in community relations work in Northern Ireland. These groups vary in the issues they seek to address, the type of work they carry out and whom they target. For example, the Corrymeela Community is an inter-church group that promotes reconciliation by providing opportunities for dialogue within and between communities, and by supporting victims of violence and injustice. Counteract is an organization established in 1990 by the Irish Congress of Trade Unions, that aims to end sectarianism in the workplace through programmes targeting both employers and workers. The Intercommunity Development Project, Intercomm, was established in 1995 to address the social and economic problems, which had developed along the 'Peace Lines' of North Belfast. Its work includes programmes targeting the long-term unemployed and disenfranchised. Other community relations groups focus on: cultural traditions; justice and human rights; the interface between the security forces (police and army) and communities; anti-intimidation work; and mediation within and between communities, between politicians and between paramilitaries.

WHY DO COMMUNITY RELATIONS MATTER?

Critics often accuse community-relations of promoting social engineering, of being a multi-million pound industry, or of simply being irrelevant following the Good Friday/Belfast Agreement and a scaling down of paramilitary vio-

⁵ "Review of Community Relations Policy," J. Harbinson, 2002, <http://www.ofmfrni.gov.uk/communityrelations/unit/harbinsonreport.pdf>

⁶ "A Shared Future': A Consultation Paper on Improving Relations in Northern Ireland," J. Darby and C.Knox, 2004, <http://www.asharedfutureni.gov.uk/exsummary.htm>

⁷ Ibid.

lence. However, as Morrow suggests, community relations is not a choice: "our predicament is that we will share the future: the only question is what kind of future."⁸ The price of continued sectarianism is high, including "loss of lives, jobs, homes; injury, illness, absenteeism; destruction of business premises; lack of inward investment; loss of expertise and innovation through emigration; multiple delivery of services; (and) reduced productivity and efficiency."⁹ In contrast, positive relationships between the Protestant and Catholic communities increase the potential for *sustainable* agreed political solutions to the Northern Ireland conflict. Furthermore, surveys and research demonstrate that an overwhelming majority of both Protestants and Catholics consistently express their desire to live and work in mixed-religion environments.¹⁰ Yet, in housing and education, segregation has recently become more acute, particularly in working class areas.

Northern Ireland is also becoming an increasingly diverse and multicultural place. Migrant workers, for example, are a growing category of employees in Northern Ireland and "are a necessary factor for many employment sectors due to a shortage of available local labour."¹¹ While Northern Ireland is commonly portrayed as a society dominated by tensions between a majority Protestant and a minority Catholic community, in fact at least 60 ethnic minorities are present in Northern Ireland. High levels of racism, xenophobia, discrimination and intolerance are currently being directed at these communities. In the last year, for example, the Police Service of Northern Ireland reports that the number of racist incidents recorded doubled.¹² A recent Racial Attitudes Survey suggests racial prejudice is around twice as significant as sectarian prejudice in the attitudes of

the population in Northern Ireland.¹³ For example, twice as many respondents in the survey stated that they would be *more unwilling* to accept and/or mix with members of minority ethnic communities than they would be to accept or mix with members of the other main religious tradition (i.e. Catholic or Protestant) to themselves.¹⁴ Both sectarianism and racism emanate from the same reluctance to embrace a politics of 'difference' in Northern Ireland. It is the task of community relations to address intolerance of any form of difference, including difference in terms of race, religion, disability and sexual orientation.

HOW ARE COMMUNITY RELATIONS TODAY?

The Northern Ireland Life & Times Survey records the attitudes, values and beliefs of people in Northern Ireland. It therefore provides a variety of indicators of the current state of community relations in Northern Ireland. Results suggest that people generally feel that relations between the Protestant and Catholic communities are improving. In 2003, for example, 49 per cent of Catholics and 42 per cent of Protestants felt that relations between Protestants and Catholics were better than they were 5 years ago.¹⁵ Figures further suggest that there has been a gradual increase in the number of people who feel that community relations are better than they were in the past (see tables on next page).

There also seems to be increased optimism as regards the future of community relations. In 2003, 56 per cent of Catholics and 41 per cent of Protestants felt that relations between Protestants and Catholics would be better in 5 years time. Over time however, this figure has been as high as 75 per cent of Catholics and 53 per cent of Protestants in 1998, and as low as 33 per cent of Catholics and 25 per cent of Protestants in 2001 – likely in response to political developments such as signing of the Good Friday/Belfast Agreement and the first suspension of the Northern Ireland Assembly.¹⁶

⁸ "On the far side of revenge?" D. Morrow, http://www.corrymeela.org/Articles/on_the_far_side_of_revenge_.html

⁹ "A Good Relations Framework, An Approach to the Development of Good Relations," Community Relations Council, 2004.

¹⁰ See below.

¹¹ "Migrant Workers in Northern Ireland," K. Bell, N. Jarman & T. Lefebvre, 2004, <http://cain.ulst.ac.uk/icr/reports/bell04migrant.pdf>

¹² Report of House of Commons Northern Ireland Affairs Committee on 'Hate Crime': the Draft Criminal Justice (Northern Ireland) Order 2004, May 2004, <http://www.parliament.the-stationery-office.co.uk>

¹³ *Racial Attitudes and Prejudice in Northern Ireland*, P. Connolly, and M. Keenan, (Belfast: Northern Ireland Statistics and Research Agency, 2000).

¹⁴ *Ibid.*

¹⁵ Results from Northern Ireland Life & Times Survey, <http://www.ark.ac.uk/nilt/>

¹⁶ *Ibid.*

Are relations between Protestants and Catholics better now than 5 years ago?

2003			
	%		
	Catholic	Protestant	No Religion
Better	49	42	41
Worse	9	13	10
About the same	37	43	39

2002			
	%		
	Catholic	Protestant	No Religion
Better	37	26	28
Worse	19	26	25
About the same	41	45	40

2001			
	%		
	Catholic	Protestant	No Religion
Better	33	25	30
Worse	13	22	20
About the same	48	49	46

As regards the search for peace in Northern Ireland, in 2003, 40 per cent of Catholics and 29 per cent of Protestants felt optimistic about the future. These figures mark a gradual increase in both communities since 2001. It is important to note however, that in the same year only 13 per cent of Catholics and 5 per cent of Protestants felt *confident* about the future. These figures suggest there is a need for more 'single-identity' work, that is, work aimed at increasing the confidence of *either* Unionist/Protestant or Nationalist/Catholic communities. Recently, there have been calls for more to be done to increase the confidence of the Protestant community in terms of its identity and capacity because, "many Protestants in Northern Ireland feel beleaguered, misunderstood and outmanoeuvred."¹⁷ There are other reasons for single-identity work. For example, single-identity work may be the only option available when people do not feel safe enough to engage in direct contact with the 'other' community. Furthermore, it can act as an important first step to ensure that when contact is made with the 'other' community it does not prove hostile and counterproductive. Single-identity work may also help develop the leaders who will eventu-

ally reach out to connect with the 'other' side.¹⁸ In the long-term however, single-identity work must challenge participants to look beyond their community's problems to understand those of others, or run the risk of creating "educated bigots."¹⁹

Hence, government and the community and voluntary sector have made significant efforts to combat discrimination and promote equality *for all* in Northern Ireland. For example, an independent public body – the Equality Commission – was established in 1998 and there have been a number of important changes made to Fair Employment legislation. This work appears to have impacted on the attitudes of the Protestant and Catholic communities. In 2003, when asked "do you think that, in general, Protestants and Catholics in Northern Ireland are treated equally?" roughly 50% of both Protestants and Catholics answered "Yes."²⁰ Over time, there has been a decline in the percentage of Protestants who feel that Protestants and Catholics are treated equally, and an

¹⁸ Single-identity work is often referred to as 'uni-national' work internationally.

¹⁹ "Resolving Community Relations Problems in Northern Ireland: an intra-community approach," J. Hughes, 2000.

²⁰ Results from Northern Ireland Life & Times Survey, <http://www.ark.ac.uk/nilt/>

¹⁷ *Northern Protestants – An Unsettled People*, S. McKay, (Blackstaff, 2000)

inclined in the percentage of Catholics who feel Protestants and Catholics are treated equally:

Are Protestants and Catholics treated equally?

2003			
	%		
	Catholic	Protestant	No Religion
Yes	54	50	58
No	24	24	22

2000			
	%		
	Catholic	Protestant	No Religion
Yes	32	55	40
No	36	26	37

1999			
	%		
	Catholic	Protestant	No Religion
Yes	38	64	53
No	40	21	27

1998			
	%		
	Catholic	Protestant	No Religion
Yes	43	61	62
No	33	21	21

These figures likely reflect the erosion of discrimination against Catholics in Northern Ireland, as well as new concerns that affirmative/positive action policies discriminate against Protestants. For example, the Police Service of Northern Ireland's '50/50 recruitment policy' has attracted criticism from Protestants, as it mandates equal intake of qualified Catholics and non-Catholics in an effort to compensate for under-representation of Catholics in the force. Indeed, research demonstrates that *both* Protestants and Catholics agree that job opportunities is the most important area in which Protestants and Catholics should be treated equally.²¹

As discussed earlier in this paper, there are signs that the Protestant and Catholic communities in Northern Ireland are interested in greater integration. For example, in 2003, 84 per cent of Catholics and 60 per cent of Protestants stated they would not mind if one of their close relatives were to marry someone of a different religion; 87 per cent of Catholics and

78 per cent of Protestants said they would prefer to work in a mixed-religion workplace; and 56 per cent of both Protestants and Catholics said they would prefer to send their children to a mixed-religion school (young people express similar levels of support for mixed-religion workplaces, neighbourhoods and schools).²² At the same time however, roughly 40 per cent of both Catholics and Protestants said they would avoid applying for a job situated in an area dominated by the 'other' community.²³ Moreover, only 5% of the school going population currently attends a total of 57 integrated schools.²⁴ The benefits of meeting the demand for greater integration are high. While community relations practitioners have always argued that increased, direct contact between the communities leads to positive relationships, recent research demonstrates that just having a

²² Ibid.

²³ Ibid.

²⁴ "In Support of Integrated Education," M. Wardlow, Northern Ireland Council for Integrated Education, <http://www.nicie.org/archive/publications/in%20support%20of%20integrated%20education.doc>

²¹ Ibid.

friend who has a friend from the 'other side' significantly reduces levels of sectarian prejudice.²⁵

HOW WILL COMMUNITY RELATIONS BE IN THE FUTURE?

While there seems to be widespread support for greater integration between the Protestant and Catholic communities, this may not extend to members of other communities in Northern Ireland, such as ethnic minority communities or gay and lesbian communities. In surveys, 60 per cent of respondents say that most people in Northern Ireland would mind if one of their close relatives were to marry a person of Chinese origin, and 48 per cent of respondents think that most white people in Northern Ireland would mind if a suitably qualified person of Chinese origin were appointed as their boss.²⁶ Furthermore, 33 per cent of respondents stated that it is impossible for people who do not share the customs and traditions of Northern Ireland to become fully part of it.²⁷ Yet as discussed earlier in this paper, Northern Ireland is becoming an increasingly diverse and multicultural place. The challenge is therefore to open up the concept of community relations to focus on the whole of society rather than just the Protestant and Catholic communities.

There has been some movement towards this with the introduction of 'good relations' through legislation that obliges public bodies in Northern Ireland to:

"promote equality of opportunity-

(a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation;

(b) between men and women generally;

(c) between persons with a disability and persons without; and

(d) between persons with dependants and persons without.

(and)...have regard to the desirability of promoting good relations between persons of different religious belief, political opinion or racial group."²⁸

This concept of 'good relations' between people of different religious belief, political opinion, racial group, age, marital status or sexual orientation is beginning to permeate government and other sectors of society in Northern Ireland.

While good relations looks set to eclipse, or at least force a radical redefinition of community relations, this is not to say that efforts to promote peaceful interaction and understanding between Northern Ireland's Protestant and Catholic communities are any less important. Current political talks look set to deliver an agreement that will enable greater self-government of a deeply divided society. However, much work remains to be done to develop a strong, cohesive society that will facilitate the establishment of durable peace in Northern Ireland.

²⁵ "Getting by with a little help from your friends," Northern Ireland Council for Integrated Education, http://www.nicie.org/newsroom/news_details.asp?id=54&ntype=news

²⁶ Results from Northern Ireland Life & Times Survey, <http://www.ark.ac.uk/nilt/>

²⁷ Ibid.

²⁸ Section 71 (1) & (2), Northern Ireland Act 1998.

7 *ethnic conflict and the two- state solution: the Irish experience of partition*

JOHN COAKLEY¹

INTRODUCTION

The political partition of Ireland was one of the more traumatic aspects of the manner in which the island's relationship with Great Britain was restructured at the beginning of the 20th Century, and a defining movement in the relationship between the two islands. In this, the Irish experience resembled that in a range of other places in which the British role was being redefined, though in each case the distinctiveness of the local context drew the attention of observers more to unique factors than to shared ones.²

This paper thus looks at a case that indeed illustrates the extent to which common features in partition processes need to be weighed against the individuality of particular instances. From a Palestinian perspective, it is not easy to find a close parallel to the history of the past six decades. Ireland presents only limited scope for the identification of similar experiences, but the

manner in which it coped with partition is nevertheless worth examining. The present paper does so first by looking at the roots of partition and by exploring its emergence as a major question in the early 20th Century, and then by examining the manner in which partition survived as a political issue up to 1998. A short concluding section makes some comparisons with the Palestinian experience (though it must be acknowledged that the differences are more striking than the points of similarity).

THE ORIGINS OF PARTITION

As in other well-known cases of partition, such as those of India and Palestine, the background to the partition of Ireland must be sought in a fluid mixture of internal and external circumstances. Partition was not simply a response to "facts on the ground". The imperial capital (in each of the cases mentioned, London) had a major role to play; it had, after all, presided over the process by which local realities had developed in a direction that enhanced the utility of partition as a solution. The Irish case in many respects broke new ground for the British Empire. The issue of independence (and, consequently, partition) arose at an early stage, before elites had adapted to the pattern of decolonisation that was to assert itself after the Second World War, and it affected Britain's relationship not with a remote colony but rather with part of its own immediate territory. For this reason, pressure on elites to arrive at a settlement that would minimise damage to Britain's long-term global interests was all the greater.

In examining the background to the partition of Ireland, then, we need to consider three sets of circumstances. The first is the long-term legacy of Ireland's relationship with Great Britain: the slow and frequently bloody process by which the larger island asserted its control over the smaller. The second is the set of ethno-demographic realities with which political leaders were confronted by the late 19th Century, when popular political mobilisation took off. The third is the set of institutional compromises that emerged from the confrontation between the apparently incompatible demands of radical Irish nationalism and conservative British imperial interest — and specifically its Ulster unionist derivative — in the early 20th Century.

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² For a comparison of the process of partition in Ireland and India, see Mansergh, 1997; the partition of Ireland, India and Palestine is discussed in Fraser, 1984. For discussion of other similarities between the Israeli/Palestinian and Irish cases, see Akenson, 1992, and on the peace processes Guelke, 1994, and Giliomee, 1990.

The British-Irish Relationship

To describe the British-Irish relationship as having extended over more than seven centuries would be something of an oversimplification, at least if we are to use this expression in its strict sense. Great Britain, after all, only came into existence as a political entity in 1707, when the Act of Union between England and Scotland replaced what had been a union of the Scottish and English crowns by a fuller form of institutional integration. Even the England whose crown had passed to the Scottish monarch in 1603 had not always been "English". When the relationship with Ireland began in the 12th Century, the culture of the ruling class in England was Norman-French, and the first waves of settlement that reached Ireland from 1169 onwards were spearheaded by Norman barons who quickly managed to conquer most of the country. Only the northern province of Ulster and more isolated regions in the rest of the country remained under indigenous Gaelic control. Politically, this new relationship was expressed in a formal claim to English sovereignty over Ireland.³

Behind the appearance of English control, however, lurked the reality of Irish autonomy. This was expressed at two levels, one cultural, the other political. First, many of those districts that had been conquered by the Normans retained their Gaelic character, as their new rulers assimilated, in varying degrees, to native culture and shook off dependence on the crown. Second, to the extent that rule from England existed — and by the 14th Century this was substantially confined to the "Pale", a district around Dublin, and certain cities and their hinterlands — it was indirect, exercised through autonomous Irish institutions, including a local parliament and government.

These two characteristics of the English-Irish relationship were to change out of all recognition. In the late 16th Century, English rulers managed to translate their claim of sovereignty into de facto control of the island of Ireland,

through a mixture of bargaining with local elites and military intervention (see Ellis, 1998). In Ulster, the last stronghold of Gaelic Ireland, this policy was underwritten by an ambitious colonisation strategy, as thousands of Scottish and English settlers were encouraged to move to lands confiscated from the native Irish — large numbers of whom, though, remained in Ulster, with consequences that became clear in later centuries. The new settlers were not just loyal subjects of the monarchy; they were also Protestants, a feature that distinguished them from the mainly Catholic Gaelic Irish. As the decades passed, the grip of the Protestant elite on the island of Ireland was tightened, as many Catholic landowners converted to Protestantism or lost their lands. Furthermore, the autonomous character of Irish institutions changed in 1800, when the Act of Union merged the Irish parliament with its British counterpart and brought a new, more integrated state, the United Kingdom of Great Britain and Ireland, into existence.

By the 19th Century, then, on the eve of the democratic revolution in the political system that was to transform Ireland and other European countries, Ireland's Protestant ruling class governed a predominantly Catholic underclass, except in Ulster, where much of the underclass, too, was made up of Protestants. In all, Protestants accounted for about a quarter of the population, though they comprised a small majority in the province of Ulster. As the large-scale political mobilisation of the later 19th Century was to make clear, however, these two groups were separated by much more than religion: there were significant economic differences between a rapidly industrialising, Protestant north and a more agrarian Catholic south. Politically, too, there were pronounced differences: Catholics were increasingly attracted to a programme of autonomy (or even independence) for Ireland, while Protestants overwhelmingly supported maintenance of the union with Great Britain on which, they believed, their privileges depended. This political divergence was articulated in a clear division, especially from 1885 onwards, between a Unionist party that was almost entirely Protestant in its support base and a Nationalist party which, apart from a handful of leaders, was almost entirely Catholic.

³ For general histories of Ireland, see Lydon, 1998, Beckett, 1981, and Foster, 1988. The more specific theme of Irish nationalism is explored in Boyce, 1995. The British-Irish relationship, in so far as it has had a bearing on the Northern Ireland problem, is discussed in Arthur, 2000.

The conclusion that we may, then, draw from the English effort to create a unified socio-political community is that it was rather unsus-

cessful. A single political system encompassing the islands of Britain and Ireland had been established, and this had acquired many — though by no means all — of the characteristics of a unitary state by 1800. But this initiative in state building was not matched by a comparable achievement in the area of nation building. The United Kingdom never managed to attract the committed emotional support of its citizens in the same way as the French state; a nation corresponding to the post-1800 state never came into existence. Scholarly analysis has focused on the question — never satisfactorily answered — as to why the Irish disrupted the political settlement by refusing to become “British”. But a more pertinent question might well rest on the assumption that peripheral areas are precisely that, and that in any state building project the onus is on the centre to assimilate its outlying areas culturally and in a social psychological sense. The most demanding question, then, relates not to the failure of the Irish to become “British”, but rather to the failure of the English to adopt the peoples of the United Kingdom as their “imagined community” and to create a shared nation with them.

The North-South Relationship

If the failure of the British to assimilate the Irish was the dominant characteristic of the long-term relationship between the two islands, this very characteristic gave rise to a second issue within the island of Ireland. The Irish Catholic population had not become “British”; but neither had the Irish Protestant population become “Irish”. It is true that in the late 18th Century the political class in Ireland had embraced a form of colonial nationalism, based on defence of Irish interests and political privileges against Great Britain (see Canny, 1988). This was expressed in the form of a struggle for parliamentary independence that enjoyed some success in 1782. But this was a form of settler nationalism, analogous with the contemporary independence struggle of the North American colonists, with the slightly later Creole-based independence movements in Latin America, and even with the much later Boer nationalist movement in South Africa. Its key assumption was that the native population had been subdued and rendered politically irrelevant. But when a rebellion in 1798, spearheaded by the “United Irishmen” (a radical organisation founded and led largely by activists of settler background; see McDowell, 1940), showed the ferocious potential of peasant mobilisation and

drew attention to the implications of democracy for the interests of the Protestant minority, the seeds for a progressive differentiation of Protestant and Catholic interests were sown (see Elliott, 1982).

This clash of interests became clearer as the 19th Century progressed. Mass political mobilisation saw the clustering of Irish Catholics initially behind the Whig or Liberal party and then behind a succession of parties representing distinctive Irish interests. From the 1880s onwards, with the introduction of mass suffrage, Catholic voters overwhelmingly supported a new Nationalist Party, committed to the cause of “home rule” or autonomy for Ireland. By contrast, Protestants (concentrated, as will be seen in figure 1, in the northern counties) supported the Unionist Party, determined to maintain the union with Great Britain and, as the threat of home rule increased, to defend their position using increasingly ruthless means. Initially, following the introduction of legislation designed to implement Irish home rule in 1886, this took the form of wide-scale public protests, but a parliamentary revolt by government supporters in any case ensured the defeat of this measure. Later, after 1912, when it appeared certain that a government newly dependent on Irish nationalist votes would force home rule through parliament, it took the form of a threat of violent rebellion, made real by the creation of a new paramilitary body, the Ulster Volunteer Force.

The last stage in the formation of the crisis that was to lead to the partition of Ireland was largely a response to unionist resistance. Historically, the origins of this development might be traced back to a secret, oath-bound society, the Irish Republican Brotherhood (IRB), formed in 1858 and known popularly as “the Fenians”. Though rather ineffective in its efforts to foment rebellion and establish a separate Irish republic, it had managed to infiltrate a new, open movement, the Irish Volunteers, founded in 1913 to defend the interests of nationalist Ireland. It may well have been only the outbreak of the first world war in 1914 that prevented civil war between the two sides at this time; but almost two years later the IRB, using the Irish Volunteers, planned and executed the “Easter rising” in 1916, when rebels managed to gain control of the centre of Dublin and hold it for almost a week. Following the overthrow of the rebellion and relatively harsh — but, in particular, politically unwise — repression of those

accused of having taken part, a new radical party, Sinn Féin (the name means "ourselves"), was able to make major gains among nationalist voters, and to overthrow the Nationalist Party at the 1918 general election, when it won 73 of Ireland's 105 seats in the British House of Commons. Sinn Féin MPs subsequently met in Dublin and attempted to bring into existence their own separate state. In this they were supported by the reorganised Irish Volunteers, now a paramilitary force known as the Irish Republican Army (IRA), which took advantage of a changed political climate and waged a guerrilla war in 1919-21. The leadership of this new republican movement went much further than the old Nationalist Party, demanding not home rule but an un-partitioned republic, with full independence from the United Kingdom.

Disentangling Two Communities

Given the polarisation of the two communities in Ireland, it is not altogether surprising that partition was one of the options considered by the British government. But the shape of the partition settlement as it eventually unfolded was rather more surprising, and it is not clear how far it was compatible with longer-term British interests, or even with the interests of the two communities in Ireland. It is important to look at these interests to place the issue of the partition of Ireland in context.

The origins of partition were deeply embedded in a complex of powerful nationalist and imperialist emotions on the part of British ruling elites that in many respects overshadowed two more hard-headed considerations that gave Britain a particular interest in Ireland. The first of these considerations was Ireland's long-standing strategic importance to Britain. From the era of the Spanish armada in the 16th Century to that of the German U-boat in the twentieth, Ireland constituted a crucial strategic asset, providing vital control over the Atlantic coast and offering itself as a buffer against attack from the West — but also presenting itself as a potential, if oblique, stepping stone for invasion by Britain's European enemies. Second, as a central and ancient component of Britain's vast empire, Ireland played a major role as a model for developments elsewhere. Demonstration effects based on the relationship between Ireland and its external masters had potentially enormous implications for other British possessions. If tiny Ireland, right under Britain's nose, could threaten the integrity of the United Kingdom

itself, of what might not India, the restive jewel in the imperial crown, be capable?

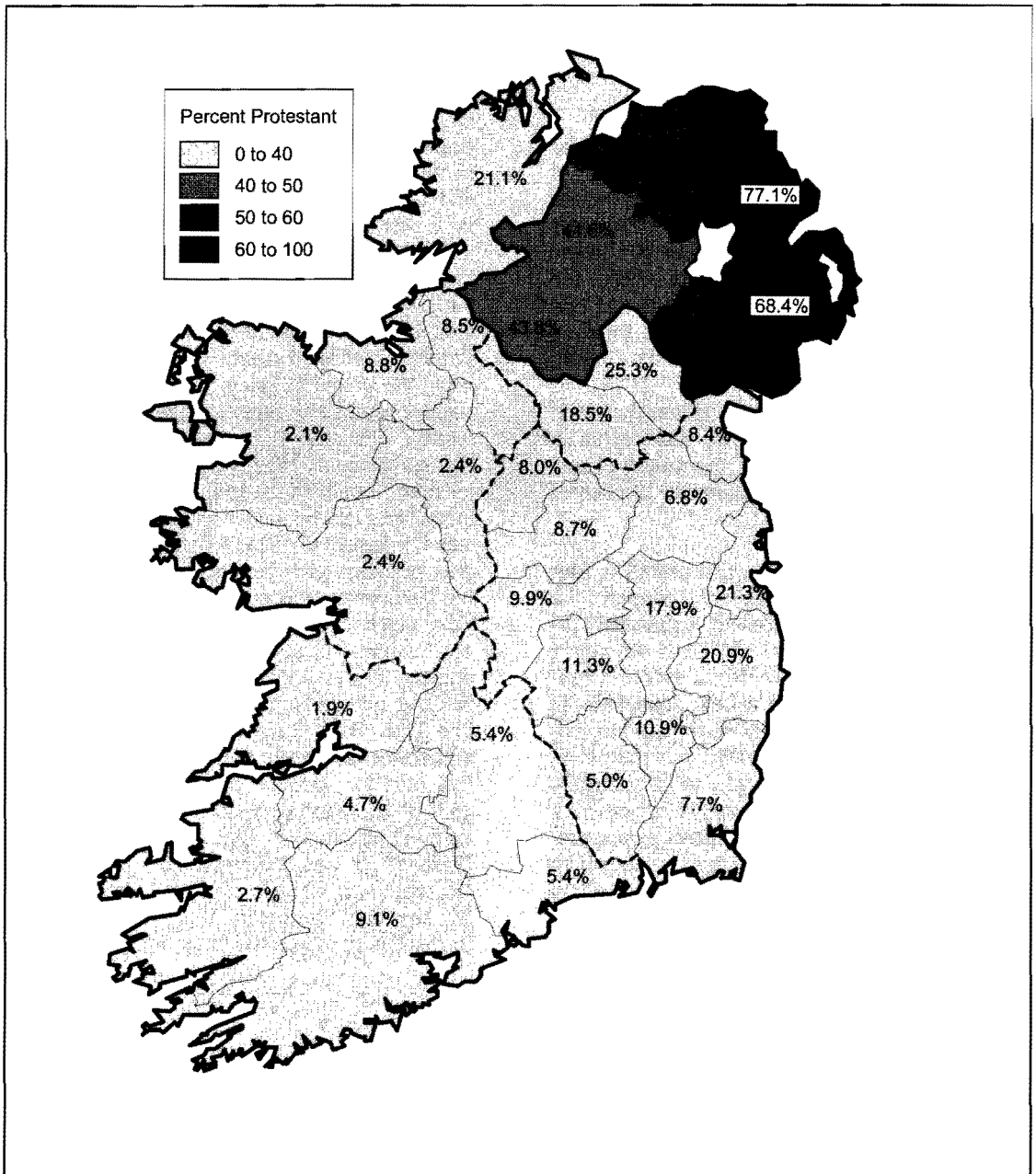
This combination of national strategic and global imperial interests pointed in an obvious direction as regards Irish policy: Ireland would have to be held close to the imperial bosom. In 1914, as in 2004, this implied an alliance with the Irish majority as a long-term strategy: it is Dublin and the Catholic south, not Belfast and the Protestant north, that have always been in principle the most important ally for the British. At the beginning of the 20th Century, this cold reality of British state self-interest was overlooked in the heat of ethnic identification between emotional British imperialists and their "kith and kin" in Ulster, resulting in a settlement that arguably jeopardised Britain's own long-term interests.

The position of Irish nationalists was similarly complex. The first question was the degree of autonomy that was desirable: nationalists were divided as to whether the ideal solution was home rule (or devolution within the United Kingdom), independence under the British crown, or full, separate statehood without any links to Great Britain. They were agreed as to the territory over which autonomous Irish institutions should extend — the whole island of Ireland — but this failed to take account of the extent and depth of Ulster Protestant hostility to any form of Irish autonomy. Figure 1, which presents the distribution of the Protestant population in 1911, also acts as a reasonably accurate political map: because of the strong correlation between religion and political perspective, those areas which were predominantly Protestant were also those which wished to defend the union with Great Britain. The question of how a new Irish state would cope with this potentially lethal opposition had not been seriously considered.

For unionists, too, there were difficult questions. While the agreed goal was maintenance of the union in its fullest sense, it was becoming increasingly clear in the early 20th Century that this was not realistic. Given unionist concentration in Ulster, an obvious response was to seek to exclude that province from the jurisdiction of any new Irish parliament — in other words, to partition Ireland. As to which areas should be hived off, there were several options. One was to draw the border to separate the entire nine-county province of Ulster from the rest of Ireland. But this would leave a very large

Figure 1: Distribution of Protestants by County, 1911

Note: light lines indicate boundaries of counties, hatched lines boundaries of provinces and the heavy line the border of Northern Ireland.



Catholic minority in the excluded part (this would have amounted to 43.7% of the population). An alternative was to exclude only the four counties with Protestant majorities, thus reducing the proportion of Catholics to 30.2%.

A whole range of other alternatives was also available at least in theory, but in the end it was the British government that made a decision that was seen as best reflecting the interests of its unionist allies.

Following protracted political negotiations, the shape of the new Ireland was finally laid out in British legislation (the Government of Ireland Act) in 1920. This modified the earlier blueprint for Irish autonomy by partitioning the island and giving autonomy to both parts — with the partition line grouping the six counties that had the largest Protestant population into the new northern state (on the background, see Gwynn, 1925; Laffan, 1983; Hennessey, 1998). It raised at least three fundamental questions that were to colour the British-Irish relationship in the following decades: about the nature of partition itself, and about the character of each of the two states that it created.

For nationalists, there were two problems with partition. The first was the very concept: the people of the island of Ireland, nationalists argued, constituted a historic unit, and although a minority dissented, a collective decision to pursue autonomy had been taken. Resistance to the majority will was therefore seen as undemocratic. The second problem was that, even if the principle of partition were to be accepted, the British proposal did not seek to implement it fairly. Instead, it proposed to allocate two predominantly nationalist counties to Northern Ireland, with a view to increasing the territory and population of that state to the maximum level that could comfortably be controlled by the unionist majority (the settlement thus left an overall Catholic minority of 34.4% within Northern Ireland). The unionist perspective was quite different. It responded to the nationalist claim that partition violated Ireland's historic unity with a counterclaim that Irish autonomy violated the historic unity of the two islands that made up the United Kingdom, and argued that, in any case, if nationalists wished to leave the United Kingdom they should not be allowed to coerce unionists into leaving too. This argument served to justify not only the principle of partition but also the shape that the border finally took, on the grounds that it sought to

safeguard the interests of the maximum number of "loyal" citizens.⁴

Aside from the principle and the details of partition, southern Ireland had further grievances. The level of autonomy it was awarded by the 1920 act was compatible with the provisions that had earlier been acceptable to the Nationalist Party: a parliament and government would be established in Dublin to exercise jurisdiction over all aspects of domestic policy, but the country would continue to be a part of the United Kingdom, in whose parliament it would continue to be represented. As described above, though, southern public opinion shifted in a more militant direction during the years 1916-18. But neither moral nor paramilitary pressure was sufficient to achieve Sinn Féin's more radical goal; instead, a divided movement was forced to settle for a compromise with the British. Southern Ireland would be allowed to leave the United Kingdom, but it would have to remain within the British Empire or Commonwealth. The new Irish Free State thus came into existence in 1922, recognising the king as its head, but with its own army and separate institutions. Its boundary with Northern Ireland was confirmed in 1925, when the British, Irish and northern governments agreed to bypass the recommendations of a boundary commission which disappointed Dublin by proposing only minimal changes to the existing border, and the idea of a Council of Ireland that would link the two parts of the island was dropped. The Irish Free State managed to extend its autonomy further in its first 15 years, culminating in the adoption of a new constitution in 1937 that made no mention of the king or the Commonwealth and that renamed the state "Ireland". It was, however, only in 1949 that the state was formally declared a republic and left the Commonwealth, thus ending the last formal ties to the United Kingdom.

Developments in the other part of the island took a surprising form. Instead of remaining an integral part of the United Kingdom, Northern Ireland was given an autonomy it had not

⁴ For three very different political perspectives on partition, see Gallagher, 1957 (representing the traditional nationalist perspective), Sheehy, 1955 (one of the earliest expressions of a more muted southern viewpoint that was disposed to accept partition) and Shearman, 1942 (a unionist perspective).

sought in 1921, but it quickly came to accept this as a mechanism for fending off pressure from the south. This policy initiative may have been designed by the British in the interests of a uniform policy of devolution for Ireland; but the autonomy given to unionist governments both in theory and in practice allowed them a free hand in dealing harshly with the Catholic minority and, ultimately, resulted in the collapse of the settlement. Following the outbreak of civil unrest, as discussed below, Northern Ireland's institutions were suspended in 1972 and control was assumed by the Secretary of State for Northern Ireland, a new minister within the British cabinet. Apart from experiments with devolution in 1973 and since 1998, this has remained the position ever since.

THE CONTINUING SIGNIFICANCE OF PARTITION

In order to understand the circumstances that brought the partition of Ireland forward once more as a political issue, it is important to look at a range of background factors. The first is the separate political evolution of the two states whose constitutional development has been sketched above. The second is the reorientation of the northern nationalist community away from the partition issue in the direction of civil rights in the 1960s. Third, we need to consider the re-emergence of the issue of the border as a consequence of changes in the internal balance of power within Northern Ireland and of a new relationship between Ireland and Great Britain. Finally, it is important to consider the pattern of attitudes towards partition that is currently to be found in the two parts of the island. A further very important question — the impact of partition on social life, economic behaviour and civil society — lies outside the scope of this paper.

Political Evolution in Partitioned Ireland

The new independent Irish state was born in circumstances of political turmoil. The IRA split in 1922 on the terms of the settlement reached in 1921 and embodied in the Anglo-Irish "treaty" that brought the Irish Free State into existence. One part became the core of the new national army; the other fought against the new state in a bitter civil war in 1922-23. On its defeat at that time, the anti-treaty IRA retired into the shadows, maintaining only a token resistance to the new settlement, but it survived organisationally over the decades that

followed. Its most notable subsequent manifestation was its "border campaign" of 1956-62, when it launched a series of ineffective attacks on the Northern Ireland security forces (see English, 2003).

The subsequent history of the IRA's political ally, Sinn Féin, was rather different. When this movement split in 1922 on the issue of the Anglo-Irish treaty, the core of the present southern Irish party system was born. The pro-Treaty faction reorganised itself under the name *Cumann na nGaedheal* ("party of the Irish", the name of an older nationalist group dating from 1900 that had been absorbed by Sinn Féin). It governed the state for the first decade of its existence, but shortly after losing office in 1932 it merged with two smaller groups to form *Fine Gael* ("the Irish nation"), now the second largest party in the state. The anti-Treaty faction retained the old party name, Sinn Féin. Following the defeat of the IRA in the civil war of 1922-23 it sought to advance its objectives by electoral means, but in 1926 split again. This time, the party leader, Eamon de Valera, led more pragmatic elements out of the party and formed his own alternative movement, *Fianna Fáil* ("party of Ireland", though a more exotic translation, "soldiers of destiny" is also possible). *Fianna Fáil* managed to outperform its rivals in 1932 and began a 16-year period in government. Indeed, it has been the largest party at all elections since 1932. Apart from *Fine Gael*, the small Labour Party has been the only other important party since 1922 (see Coakley and Gallagher, 2004).

What remained of Sinn Féin after the 1926 split was politically insignificant. By the 1960s its surviving elements contemplated an alternative way forward: involvement in left-leaning social causes in both parts of Ireland rather than resorting to force to end partition. This new strategy raised significant questions for the party following the outbreak of civil unrest in Northern Ireland after 1968, as discussed below. It split in January 1970 precisely on this issue. The party leadership managed to maintain the course adopted in the late 1960s — attempting to bridge the sectarian division in Northern Ireland by emphasising social concerns — and became generally known as "Official" Sinn Féin. It later renamed itself Sinn Féin The Workers' Party, and later, simply, The Workers' Party; most of its parliamentary representatives left in 1992 to form a new group, Democratic Left, and this group merged in 1999 with the Labour

Party. The group that seceded in 1970 became commonly known as "Provisional" Sinn Féin. These visible political developments echoed changes in the secret world of paramilitary organisation. The IRA, too, had split in December 1969. The "Official" IRA eventually embarked on a campaign against the security forces, but declared a ceasefire in 1972; the more militant "Provisional" IRA campaign to force the British to withdraw and bring about a united Ireland continued until 1994.

Apart from the growth of the IRA and Sinn Féin, the events just described affected in particular, but not exclusively, the southern part of Ireland. Politics in Northern Ireland followed a rather different trajectory. There, the old party system of the 19th Century — with its straightforward Nationalist-Unionist polarisation — survived substantially intact. Sinn Féin had an electoral impact in 1918 and later, but it was not as devastating for the Nationalist Party as

tive leaders, but was subjected to severe challenge, in particular from Rev Ian Paisley's Democratic Unionist Party (founded formally in 1971 through a reorganisation of an earlier party of Paisley's). On the nationalist side the old Nationalist Party finally disappeared, replaced in 1970 by an entirely new formation, the Social Democratic and Labour Party (SDLP). This party, too, faced a radical challenger, as a renewed (Provisional) Sinn Féin party managed to compete successfully against it in the 1980s (see Aughey and Morrow, 1996; Mitchell and Wilford, 1999).

The shape of the resulting party systems in the two parts of Ireland is described in table 1. This shows relative party strengths in three periods — separately for the two parts of Ireland, itself a revealing comment on the depth of the political division that both caused partition and was further solidified by it. The relative stability of the southern party system emerges clearly, as

Table 1: Mean support for parties by period, northern and southern Ireland, 1921-2003

Party	Period		
	1922-69	1973-92	1997-2002
Republic of Ireland			
Fianna Fáil	41.7	45.2	40.4
Fine Gael	30.9	32.4	25.2
Labour Party	11.6	11.1	10.6
Sinn Féin .	.	4.6	
Others	15.8	11.3	19.2
Northern Ireland			
Ulster Unionist Party	69.6	28.3	22.7
Democratic Unionist Party	.	16.2	20.8
Nationalist Party	15.7	.	.
Social Democratic and Labour Party	.	21.5	20.2
Sinn Féin	.	3.4	18.9
Others	14.7	30.6	17.4

Note: figures refer to average percentages of the party vote in elections to the Dáil and to Northern Ireland assemblies, except for Northern Ireland in the period 1921-69, when they refer to overall share of seats in the Northern Ireland House of Commons. Fianna Fáil includes the anti-treaty Sinn Féin in 1922 and 1923; Fine Gael includes the pro-treaty Sinn Féin at that time, and Cumann na nGaedheal from 1927 to 1933.

in the south. Indeed, in the 1920s the Nationalist Party once again resumed its position as voice of the Catholic community. Its role in this respect survived until the outbreak of civil unrest in Northern Ireland after 1968. Then, the party system underwent fundamental change. On the unionist side, the old party continued under a mixture of modernising and conserva-

does the extent to which it has been dominated by two parties, Fianna Fáil and Fine Gael, that themselves grew out of the early Sinn Féin movement. The survival of the older, 19th Century party system in Northern Ireland is also clear; but in the early 1970s it disintegrated, to be replaced by a more divided and fragmented system.

Changing the Question: From Partition to Civil Rights

Much of the turmoil in the Northern Ireland party system of the 1970s may be explained by a radical redefinition of the political agenda. As in the case of many other national and ethnic groups in the late 1960s, the nationalists of Northern Ireland underwent a fundamental political re-orientation at this time. Their efforts to undermine the state by means of a full-frontal attack had met an impenetrable brick wall; unionist governments were able to use their superior demographic, political and military resources to fend off the traditional nationalist challenge without difficulty. Furthermore, the government of the Republic of Ireland appeared to be moving towards acceptance of partition in the long term; this was implicit in the first-ever visit of the southern prime minister (taoiseach), Sean Lemass, to meet his Northern Ireland counterpart in 1965. Acceptance of the framework of partition appeared to be the only route towards effective political advancement for the minority.

As in the case of other movements of ethnic protest at the time — and, indeed, at other times — Catholic mobilisation in Northern Ireland went through two phases. In the first, the key demands were for civil rights: for the same rights as other *British citizens*. In the second, this emphasis on individual rights was supplemented by a demand for a form of recognition of group rights: for recognition of the separate identity of *Irish nationals*.

The creation of a powerful demand for civil rights represented a sharp shift on the part of the leadership of the Catholic community in Northern Ireland. Instead of denouncing the evils of partition, the new generation attacked instead the unwholesome practices over which successive unionist administrations presided with a view to maintaining their hold on political power within Northern Ireland (see Purdie, 1990; Ó Dochartaigh, 1997). As codified in the “six demands” of the Northern Ireland Civil Rights Association, these called for:

- “one man, one vote” in local elections, a reference to the fact that an unreformed electoral law confined the franchise to ratepayers and their spouses (thus disenfranchising Catholics disproportionately) and gave additional votes to occupiers of business premises (who were disproportionately Protestant)

- an end to gerrymandering of electoral boundaries, a particularly important issue in cases such as the city of Derry, where a biased system of boundary delimitation succeeded in converting a nationalist electoral majority into a unionist political majority on the local council
- an end to discrimination in employment, which had contributed to significant Catholic under-representation in the public and private sectors
- introduction of a points system for the allocation of public housing, so that accommodation would be allocated not on the basis of religion (with an advantage to Protestants) but on a basis of need
- repeal of the Special Powers Act, an item of emergency legislation that gave the Minister for Home Affairs extraordinary powers (designed to be used in particular to quell Catholic unrest)
- disbanding of the Ulster Special Constabulary, popularly known as the “B-Specials”, an entirely Protestant paramilitary police reserve.

These demands, couched in language that would be familiar to human rights lawyers anywhere and that in practice owed much to the influence of the British Council for Civil Liberties, appeared so reasonable that they attracted widespread support outside Northern Ireland, and especially in Great Britain. Combined with the moral pressure of mass marches and demonstrations of a kind that — unlike armed rebellion — the unionist administration was poorly equipped to counteract, they succeeded in undermining the authority of the Northern Ireland government, which, under pressure from the British government, had conceded most of the demands in principle by August 1969.

The Re-emergence of the Issue of Partition

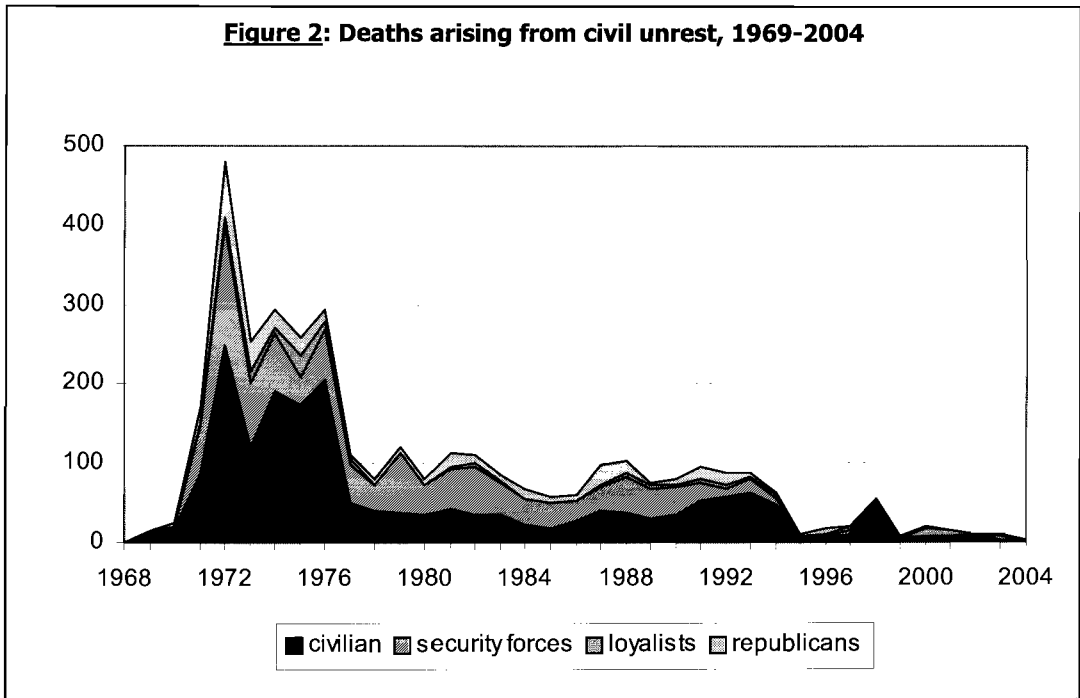
But concession to civil rights demands carried a heavy additional price for the unionist administration.⁵ After decades of ineffective opposition within Northern Ireland, Catholics had discovered that the state was not invulnerable. The lesson learned during the civil rights movement was immediately applied in respect of a more fundamental issue: the national question was

⁵ For background on the Northern Ireland conflict, see Arthur and Jeffery, 1996, and Darby, 1983. For reference material, see Elliott and Flackes, 1999, and CAIN, 2004.

reborn, and partition acquired renewed salience. From the 1970s onwards, nationalist demands took two forms. First, the traditional republican movement represented by Sinn Féin and the IRA was given a new lease of life, and demanded nothing less than an end to partition: Irish unity was to be achieved by forcing the British to withdraw from Northern Ireland (recognition that this would not solve the problem of Northern Ireland's Protestant majority came only later). Second, the old Nationalist Party, as we have seen, was replaced by a newer configuration, the SDLP, which since the beginning of the 1970s has stood for a settlement based on two principles, both of them amounting to recognition of partition but seek-

forms of international diplomacy masterminded by John Hume, leader of the party from 1979 to 2001) was overshadowed by the more militant strategy of Sinn Féin and the IRA. By the date of the IRA ceasefire in August 1994 that ushered in a new era of negotiation, there had been almost 3,300 deaths arising from civil unrest (these are described, together with later deaths, in figure 2). These were inflicted mainly by the IRA (60%), with loyalist paramilitaries accounting for a further 29% and the security forces for the remaining 11%. Since the ceasefire, paramilitary groups have been responsible for approximately 170 further deaths (see Bric and Coakley, 2004).

Figure 2: Deaths arising from civil unrest, 1969-2004



ing to redefine its meaning. The first is the introduction within Northern Ireland of a government based on power sharing between the two communities. In addition, the party stands for the institutionalisation of an "Irish dimension" (in the form of some kind of formal link between Northern Ireland and the Republic) that would acknowledge the Irish identity of many people within Northern Ireland, acting as a kind of bridge across the border.

The subsequent strategy of the SDLP (which rested on force of argument within Northern Ireland and outside it, as well as on ambitious

The nationalist agitation of the early 1970s and unionist failure to cope with it resulted in some striking institutional changes. By far the most notable of these was the decision by the British government in March 1972 to suspend devolution in Northern Ireland and transfer responsibility to a member of the British government. This development was traumatic for unionists; the Ulster Unionist Party was deeply divided as to how to react, and for decades afterwards vacillated between restoration of autonomy and complete integration with Great Britain as preferred long-term aims. The party also lost much

of its support to a more radical rival, the Democratic Unionist Party, as we have seen.

The positions of the two main external actors with an interest in Northern Ireland also shifted in the early 1970s. In the early years of the troubles, the British government stuck to the line it had held since partition, and especially since Ireland's departure from the Commonwealth in 1949: Northern Ireland was a domestic United Kingdom matter, and was no business of the Irish government. The Irish government reciprocated with a rejection of this position, claiming Northern Ireland as part of its national territory — a claim incorporated in the constitution in 1937 — and proposing Irish unity as the only solution. Following the suspension of devolution, however, a rapprochement between the two governments took place, and both came to accept the two principles advanced by the SDLP (devolution with power sharing, and creation of cross-border institutions).

These two principles were incorporated in the first major attempt at resolving the problem — an agreement between the two governments and Northern Ireland parties at Sunningdale in England in December 1973. This provided for a power-sharing government in Northern Ireland including the Ulster Unionists, the SDLP and a small centrist party, the Alliance Party, and an inter-parliamentary, cross-border Council of Ireland. It also incorporated *de facto* Irish recognition of partition: it was accepted that the constitutional status of Northern Ireland as part of the United Kingdom could only be altered by vote of the people of Northern Ireland.

Although the institutions provided for in the Sunningdale agreement never came fully into force and those which did collapsed in May 1974 following a political strike organised by militant unionists, they became a model for all subsequent negotiations, including the more ambitious and more inclusive Belfast agreement of April 1998 (the Good Friday agreement). In the political stalemate that followed the collapse of the 1973-74 experiment, Northern Ireland continued to be administered directly from London, but there was a significant development in November 1985. On this occasion the British government, having given up for the time being on the prospect of re-introducing power sharing through devolved institutions in Belfast, entered into an arrangement with the Irish government by which the latter would be given a consultative voice in the internal affairs

of Northern Ireland. This was given effect through an Anglo-Irish Inter-Governmental Conference, serviced by a permanent secretariat in Belfast made up of British and Irish civil servants. This new arrangement was a valuable mechanism for facilitating northern nationalists by giving them a voice, through the Irish government, on issues of particular concern to them. But it also served two crucial strategic interests. First, it is believed to have helped the SDLP in its electoral struggle with Sinn Féin by showing that non-violent activities could deliver dividends. Second, it provided Ulster Unionists — traumatised by what they saw as British treachery — for the first time with an irresistible motivation for supporting a power-sharing executive: should such an executive be established, the right of the Irish government to intervene in internal Northern Ireland matters would be severely curtailed (for background studies, see Ruane and Todd, 1996; McGarry and O'Leary, 1996).

In many respects, then, the Belfast Good Friday agreement of 1998 represented the culmination of tendencies already clear in the British-Irish relationship. At its core lay the kind of power-sharing arrangements already anticipated in 1973, though now more mechanically inclusive, and a more modest version of the kinds of North-South institutions planned in 1973. Alongside this lay a formal provision for British-Irish intergovernmental cooperation that amounted to a continuation of the 1985 Anglo-Irish agreement. But the 1998 agreement went much further in extending also over a whole range of additional areas (such as policing, demilitarisation, inter-communal equality and human rights) that earlier initiatives had ignored. It also went much further, arguably, in legitimising partition; it resulted in amendment of the Irish constitution to replace the territorial claim to Northern Ireland by an aspiration to Irish unity, and to ensure that any future merger of Northern Ireland and the Republic would be underpinned by the explicit agreement of the two sides, presumably by referendum.

Perspectives on Partition

The changes already described had an impact on public opinion, but in an important sense they reflected — or, at least, were facilitated by — significant shifts in political perspective. The relative strength of the political parties will tell us something — but not much — about public opinion on the issue of partition. The three

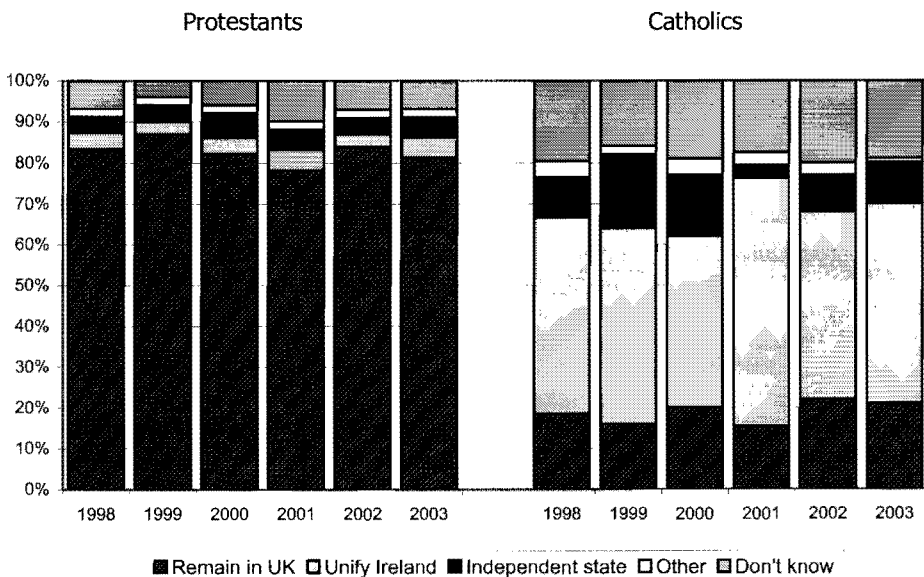
main traditional parties in the south formally and unwaveringly supported Irish unity, as did the Nationalist Party in Northern Ireland. The Ulster Unionist Party was equally emphatic in its commitment to maintaining partition (though some unionists were less emphatic on the need to defend the union with Great Britain, exploring instead the option of an independent Northern Ireland). But these monolithic party positions disguised significant internal differences, especially at the level of party supporters and voters, by no means all of whom unambiguously supported the formal position of their leaders. Furthermore, all of the parties moved gradually but decisively away from their traditional positions (Ivory, 1999; Coakley, 2002). By the 1990s, all three traditional southern parties had fully accepted the reality of partition, and were committed to Irish unity only with the consent of a majority in Northern Ireland. By 1998, most dramatically of all, even Sinn Féin had come to accept this position. On the other side, the Ulster Unionist Party also came to accept in the 1990s that the only deal available would be based on power sharing within Northern Ireland and institutionalised links with the Republic. By the end of 2004, it was clear that the leadership of the Democratic Unionist Party also accepted this position.

Public opinion polls also reflected these new realities. Before commenting on the position

within Northern Ireland, it is worth noting the position in the two territories with the most direct interest in that region. In Great Britain, survey data consistently showed strong support (by a margin of about two to one) for Irish unity over maintenance of the union with Northern Ireland in the 1980s (Brook et al, 1992). In the Republic, similarly, clear majorities have endorsed Irish unity as a long-term goal (though enthusiasm for this wanes when survey questions refer to costs that might have to be paid for unity). Within Northern Ireland itself, opinion is predictably split. It is worth examining this in terms of two characteristics: attitudes towards future territorial arrangements for Northern Ireland and self-identification as regards national identity (which may well have long-term implications for political preferences).

As early as 1968, it became clear from survey data that while Northern Ireland Protestants were committed to defending the union with Great Britain, there was no consensus among Catholics as to the desirability of a united Ireland (though most favoured this; Rose, 1971). Later surveys confirmed this pattern, which is reported in figure 3 for six recent surveys. These data show that while Protestants opted overwhelmingly for the union (with only 3-5% identifying a united Ireland as their preferred settlement), only about half of Catholics inter-

Figure 3: Protestant and Catholic constitutional preferences, 1998-2003



viewed stated a preference for Irish unity (with 15-22% opting for the union with Great Britain in surveys over this period, 1998-2003).⁶

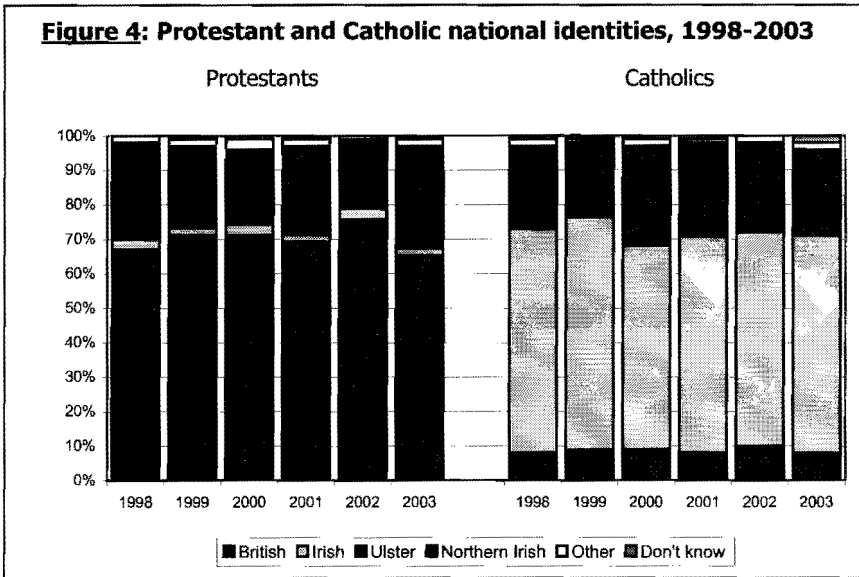
but a sizeable proportion of Protestants identified as "Ulster" (6-10%), while even large proportions of Protestants (14-22%) and Catholics (22-28%) identified as "Northern Irish".

These attitudinal data need to be considered in the light of hard demographic information. For decades, unionists have worried about the rising Catholic population, fearing that nationalists would ultimately become a majority and take Northern Ireland into a united Ireland.

On the likelihood of a Catholic majority, these expectations may well be justified. Figure 5 breaks

down the population recorded in the 2001 census by religion and age group (omitting

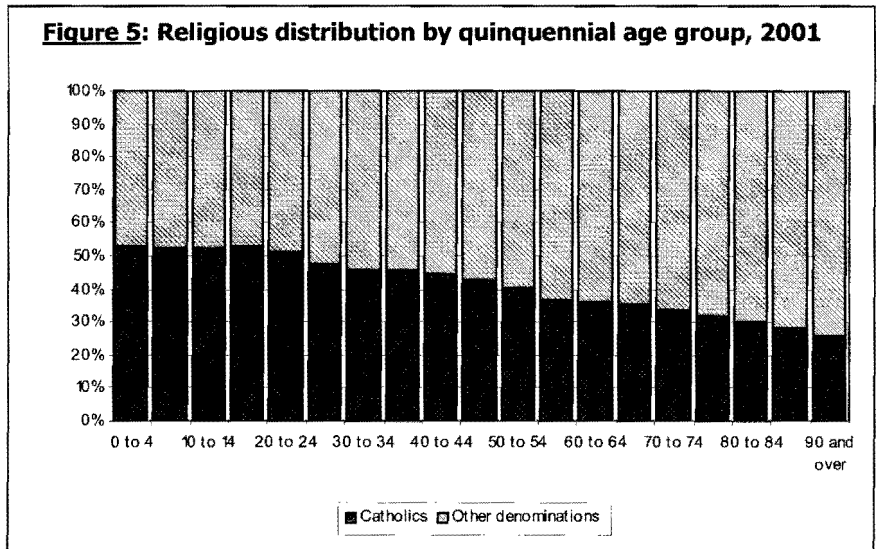
Figure 4: Protestant and Catholic national identities, 1998-2003



It is clear that these attitudes are not rooted particularly in religious belief, but rather in underlying ethno-national identity patterns.

Figure 4 contrasts Northern Ireland Catholics and Protestants in this respect, reporting responses to the question "Which of these best describes the way you think of yourself?", where the options are as indicated in the figure. It is clear that most Protestants (66-75% in the years 1998-2003) identified as British, and most Catholics (59-68%) as Irish;

Figure 5: Religious distribution by quinquennial age group, 2001



those who stated that they had no religion, and were not brought up in any religion). This shows a strong tendency for Catholics to be over-represented in the younger age cohorts; indeed, they constitute a majority of the population in the younger age groups. It is also clear that as Catholic fertility rates fall rapidly, this

⁶ These data, and those in figure 4, are taken from the Northern Ireland Life and Times surveys, 1998-2003; see <http://www.ark.ac.uk/nilt/> [2004-12-15].

demographic position will change; but it is undoubtedly the case that the proportion of Catholics will continue to rise from its present level (45%) in the coming years. If we consider this alongside the survey data already discussed, it would appear that even if there is eventually a Catholic majority, there will never be a majority in favour of a united Ireland, because of the large group of pro-union Catholics. It must, however, also be pointed out that attitudes can change, and that Catholics who are at present lukewarm supporters of the union may in the future be prepared to contemplate other constitutional options.

CONCLUSION: IRISH-PALESTINIAN SIMILARITIES?

The notion of "partition", though common to many areas of ethno-national conflict, has very different connotations in Ireland from those which it evokes in Palestine. The similarities and differences may be seen if we consider two dimensions of comparison: the nature of the conflict, and the resources available to the two sides.

Apart from obvious points of structural divergence, the most obvious difference between the two conflicts has to do with its intensity. In Northern Ireland there was a time in the 17th Century when the conflict divided not just two Christian denominations, Catholics and Protestants, but also two language communities, mainly Irish- and English-speaking. Later, however, religion came to be the main marker that differentiated settler from native, as the latter largely abandoned their language in favour of English. But the Israeli-Palestinian cleavage is not just one between two religious communities (indeed, there are internal divisions on each side); it also separates two language communities (though, again, linguistic diversity especially on the Israeli side must be noted). Furthermore, the issue of confiscation and colonisation is not, as in the Irish case, a centuries-old memory; it is a live contemporary reality that renders more implacable the hostility between the two sides. This is reflected also in settlement patterns. While entirely Catholic and Protestant-inhabited areas may be found in Northern Ireland, especially in working class districts of cities, these are the exception to a more normal pattern of extensive intermingling between Catholics and Protestants — at least by the standard of daily Israeli-Palestinian contact.

Finding a resolution to the Irish conflict has been facilitated by a more even balance in the resources available to the two sides. While demographic trends may bring about Palestinian and Catholic majorities in the future even in their currently contested territories, the political position of Northern Ireland nationalists was reinforced by other inter-related factors — socio-economic, political and international — that distinguish their experience from that of the Palestinians. First, their post-1968 mobilisation was associated with a socio-economic resurgence that saw a steady improvement in the capacity of Catholics to advance economically and in terms of their educational attainments, a circumstance that greatly assisted the process of political mobilisation. Second, in the 1970s the nationalist community was substantially unified electorally behind the SDLP, and although a deep gulf developed between that party and the more militant republicans of Sinn Féin and was clearly to be seen in the 1980s, the nationalist advances of the 1990s were marked by an unwritten alliance between these forces. But, most crucially of all, Irish nationalists enjoyed powerful external support from the Irish and American governments and, some would argue, at least a benevolent neutrality on the part of the British government, circumstances entirely lacking in the Palestinian case.

The Irish experience of partition, then, reflects the unique character of the circumstances that gave rise to it. What the future holds for the status of the Irish border is unclear. On the one hand, so many generations have now been born into a partitioned Ireland that the border itself has become solidified in a socio-economic and psychological sense. On the other hand, as the process of European integration continues the significance of the border is likely to diminish in the longer term. Whether this erosion of the role of the border will ever lead to its disappearance is unlikely; but as its role in dividing communities diminishes it is likely that its salience as a political issue, too, will be undermined.

REFERENCES

- Akenson, Donald Harman (1992) *God's peoples: covenant and land in South Africa, Israel, and Ulster*. Ithaca, NY: Cornell University Press.
- Arthur, Paul and Keith Jeffery, 1996. *Northern Ireland since 1968*. Oxford: Blackwell.
- Arthur, Paul, 2000. *Special relationships: Britain, Ireland and the Northern Ireland problem*. Belfast: Blackstaff Press.
- Aughey, Arthur and Duncan Morrow, eds (1996) *Northern Ireland politics*. Harlow: Longman.
- Beckett, JC (1981) *The making of modern Ireland 1603-1923*. New ed. London: Faber.
- Boyce, D George (1995) *Nationalism in Ireland*. 3rd ed. London: Routledge.
- Bric, Maurice, and John Coakley, eds (2004) *From political violence to negotiated settlement: the winding path to peace in twentieth-century Ireland*. Dublin: University College Dublin Press.
- Brook, Lindsay, et al (1992) *British social attitudes cumulative sourcebook: the first six surveys*. Aldershot: Gower.
- CAIN, 2004. Background on the Northern Ireland conflict. Available <http://cain.ulst.ac.uk/othelem/index.html> [2004-03-12].
- Canny, Nicholas (1988) *Kingdom and colony: Ireland and the Atlantic world 1560-1800*. Baltimore, MD: Johns Hopkins University Press.
- Coakley, John & Michael Gallagher, eds (2004) *Politics in the Republic of Ireland*. 4th ed. London: Routledge.
- Coakley, John, ed. (2002) *Changing shades of orange and green: redefining the union and the nation in contemporary Ireland*. Dublin: University College Dublin Press.
- Darby, John, ed. (1983) *Northern Ireland: the background to the conflict*. Belfast: Appletree Press.
- Elliott, Marianne (1982) *Partners in revolution: the United Irishmen and France*. New Haven, CT: Yale University Press.
- Elliott, Sydney and WD Flackes (1999) *Northern Ireland: a political directory, 1968-1999*, 5th ed. Belfast: Blackstaff.
- Ellis, Steven G (1998) *Ireland in the age of the Tudors 1447-1603: English expansion and the end of Gaelic rule*. London: Longman.
- English, Richard (2003) *Armed struggle: the history of the IRA*. London: Macmillan.
- Foster, RF (1988) *Modern Ireland 1600-1972*. London: Allen Lane The Penguin Press.
- Fraser, TG (1984) *Partition in Ireland, India and Palestine: theory and practice*. London: Macmillan.
- Gallagher, Frank (1957) *The indivisible island: the history of the partition of Ireland*. London: Gollancz.
- Gillomee, Hermann (1990) "The elusive search for peace", pp. 299-317 in Hermann Gillomee and Jannie Gagiano, eds *The elusive search for peace: South Africa, Israel and Northern Ireland [Ireland]* Oxford: Oxford University Press in association with IDASA.
- Guelke, Adrian (1994) "The peace process in South Africa, Israel and Northern Ireland: a farewell to arms?" *Irish Studies in International Affairs* 5: 93-106.
- Gwynn, Denis (1925) *The history of partition (1912-1925)*. Dublin: Browne and Nolan.
- Hennessey, Thomas (1998) *Dividing Ireland: world war I and partition*. London: Routledge.
- Ivory, Gareth (1999) "Revisions in nationalist discourse among Irish political parties", *Irish political studies* 14, pp. 84-103.
- Laffan, Michael (1983) *The partition of Ireland 1911-25*. Dundalk: Dundalgan Press, for the Historical Association of Ireland.
- Lydon, JF (1998) *The making of Ireland: from ancient times to the present*. London: Routledge.
- Mansergh, Nicholas (1997) "The prelude to partition: concepts and aims in Ireland and India", pp. 32-63 in Diana Mansergh, ed., *Nationalism and independence: selected Irish papers by Nicholas Mansergh*. Cork: Cork University Press [first published 1978].
- McDowell, RB (1940) "The personnel of the Dublin Society of United Irishmen, 1791-4", *Irish historical studies* 2 (5): 12-53.
- McGarry, John and Brendan O'Leary (1996) *Explaining Northern Ireland: broken images*. Oxford: Blackwell.
- Mitchell, Paul and Rick Wilford, eds (1999) *Politics in Northern Ireland*. Boulder, CO: Westview.
- Ó Dochartaigh, Niall (1997) *From civil rights to armalites: Derry and the birth of the Irish troubles*. Cork: Cork University Press.
- Purdie, Bob (1990) *Politics in the streets: the origins of the civil rights movement in Northern Ireland*. Belfast: Blackstaff.
- Rose, Richard (1971) *Governing without consensus: an Irish perspective*. London: Faber and Faber
- Ruane, Joseph & Jennifer Todd (1996) *The dynamics of conflict in Northern Ireland: power, conflict and emancipation*. Cambridge: Cambridge University Press.
- Shearman, Hugh (1942) *Not an inch: a study of Northern Ireland and Lord Craigavon*. London: Faber and Faber.
- Sheehy, Michael (1955) *Divided we stand: a study of partition*. London: Faber and Faber.

8

partition as a solution to political division: the cases of Ireland, India and Palestine

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Partition was to become a recurring feature of international politics in the 20th Century. Some partitions, notably in Germany, Korea and Vietnam, were the result of war; of these, Vietnam and Germany have since been reversed. The suggested partition of French Algeria never happened, while the *de facto* division of Cyprus still poses problems for the international community. But it is rightly those cases where partition was implemented in divided societies, notably in Ireland, India and Palestine, that have attracted most interest and controversy. Any historian of the British Mandate in Palestine knows that partition was first put forward, at the behest of Professor Reginald Coupland, in the Peel Commission report of 1937. Ten years later, it formed the basis of the United Nations Special Committee on Palestine's majority report, which was voted on by the United Nations General Assembly on 29 November 1947, and adopted by 33 votes to 13 with 10 abstentions. Just over three months before, India had been partitioned, while a quarter of a century earlier Ireland had experienced a similar division. By 1947, partition was seen to be a well-understood mechanism for dealing with seemingly intractable problems. This paper will seek to place the partition of Palestine in context by relating it to events in both Ireland and India.²

¹ Professor Tom Fraser is Provost at the University of Ulster, this is a revised version of a paper he presented at the PASSIA seminar.

² Since first coming to work on the subject of partition some 25 years ago, I have derived inestimable benefit

It is important to remember that all three countries were part of the British imperial system, albeit very differently. Palestine's involvement in the British imperial system emerged out of the Anglo-French partition of the Ottoman empire following its collapse at the end of the First World War. By the Mandate of 1922, Palestine was not a British possession at all, but held under the League of Nations, then, after 1945, the United Nations. By contrast, the British connexion with Ireland stretched back over 800 years when the papal bull *laudabiliter* sanctioned the Plantagenet King Henry II's intervention in the Irish affairs, though relations between the islands were far from easy. The Acts of Union of 1800 created the United Kingdom of Great Britain and Ireland, enacting a full union of the two islands under a single monarch and parliament, though the reality fell somewhat short. If Ireland was Britain's oldest area of interest, India was the lynchpin of her imperial system – particularly so after the collapse of Britain's Atlantic empire with the independence of the American colonies. By the 1840s, Britain controlled, either directly or through treaties with native rulers, all of the Indian sub-continent, a land area the size of Europe. India provided raw materials, a reserve of manpower, and, above all, a market for the manufactured goods produced by Britain's industrial cities. As the nexus of a trading network which extended from east Africa to the China coast, it was India which made Britain a world power. With ultimate authority over all three resting in London, it is appropriate to speculate if partition was a 'British' answer to the problems of empire.³

Before doing so, however, it is important to reflect on the origins of the term 'partition.' The word itself derives from the Latin verb *partire*, to divide. In the 18th Century it was given a political dimension in the writings of the French philosopher Voltaire, so that the events in east-

from the insights and experience of the following, which I am glad to acknowledge, even if they are not quoted directly on this occasion: Sir Harold Beeley, the Honorable Loy W. Henderson, Mr H.V. Hodson, Professor Keith Kyle, Sir John Martin, Mr Dean Rusk, and Professor L.F. Rushbrook Williams.

³ For a more extended treatment of the themes in this paper, see T.G. Fraser, *Partition in Ireland, India and Palestine: theory and practice* (London, 1984). See also, Diana Mansergh (ed), *Nationalism and Independence. Selected Irish Papers by Nicholas Mansergh* (Cork, 1997), and T.E. Hachey, *The Problem of Partition. Peril to World Peace* (Chicago, 1972).

ern Europe of 1772, 1793 and 1795, namely the division of the country amongst Russia, Prussia and Austria, were easily described as the 'Partitions of Poland'. A century later, in 1893, Sir John Scott Keltie used the term 'The Partition of Africa' to illustrate the division of much of the continent amongst the European imperial powers, while others speculated about what they believed was the imminent partition of China. By the time the future of Ireland came to be the abiding concern of British politics in the late 19th Century, the term 'partition' had become an established word in the political lexicon.

By the late 19th Century, the overwhelming political demand in Ireland was for 'home rule', the establishment of a parliament in Dublin which would legislate for specifically Irish affairs. These demands were supported by the British Liberal party, which, in 1886 and 1893, introduced home rule bills, albeit unsuccessfully. It is important to note, however, that home rule was overwhelmingly the demand of the island's Catholic majority. For the Protestant minority, continuing links with their fellow-religionists in Britain were preferable to rule by a Dublin parliament, where, to use their slogan, 'Home Rule' would be 'Rome Rule'. The political emotions of the Protestant minority focussed on the exclusively Protestant Orange Order, founded in 1795, and drawing on the traditions of the siege of Derry and the battle of the Boyne a century before. Had this minority been thinly spread across the island, their opposition might have counted for little, but their numbers were overwhelmingly concentrated in the north-east, in the nine counties of the historic province of Ulster. By 1905, members of the Protestant minority had formed the Ulster Unionist Council, largely at the instigation of the Orange Order, to organise against home rule. When in 1912 the Liberals tried for the third time to introduce home rule, Unionist opposition mobilised to considerable effect. Selecting as their leader the distinguished Dublin lawyer Sir Edward Carson, members of the Unionist opposition formed their own provisional government, and began drilling their own army, the Ulster Volunteer Force (UVF). When in 1914 the UVF succeeded in acquiring rifles and ammunition from Germany, and nationalists responded with the establishment of their own

rival National Volunteers, Ireland seemed on the edge of civil war.⁴

Faced with such a prospect, all parties looked for some kind of compromise. Behind the scenes, some Liberals were urging that an attempt be made at an accommodation with Ulster Unionism. One of those willing to pursue this was Winston Churchill, who felt some filial piety towards his Conservative father, Lord Randolph, who in 1886 had thrown down the challenge: 'Ulster will fight and Ulster will be right'. The other voice was that of the Chancellor of the Exchequer, David Lloyd George, influenced by his Welsh Protestant origins. The possibility of compromise first publicly surfaced in June 1912 when the Liberal MP Thomas Agar-Robartes, proposed an amendment to the Home Rule Bill to the effect that the counties of Antrim, Armagh, Down and Londonderry be excluded from its operation. This was to be the germ of partition. By the spring of 1914, the idea of some kind of 'Ulster exclusion' from a Dublin parliament dominated political debate.⁵

However, the issues involved were far from straightforward or readily resolved. Led by John Redmond, Irish nationalists were viscerally opposed to any division of the island. Essentially a Dublin Unionist, Carson actually hoped that by demonstrating the strength of opposition amongst Ulster Protestants he could thwart home rule for any part of Ireland. In this he was at odds with his Ulster supporters, not least his deputy Sir James Craig, who realised that the best they could hope for was the exclusion of their part of Ireland from a Dublin parliament.

Crucial to the Unionists' position was the support of the British Conservative party, which perceived home rule as simply a prelude to the unravelling of the empire. Particularly significant was the fact that the party leader, Andrew Bonar Law, was the son of a Presbyterian minister from Ulster, still visited relatives there, and had cut his political teeth in Glasgow where Conservatives and Orangemen had forged a close alliance. Bonar Law's support for the Ulster Unionists went beyond what might have

⁴ A perceptive discussion is developed in James Loughlin, *Ulster Unionism and British National Identity Since 1885* (London, 1995).

⁵ P. Jalland, *The Liberals and Ireland* (Brighton, 1980).

been expected of any other Conservative leader.⁶

It was, therefore, the combination of Carson, Craig and Bonar Law who advanced the case for the exclusion of 'Ulster' during the critical political negotiations of 1914. What they demanded was the permanent exclusion of the whole province of Ulster from the jurisdiction of a Dublin parliament. This would have entailed nine counties, Antrim, Armagh, Down, Londonderry, Fermanagh, Tyrone, Cavan, Monaghan and Donegal, over which they held a majority of 56.4%. The flaw in their case was that in five of these counties Protestants were in the minority: Fermanagh (44.3%), Tyrone (44.4%), Donegal (20.8%), Cavan (18.7%), and Monaghan (25.45). The most, then, that British Liberals and Redmond's Nationalists would concede was the temporary exclusion of the four counties with Protestant majorities: Antrim (75.9%), Down (68.6%), Armagh (55.0%) and Londonderry (58.6%). Even here there were clear anomalies, since there were strongly Protestant areas in Fermanagh and Tyrone, while south Down and south Armagh were overwhelmingly Catholic, as was the city of Derry. In short, while the partition of Ireland was being discussed, and when the Irish problem was eclipsed by the European war in 1914, there was no agreement on whether it should happen or how it might be done.⁷

Once partition had entered into political discourse, there seemed to be no going back. Irish affairs reached a watershed in 1916, when, on Easter Monday, Pádraig Pearse proclaimed the Republic outside Dublin's General Post Office. This sparked a chain of events which was to see Republicanism established as the authentic voice of nationalist Ireland. In the aftermath of this failed uprising, it fell to Lloyd George to negotiate a settlement with Carson and Redmond. Although these discussions were unsuccessful, they held great significance since they clarified that the British government was prepared to concede a partition based upon the exclusion from a Dublin parliament of the six counties of Antrim, Armagh, Down, Londonderry, Fermanagh and Tyrone. In fact, this arrangement was to become the future political

shape of Ireland, and indeed continues to be to the present day.⁸

Events in Ireland quickly acquired a remarkable momentum. Under the leadership of Eamon de Valera, Sinn Féin took on the mantle of the Easter 1916 Rising. In the United Kingdom general election of 1918, Sinn Féin, pledged to the Republic, won 73 seats, to a rump of six for the home rulers. Forming its members into Dail Éireann, Sinn Féin began a political and military campaign for the full independence of Ireland.⁹

It is often forgotten that the situation in British politics at the time also had profound implications for Ireland's future. In December 1916, Lloyd George had become prime minister, but only by splitting the Liberal party and becoming leader of a coalition with Bonar Law's Conservatives. Bonar Law remained tenaciously loyal to his Ulster Unionist friends, and so the price of his support for Lloyd George's coalition in 1918 was a commitment from the prime minister that '...there are two paths which are closed – the one leading to a complete severance of Ireland from the British Empire, and the other to the forcible submission of the six counties of Ulster to a Home Rule Parliament against their will'. With 339 Conservatives in the coalition and 136 Liberals pledged to Lloyd George, it was clear that Bonar Law had dictated how the government had to act over Ireland.¹⁰

This was reflected in the terms of the 1920 Government of Ireland Act, the so-called 'partition act,' which formally proposed the partition of Ireland. Its immediate origins lay in the Cabinet Committee on the Irish Question, which reported in November 1919. Interestingly, in the light of Lloyd George's 1916 discussion, the committee recommended the establishment of a separate parliament for the nine counties of Ulster on the basis that this would minimise the division of Ireland along religious lines. There was also to be a parliament for the remaining 26 counties, based in Dublin, and a Council of

⁶ R. Blake, *The Unknown Prime Minister* (London, 1955).

⁷ A fascinating account remains Denis Gwynn, *The History of Partition 1912-1925* (Dublin, 1950), based as it is on Redmond's contemporary notes.

⁸ Unionist positions may be studied in P. Buckland (ed), *Irish Unionism 1885-1923* (Belfast, 1973). Denis Gwynn records Redmond's reactions in *The Life of John Redmond* (London, 1932), while Lloyd George gave his account in his *War Memoirs* (London, 1938), vol. 1, pp. 416-25.

⁹ The essential account is Michael Laffan, *The Resurrection of Ireland. The Sinn Féin Party 1916-1923* (Cambridge, 1999).

¹⁰ See Fraser, *Partition*, pp. 25-6.

Ireland, drawn from representatives from both parliaments. This smacked too much of Irish unity for the taste of Unionists and Conservatives, who immediately mounted a counterattack. Their aim was to create an entity where Unionists would be in a clear overall majority, which effectively meant six counties. Strong interventions meant that when the cabinet finally assented to the Government of Ireland Bill on 24 February 1920 it was on the basis that: 'The area of Northern Ireland shall consist of the Parliamentary counties of Antrim, Armagh, Down, Fermanagh, Londonderry and Tyrone, and the Parliamentary boroughs of Belfast and Londonderry'.¹¹ In short, the Government of Ireland Act gave the Unionists an area which they believed they could safely control.

Partition, then, gave Unionists most of what they wanted; namely, retention within the United Kingdom of an economically viable area with a clear Protestant majority. Paradoxically, it also gave them what they had long resisted, home rule, since there was to be a devolved parliament in Belfast. Such devolution meant that from 1921 until its suspension in 1972, parliament in Belfast, and hence political power, was the monopoly of Unionists. The nationalist minority, initially some 33%, could only stand aside, their representatives powerless to influence events. Moreover, since nationalists in Northern Ireland felt as Irish as their fellow countrymen and women elsewhere on the island, they felt cheated out of the new project of national independence – a project begun with the establishment of the Irish Free State of 1922 and evolving over time into the Republic of 1949. The pent up tensions associated with a sense of nationalist exclusion and alienation produced the protests of the Civil Rights Movement of the late 1960s, after which Northern Ireland was never to be the same. Indeed, Northern Ireland has been trying to find an acceptable political formula ever since, in the context of political violence which was to claim 3,500 lives.¹²

Two aspects of the partition of Ireland ought to be noted:

¹¹ Basic to an understanding of these events are the recommendations of the Cabinet Committee on the Irish Question, and associated memoranda, in PRO CAB24/92 and 93, and the cabinet discussions from 11 November 1919 to 24 February 1920 in PRO CAB 23.

¹² The Northern Ireland conflict has generated an enormous literature. T.G. Fraser, *Ireland in Conflict 1922-1998* (London, 2000) provides a brief introduction to the issues.

The first is the pace at which the need for partition came to be accepted by the Unionists and the British government. The second is how partition came about against the wishes of Ireland's nationalist majority. These aspects are mirrored in the partition of India in 1947. Ten years before, partition was barely on the political agenda in India. True, in 1933 four Muslim students at Cambridge University had published a pamphlet in which the word Pakistan was coined, and others had spoken of a Muslim nation in India, as far back as the 1880s. However, when Britain held provincial elections in India in 1937 these ideas found little echo. Muslims in their two strongest provinces, Bengal and Punjab, voted for powerful provincial parties, others aligned with Mahatma Gandhi's Indian National Congress, while only a small minority, some 4.8%, voted for Muhammad Ali Jinnah's Muslim League. These voting patterns reflected the fact that most Muslims at the time (including Jinnah), wanted safeguards for Muslims within a united independent India in which they would be a minority of some 25%. They voted accordingly. But what alarmed many Muslims were the actions of a number of Congress controlled provinces after the elections. Things were done which were offensive to Muslim sensibilities, such as the placing of Gandhi's portrait in classrooms.¹³ While these did not amount to persecution, they seemed a troubling indication of what might happen once the British left.

A veteran nationalist, Jinnah had long concluded that with Gandhi's assumption of leadership in 1920 Indian nationalism had taken a wrong turn by giving a Hindu tinge to what had been a secular movement. At the 1931 Round Table Conference in London he had finally broken with the Congress on this issue. He was, therefore, intellectually and emotionally ready for the arguments put to him by the great Muslim theologian Muhammad Iqbal. In correspondence with Jinnah in the winter of 1937-1938, Iqbal argued that Muslims could only develop according to Islamic principles, and this could only happen through the creation of a Muslim state or states. Iqbal's 'Two Nation' theory came to be the lode stone of Jinnah's politics, and through him those of the Muslim League, over the next decade.¹⁴

¹³ These issues, set out by the League in the Pirpur Report, were hotly contested by Congress.

¹⁴ *Letters of Iqbal to Jinnah* (Lahore, 1943) contain the kernel of the 'Two Nation' theory. See also I F

In March 1940, Jinnah made partition the formal demand of the League. The 'Lahore Resolution' actually mentioned neither 'partition' nor 'Pakistan', but did resolve that contiguous Muslim areas of the subcontinent become independent states. Even so, Jinnah still had to convert the Muslim masses to what was essentially a new concept with far-reaching implications. Moreover, he had to do so in the context of a deeply hostile Indian National Congress led by Gandhi, who perceived the Lahore Resolution as proposing nothing less than the vivisection of India.¹⁵ Like Irish nationalists, Indians had always assumed that independence would come to a united country. So, too, did the British, as it happened. If the British had seen a threat to Indian unity, this had come from the princely states, which had direct treaties with the Crown, rather than from the Muslims. Hence, the British has spent much of the 1920s and 1930s trying to find a mechanism which would accommodate the princely states once independence came. Both Congress and the British were, therefore, inclined to see the demand for partition as little more than a bargaining position to secure the best terms for Muslims within a united India. This was a serious error.

While what was meant by the Lahore Resolution was opaque, it triggered what was to become perhaps the greatest Muslim mass movement of the 20th Century. There is no doubt that between 1940 and 1945 the concept of an independent homeland based upon the 'Two Nation' theory took hold of the Muslim community, and that by the end of the war Jinnah could claim to command its allegiance. In elections to the Central Assembly in December 1945, the League gained 86.6% of the Muslim vote, a far cry from the position on the eve of war. Even so, Jinnah had been careful never to define too closely what 'Pakistan' might mean, since the distribution of the Muslim population meant that any partition would be difficult. Most obviously, a homeland based upon Muslim majority areas would deliver nothing for the substantial numbers of Muslims

living elsewhere in India. With his home in Bombay's Malabar Hill, Jinnah personified this dilemma. Arguably, partition would leave these communities in an even more vulnerable minority within a Hindu India, just as the division of Ireland had left small isolated pockets of Protestants in the Free State. Furthermore, British officials were unconvinced of the viability of a Muslim state in two parts, separated by over 1,000 miles of a potentially hostile India.

Even more fundamental were problems associated with the Muslim majority provinces. In the north-east, Jinnah claimed Bengal and Assam. The latter may easily be dismissed, since it had an overwhelming Hindu majority, and its inclusion in a Muslim state was never credible. Bengal had a Muslim majority of 27,497,624 to 21,570,407 Hindus. Jinnah's claim for national self determination for the Muslims ran directly counter to the demand of the Hindus to be part of a united India. Moreover, Hindus were a clear majority in the Bengali capital of Calcutta, thought essential to the prosperity of the jute industry of the Muslim-dominated east of the province. The north-western part of Pakistan was to consist of the three small provinces of Baluchistan, Sind and the North-West Frontier Province, with the Punjab as its essential core. The position of the Punjab reflected that of Bengal, with a vital added element. While there were 13,332,460 Muslims compared with 6,328,588 Hindus, there were also 3,064,144 Sikhs.¹⁶ The Sikhs dominated the rich farmlands of the central Punjab between the provincial capital of Lahore and their holy city of Amritsar. Their traditions were those of resistance to Muslim domination. Once again, to include these Hindu and Sikh communities in a Muslim homeland would be to deny their claim to self determination, either in a united India or in Sikh homeland. In short, both provinces had mixed populations as well as an essential economic unity developed over centuries.

The opponents of partition, both Indian and British, were well aware of these weaknesses in Jinnah's position. In September 1944, Gandhi made a sustained attempt to expose what he believed to be the absurdity of partition. At the heart of Gandhi's position was his acceptance of the principle that in Baluchistan, Sind, the North-West Frontier Province, Assam, and the parts of Bengal and Punjab where they were in

Rushbrook Williams, *The State of Pakistan* (London, 1966) for a sympathetic account of Jinnah's political evolution.

¹⁵ 'The Pakistan Resolution', 23 March 1940, in *Pakistan Resolution to Pakistan 1940-1947*, Latif Ahmed Sherwani (ed) (Lahore, 1968), vol. I, pp. 39-47. Gandhi's reaction may be studied in *The Collected Works of Mahatma Gandhi*, vol. LXXI (New Delhi, 1968).

¹⁶ See *1931 Census of India*, vol. I, *India*, part II, Imperial Table.

an absolute majority, Muslims could separate from the rest of India. Jinnah rejected any idea of the partition of Bengal and Punjab on the grounds that this would leave the Muslims with the unviable 'husk' of Pakistan.¹⁷ Partition now turned on the question of the partition of Bengal and the Punjab. This formed the basis of the negotiations conducted in the spring of 1946 by Sir Stafford Cripps, A.V. Alexander and Lord Pethick-Lawrence, the so-called 'Cabinet Mission'. In essence, what the British ministers put to Jinnah was that if the case for Pakistan rested on self determination, then that principle could not be denied to the Hindus and Sikhs of Punjab and Bengal. Jinnah responded that a partition of these two provinces would leave Pakistan truncated and economically unviable. What the 'Cabinet Mission' proposed, therefore, was a federal scheme, which, they believed, would meet the essence of Jinnah's claim, while retaining key elements of Indian unity as demanded by Congress. It was proposed that in the north-west, the Punjab, Sind, Baluchistan, and the North-West Frontier Province would come together in a grouping that would see a Muslim majority of 62.07% to 37.93%, while a similar grouping of Bengal and Assam in the north-east would give a Muslim majority of 51.69% to 48.31%. The other Indian provinces would form the third grouping. These three groups would then come together for defence, foreign affairs and communications.¹⁸ Although initially accepted by both Congress and the Muslim League, communal antagonism proved too strong for this agreement to hold. On 16 August 1946, Jinnah launched his 'Direct Action' campaign to achieve Pakistan. The 'Great Calcutta Killing', which began that day proved to be the prelude to a winter of escalating slaughter.

By the time Lord Mountbatten arrived in late March 1947, charged with the task of ending British rule in India, there was scant prospect of retaining any kind of unity. The new Viceroy confronted Jinnah with the by now familiar dilemma that if he wanted Pakistan it could only come at the price of the partition of Bengal and the Punjab. A reluctant Congress had come to accept this as the only way forward. Mountbatten's plan was finally agreed upon at a con-

ference on 2-3 June 1947. It provided for the independence of India and Pakistan on 15 August, and for the establishment of a boundary commission to determine the new borders which would partition the two key provinces.¹⁹ As is well known, the partition of the Punjab proved to be a brutal affair, resulting in the deaths of hundreds of thousands of Muslims, Hindus and Sikhs, and the dispossession and migration of millions. Pakistan did not ultimately hold together; in 1971, east Pakistan emerged as the new nation of Bangla Desh. Nor did partition resolve all the issues of the sub-continent. The two new states were soon locked into confrontation over the former princely state of Kashmir, a conflict escalated by the emergence of both India and Pakistan as nuclear powers, and, in 2005, yet to be resolved.

Partition first entered public debate over Palestine with the discussions, and then the publication, of the Peel Commission in 1937. The background, of course, began years earlier, even before Britain assumed the League of Nations Mandate for the former Ottoman territories in 1922. Before 1914, Palestine existed as part of two administrative districts of the Turkish Empire, with some 400,000 Arabs and 85,000 Jews, of whom about 30,000 had come in support of Jewish statehood. With the outbreak of war in 1914, Palestine's fate became intertwined with that of the empire itself. In particular, Britain made two promises which have long been the subject of violent controversy. In 1915, the High Commissioner in Cairo, Sir Henry McMahon, seemingly pledged that Britain would 'recognize and support the independence of the Arabs', with the exception of 'portions of Syria lying to the west of the districts of Damascus, Homs, Hamma and Aleppo'. Arabs could never be convinced that these districts included Palestine. Then, in 1917, came the Balfour Declaration, which committed Britain to support 'the establishment in Palestine of a national home for the Jewish people'. Volumes have been written around these two documents. Suffice it to say that both Arabs and Jews had reason to believe that Britain had made pledges over Palestine, and that these pledges haunted British policy for the next three decades.

¹⁷ See Gandhi, *Collected Works*, vol. LXXVIII (New Delhi, 1979).

¹⁸ The work of the Cabinet Mission is fully recorded in Nicholas Mansergh (ed), *The Transfer of Power in India*, vol. VII (London, 1977).

¹⁹ Mountbatten's role is well covered in H.V. Hodson, *The Great Divide* (London, 1969) and Philip Ziegler, *Mountbatten* (London, 2001).

What no one foresaw was the rise of Adolf Hitler and the state anti-Semitism which his National Socialist regime set in hand from 1933. Alarmed over their prospects in Europe, large numbers of Jews moved to Palestine. By 1936, the Jewish population of the country numbered 370,483 out of a total population of 1,336,518.²⁰ Faced with this sudden and unexpected surge in Jewish settlement, the Palestinians rebelled. The Arab revolt provoked both military repression and an attempt at a political solution. The latter saw the appointment of a Royal Commission chaired by Lord Peel. Afflicted with cancer, Peel was not its most influential member. The intellectual driving force behind the commission was the Beit Professor of Imperial History at the University of Oxford, Reginald Coupland. Coupland is a pivotal figure in the history of partition. Appointed to the Beit Lectureship in Imperial History at Oxford in 1913, from 1917 to 1919 he edited *The Round Table*, at a time when the future constitutional future of Ireland was at the top of the imperial agenda. Coupland passionately believed that the three British nationalities, English, Scottish and Welsh, had come together in a common nationality. 'The English and the Scots', he wrote in 1943, 'have become one British nation'. Much earlier, in a lecture in India, he observed that 'these three nations have achieved a solid, indestructible unity'.²¹ This analysis was then extended to other parts of the empire. Hence, in the Palestine Royal Commission Report, he was able to assert: 'where the conflict of nationalities has been overcome and unity achieved - in Britain itself, in Canada, in South Africa - one of the parties concerned has been English or British, and that, where this has not been so, as in the schism between the Northern and Southern Irish or between Hindus and Moslems in India, the quarrel, though it is centuries old, has not yet been composed'.²²

Extending this analysis to Palestine, on 23 December 1936 he posed to the Zionist leader Dr Chaim Weizmann whether Palestine should be

divided into 'two big areas'. On 8 January 1937, at a private meeting with Weizmann, he extended this to include a formal partition of the territory, which would produce two independent states. When the Commission's report was published on 22 June 1937, it was permeated with Coupland's views. 'An irrepressible conflict', he argued, 'has arisen between two national communities within the narrow bounds of one small country. About 1,000,000 Arabs are in strife, open or latent, with some 400,000 Jews. There is no common ground between them. The Arab community is predominantly Asiatic in character, and the Jewish community predominantly European. They differ in religion and in language. Their cultural and social life, their ways of thought and conduct, are as incompatible as their national aspirations'.²³ Nor was the Irish parallel far from his mind, arguing that 'the impossibility of uniting all Ireland under a single parliament; and the gulf between Arabs and Jews in Palestine is wider than that which separates Northern Ireland from the Irish Free State'.²⁴ In such circumstances, he argued, partition held out the only hope. Although the British cabinet at first embraced the idea, they were not long in retracing their steps. Faced with the deteriorating diplomatic situation in Europe, support of the Arab Middle East, with its oil reserves, was of the essence. In 1938, the British formally declared partition to be unworkable in practice, and then, weeks before the outbreak of war, they issued a White Paper setting out the conditions for the independence of Palestine in ten years as a united state with a clear Arab majority. Partition, it seemed, was dead.

Partition did not feature much during the Second World War, even though Winston Churchill flirted with it in 1944. What proved decisive was the Nazi attempt to exterminate the Jews of Europe, the systematic destruction of some six million people. By 1945, Jews believed that this genocidal policy at the hands of so-called Christian civilisation merited the creation of a national home where they could be free from persecution. In 1942, at the Biltmore Conference in New York, the Zionist movement had pledged itself to the support of Palestine as a Jewish commonwealth. In reality, key Zionist leaders, notably Chaim Weizmann and David Ben-Gurion, were keenly aware that numbers were not on their side, and that the best they

²⁰ *Report on the Administration of Palestine for 1938*, p. 226.

²¹ For a discussion of the evolution and impact of Coupland's thought, see T.G. Fraser, 'Sir Reginald Coupland, the Round Table and the Problem of Divided Societies', in Andrea Bosco and Alex May (eds.), *The Round Table, the Empire/Commonwealth and British Foreign Policy* (London, 1997), pp. 407-19.

²² *Palestine Royal Commission Report* (Cmd 5479, 1937), p. 375.

²³ Cmd 5479, p. 370.

²⁴ Cmd 5479, p. 361.

might hope for was a Jewish state in part of Palestine; in short, partition. This became increasingly clear in the course of 1946. For their part, the Arabs argued that since the Holocaust had been perpetrated by Europeans, Arabs should not be asked to bear the price of surrendering Palestine, in which they commanded a clear majority. They demanded independence for an undivided Palestine, with Jews as a protected minority. In this, they enjoyed British support. The responsible minister, Foreign Secretary Ernest Bevin, and his principal adviser, Harold Beeley, were keen and consistent advocates of the Arab position, though the Colonial Office was more inclined towards partition.

But British attitudes were now less important. The decisive voice lay in Washington, especially with Harry S. Truman, president since the death of Franklin Roosevelt in April 1945. Much ink has been spilt on Truman's attitude towards Palestine. He knew nothing of the Arabs. Unlike many Protestant Americans of his generation, he was comfortable with Jews, and knew something of their aspirations for statehood in Palestine. The officials of the Department of State led by Loy Henderson, conscious of the emerging tensions between Washington and Moscow, looked to support in the Arab world, and counselled against Jewish statehood in any part of Palestine. But Truman's political advisers, Clark Clifford and David Niles, countered with two arguments. Domestically, if the Democrats did not support Jewish statehood, then the Republicans would. Secondly, if the United States did not support Jewish statehood, then the Soviets would. They won. On 4 October 1946, in his Yom Kippur statement, Truman pledged the United States to support a Jewish state through the partition of Palestine.

By this time, the British were at their wits' end, having no political or military answer to the Jewish Revolt, which had broken out in October 1945. In February 1947, they referred the problem of Palestine to the United Nations. The UN was determined to address the problem seriously, in May establishing the United Nations Special Committee on Palestine (UNSCOP), consisting of Guatemala, Uruguay, Peru, Australia, Canada, Sweden, the Netherlands, Yugoslavia, Czechoslovakia, Iran and India. The Palestinians would have nothing to do with it, believing that they had gained nothing from 18 previous

committees of inquiry.²⁵ By contrast, the Zionists argued hard, privately and in public, for an end to the British Mandate, followed by the creation of a Jewish state through partition.

When UNSCOP presented its findings in September 1947, India, Iran and Yugoslavia reported in favour of a unitary state. The Australian member could see no scheme he could support. The remainder came out in favour of partition with economic union. Here, re-stated, were Coupland's arguments of ten years before: 'The basic premise underlying the partition proposals is that the claims to Palestine of the Arab Jews, both possessing validity, are irreconcilable, and that amongst all the solutions advanced, partition will provide the most realistic and practicable settlement, and is the most likely to afford a workable basis for meeting in part the claims and aspirations of both parties.'²⁶ Actually, it did not. The Palestinians rejected the concept of partition, strongly supported by the British. The Jews were unhappy that Jerusalem was to be a *corpus separatum* under the UN, but they realised that partition offered them the chance of statehood and they worked tirelessly to bring it about. In this, they were supported by the Americans and the Soviet Union. When the UN General Assembly voted on the UNSCOP proposals on 29 November 1947, partition passed by the required two-thirds majority, though not without American pressure, galvanised by Truman's White House, on certain swing countries.

None of these three partitions was straightforward. Given the passions aroused and the complex mixture of populations involved, this could never have been the case. In both Ireland and India, two communities developed, and proceeded to assert, distinct identities, which, they argued, meant that they could no longer live within a single, unitary state. This was what Reginald Coupland argued with regard to Palestine in the Peel Commission report of 1937, the document which set the template for the partition of the country ten years later. While Coupland's proposal was sometimes referred to as the 'clean cut' solution, as in the cases of Ireland and India the partition of Palestine was never going to be that simple. In Ireland, partition meant a sense of loss to Protestants in east Donegal and north Monaghan,

²⁵ Jamal Husseini, 29 September 1947, UNO *General Assembly Official Records, Ad Hoc Committee on the Palestinian Question*, 3rd meeting.

²⁶ UNSCOP Report (New York, 1947).

as well as to Catholics in west Belfast, Derry city, south Armagh and south Down. Similarly, the partition of India destroyed the centuries-old position of Hindus in Lahore, Sikhs in their holy shrine of Nankana Sahib, and the Muslims of Delhi with its famed Islamic architecture. For the Jews, the partition resolution of November 1947 opened the door to statehood in May 1948; for the Palestinians, it triggered a sequence of events which ended in statelessness, and, for hundreds of thousands, exile and the refugee camps. Indians and Pakistanis still wrestle with the seemingly intractable issue of Kashmir, but they do so in the diplomatic forum. In Northern Ireland, the prizes offered by the 1998 Belfast Agreement have proved elusive, but there has, so far, been no return to armed conflict. Palestinians and Israelis have yet to resolve the manner in which they might share their divided territory as two states, each offering the other respect, security and the means of achieving economic prosperity, as envisaged in the 'Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict' unveiled by the American government on 30 April 2003.²⁷

²⁷ 'Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict', Department of State, Washington, 30 April 2003.

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the good friday agreement

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DECLARATION OF SUPPORT

1. We, the participants in the multi-party negotiations, believe that the agreement we have negotiated offers a truly historic opportunity for a new beginning.

2. The tragedies of the past have left a deep and profoundly regrettable legacy of suffering. We must never forget those who have died or been injured, and their families. But we can best honour them through a fresh start, in which we firmly dedicate ourselves to the achievement of reconciliation, tolerance, and mutual trust, and to the protection and vindication of the human rights of all.

3. We are committed to partnership, equality and mutual respect as the basis of relationships within Northern Ireland, between North and South, and between these islands.

4. We reaffirm our total and absolute commitment to exclusively democratic and peaceful means of resolving differences on political issues, and our opposition to any use or threat of force by others for any political purpose, whether in regard to this agreement or otherwise.

5. We acknowledge the substantial differences between our continuing, and equally legitimate, political aspirations. However, we will endeavour to strive in every practical way towards reconciliation and rapprochement within the framework of democratic and agreed arrangements. We pledge that we will, in good faith, work to ensure the success of each and every one of the arrangements to be established under this agreement. It is accepted that all of the institutional and constitutional arrangements - an Assembly in Northern Ireland, a North/South Ministerial Council, implementation bodies, a British-Irish Council and a British-Irish Intergovernmental Conference and any amendments to British Acts of Parliament and the Constitution of Ireland - are interlocking and interdependent and that in particular the functioning of the Assembly and the North/South Council are so closely inter-related that the success of each depends on that of the other.

6. Accordingly, in a spirit of concord, we strongly commend this agreement to the people, North and South, for their approval.

CONSTITUTIONAL ISSUES

1. The participants endorse the commitment made by the British and Irish Governments that, in a new British-Irish Agreement replacing the Anglo-Irish Agreement, they will:

(i) recognise the legitimacy of whatever choice is freely exercised by a majority of the people of Northern Ireland with regard to its status, whether they prefer to continue to support the Union with Great Britain or a sovereign united Ireland;

(ii) recognise that it is for the people of the island of Ireland alone, by agreement between the two parts respectively and without external impediment, to exercise their right of self-determination on the basis of consent, freely and concurrently given, North and South, to bring about a united Ireland, if that is their wish, accepting that this right must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland;

(iii) acknowledge that while a substantial section of the people in Northern Ireland share the legitimate wish of a majority of the people of the island of Ireland for a united Ireland, the present wish of a majority of the people of Northern Ireland, freely exercised and legitimate, is to maintain the Union and, accordingly, that Northern Ireland's status as part of the United Kingdom reflects and relies upon that wish; and that it would be wrong to make any change in the status of Northern Ireland save with the consent of a majority of its people;

(iv) affirm that if, in the future, the people of the island of Ireland exercise their right of self-determination on the basis set out in sections (i) and (ii) above to bring about a united Ireland, it will be a binding obligation on both Governments to introduce and support in their respective Parliaments legislation to give effect to that wish;

(v) affirm that whatever choice is freely exercised by a majority of the people of Northern Ireland, the power of the sovereign government with jurisdiction there shall be exercised with rigorous impartiality on behalf of all the people in the diversity of their identities and traditions and shall be founded on the principles of full respect for, and equality of, civil, political, social and cultural rights, of freedom from discrimination for all citizens, and of parity of esteem and of just

and equal treatment for the identity, ethos, and aspirations of both communities;

(vi) recognise the birthright of all the people of Northern Ireland to identify themselves and be accepted as Irish or British, or both, as they may so choose, and accordingly confirm that their right to hold both British and Irish citizenship is accepted by both Governments and would not be affected by any future change in the status of Northern Ireland.

2. The participants also note that the two Governments have accordingly undertaken in the context of this comprehensive political agreement, to propose and support changes in, respectively, the Constitution of Ireland and in British legislation relating to the constitutional status of Northern Ireland.

ANNEX A

DRAFT CLAUSES/SCHEDULES FOR INCORPORATION IN BRITISH LEGISLATION

1. (1) It is hereby declared that Northern Ireland in its entirety remains part of the United Kingdom and shall not cease to be so without the consent of a majority of the people of Northern Ireland voting in a poll held for the purposes of this section in accordance with Schedule 1.

(2) But if the wish expressed by a majority in such a poll is that Northern Ireland should cease to be part of the United Kingdom and form part of a united Ireland, the Secretary of State shall lay before Parliament such proposals to give effect to that wish as may be agreed between Her Majesty's Government in the United Kingdom and the Government of Ireland.

2. The Government of Ireland Act 1920 is repealed; and this Act shall have effect notwithstanding any other previous enactment.

SCHEDULE 1

POLLS FOR THE PURPOSE OF SECTION 1

1. The Secretary of State may by order direct the holding of a poll for the purposes of section 1 on a date specified in the order.

2. Subject to paragraph 3, the Secretary of State shall exercise the power under paragraph 1 if at any time it appears likely to him that a majority of those voting would express a wish that Northern Ireland should cease to be part of the United Kingdom and form part of a united Ireland.

3. The Secretary of State shall not make an order under paragraph 1 earlier than seven years after the holding of a previous poll under this Schedule.

4. (Remaining paragraphs along the lines of paragraphs 2 and 3 of existing Schedule 1 to 1973 Act.)

ANNEX B

IRISH GOVERNMENT DRAFT LEGISLATION TO AMEND THE CONSTITUTION

Add to Article 29 the following sections: 7.

1. The State may consent to be bound by the British-Irish Agreement done at Belfast on ... the day of ... 1998, hereinafter called the Agreement.
2. Any institution established by or under the Agreement may exercise the powers and functions thereby conferred on it in respect of all or any part of the island of Ireland notwithstanding any other provision of this Constitution conferring a like power or function on any person or any organ of State appointed under or created or established by or under this Constitution. Any power or function conferred on such an institution in relation to the settlement or resolution of disputes or controversies may be in addition to or in substitution for any like power or function conferred by this Constitution on any such person or organ of State as aforesaid.
3. If the Government declare that the State has become obliged, pursuant to the Agreement, to give effect to the amendment of this Constitution referred to therein, then, notwithstanding Article 46 hereof, this Constitution shall be amended as follows:

i. the following Articles shall be substituted for Articles 2 and 3 of the Irish text:

"2. [Irish text to be inserted here]

3. [Irish text to be inserted here]"

ii. the following Articles shall be substituted for Articles 2 and 3 of the English text:

"Article 2

It is the entitlement and birthright of every person born in the island of Ireland, which includes its islands and seas, to be part of the Irish nation. That is also the entitlement of all persons otherwise qualified in accordance with law to be citizens of Ireland. Furthermore, the Irish nation cherishes its special affinity with people of Irish ancestry living abroad who share its cultural identity and heritage.

Article 3

1. It is the firm will of the Irish nation, in harmony and friendship, to unite all the

people who share the territory of the island of Ireland, in all the diversity of their identities and traditions, recognising that a united Ireland shall be brought about only by peaceful means with the consent of a majority of the people, democratically expressed, in both jurisdictions in the island. Until then, the laws enacted by the Parliament established by this Constitution shall have the like area and extent of application as the laws enacted by the Parliament that existed immediately before the coming into operation of this Constitution.

2. Institutions with executive powers and functions that are shared between those jurisdictions may be established by their respective responsible authorities for stated purposes and may exercise powers and functions in respect of all or any part of the island."

iii. the following section shall be added to the Irish text of this Article:

"8. [Irish text to be inserted here]"

and

iv. the following section shall be added to the English text of this Article:

"8. The State may exercise extra-territorial jurisdiction in accordance with the generally recognised principles of international law."

4. If a declaration under this section is made, this subsection and subsection 3, other than the amendment of this Constitution effected thereby, and subsection 5 of this section shall be omitted from every official text of this Constitution published thereafter, but notwithstanding such omission this section shall continue to have the force of law.

5. If such a declaration is not made within twelve months of this section being added to this Constitution or such longer period as may be provided for by law, this section shall cease to have effect and shall be omitted from every official text of this Constitution published thereafter.

STRAND ONE

DEMOCRATIC INSTITUTIONS IN NORTHERN IRELAND

1. This agreement provides for a democratically elected Assembly in Northern Ireland which is inclusive in its membership, capable of exercising executive and legislative authority, and subject

to safeguards to protect the rights and interests of all sides of the community.

The Assembly

2. A 108-member Assembly will be elected by PR (STV) from existing Westminster constituencies.

3. The Assembly will exercise full legislative and executive authority in respect of those matters currently within the responsibility of the six Northern Ireland Government Departments, with the possibility of taking on responsibility for other matters as detailed elsewhere in this agreement.

4. The Assembly - operating where appropriate on a cross-community basis - will be the prime source of authority in respect of all devolved responsibilities.

Safeguards

5. There will be safeguards to ensure that all sections of the community can participate and work together successfully in the operation of these institutions and that all sections of the community are protected, including:

(a) allocations of Committee Chairs, Ministers and Committee membership in proportion to party strengths;

(b) the European Convention on Human Rights (ECHR) and any Bill of Rights for Northern Ireland supplementing it, which neither the Assembly nor public bodies can infringe, together with a Human Rights Commission;

(c) arrangements to provide that key decisions and legislation are proofed to ensure that they do not infringe the ECHR and any Bill of Rights for Northern Ireland;

(d) arrangements to ensure key decisions are taken on a cross-community basis;

(i) either parallel consent, i.e. a majority of those members present and voting, including a majority of the unionist and nationalist designations present and voting;

(ii) or a weighted majority (60%) of members present and voting, including at least 40% of each of the nationalist and unionist designations present and voting.

Key decisions requiring cross-community support will be designated in advance, including election of the Chair of the Assembly, the First Minister and Deputy First Minister, standing orders and budget allocations. In other cases such decisions could be triggered by a petition of concern brought by a significant minority of Assembly members (30/108).

(e) an Equality Commission to monitor a statutory obligation to promote equality of opportunity in specified areas and parity of esteem between the two main communities, and to investigate individual complaints against public bodies.

Operation of the Assembly

6. At their first meeting, members of the Assembly will register a designation of identity - nationalist, unionist or other - for the purposes of measuring cross-community support in Assembly votes under the relevant provisions above.

7. The Chair and Deputy Chair of the Assembly will be elected on a cross-community basis, as set out in paragraph 5(d) above.

8. There will be a Committee for each of the main executive functions of the Northern Ireland Administration. The Chairs and Deputy Chairs of the Assembly Committees will be allocated proportionally, using the d'Hondt system. Membership of the Committees will be in broad proportion to party strengths in the Assembly to ensure that the opportunity of Committee places is available to all members.

9. The Committees will have a scrutiny, policy development and consultation role with respect to the Department with which each is associated, and will have a role in initiation of legislation. They will have the power to:

- consider and advise on Departmental budgets and Annual Plans in the context of the overall budget allocation;
- approve relevant secondary legislation and take the Committee stage of relevant primary legislation;
- call for persons and papers;
- initiate enquiries and make reports;
- consider and advise on matters brought to the Committee by its Minister.

10. Standing Committees other than Departmental Committees may be established as may be required from time to time.

11. The Assembly may appoint a special Committee to examine and report on whether a measure or proposal for legislation is in conformity with equality requirements, including the ECHR/Bill of Rights. The Committee shall have the power to call people and papers to assist in its consideration of the matter. The Assembly shall then consider the report of the Committee and can determine the matter in accordance with the cross-community consent procedure.

12. The above special procedure shall be followed when requested by the Executive Committee, or by the relevant Departmental Committee, voting on a cross-community basis.

13. When there is a petition of concern as in 5(d) above, the Assembly shall vote to determine whether the measure may proceed without reference to this special procedure. If this fails to achieve support on a cross-community basis, as in 5(d)(i) above, the special procedure shall be followed.

Executive Authority

14. Executive authority to be discharged on behalf of the Assembly by a First Minister and Deputy First Minister and up to ten Ministers with Departmental responsibilities.

15. The First Minister and Deputy First Minister shall be jointly elected into office by the Assembly voting on a cross-community basis, according to 5(d)(i) above.

16. Following the election of the First Minister and Deputy First Minister, the posts of Ministers will be allocated to parties on the basis of the d'Hondt system by reference to the number of seats each party has in the Assembly.

17. The Ministers will constitute an Executive Committee, which will be convened, and presided over, by the First Minister and Deputy First Minister.

18. The duties of the First Minister and Deputy First Minister will include, inter alia, dealing with and co-ordinating the work of the Executive Committee and the response of the Northern Ireland administration to external relationships.

19. The Executive Committee will provide a forum for the discussion of, and agreement on, issues which cut across the responsibilities of two or more Ministers, for prioritising executive and legislative proposals and for recommending a common position where necessary (e.g. in dealing with external relationships).

20. The Executive Committee will seek to agree each year, and review as necessary, a programme incorporating an agreed budget linked to policies and programmes, subject to approval by the Assembly, after scrutiny in Assembly Committees, on a cross-community basis.

21. A party may decline the opportunity to nominate a person to serve as a Minister or may subsequently change its nominee.

22. All the Northern Ireland Departments will be headed by a Minister. All Ministers will liaise regularly with their respective Committee.

23. As a condition of appointment, Ministers, including the First Minister and Deputy First Minister, will affirm the terms of a Pledge of Office (Annex A) undertaking to discharge effectively and in good faith all the responsibilities attaching to their office.

24. Ministers will have full executive authority in their respective areas of responsibility, within any broad programme agreed by the Executive Committee and endorsed by the Assembly as a whole.

25. An individual may be removed from office following a decision of the Assembly taken on a cross-community basis, if (s)he loses the confidence of the Assembly, voting on a cross-community basis, for failure to meet his or her responsibilities including, inter alia, those set out in the Pledge of Office. Those who hold office should use only democratic, non-violent means, and those who do not should be excluded or removed from office under these provisions.

Legislation

26. The Assembly will have authority to pass primary legislation for Northern Ireland in devolved areas, subject to:

(a) the ECHR and any Bill of Rights for Northern Ireland supplementing it which, if the courts found to be breached, would render the relevant legislation null and void;

(b) decisions by simple majority of members voting, except when decision on a cross-community basis is required;

(c) detailed scrutiny and approval in the relevant Departmental Committee;

(d) mechanisms, based on arrangements proposed for the Scottish Parliament, to ensure suitable co-ordination, and avoid disputes, between the Assembly and the Westminster Parliament;

(e) option of the Assembly seeking to include Northern Ireland provisions in United Kingdom-wide legislation in the Westminster Parliament, especially on devolved issues where parity is normally maintained (e.g. social security, company law).

27. The Assembly will have authority to legislate in reserved areas with the approval of the Secretary of State and subject to Parliamentary control.

28. Disputes over legislative competence will be decided by the Courts.

29. Legislation could be initiated by an individual, a Committee or a Minister.

Relations with other institutions

30. Arrangements to represent the Assembly as a whole, at Summit level and in dealings with other institutions, will be in accordance with paragraph 18, and will be such as to ensure cross-community involvement.

31. Terms will be agreed between appropriate Assembly representatives and the Government of the United Kingdom to ensure effective co-ordination and input by Ministers to national policy-making, including on EU issues.

32. Role of Secretary of State:

(a) to remain responsible for NIO matters not devolved to the Assembly, subject to regular consultation with the Assembly and Ministers;

(b) to approve and lay before the Westminster Parliament any Assembly legislation on reserved matters;

(c) to represent Northern Ireland interests in the United Kingdom Cabinet;

(d) to have the right to attend the Assembly at their invitation.

33. The Westminster Parliament (whose power to make legislation for Northern Ireland would remain unaffected) will:

(a) legislate for non-devolved issues, other than where the Assembly legislates with the approval of the Secretary of State and subject to the control of Parliament;

(b) to legislate as necessary to ensure the United Kingdom's international obligations are met in respect of Northern Ireland;

(c) scrutinise, including through the Northern Ireland Grand and Select Committees, the responsibilities of the Secretary of State.

34. A consultative Civic Forum will be established. It will comprise representatives of the business, trade union and voluntary sectors, and such other sectors as agreed by the First Minister and the Deputy First Minister. It will act as a consultative mechanism on social, economic and cultural issues. The First Minister and the Deputy First Minister will by agreement provide administrative support for the Civic Forum and establish guidelines for the selection of representatives to the Civic Forum.

Transitional Arrangements

35. The Assembly will meet first for the purpose of organisation, without legislative or executive powers, to resolve its standing orders and working practices and make preparations for the effective functioning of the Assembly, the British-

Irish Council and the North/South Ministerial Council and associated implementation bodies. In this transitional period, those members of the Assembly serving as shadow Ministers shall affirm their commitment to non-violence and exclusively peaceful and democratic means and their opposition to any use or threat of force by others for any political purpose; to work in good faith to bring the new arrangements into being; and to observe the spirit of the Pledge of Office applying to appointed Ministers.

Review

36. After a specified period there will be a review of these arrangements, including the details of electoral arrangements and of the Assembly's procedures, with a view to agreeing any adjustments necessary in the interests of efficiency and fairness.

Annex A

PLEDGE OF OFFICE

To pledge:

(a) to discharge in good faith all the duties of office;

(b) commitment to non-violence and exclusively peaceful and democratic means;

(c) to serve all the people of Northern Ireland equally, and to act in accordance with the general obligations on government to promote equality and prevent discrimination;

(d) to participate with colleagues in the preparation of a programme for government;

(e) to operate within the framework of that programme when agreed within the Executive Committee and endorsed by the Assembly;

(f) to support, and to act in accordance with, all decisions of the Executive Committee and Assembly;

(g) to comply with the Ministerial Code of Conduct.

CODE OF CONDUCT

Ministers must at all times:

- observe the highest standards of propriety and regularity involving impartiality, integrity and objectivity in relationship to the stewardship of public funds;

- be accountable to users of services, the community and, through the Assembly, for the activities within their responsibilities, their stewardship of public funds and the extent to which

key performance targets and objectives have been met;

- ensure all reasonable requests for information from the Assembly, users of services and individual citizens are complied with; and that Departments and their staff conduct their dealings with the public in an open and responsible way;
- follow the seven principles of public life set out by the Committee on Standards in Public Life;
- comply with this code and with rules relating to the use of public funds;
- operate in a way conducive to promoting good community relations and equality of treatment;
- not use information gained in the course of their service for personal gain; nor seek to use the opportunity of public service to promote their private interests;
- ensure they comply with any rules on the acceptance of gifts and hospitality that might be offered;
- declare any personal or business interests which may conflict with their responsibilities. The Assembly will retain a Register of Interests. Individuals must ensure that any direct or indirect pecuniary interests which members of the public might reasonably think could influence their judgement are listed in the Register of Interests;

STRAND TWO

NORTH/SOUTH MINISTERIAL COUNCIL

1. Under a new British/Irish Agreement dealing with the totality of relationships, and related legislation at Westminster and in the Oireachtas, a North/South Ministerial Council to be established to bring together those with executive responsibilities in Northern Ireland and the Irish Government, to develop consultation, co-operation and action within the island of Ireland - including through implementation on an all-island and cross-border basis - on matters of mutual interest within the competence of the Administrations, North and South.

2. All Council decisions to be by agreement between the two sides. Northern Ireland to be represented by the First Minister, Deputy First Minister and any relevant Ministers, the Irish Government by the Taoiseach and relevant Ministers, all operating in accordance with the rules for democratic authority and accountability in force in the Northern Ireland Assembly and the

Oireachtas respectively. Participation in the Council to be one of the essential responsibilities attaching to relevant posts in the two Administrations. If a holder of a relevant post will not participate normally in the Council, the Taoiseach in the case of the Irish Government and the First and Deputy First Minister in the case of the Northern Ireland Administration to be able to make alternative arrangements.

3. The Council to meet in different formats:

(i) in plenary format twice a year, with Northern Ireland representation led by the First Minister and Deputy First Minister and the Irish Government led by the Taoiseach;

(ii) in specific sectoral formats on a regular and frequent basis with each side represented by the appropriate Minister;

(iii) in an appropriate format to consider institutional or cross-sectoral matters (including in relation to the EU) and to resolve disagreement.

4. Agendas for all meetings to be settled by prior agreement between the two sides, but it will be open to either to propose any matter for consideration or action.

5. The Council:

(i) to exchange information, discuss and consult with a view to co-operating on matters of mutual interest within the competence of both Administrations, North and South;

(ii) to use best endeavours to reach agreement on the adoption of common policies, in areas where there is a mutual cross-border and all-island benefit, and which are within the competence of both Administrations, North and South, making determined efforts to overcome any disagreements;

(iii) to take decisions by agreement on policies for implementation separately in each jurisdiction, in relevant meaningful areas within the competence of both Administrations, North and South;

(iv) to take decisions by agreement on policies and action at an all-island and cross-border level to be implemented by the bodies to be established as set out in paragraphs 8 and 9 below.

6. Each side to be in a position to take decisions in the Council within the defined authority of those attending, through the arrangements in place for co-ordination of executive functions within each jurisdiction. Each side to remain accountable to the Assembly and Oireachtas respectively, whose approval, through the arrangements in place on either side, would be required for decisions beyond the defined authority of those attending.

7. As soon as practically possible after elections to the Northern Ireland Assembly, inaugural meetings will take place of the Assembly, the British/Irish Council and the North/South Ministerial Council in their transitional forms. All three institutions will meet regularly and frequently on this basis during the period between the elections to the Assembly, and the transfer of powers to the Assembly, in order to establish their *modus operandi*.

8. During the transitional period between the elections to the Northern Ireland Assembly and the transfer of power to it, representatives of the Northern Ireland transitional Administration and the Irish Government operating in the North/South Ministerial Council will undertake a work programme, in consultation with the British Government, covering at least 12 subject areas, with a view to identifying and agreeing by 31 October 1998 areas where co-operation and implementation for mutual benefit will take place. Such areas may include matters in the list set out in the Annex.

9. As part of the work programme, the Council will identify and agree at least 6 matters for co-operation and implementation in each of the following categories:

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

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

10. The two Governments will make necessary legislative and other enabling preparations to ensure, as an absolute commitment, that these bodies, which have been agreed as a result of the work programme, function at the time of the inception of the British-Irish Agreement and the transfer of powers, with legislative authority for these bodies transferred to the Assembly as soon as possible thereafter. Other arrangements for the agreed co-operation will also commence contemporaneously with the transfer of powers to the Assembly.

11. The implementation bodies will have a clear operational remit. They will implement on an all-island and cross-border basis policies agreed in the Council.

12. Any further development of these arrangements to be by agreement in the Council and with the specific endorsement of the Northern Ireland Assembly and Oireachtas, subject to the extent of the competences and responsibility of the two Administrations.

13. It is understood that the North/South Ministerial Council and the Northern Ireland Assembly are mutually inter-dependent, and that one cannot successfully function without the other.

14. Disagreements within the Council to be addressed in the format described at paragraph 3(iii) above or in the plenary format. By agreement between the two sides, experts could be appointed to consider a particular matter and report.

15. Funding to be provided by the two Administrations on the basis that the Council and the implementation bodies constitute a necessary public function.

16. The Council to be supported by a standing joint Secretariat, staffed by members of the Northern Ireland Civil Service and the Irish Civil Service.

17. The Council to consider the European Union dimension of relevant matters, including the implementation of EU policies and programmes and proposals under consideration in the EU framework. Arrangements to be made to ensure that the views of the Council are taken into account and represented appropriately at relevant EU meetings.

18. The Northern Ireland Assembly and the Oireachtas to consider developing a joint parliamentary forum, bringing together equal numbers from both institutions for discussion of matters of mutual interest and concern.

19. Consideration to be given to the establishment of an independent consultative forum appointed by the two Administrations, representative of civil society, comprising the social partners and other members with expertise in social, cultural, economic and other issues.

ANNEX

Areas for North-South co-operation and implementation may include the following:

1. Agriculture - animal and plant health.
2. Education - teacher qualifications and exchanges.
3. Transport - strategic transport planning.
4. Environment - environmental protection, pollution, water quality, and waste management.
5. Waterways - inland waterways.
6. Social Security/Social Welfare - entitlements of cross-border workers and fraud control.
7. Tourism - promotion, marketing, research, and product development.

8. Relevant EU Programmes such as SPPR, INTERREG, Leader II and their successors.
9. Inland Fisheries.
10. Aquaculture and marine matters
11. Health: accident and emergency services and other related cross-border issues.
12. Urban and rural development.

Others to be considered by the shadow North/South Council.

STRAND THREE

BRITISH-IRISH COUNCIL

1. A British-Irish Council (BIC) will be established under a new British-Irish Agreement to promote the harmonious and mutually beneficial development of the totality of relationships among the peoples of these islands.
2. Membership of the BIC will comprise representatives of the British and Irish Governments, devolved institutions in Northern Ireland, Scotland and Wales, when established, and, if appropriate, elsewhere in the United Kingdom, together with representatives of the Isle of Man and the Channel Islands.
3. The BIC will meet in different formats: at summit level, twice per year; in specific sectoral formats on a regular basis, with each side represented by the appropriate Minister; in an appropriate format to consider cross-sectoral matters.
4. Representatives of members will operate in accordance with whatever procedures for democratic authority and accountability are in force in their respective elected institutions.
5. The BIC will exchange information, discuss, consult and use best endeavours to reach agreement on co-operation on matters of mutual interest within the competence of the relevant Administrations. Suitable issues for early discussion in the BIC could include transport links, agricultural issues, environmental issues, cultural issues, health issues, education issues and approaches to EU issues. Suitable arrangements to be made for practical co-operation on agreed policies.
6. It will be open to the BIC to agree common policies or common actions. Individual members may opt not to participate in such common policies and common action.
7. The BIC normally will operate by consensus. In relation to decisions on common policies or common actions, including their means of implementation, it will operate by agreement of all members participating in such policies or actions.

8. The members of the BIC, on a basis to be agreed between them, will provide such financial support as it may require.

9. A secretariat for the BIC will be provided by the British and Irish Governments in co-ordination with officials of each of the other members.

10. In addition to the structures provided for under this agreement, it will be open to two or more members to develop bilateral or multilateral arrangements between them. Such arrangements could include, subject to the agreement of the members concerned, mechanisms to enable consultation, co-operation and joint decision-making on matters of mutual interest; and mechanisms to implement any joint decisions they may reach. These arrangements will not require the prior approval of the BIC as a whole and will operate independently of it.

11. The elected institutions of the members will be encouraged to develop interparliamentary links, perhaps building on the British-Irish Interparliamentary Body.

12. The full membership of the BIC will keep under review the workings of the Council, including a formal published review at an appropriate time after the Agreement comes into effect, and will contribute as appropriate to any review of the overall political agreement arising from the multi-party negotiations.

BRITISH-IRISH INTERGOVERNMENTAL CONFERENCE

1. There will be a new British-Irish Agreement dealing with the totality of relationships. It will establish a standing British-Irish Intergovernmental Conference, which will subsume both the Anglo-Irish Intergovernmental Council and the Intergovernmental Conference established under the 1985 Agreement.
2. 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.
3. The Conference will meet as required at Summit level (Prime Minister and Taoiseach). Otherwise, Governments will be represented by appropriate Ministers. Advisers, including police and security advisers, will attend as appropriate.
4. All decisions will be by agreement between both Governments. The Governments will make determined efforts to resolve disagreements between them. There will be no derogation from the sovereignty of either Government.

5. In recognition of the 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. These meetings, to be co-chaired by the Minister for Foreign Affairs and the Secretary of State for Northern Ireland, would also deal with all-island and cross-border co-operation on non-devolved issues.

6. Co-operation within the framework of the Conference will include facilitation of co-operation in security matters. The Conference also will address, in particular, the areas of rights, justice, prisons and policing in Northern Ireland (unless and until responsibility is devolved to a Northern Ireland administration) and will intensify co-operation between the two Governments on the all-island or cross-border aspects of these matters.

7. Relevant executive members of the Northern Ireland Administration will be involved in meetings of the Conference, and in the reviews referred to in paragraph 9 below to discuss non-devolved Northern Ireland matters.

8. The Conference will be supported by officials of the British and Irish Governments, including by a standing joint Secretariat of officials dealing with non-devolved Northern Ireland matters.

9. The Conference will keep under review the workings of the new British-Irish Agreement and the machinery and institutions established under it, including a formal published review three years after the Agreement comes into effect. Representatives of the Northern Ireland Administration will be invited to express views to the Conference in this context. The Conference will contribute as appropriate to any review of the overall political agreement arising from the multi-party negotiations but will have no power to override the democratic arrangements set up by this Agreement.

RIGHTS, SAFEGUARDS AND EQUALITY OF OPPORTUNITY

Human Rights

1. The parties affirm their commitment to the mutual respect, the civil rights and the religious liberties of everyone in the community. Against the background of the recent history of communal conflict, the parties affirm in particular:

- the right of free political thought;

- the right to freedom and expression of religion;
- the right to pursue democratically national and political aspirations;
- the right to seek constitutional change by peaceful and legitimate means;
- the right to freely choose one's place of residence;
- the right to equal opportunity in all social and economic activity, regardless of class, creed, disability, gender or ethnicity;
- the right to freedom from sectarian harassment; and
- the right of women to full and equal political participation.

United Kingdom Legislation

2. The British Government will complete incorporation into Northern Ireland law of the European Convention on Human Rights (ECHR), with direct access to the courts, and remedies for breach of the Convention, including power for the courts to overrule Assembly legislation on grounds of inconsistency.

3. Subject to the outcome of public consultation underway, the British Government intends, as a particular priority, to create a statutory obligation on public authorities in Northern Ireland to carry out all their functions with due regard to the need to promote equality of opportunity in relation to religion and political opinion; gender; race; disability; age; marital status; dependants; and sexual orientation. Public bodies would be required to draw up statutory schemes showing how they would implement this obligation. Such schemes would cover arrangements for policy appraisal, including an assessment of impact on relevant categories, public consultation, public access to information and services, monitoring and timetables.

4. The new Northern Ireland Human Rights Commission (see paragraph 5 below) will be invited to consult and to advise on the scope for defining, in Westminster legislation, rights supplementary to those in the European Convention on Human Rights, to reflect the particular circumstances of Northern Ireland, drawing as appropriate on international instruments and experience. These additional rights to reflect the principles of mutual respect for the identity and ethos of both communities and parity of esteem, and - taken together with the ECHR - to constitute a Bill of Rights for Northern Ireland. Among the issues for consideration by the Commission will be:

- the formulation of a general obligation on government and public bodies fully to respect, on the basis of equality of treatment, the identity and ethos of both communities in Northern Ireland; and
- a clear formulation of the rights not to be discriminated against and to equality of opportunity in both the public and private sectors.

New Institutions in Northern Ireland

5. A new Northern Ireland Human Rights Commission, with membership from Northern Ireland reflecting the community balance, will be established by Westminster legislation, independent of Government, with an extended and enhanced role beyond that currently exercised by the Standing Advisory Commission on Human Rights, to include keeping under review the adequacy and effectiveness of laws and practices, making recommendations to Government as necessary; providing information and promoting awareness of human rights; considering draft legislation referred to them by the new Assembly; and, in appropriate cases, bringing court proceedings or providing assistance to individuals doing so.

6. Subject to the outcome of public consultation currently underway, the British Government intends a new statutory Equality Commission to replace the Fair Employment Commission, the Equal Opportunities Commission (NI), the Commission for Racial Equality (NI) and the Disability Council. Such a unified Commission will advise on, validate and monitor the statutory obligation and will investigate complaints of default.

7. It would be open to a new Northern Ireland Assembly to consider bringing together its responsibilities for these matters into a dedicated Department of Equality.

8. These improvements will build on existing protections in Westminster legislation in respect of the judiciary, the system of justice and policing.

Comparable Steps by the Irish Government

9. The Irish Government will also take steps to further strengthen the protection of human rights in its jurisdiction. The Government will, taking account of the work of the All-Party Oireachtas Committee on the Constitution and the Report of the Constitution Review Group, bring forward measures to strengthen and underpin the constitutional protection of human rights. These proposals will draw on the European Convention on Human Rights and other international legal instruments in the field of human rights and the question of the incorporation of the ECHR will be further examined in this

context. The measures brought forward would ensure at least an equivalent level of protection of human rights as will pertain in Northern Ireland. In addition, the Irish Government will:

- establish a Human Rights Commission with a mandate and remit equivalent to that within Northern Ireland;
- proceed with arrangements as quickly as possible to ratify the Council of Europe Framework Convention on National Minorities (already ratified by the UK);
- implement enhanced employment equality legislation;
- introduce equal status legislation; and
- continue to take further active steps to demonstrate its respect for the different traditions in the island of Ireland.

A Joint Committee

10. It is envisaged that there would be a joint committee of representatives of the two Human Rights Commissions, North and South, as a forum for consideration of human rights issues in the island of Ireland. The joint committee will consider, among other matters, the possibility of establishing a charter, open to signature by all democratic political parties, reflecting and endorsing agreed measures for the protection of the fundamental rights of everyone living in the island of Ireland.

Reconciliation and Victims of Violence

11. The participants believe that it is essential to acknowledge and address the suffering of the victims of violence as a necessary element of reconciliation. They look forward to the results of the work of the Northern Ireland Victims Commission.

12. It is recognised that victims have a right to remember as well as to contribute to a changed society. The achievement of a peaceful and just society would be the true memorial to the victims of violence. The participants particularly recognise that young people from areas affected by the troubles face particular difficulties and will support the development of special community-based initiatives based on international best practice. The provision of services that are supportive and sensitive to the needs of victims will also be a critical element and that support will need to be channelled through both statutory and community-based voluntary organisations facilitating locally-based self-help and support networks. This will require the allocation of sufficient resources, including statutory funding as neces-

sary, to meet the needs of victims and to provide for community-based support programmes.

13. The participants recognise and value the work being done by many organisations to develop reconciliation and mutual understanding and respect between and within communities and traditions, in Northern Ireland and between North and South, and they see such work as having a vital role in consolidating peace and political agreement. Accordingly, they pledge their continuing support to such organisations and will positively examine the case for enhanced financial assistance for the work of reconciliation. An essential aspect of the reconciliation process is the promotion of a culture of tolerance at every level of society, including initiatives to facilitate and encourage integrated education and mixed housing.

RIGHTS, SAFEGUARDS AND EQUALITY OF OPPORTUNITY

Economic, Social and Cultural Issues

1. Pending the devolution of powers to a new Northern Ireland Assembly, the British Government will pursue broad policies for sustained economic growth and stability in Northern Ireland and for promoting social inclusion, including in particular community development and the advancement of women in public life.

2. Subject to the public consultation currently under way, the British Government will make rapid progress with:

(i) a new regional development strategy for Northern Ireland, for consideration in due course by the Assembly, tackling the problems of a divided society and social cohesion in urban, rural and border areas, protecting and enhancing the environment, producing new approaches to transport issues, strengthening the physical infrastructure of the region, developing the advantages and resources of rural areas and rejuvenating major urban centres;

(ii) a new economic development strategy for Northern Ireland, for consideration in due course by the Assembly, which would provide for short and medium term economic planning linked as appropriate to the regional development strategy; and

(iii) measures on employment equality included in the recent White Paper ("Partnership for Equality") and covering the extension and strengthening of anti-discrimination legislation, a review of the national security aspects of the present fair employment legislation at the earli-

est possible time, a new more focused Targeting Social Need initiative and a range of measures aimed at combating unemployment and progressively eliminating the differential in unemployment rates between the two communities by targeting objective need.

3. All participants recognise the importance of respect, understanding and tolerance in relation to linguistic diversity, including in Northern Ireland, the Irish language, Ulster-Scots and the languages of the various ethnic communities, all of which are part of the cultural wealth of the island of Ireland.

4. In the context of active consideration currently being given to the UK signing the Council of Europe Charter for Regional or Minority Languages, the British Government will in particular in relation to the Irish language, where appropriate and where people so desire it:

- take resolute action to promote the language;
- facilitate and encourage the use of the language in speech and writing in public and private life where there is appropriate demand;
- seek to remove, where possible, restrictions which would discourage or work against the maintenance or development of the language;
- make provision for liaising with the Irish language community, representing their views to public authorities and investigating complaints;
- place a statutory duty on the Department of Education to encourage and facilitate Irish medium education in line with current provision for integrated education;
- explore urgently with the relevant British authorities, and in co-operation with the Irish broadcasting authorities, the scope for achieving more widespread availability of *Teilifís na Gaeilge* in Northern Ireland;
- seek more effective ways to encourage and provide financial support for Irish language film and television production in Northern Ireland; and
- encourage the parties to secure agreement that this commitment will be sustained by a new Assembly in a way which takes account of the desires and sensitivities of the community.

5. All participants acknowledge the sensitivity of the use of symbols and emblems for public purposes, and the need in particular in creating the new institutions to ensure that such symbols and emblems are used in a manner which promotes mutual respect rather than division. Arrange-

ments will be made to monitor this issue and consider what action might be required.

DECOMMISSIONING

1. Participants recall their agreement in the Procedural Motion adopted on 24 September 1997 "that the resolution of the decommissioning issue is an indispensable part of the process of negotiation", and also recall the provisions of paragraph 25 of Strand 1 above.

2. They note the progress made by the Independent International Commission on Decommissioning and the Governments in developing schemes which can represent a workable basis for achieving the decommissioning of illegally-held arms in the possession of paramilitary groups.

3. All participants accordingly reaffirm their commitment to the total disarmament of all paramilitary organisations. They also confirm their intention to continue to work constructively and in good faith with the Independent Commission, and to use any influence they may have, to achieve the decommissioning of all paramilitary arms within two years following endorsement in referendums North and South of the agreement and in the context of the implementation of the overall settlement.

4. The Independent Commission will monitor, review and verify progress on decommissioning of illegal arms, and will report to both Governments at regular intervals.

6. Both Governments will take all necessary steps to facilitate the decommissioning process to include bringing the relevant schemes into force by the end of June.

SECURITY

1. The participants note that the development of a peaceful environment on the basis of this agreement can and should mean a normalisation of security arrangements and practices.

2. The British Government will make progress towards the objective of as early a return as possible to normal security arrangements in Northern Ireland, consistent with the level of threat and with a published overall strategy, dealing with:

(i) the reduction of the numbers and role of the Armed Forces deployed in Northern Ireland to levels compatible with a normal peaceful society;

(ii) the removal of security installations;

(iii) the removal of emergency powers in Northern Ireland; and

(iv) other measures appropriate to and compatible with a normal peaceful society.

3. The Secretary of State will consult regularly on progress, and the response to any continuing paramilitary activity, with the Irish Government and the political parties, as appropriate.

4. The British Government will continue its consultation on firearms regulation and control on the basis of the document published on 2 April 1998.

5. The Irish Government will initiate a wide-ranging review of the Offences Against the State Acts 1939-85 with a view to both reform and dispensing with those elements no longer required as circumstances permit.

POLICING AND JUSTICE

1. The participants recognise that policing is a central issue in any society. They equally recognise that Northern Ireland's history of deep divisions has made it highly emotive, with great hurt suffered and sacrifices made by many individuals and their families, including those in the RUC and other public servants. They believe that the agreement provides the opportunity for a new beginning to policing in Northern Ireland with a police service capable of attracting and sustaining support from the community as a whole. They also believe that this agreement offers a unique opportunity to bring about a new political dispensation which will recognise the full and equal legitimacy and worth of the identities, senses of allegiance and ethos of all sections of the community in Northern Ireland. They consider that this opportunity should inform and underpin the development of a police service representative in terms of the make-up of the community as a whole and which, in a peaceful environment, should be routinely unarmed.

2. The participants believe it essential that policing structures and arrangements are such that the police service is professional, effective and efficient, fair and impartial, free from partisan political control; accountable, both under the law for its actions and to the community it serves; representative of the society it polices, and operates within a coherent and co-operative criminal justice system, which conforms with human rights norms. The participants also believe that those structures and arrangements must be capable of maintaining law and order including responding effectively to crime and to any ter-

rorist threat and to public order problems. A police service which cannot do so will fail to win public confidence and acceptance. They believe that any such structures and arrangements should be capable of delivering a policing service, in constructive and inclusive partnerships with the community at all levels, and with the maximum delegation of authority and responsibility, consistent with the foregoing principles. These arrangements should be based on principles of protection of human rights and professional integrity and should be unambiguously accepted and actively supported by the entire community.

3. An independent Commission will be established to make recommendations for future policing arrangements in Northern Ireland including means of encouraging widespread community support for these arrangements within the agreed framework of principles reflected in the paragraphs above and in accordance with the terms of reference at Annex A. The Commission will be broadly representative with expert and international representation among its membership and will be asked to consult widely and to report no later than summer 1999.

4. The participants believe that the aims of the criminal justice system are to:

- deliver a fair and impartial system of justice to the community;
- be responsive to the community's concerns, and encouraging community involvement where appropriate;
- have the confidence of all parts of the community; and
- deliver justice efficiently and effectively.

5. There will be a parallel wide-ranging review of criminal justice (other than policing and those aspects of the system relating to the emergency legislation) to be carried out by the British Government through a mechanism with an independent element, in consultation with the political parties and others. The review will commence as soon as possible, will include wide consultation, and a report will be made to the Secretary of State no later than Autumn 1999. Terms of Reference are attached at Annex B.

6. Implementation of the recommendations arising from both reviews will be discussed with the political parties and with the Irish Government.

7. The participants also note that the British Government remains ready in principle, with the broad support of the political parties, and after consultation, as appropriate, with the Irish Government, in the context of ongoing implementa-

tion of the relevant recommendations, to devolve responsibility for policing and justice issues.

ANNEX A

COMMISSION ON POLICING FOR NORTHERN IRELAND

Terms of Reference

Taking account of the principles on policing as set out in the agreement, the Commission will inquire into policing in Northern Ireland and, on the basis of its findings, bring forward proposals for future policing structures and arrangements, including means of encouraging widespread community support for those arrangements.

Its proposals on policing should be designed to ensure that policing arrangements, including composition, recruitment, training, culture, ethos and symbols, are such that in a new approach Northern Ireland has a police service that can enjoy widespread support from, and is seen as an integral part of, the community as a whole.

Its proposals should include recommendations covering any issues such as re-training, job placement and educational and professional development required in the transition to policing in a peaceful society.

Its proposals should also be designed to ensure that:

- the police service is structured, managed and resourced so that it can be effective in discharging its full range of functions (including proposals on any necessary arrangements for the transition to policing in a normal peaceful society);
- the police service is delivered in constructive and inclusive partnerships with the community at all levels with the maximum delegation of authority and responsibility;
- the legislative and constitutional framework requires the impartial discharge of policing functions and conforms with internationally accepted norms in relation to policing standards;
- the police operate within a clear framework of accountability to the law and the community they serve, so:
 - they are constrained by, accountable to and act only within the law;
 - their powers and procedures, like the law they enforce, are clearly established and publicly available;
 - there are open, accessible and independent means of investigating and adjudicating upon complaints against the police:

- there are clearly established arrangements enabling local people, and their political representatives, to articulate their views and concerns about policing and to establish publicly policing priorities and influence policing policies, subject to safeguards to ensure police impartiality and freedom from partisan political control;
- there are arrangements for accountability and for the effective, efficient and economic use of resources in achieving policing objectives;
- there are means to ensure independent professional scrutiny and inspection of the police service to ensure that proper professional standards are maintained;
- the scope for structured co-operation with the Garda Síochána and other police forces is addressed; and
- the management of public order events which can impose exceptional demands on policing resources is also addressed.

The Commission should focus on policing issues, but if it identifies other aspects of the criminal justice system relevant to its work on policing, including the role of the police in prosecution, then it should draw the attention of the Government to those matters.

The Commission should consult widely, including with non-governmental expert organisations, and through such focus groups as they consider it appropriate to establish.

The Government proposes to establish the Commission as soon as possible, with the aim of it starting work as soon as possible and publishing its final report by summer 1999.

ANNEX B

REVIEW OF THE CRIMINAL JUSTICE SYSTEM

Terms of Reference

Taking account of the aims of the criminal justice system as set out in the Agreement, the review will address the structure, management and resourcing of publicly funded elements of the criminal justice system and will bring forward proposals for future criminal justice arrangements (other than policing and those aspects of the system relating to emergency legislation, which the Government is considering separately) covering such issues as:

- the arrangements for making appointments to the judiciary and magistracy, and safeguards for protecting their independence;
- the arrangements for the organisation and supervision of the prosecution process, and for safeguarding its independence;
- measures to improve the responsiveness and accountability of, and any lay participation in the criminal justice system;
- mechanisms for addressing law reform;
- the scope for structured co-operation between the criminal justice agencies on both parts of the island; and
- the structure and organisation of criminal justice functions that might be devolved to an Assembly, including the possibility of establishing a Department of Justice, while safeguarding the essential independence of many of the key functions in this area.

The Government proposes to commence the review as soon as possible, consulting with the political parties and others, including non-governmental expert organisations. The review will be completed by Autumn 1999.

PRISONERS

1. Both Governments will put in place mechanisms to provide for an accelerated programme for the release of prisoners, including transferred prisoners, convicted of scheduled offences in Northern Ireland or, in the case of those sentenced outside Northern Ireland, similar offences (referred to hereafter as qualifying prisoners). Any such arrangements will protect the rights of individual prisoners under national and international law.

2. Prisoners affiliated to organisations which have not established or are not maintaining a complete and unequivocal ceasefire will not benefit from the arrangements. The situation in this regard will be kept under review.

3. Both Governments will complete a review process within a fixed time frame and set prospective release dates for all qualifying prisoners. The review process would provide for the advance of the release dates of qualifying prisoners while allowing account to be taken of the seriousness of the offences for which the person was convicted and the need to protect the community. In addition, the intention would be that should the circumstances allow it, any qualifying prisoners who remained in custody two years

after the commencement of the scheme would be released at that point.

4. The Governments will seek to enact the appropriate legislation to give effect to these arrangements by the end of June 1998.

5. The Governments continue to recognise the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, re-training and/or re-skilling, and further education.

VALIDATION, IMPLEMENTATION AND REVIEW

Validation and Implementation

1. The two Governments will as soon as possible sign a new British-Irish Agreement replacing the 1985 Anglo-Irish Agreement, embodying understandings on constitutional issues and affirming their solemn commitment to support and, where appropriate, implement the agreement reached by the participants in the negotiations which shall be annexed to the British-Irish Agreement.

2. Each Government will organise a referendum on 22 May 1998. Subject to Parliamentary approval, a consultative referendum in Northern Ireland, organised under the terms of the Northern Ireland (Entry to Negotiations, etc.) Act 1996, will address the question: "Do you support the agreement reached in the multi-party talks on Northern Ireland and set out in Command Paper 3883?". The Irish Government will introduce and support in the Oireachtas a Bill to amend the Constitution as described in paragraph 2 of the section "Constitutional Issues" and in Annex B, as follows: (a) to amend Articles 2 and 3 as described in paragraph 8.1 in Annex B above and (b) to amend Article 29 to permit the Government to ratify the new British-Irish Agreement. On passage by the Oireachtas, the Bill will be put to referendum.

3. If majorities of those voting in each of the referendums support this agreement, the Governments will then introduce and support, in their respective Parliaments, such legislation as may be necessary to give effect to all aspects of this agreement, and will take whatever ancillary steps as may be required including the holding of elections on 25 June, subject to parliamentary approval, to the Assembly, which would meet initially in a "shadow" mode. The establishment of the North-South Ministerial Council, implementation bodies, the British-Irish Council and

the British-Irish Intergovernmental Conference and the assumption by the Assembly of its legislative and executive powers will take place at the same time on the entry into force of the British-Irish Agreement.

4. In the interim, aspects of the implementation of the multi-party agreement will be reviewed at meetings of those parties relevant in the particular case (taking into account, once Assembly elections have been held, the results of those elections), under the chairmanship of the British Government or the two Governments, as may be appropriate; and representatives of the two Governments and all relevant parties may meet under independent chairmanship to review implementation of the agreement as a whole.

Review procedures following implementation

5. Each institution may, at any time, review any problems that may arise in its operation and, where no other institution is affected, take remedial action in consultation as necessary with the relevant Government or Governments. It will be for each institution to determine its own procedures for review.

6. If there are difficulties in the operation of a particular institution, which have implications for another institution, they may review their operations separately and jointly and agree on remedial action to be taken under their respective authorities.

7. If difficulties arise which require remedial action across the range of institutions, or otherwise require amendment of the British-Irish Agreement or relevant legislation, the process of review will fall to the two Governments in consultation with the parties in the Assembly. Each Government will be responsible for action in its own jurisdiction.

8. Notwithstanding the above, each institution will publish an annual report on its operations. In addition, the two Governments and the parties in the Assembly will convene a conference 4 years after the agreement comes into effect, to review and report on its operation.

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF IRELAND

The British and Irish Governments:

Welcoming the strong commitment to the Agreement reached on 10th April 1998 by themselves and other participants in the multi-party

talks and set out in Annex 1 to this Agreement (hereinafter "the Multi-Party Agreement");

Considering that the Multi-Party Agreement offers an opportunity for a new beginning in relationships within Northern Ireland, within the island of Ireland and between the peoples of these islands;

Wishing to develop still further the unique relationship between their peoples and the close co-operation between their countries as friendly neighbours and as partners in the European Union;

Reaffirming their total commitment to the principles of democracy and non-violence which have been fundamental to the multi-party talks;

Reaffirming their commitment to the principles of partnership, equality and mutual respect and to the protection of civil, political, social, economic and cultural rights in their respective jurisdictions;

Have agreed as follows:

ARTICLE 1

The two Governments:

(i) recognise the legitimacy of whatever choice is freely exercised by a majority of the people of Northern Ireland with regard to its status, whether they prefer to continue to support the Union with Great Britain or a sovereign united Ireland;

(ii) recognise that it is for the people of the island of Ireland alone, by agreement between the two parts respectively and without external impediment, to exercise their right of self-determination on the basis of consent, freely and concurrently given, North and South, to bring about a united Ireland, if that is their wish, accepting that this right must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern Ireland;

(iii) acknowledge that while a substantial section of the people in Northern Ireland share the legitimate wish of a majority of the people of the island of Ireland for a united Ireland, the present wish of a majority of the people of Northern Ireland, freely exercised and legitimate, is to maintain the Union and accordingly, that Northern Ireland's status as part of the United Kingdom reflects and relies upon that wish; and that it would be wrong to make any change in the status of Northern Ireland save with the consent of a majority of its people;

(iv) affirm that, if in the future, the people of the island of Ireland exercise their right of self-determination on the basis set out in sections (i) and (ii) above to bring about a united Ireland, it

will be a binding obligation on both Governments to introduce and support in their respective Parliaments legislation to give effect to that wish;

(v) affirm that whatever choice is freely exercised by a majority of the people of Northern Ireland, the power of the sovereign government with jurisdiction there shall be exercised with rigorous impartiality on behalf of all the people in the diversity of their identities and traditions and shall be founded on the principles of full respect for, and equality of, civil, political, social and cultural rights, of freedom from discrimination for all citizens, and of parity of esteem and of just and equal treatment for the identity, ethos and aspirations of both communities;

(vi) recognise the birthright of all the people of Northern Ireland to identify themselves and be accepted as Irish or British, or both, as they may so choose, and accordingly confirm that their right to hold both British and Irish citizenship is accepted by both Governments and would not be affected by any future change in the status of Northern Ireland.

ARTICLE 2

The two Governments affirm their solemn commitment to support, and where appropriate implement, the provisions of the Multi-Party Agreement. In particular there shall be established in accordance with the provisions of the Multi-Party Agreement immediately on the entry into force of this Agreement, the following institutions:

(i) a North/South Ministerial Council;

(ii) the implementation bodies referred to in paragraph 9 (ii) of the section entitled "Strand Two" of the Multi-Party Agreement;

(iii) a British-Irish Council;

(iv) a British-Irish Intergovernmental Conference.

ARTICLE 3

(1) This Agreement shall replace the Agreement between the British and Irish Governments done at Hillsborough on 15th November 1985 which shall cease to have effect on entry into force of this Agreement.

(2) The Intergovernmental Conference established by Article 2 of the aforementioned Agreement done on 15th November 1985 shall cease to exist on entry into force of this Agreement.

ARTICLE 4

(1) It shall be a requirement for entry into force of this Agreement that:

Independence: 6 December 1921 (from UK by treaty)

National holiday: St. Patrick's Day, 17 March

Constitution: 29 December 1937; adopted 1 July 1937 by plebiscite

Legal system: based on English common law, substantially modified by indigenous concepts; judicial review of legislative acts in Supreme Court; has not accepted compulsory ICJ jurisdiction

Suffrage: 18 years of age; universal

Executive branch: *chief of state:* President Mary MCALEESE (since 11 Nov. 1997)

head of government: Prime Minister Bertie AHERN (since 26 June 1997)

cabinet: Cabinet appointed by the president with previous nomination by the prime minister and approval of the House of Representatives

elections: president elected by popular vote for a seven-year term; election last held 31 October 1997 (next scheduled for 22 October 2004); note - Mary MCALEESE appointed to a second term when no other candidate qualified for the 2004 presidential election; prime minister nominated by the House of Representatives and appointed by the president

election results: Mary MCALEESE elected president; percent of vote - Mary MCALEESE 44.8%, Mary BANOTTI 29.6%

note: government coalition - Fianna Fail and the Progressive Democrats

Legislative branch: bicameral Parliament or Oireachtas consists of the Senate or Seanad Eireann (60 seats - 49 elected by the universities and from candidates put forward by five vocational panels, 11 are nominated by the prime minister; members serve five-year terms) and the House of Representatives or Dail Eireann (166 seats; members are elected by popular vote on the basis of proportional representation to serve five-year terms)

elections: Senate - last held 16 and 17 July 2002 (next to be held by July 2007); House of Representatives - last held 17 May 2002 (next to be held by May 2007)

election results: Senate - percent of vote by party - NA; seats by party - Fianna Fail 30, Fine Gael 15, Labor Party 5, Progressive Democrats 4, independents and others 6; House of Representatives - percent of vote by party -

Fianna Fail 41.5%, Fine Gael 22.5%, Labor Party 10.8%, Sinn Fein 6.5%, Progressive Democrats 4.0%, Green Party 3.8%, others 10.9%; seats by party - Fianna Fail 81, Fine Gael 31, Labor Party 21, Progressive Democrats 8, Green Party 6, Sinn Fein 5, others 14

Judicial branch: Supreme Court (judges appointed by the president on the advice of the prime minister and cabinet)

Political parties and leaders: Fianna Fail [Bertie AHERN]; Fine Gael [Enda KENNY]; Green Party [Trevor SARGENT]; Labor Party [Pat RABITTE]; Progressive Democrats [Mary HARNEY]; Sinn Fein [Gerry ADAMS]; Socialist Party [Joe HIGGINS]; The Workers' Party [Sean GARLAND]

International organization participation: Australia Group, BIS, CE, EAPC, EBRD, EIB, EMU, ESA, EU, FAO, IAEA, IBRD, ICAO, ICC, ICCT, ICFTU, ICRM, IDA, IEA, IFAD, IFC, IFRCS, ILO, IMF, IMO, Interpol, IOC, IOM, ISO, ITU, MIGA, MINURSO, MONUC, NAM (guest), NEA, NSG, OAS (observer), OECD, OPCW, OSCE, Paris Club, PCA, PFP, UN, UNCTAD, UNESCO, UNFICYP, UNHCR, UNIDO, UNIFIL, UNMIK, UNMIL, UNOCI, UNTSO, UPU, WCO, WEU (observer), WHO, WIPO, WMO, WTO, ZC

Flag description: three equal vertical bands of green (hoist side), white, and orange

ECONOMY

Overview: Ireland is a small, modern, trade-dependent economy with growth averaging a robust 8% in 1995-2002. The global slowdown, especially in the information technology sector, pressed growth down to 2.1% in 2003. Agriculture, once the most important sector, is now dwarfed by industry and services. Industry accounts for 46% of GDP and about 80% of exports and employs 28% of the labor force. Although exports remain the primary engine for Ireland's growth, the economy has also benefited from a rise in consumer spending, construction, and business investment. Per capita GDP is 10% above that of the four big European economies and the second highest in the sEU, behind Luxembourg. Over the past decade, the Irish Government has implemented a series of national economic programs designed to curb price and wage inflation, reduce government spending, increase labor force skills, and promote foreign investment. Ireland joined in launching the euro currency

system in January 1999 along with 10 other EU nations.

GDP: purchasing power parity - \$116.2 billion (2003 est.)

GDP - real growth rate: 1.4% (2003 est.)

GDP - per capita: purchasing power parity - \$29,600 (2003 est.)

GDP - composition by sector: *agriculture:* 5%; *industry:* 46%; *services:* 49% (2002 est.)

Population below poverty line: 10% (1997 est.)

Inflation rate (consumer prices): 3.5% (2003 est.)

Labor force: 1.871 million (2003)

Unemployment rate: 4.7% (2003 est.)

Budget: *revenues:* \$53.22 billion

expenditures: \$53.5 billion, including capital expenditures of \$5.5 billion (2003)

Public debt: 31.2% of GDP (2003)

Current account balance: \$-2.994 billion (2003)

Exports: \$98.31 billion f.o.b. (2003 est.)
(Main products: machinery and equipment, computers, chemicals, pharmaceuticals; live animals, animal products; main partners: US 20.5%, UK 18.1%, Belgium 12.6%, Germany 8.3%, France 6.1%)

Imports: \$57.54 billion f.o.b. (2003 est.)
(Main products: data processing equipment, other machinery and equipment, chemicals; petroleum and petroleum products, textiles, clothing; main partners: UK 34.9%, US 15.8%, Germany 7.9%, Netherlands 4.1% - 2003)

Currency: Euro (EUR)

TRANSNATIONAL ISSUES

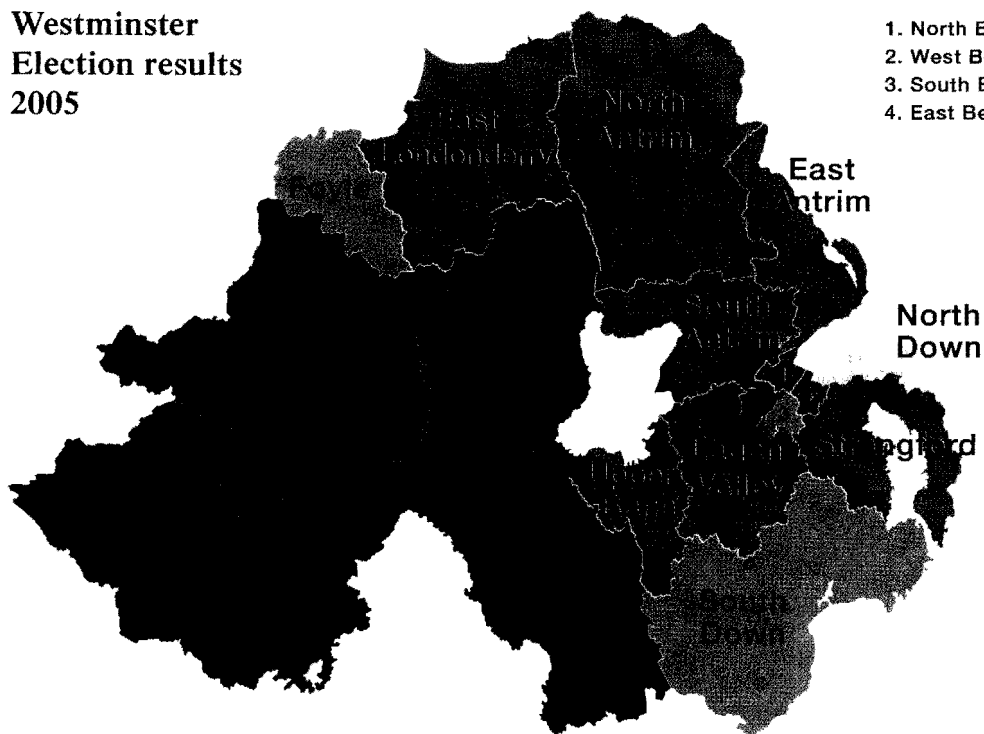
Disputes - international: disputes with Iceland, Denmark, and the UK over the Faroe Islands continental shelf boundary outside 200 nm

Illicit drugs: transshipment point for and consumer of hashish from North Africa to the UK and Netherlands and of European-produced synthetic drugs; minor transshipment point for heroin and cocaine destined for Western Europe; despite recent legislation, narcotics-related money laundering using bureaux de

change, trusts, shell companies involving the offshore financial community remains a concern

Northern Ireland Westminster Election results 2005

1. North Belfast
2. West Belfast
3. South Belfast
4. East Belfast



- Ulster Unionist Party (UUP)
- Democratic Unionist Party (DUP)
- Sinn Féin (SF)
- Social Democratic and Labour Party (SDLP)

Westminster Elections 2005

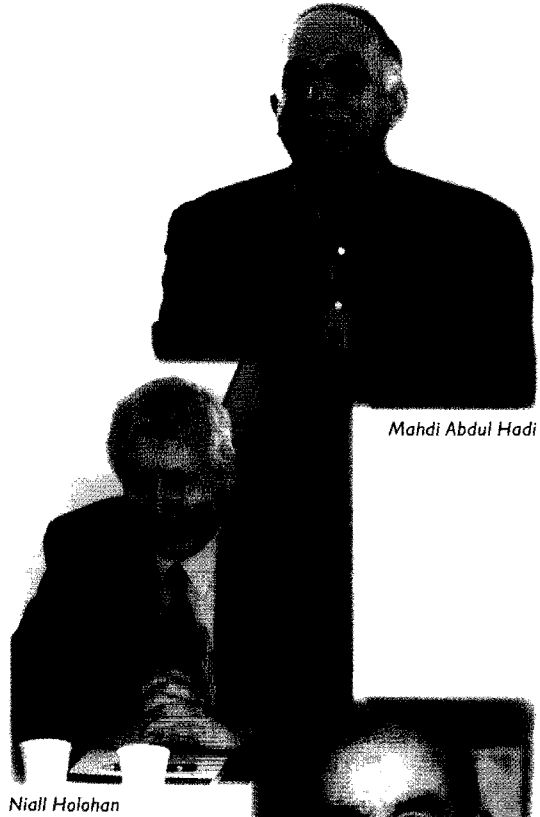
	2001	2005	2009	2015
DUP	33.7%	32.0%	25.6%	22.5%
Sinn Féin	24.3%	26.3%	23.5%	21.7%
SDLP	17.5%	15.9%	17.0%	21.0%
UUP	17.7%	16.6%	22.7%	26.8%
Alliance	3.9%	-	3.7%	3.6%

	DUP	UUP	Alliance	Others	SDLP	Sinn Fein
Seats won (2005)	9		0	0	3	
Vote share (2005)	33.7%		3.9%	5.1%	17.5%	
Seats won (2001)	5		0	0	3	

Lecture program & participants

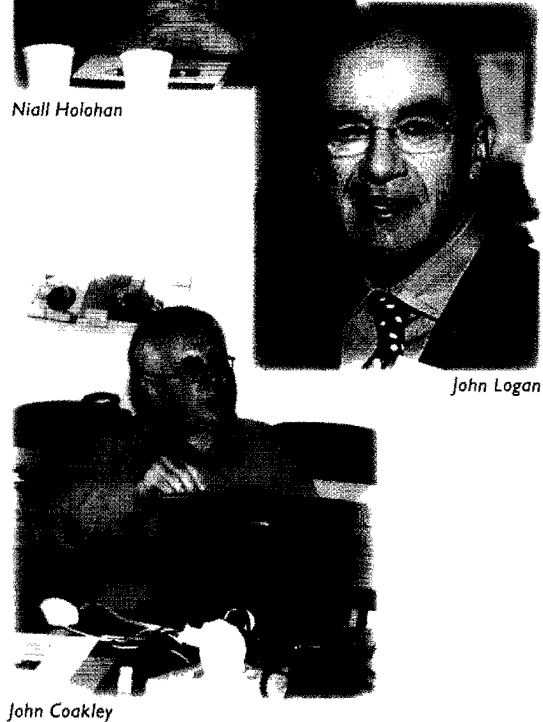
Day One: Sunday, 10 October 2004

- 9.30-10.00 Welcoming Address
Dr. Mahdi Abdul Hadi, Head of PASSIA, Jerusalem
- 10.00-10.30 Welcoming Address / Introduction
Niall Holohan, Head of the Irish Representative Office to the PA, Ramallah
- 10.30-11.15 Break
- 11.15-12.30 Economy & Society (The Development of a Modern Society & Economy, Land Reforms, Industrialisation & Commercial Development)
Dr. John Logan, Department of History, University of Limerick
- 12.30-13.30 Lunch
- 13.30-15:00 Economy and Society, contd.
Dr. John Logan
- 15.00-15.15 Break
- 15:15-16.30 Participants' Assignments



Day Two: Monday, 11 October 2004

- 9.15-10.30 Ethnic Conflict and the Two-State Solution: The Irish Experience of Partition
Prof. John Coakley, Department of Politics, National University of Ireland, Dublin
- 10.30-10.45 Break
- 10.45-12.00 Ireland - North and South - the UN and Other Global Bodies
Prof. John Coakley
- 12.00-13.00 Lunch
- 13.00-16.00 **Film:** Michael Collin



IRELAND AND PALESTINE

Day Three: Tuesday, 12 October 2004

9.15-10.30 Politics and Society in Modern Ireland: Media, Civic Society and Violence
Prof. J.J. Lee, Professor of Irish Studies, New York University

10.30-10.45 Break

10.45-12.00 Ireland Today - Political and Civic Culture in Contemporary Ireland
Prof. J.J. Lee



J.J. Lee

12.00-13.00 Lunch

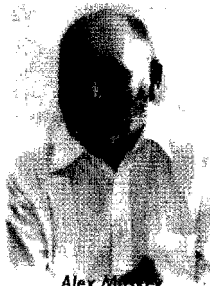
13.00-14.30 Ireland Today – contd.
Prof. J.J. Lee

14.30-14.45 Break

14.45-16.00 Conflict Resolution: Theories and Approaches
Dr. Samir Awad, Professor of International Relations, Birzeit University

Day Four: Wednesday, 13 October 2004

9.15-10.30 Session I: Violence Conflict Resolution and Media & Civil Society
Alex Maskey, Sinn Fein member of Northern Ireland Legislative Assembly; member of Sinn Fein negotiating team; first Sinn Fein, Lord Mayor of Belfast



Alex Maskey

10.30-10.45 Break

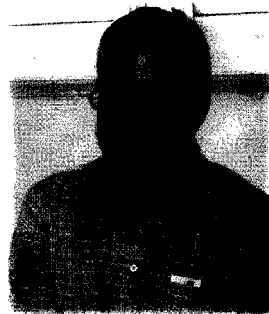
10.45-12.00 Session II: Partition experience, India, Ireland and Palestine
Prof. Tom Frazer, Provost, University of Ulster



Tom Frazer

12.00-13.00 Lunch

13.00-16.00 Session III: European Funding Support for North Ireland and Border Countries
Jack O'Connor, Public Servant working on North-South cross-border EU development project



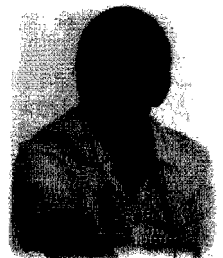
Jack O'Connor

14.30-14.45 Break

14.45-16.00 **Community Relations**
Helen Lewis, Project Coordinator /NCORE, University of Ulster
Community Development and Peace Building
Liam Maskey, Director, Intercom, (Community Reconciliation and Development Project)



Helen Lewis



Liam Maskey

Day FIVE: Thursday, 14 October 2004

9.15-10.30 The Peace Process 1990s to 2004
Niall Holohan, Head of the Irish
Representative Office to the PA,
Ramallah

10.30-10.45 Break

10.45-12.00 Ireland and Palestine
Niall Holohan

12.00-13.00 Lunch

13.00-14.30 Similarities and differences of the
conflicts/peace process in Northern
Ireland and Palestine-Israel -
Discussion

14.30-14.45 Break

14.45-15.30 Final Discussion and Wrap-up



THE PARTICIPANTS

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