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The European Summit: A Critical Space for the Development of British-Irish Intergovernmentalism

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Abstract

The European summit is where the national representatives of European Union (EU) member states have their say on policy issues. It has also been posited, however, that its ‘margins’ are advantageous to the achievement of bilateral as well as EU consensus. This article uses the British-Irish relationship and the insights of British and Irish elite interviewees like Bertie Ahern, Sir John Holmes and Lord Robin Butler to demonstrate this function. Using a novel intergovernmental lens, it shows that not only was the European summit beneficial to this relationship but also it was integral to its transformation, in addition to the key 1985–1998 negotiation phases. The article is relevant to the Brexit context, substantiating the view that it will cause a deficit in the British-Irish relationship. It also serves as a basis for expanded study of the European summit space, and its dynamic contribution to strengthened relationships amongst EU member states.

Keywords: conflict transformation; European integration; intergovernmentalism; Northern Ireland; UK-Irish relations

Introduction

European Council summits are the fora through which the national representatives of the European Union (EU) member states have their say on policy issues. They have coincided with an array of European integration milestones: The 1985 Milan summit established the Intergovernmental Conference that yielded the 1986 Single European Act¹; the 1991 Maastricht summit laid the groundwork for monetary union; and the 2012 Brussels summit allowed for the European Stability Mechanism fund to loan directly to banks in the eurozone (Buonanno and Nugent, 2013, p. 197). The method used to achieve these outcomes is intergovernmental: The Council deliberates over the proposals tabled, engaging in a series of compromises reflecting its ‘quest for consensus’ (Puetter, 2014, p. 34). The legislative expansion of qualified majority voting has shifted focus from this, neglecting the proliferation of non-legislative Council decision-making and policy debate, where the practice of unanimous agreement remains paramount (Puetter, 2014, p. 3). In other regards, this consensus-seeking is at the very least defined by commitment to the ‘absence of explicit dissent’ (Hillebrandt and Novak, 2016, p. 536).

EU business is not the only matter for intergovernmental deliberation, as the European summit is also an important vehicle for bilateral consensus (Johnston, 1994, p. 69). Indeed as Johnston (2005, p. 128) points out, ‘meetings in the margins’ (‘en marge’ in French) between premiers and ministers have become an EU summit ‘staple’. It is not only the

¹The SEA put in place new procedures that facilitated the legislation required to complete the Single Market (Craig, 2002, p. 13).

working sessions however, as the entire occasion of the summit – including lunch and dinner (Hayes-Renshaw and Wallace, 2006, p. 181) – also serves to strengthen mutuality. The Franco-German instance is a particular illustration of this, where there is clear awareness of the intertwinement in the ‘bilateral connection and multilateral European politics’ (Krotz and Schild, 2013, p. 8). The case study here is the United Kingdom–Ireland relationship, which is perhaps apt given that Dublin was the location of the first European Council meeting in March 1975 (Bulmer et al., 2020, p. 260). Britain and Ireland was amongst the tensest of European diplomatic relationships at the height of the Northern Ireland (NI) conflict (1969–1998), undergoing an extraordinary transformation that would most notably culminate in the 1998 Belfast/Good Friday Agreement (B/GFA).

This article will delve into this lesser known aspect of European influence on the development of British-Irish intergovernmentalism (i.e., institutionalised east–west cooperation over NI from 1985) by demonstrating comprehensively the role of European summits (including the Council of Ministers, COM – which maintains 10 equivalent configurations for national ministers). From this standpoint, the article will recast this model as an EU intergovernmentalism microcosm, where the regional British-Irish version has largely derived from it and subsequently depended on it. In a sense, British-Irish intergovernmentalism has mirrored intergovernmental theory: beginning as Moravcsik’s (1993, p. 481) notion of basic utility maximisation and evolving then into something much deeper in the ‘new’ intergovernmentalist post-1992 Maastricht Treaty era (Bickerton et al., 2015). As the latter (Bickerton et al., 2015) argue, Maastricht heralded a renewal of the integration process, launching an unprecedented expansion of EU activity (signified originally in the three pillars of Economic and Monetary Union, Common Foreign and Security Policy and Justice and Home Affairs) not previously captured within the intergovernmental approach. Preeminent in this has been the body of the European Council, the ‘par excellence’ institution in deliberative and consensus-building norms (Bickerton et al., 2015, p. 704).

The European Council and associated bodies – and their distinctive working methods and conditions set out below – have been at the heart of British-Irish intergovernmentalism and new intergovernmental theory, functioning as ‘spaces to think’ where the discussion of issues and decision-making substantially occurs in the margins (Hillebrandt and Novak, 2016). The article will achieve its aim of verifying this by empirically triangulating the first-hand insights of British-Irish elites (ministers and officials), incorporating the author’s semi-structured interviews with high-grade figures such as former Irish Taoiseach Bertie Ahern (1997–2007) and former Principal Private Secretaries to the British Prime Minister Sir John Holmes (1997–1999) and Lord Robin Butler (1982–1985). The deployment of this cross-comparison approach will allow the article to enunciate congruence in British and Irish perspectives,² whilst at the same time drawing out the highly enclosed European summit space acknowledged by new intergovernmentalism (Puetter, 2014, p. 99).

It will begin this task by exploring O’Rourke’s (2019, p. 117) idea of a ‘beneath the surface transformation’: detailing how during the various domestic difficulties of 1973–1982, British and Irish elites were quietly converging due to the socialisation

²This will also be significant for the reason there is contestation in the British EU narrative – including in the British-Irish context (O’Kane, 2007, p. 184).

effects of the Council/COM³ – owed in part to the basic element of their continuity – in addition to their enabling of the discovery of shared EU interests. The article will then outline how beyond the creation of this important foundation, the unique characteristics of EU summits – their privacy, informality and equality (Hayward and Wiener, 2008, p. 41) – were essential to the key negotiation phases that yielded the 1985 Anglo-Irish Agreement (AIA), the 1993 Downing Street Declaration (DSD) and the 1998 B/GFA. The privacy was imperative to thwarting political/media pressures and fostering exclusivity (leading to better outcomes); the informality made negotiations less rigid and distant; and equality was important in so far as Ireland was better able to press its position in an environment in which it possessed much wider political currency. The article will further highlight its influence in the 1998 Agreement's implementation: not just as an outlet for planning and strategising, but, for example, in the development of Britain-Irish 'de novo' bodies,⁴ chiefly the North–South Ministerial Council (NSMC). All of this will serve to denote the dynamism of EU intergovernmentalism, with specific reference to an underexplored part, otherwise negatively connotated with transparency and large state dominance (Westlake and Galloway, 2004, p. 188).

I. A Quiet Transformation

The British-Irish relationship, since the 1921 partition of Ireland, and during the worst decade of the NI conflict (the 1970s), was generally a fraught one. As the former British Ambassador to Ireland, John Peck (1970–1973) (1978, p. 3) said, the British and Irish governments fundamentally differed over the 'diagnosis and cure' of the NI problem: with the Irish government feeling that they must have a role in any solution (in accordance with nationalist preferences), but the British government adhering to the position that it was an 'internal' UK state matter. The British government effectively gave licence to the old Stormont regime – a quasi-aristocratic, unionist elite that governed narrowly in the interests of its 'Ulster' – with the ensuing discriminatory, and, at times, violent civil situation faced by the nationalist population driving the Irish government to consider a United Nations (UN) intervention (Williamson, 2016, p. 9).

As well as the maintenance of these antithetical positions – the prevalence of which was only temporarily halted by the 1972–1974 Sunningdale power-sharing experiment⁵ – British-Irish relations were constrained by two governments' representatives meeting only seldomly. When they did meet, moreover, there was no institutional underpinning to the occasions, and the meetings themselves tended to be within formal, observed settings and with a high degree of media interest (O'Kane, 2007, p. 184). They were also characterised by one of the participating parties – namely post-Empire Britain – having to become accustomed to working equally with more geopolitically modest states – especially, as in Ireland's case, one it was technically engaged in a territorial dispute with (Phoenix, 2016).

³This is attributable to the informal working methods and confidentiality provided by these spaces, sought by EU policy-makers from within the member states (Bickerton et al., 2015, p. 30).

⁴'De novo bodies' is a new intergovernmental concept pinpointing the post-Maastricht tendency amongst member states to lessen delegation to the Commission by engineering bodies designed to further consensus amongst themselves (Bickerton et al., 2015).

⁵Sunningdale – essentially a practical response by Prime Minister Ted Heath to instances such as 'Bloody Sunday' (1972) (O'Halpin, 2011, p. 192) – attempted unsuccessfully to implement nationalist representation in NI's governance.

With the advent of its evolving postnational framework, joint integration into the then European Economic Community (henceforth referred to as the EU) from 1973 assuaged the element of who ‘claimed’ NI. But arguably its more vital contribution was that it gave Britain and Ireland the capacity to pursue a proper diplomatic relationship (McCall, 2021, p. 21). For the first time, British and Irish elites were meeting regularly under the auspices of an overarching common purpose, doing so in an environment that was as much social as it was business-oriented. The effects of this were multifaceted: British-Irish representatives developed a more acute sense of their commonality (language, sport or film/television), got into the ‘habits of co-operation’, developed more respect for one and other as political operatives and had an opportunity to dispel/clarify some of what they attributed to each other in respect of NI (BrexitLawNI, 2018, p. 9). Peter Barry (2007, pp. 20–23) – Irish Foreign Affairs Minister during the AIA period – highlights the interpersonal benefits of the COM space, in addition to the opportunity to discuss the NI issue more informally and discreetly:

I mean it was like sitting down for dinner you know in your own house. We all knew one another, and we know another’s family backgrounds, we knew one another’s Christian names ...

I would have thought the European Union gave us the platform; it gave us the forum with which we could discuss matters ... I can’t work out how we would have done it without the European Union.

His British counterpart, Sir Geoffrey Howe (2010, p. 6) – with whom, through the COM, he helped retain the AIA initiative in difficult moments – points to the importance of the development of British-Irish EU interests:

So, one realised that there were issues of that sort that – and then again once we were in the European Union – once we were in effectively, we had strong common interests in relation to butter for example. And handling the New Zealand butter problem, which had an impact comparably on UK butter producers and Irish butter producers.

Howe (1994, p. 414) – who was an immensely significant persuader of British Prime Minister Margaret Thatcher (1979–1990) – describes how all of this contributed to a sense of the ‘practical case for partnership, between the peoples and governments that shared the British [and Irish] Isles, within the wider concert of Europe’. Therefore, whereas the interval between Sunningdale and the AIA has conventionally been seen in terms of stasis, they were linked by a ‘beneath the surface’ transformation arising from a shared experience of EU intergovernmentalism (O’Rourke, 2019, p. 117).

II. The 1985 Anglo-Irish Agreement - An Unlikely Agreement

The AIA – groundbreaking for making NI an intergovernmental, rather than ‘internal’, issue (creating institutions to this effect) – was the first step towards British-Irish achievement of the NI peace process⁶ (Coakley and Todd, 2020, p. 106). However – whilst the

⁶The distinction between it and Sunningdale is that it was an international treaty and therefore could not be undone by actors from within NI (O’Leary, 2019, p. 87).

European Council, amongst other EU spaces – and indeed influence from the United States⁷ – created positive momentum towards agreement – the prior bilateral situation gave little indication of the imminence of this ‘game-changing’ development (McLoughlin, 2017). The reason for this was the initial Thatcher-Haughey years, which despite having initiated Anglo-Irish summits (a precursor, of sorts, to the AIA), were defined, ultimately, by deep fallout over security co-operation, the 1981 Hunger Strike and the 1982 Falklands War (Kelly, 2016).

FitzGerald – who returned as Taoiseach in December 1982 – was thus only able to meet the Prime Minister on the margins of the European Council summit in Brussels on 22 March (Bew and Bew, 2018, p. 461). This yielded the resumption of senior level contact – the relaxed atmosphere allowing for gradual convergence over mutual security concerns – and was preceded by another *en marge* meeting in Stuttgart where approval was secured for the exploratory talks that would evolve into the prime ministerial-level negotiations (Arthur, 2000, p. 213). Michael Lillis (2010) – a senior member of the Irish AIA team – says that given Thatcher’s level of reluctance at the time, this would have been ‘next to impossible’ were it not for the regularity and privacy provided by European Council summits. Lord Charles Powell (Interview with Author, 23 July 2020) – Thatcher’s closest adviser – at least partially substantiates this, stating:

[Her] contact with the Irish was sporadic, and it was usually in the context of meetings with the Taoiseach of the day during European summits, when we usually reserved a half hour or an hour at the end for them to get together to sort of catch up on those issues. And it was quite rare, though not unknown for there to be proper bilaterals ... but they were quite few and far between those meetings.

As the former US Ambassador to Ireland, William V. Shannon (1986), documents, four of the six summits underpinning the AIA’s negotiation took place during European Councils, and Lillis (Interview with Author, 24 March 2021) explains the rationale of this:

What happened, whether in Downing Street, or at the Prime Minister’s country residence, was that there were too many ministers about, and the private discussion was, to a certain extent constrained, either by the presence of other ministers and issues, or by simply the sense of occasion. By far, better discussions took place on the margin of the European Council ...

Those private discussions were much, much more candid, and fruitful; and they led to important developments, actions, priorities, and the clearance of some doubts; in some cases the removal of some issues we wanted to maintain, in some cases the survival of some of those issues.

This intergovernmental ‘mutual exploration’ – as Cox (1987, p. 95) puts it – was central to the AIA negotiations, and it was at the summit in Fontainebleau in June 1984 that the Irish government first introduced the idea of amending the articles in the Irish constitution (2 and 3) claiming jurisdiction over NI (FitzGerald, 1991, p. 500). With 64% of the Irish public supporting these articles, this was a profoundly risky strategy – particularly as

⁷It has been overstated, but the political power of Irish-America – filtering through to President Ronald Reagan (1981–1989) – clearly had a bearing on Thatcher (Cooper, 2017, p. 28).

the Irish government was faced with an opposition leader in Haughey who would attempt to rally traditional republican sentiment against such acts of modernisation (Trumbore, 1998, p. 551). It was the Irish side that bore the burden of persuasion in the negotiations, and the margins of the Council margins ensured that these matters of high politics were subject to the utmost secrecy (Donlon, 2021).

Secrecy, as Thatcher's senior foreign policy advisor Lord Robin Renwick (2013, p. 115) recalls, was an essential aspect of negotiating the AIA, given the 'implacable opposition' posed by northern unionism. This political tradition – whether the then dominant Ulster Unionist Party (UUP), or more hard-line Democrat Unionist Party (DUP) – deemed British-Irish co-operation – with its perceived scope for a united Ireland policy – to be inherently objectionable (McCall, 2021, p. 22). Its alertness for any movement in this direction so was acute that the DUP leader the Reverend Ian Paisley (cited by Hainsworth, 1981, p. 10) – out of suspicious instinct, rather than material evidence – portrayed the EU – with its integrationist Commission – as a 'sinister backcloth to Anglo-Irish discussions' as far back as the 1980 Thatcher/Haughey summits.

The interaction between British-Irish elites within the margins of the COM and Council was the 'precursor and model' for the inauguration of institutionalised British-Irish meetings from 1980 (Keatinge, 1984, p. 49). But as opposed to any notion of 'spillover',⁸ this was the result of intergovernmental processes, with Britain and Ireland emulating the European summit rationally and of their own joint volition. The Council – as it does for EU decision-making more broadly (Westlake and Galloway, 2004, p. 188) – was essential to the level of 'tightness' for which the subsequent AIA negotiation became associated (Campbell, 2012, p. 436). Sir David Goodall (2010) – AIA negotiator, and British Cabinet Office second-in-command – writes that without this, unionism would have ensured that there was 'no negotiation and no Agreement'. This safeguarding of the process further ensured that the emergent British-Irish intergovernmental framework had the resolve to face down unionism when it then did become aware of the AIA (Mallie and McKittrick, 1996, p. 139).⁹

The other way EU intergovernmentalism – embodied in the form of the Council – contributed to the AIA's intergovernmentalism was, as FitzGerald (2000, p. 17) describes, the manner in which it remedied an 'inherently unbalanced bilateral relationship'. In the Council setting, member states are formally equal, and the effect of this is that the proverbial 'flea may meet the elephant in less claustrophobic circumstances' (Keatinge, 1982, p. 323). It is not simply that the smaller state becomes more inherently influential – though there is some truth to this (with the affirming effects of holding the council presidency, and chairing working groups) – but the political capital possessed (Tonra, 2006, p. 61). Within the EU summit, the theme of NI and the British-Irish relationship was an important one but at the same time part of a much wider agenda in which the two parties aspire to impact one and other's preferences as much as possible. As an example of the importance of this to British receptiveness, the successful inauguration of British-Irish intergovernmental summits from 1981 was precisely because Thatcher was attracted to the

⁸Spillover derives from the neofunctionalism of Haas (1964) and Mitrany (1966), a theory of European integration that conceives of the integration process as an automated product of economic interconnectedness.

⁹This was another contrast from Sunningdale – which due to its high-profile nature had been subject to unionist opposition during its negotiation – faltering thereafter due the UK government's failure/inability to resist the escalation of this (Fitzpatrick, 2017, p. 46).

prospect of another avenue for EU business (Kelly, 2021, p. 117). This interplay between NI and EU issues at European summit time was a continuous feature of British-Irish AIA discussions, but it was something that became especially evident when the negotiations reached an advanced stage (Laffan and O'Mahony, 2008, p. 201).

The Milan summit – synonymous with setting a path for the Single Market's completion – was, as Goodall (2021, p. 88) assesses, a 'critically important meeting' in reaching the AIA. Thatcher – who had a personal sense of reticence towards Ireland going back to its World War II (WWII – 1939–1945) neutrality (Author's Interview with Lord Charles Powell, 2020) – suddenly felt the negotiations had 'gone too far, too fast' (Campbell, 2012, p. 349). This necessitated – from the point of view of the robust Irish negotiating position¹⁰ – the Irish Taoiseach Garret FitzGerald engaging in what FitzGerald himself characterised as a 'calculated onslaught'.

Without any postcolonial inferiority complex, FitzGerald concertedly deliberated with his British opposite over the composition of the NI court system and bringing about a more acceptable police force (Renwick, 2013, p. 117). The instrumental moment, however, was as Irish Cabinet Secretary Dermot Nally (cited by Coakley and Todd, 2020, p. 129) recalls, FitzGerald's 'most powerful oration' about the alienation of the nationalist population, where he elucidated the urgency of achieving settlement in NI by referring to how it was the site of the largest forced movement of population (the 1969 Belfast riots etc.) in Europe since WW2. It is difficult to envisage such a scene within the more self-conscious, official-heavy Anglo-Irish environment, and it is apparent that it had a major impact – not only because Thatcher was receptive to it in the first instance¹¹ – but also because the remainder of the meeting was devoted to the practical issue of the 'timing and location of the signature ceremony' (Goodall, 2021, p. 92). Again, the situating within the broader EU intergovernmental dynamic was conducive, as Thatcher's sights were set on the realisation of the Single Market vision, and indeed the British Prime Minister had supported FitzGerald at Milan in respect of issues surrounding Irish neutrality (Geary, 2017). Notwithstanding the necessary additional exchanges amongst officials, the 'turning point' at Milan held, and the next time the premiers met was in fact simply to sign the AIA in December (Shannon, 1986, p. 863).

III. The 1993 Downing Street Declaration and 1998 Belfast/Good Friday Agreement

The DSD was the bridge between the AIA and B/GFA, effectively rescinding the outstanding UK-Irish territorial dispute by more elaborately committing both governments to the principle that NI's constitutional future was for both peoples on the island of Ireland to determine ('the principle of consent') (Bew and Bew, 2018, p. 470). It achieved this by two primary means: (1) de-facto committing the Irish government to revocation of Articles 2 and 3 in the event of a balanced and comprehensive settlement and (2) signalling clearly that the British government had no selfish interest in its ongoing administration of the

¹⁰The Irish government – recognising the capacity of the northern conflict to destabilise the island of Ireland – was resolutely determined to secure the intergovernmental approach which would – as it consistently maintained – be so effective for transforming NI (O'Kane, 2007, p. 4).

¹¹As Bowman (2015) outlines, there are few other examples of Thatcher being in 'listening mode for such a sustained lecture', let alone by the leader of a so-called smaller state.

northern state (Cochrane, 2021, p. 131). It was British-Irish intergovernmentalism in action, with the two governments enhancing the efficacy of their co-operative framework by creating the incentive for change within the respective traditions they were opposed by (unionism broadly in the Irish government's case and republicanism particularly in the case of the British government) (Coakley and Todd, 2020, p. 208).

As with the AIA, the DSD faced considerable challenges as a process, the first being that northern unionism – not yet into its period of relative pragmatism under David Trimble (UUP leader – 1995–2005)¹² – remained immovably opposed to deepening British-Irish co-operation (Ó Dochartaigh, 2021, p. 258). The added complexity here was that John Major's Conservative administration (1990–97) – though itself inclined towards working constructively with its Irish counterpart – was hamstrung by its weak UK Parliament position (McKittrick and McVea, 2002, p. 188). This meant Major had to be extremely cautious about the perception of his relationship with the Irish government, as it was a bugbear of the unionist and sympathetic Tory MPs Major would become increasingly dependent upon (McKittrick and McVea, 2002).

As Major (cited by Institute of Commonwealth Studies, 2018, p. 10) himself states, this required privacy, and so as with the AIA, 'the peace process in Ireland actually began in private discussions with Albert Reynolds in the margins of the European Council'. The pre-existing friendship between Major and Reynolds – itself a key factor – began in the COM (specifically Economic and Financial Affairs Council – ECOFIN), as it was there that the two both encountered each other as Finance Ministers during 1989–1990 (Hayward and Wiener, 2008, p. 41). Of course, there has also been a precedent since the mid-1990s that Finance Ministers can be part of European Council delegations, meeting with their respective leaders in the margins (Hayes-Renshaw and Wallace, 2006, p. 184). Major (1999, p. 48) recounts that it was through these occasions that he and Reynolds were able to have dinner together with their spouses and undertake discussion of the 'Irish Question'. This private interpersonal element is something that Lord Robin Butler (Interview with Author, 15 February 2021) – the Cabinet Secretary (1988–1998), and DSD negotiator – joins Major in highlighting:

... The relationship between the two governments had developed and warmed, and the large part of that was that we were fellow members of the EU. We came together at Councils; one of the things when we had our dinner meetings with Dermot Nally and Noel Dorr was to discuss what was going on in Europe, what was going to come up at the next Council, what our respective attitudes to it was. So in that context, the closeness of the relationship was developing all the time.

But of even deeper importance here was the macro-European picture and, as new intergovernmentalism foregrounds, the accelerative effects of the 1992 Maastricht Treaty and the provision for Economic and Monetary Union (Bickerton et al., 2015). There was a palpable sense of the post-Maastricht development bringing Britain and Ireland together – as an early 1992 meeting between the two governments documents (McGrath, 2021). Senior British Foreign and Commonwealth Office (FCO) EU officials describe Major and Reynolds almost inevitably being with one and other at summits (Author's

¹²UUP leader James Molyneux (1979–1995) was brought into Major's confidence about the Declaration on the condition that he did not inform party colleagues (Coakley and Todd, 2020, p. 234).

Interview with Lord Michael Jay, 29 March 2022), and whilst previously Britain and Ireland differed on the big issues of the EU business, the expanding area of finance brought the two together in a challenger alliance to Franco-German influence (Author's Interview with Lord Gus O'Donnell, 22 March 2022). The emerging synthesis in British-Irish and EU intergovernmentalism was further evidenced in the 1997 Amsterdam Treaty, where Major was 'explicitly grateful' for the 1996 Irish Presidency's careful accommodation of British sensitivities in the draft agreement (Author's Interview with Dr. Noel Dorr, 13 May 2022).

As a space, the first contribution of the Council to the beginning of the peace process was, as Major (1999, pp. 450–451) documents, its enabling of the establishment of a 'genuine negotiation'. Before this, there was the April 1993 disclosure of the 5-year-long talks between John Hume and Gerry Adams – the leaders of the northern nationalist parties the Social Democratic and Labour Party and Sinn Féin. Given the contrast between the two – Hume strictly opposing violence, Adams for a long time defending it – there was a frenzied political and media response, which became a source of friction between the governments (Coakley and Todd, 2020, p. 231). At the Council summit in Brussels in October 1993, Major and Reynolds were able to rectify this, quietly airing their own concerns about Hume-Adams, strengthening the executive function of the inter-governmental approach by absorbing it (O'Kane, 2007, p. 111). The premiers then delivered a joint statement on summit's sidelines, the contents of which served as a 'precursor' to the eventual Declaration (Conlon, 1995, p. 21).

The DSD was – as the AIA was before it – a challenging negotiation, with jostling over the nationalist-unionist balance, culminating in the 3 December Anglo-Irish summit in Dublin where there was 'broken pencils, thumped tables and sessions in seclusion [between Major and Reynolds]' (Interview with Seán O hUiginn, 19 February 2021). This diplomatic catharsis effectively placed the two states back on the trajectory towards agreement, but there was still outstanding disagreement between the two leaders, and it was within the Council – an institution explicitly designed for this purpose – that they were able to deliberate over these issues (Reynolds, 2009, pp. 351–352, identifies the north-south reconciliation forum) and reach substantive consensus (Beesley, 2017, p. 541). The British DSD negotiator Sir Roderic Lyne (Interview with Author, 8 October 2021) captures the significance of this opportunity to move out of the 'glare of this high-wire act in Dublin', stating that: 'If that Brussels meeting hadn't been scheduled, the diplomacy of getting the Declaration to finality – which we were very keen to do before the end of the year, before the Christmas break and all that – would have been much more difficult'.

Following the issuing of the DSD on 15 December, Major and Reynolds were unable to bring about settlement in NI, as domestic issues forced Reynolds to resign the following year, and Major's slender majority was being 'pared to the bone by death, desertion and rebellion' (Meyer, 2006). However, they were responsible for a number of additional advancements, the first being the 1995 Framework Document – developed during their tenures and which pre-empted much of what would be contained in the 1998 Agreement (O'Leary, 2019, p. 154). British-Irish intergovernmentalism also continued to draw upon the European Council, with the Corfu summit of June 1994 being used to commence 'very intense activity' in relation to advancing the DSD towards a more comprehensive resolution (Finlay, 1998, p. 231). Fergus Finlay (1998, p. 228) – special adviser to the Tánaiste, Dick Spring (1982–1987; 1993–1994; 1994–1997) – relays that this involved

the exploration of ‘detailed constitutional matters’ that had not otherwise been discussed ‘since 1921’. The privacy of the Council margins, moreover, meant that parties outside of this high politics dynamic ‘knew nothing’ of its occurrence or substance (Finlay, 1998, p. 229). This would extend into Major’s relationship with Reynolds’ successor, John Bruton (1994–1997), as it was at an informal 1995 Council summit in Majorca – with no press, and no expectations – that they were, as the senior British official with them relates, able to ‘have a chat of a totally free kind, and feel their way around these different issues; and that undoubtedly helped the understanding – it helped to build the level of trust’ (Lyne, 2021).

The 1998 Peace Agreement

The world-renowned B/GFA was an extraordinary piece of statecraft, bringing peace to NI and fostering deepened engagement within the British and Irish Isles (including in the context of the EU) (McCall, 2021, p. 18). It achieved this through embedding the principle of consent – revoking Articles 2 and 3 and creating provision for all-island referenda – as well as creating the tran-state NSMC, the inter-state British-Irish Intergovernmental Conference (BIIGC – UK-Irish) and the trans-state, trans-regional British-Irish Council (UK-Irish-devolved governments of NI, Scotland and Wales) (McCall, 2021). The Agreement was a product of a range of factors: the conditions created by the forerunner agreements and individual actors; the relationship between the British and Irish Premiers Tony Blair and Bertie Ahern (1997–2007); support from the United States; and as Lord Paul Murphy (Interview with Author, 28 January 2021) (NI Minister of State – 1997–99, and British GFA negotiator) tells me, the fact that the Blair-Ahern administrations were strong governments that were ‘very, very committed to Europe’. In terms of equalising political capital, both Blair and Ahern would be real players on the EU intergovernmental scene, Ahern arguably more so with his ‘masterful’ 2004 Irish Presidency securing the Constitutional Treaty (Henke, 2019, p. 143).

European Councils remained an important outlet in the 1997–1998 negotiations, as Sir John Holmes (Interview with Author, 11 August 2021) – Principal Private Secretary to Blair, and B/GFA negotiator – provides insight into. Holmes is uniquely placed to shed light on this area, as alongside the B/GFA efforts, Holmes had responsibility for the United Kingdom’s 1998 EU Presidency – and specifically the organisation of its June summit in Cardiff. Remarkably, Holmes validates each of the theoretical benefits of the Council space, beginning first with their regularity:

... arranging a visit to Dublin – or a visit in the other direction – was obviously possible, but was going to be time consuming; it just takes a couple of days to have that kind of visit. Whereas if you can meet in the margins of a European summit, you can have an hour, in the context of something you have to do anyway; that’s very useful.

In line with his AIA and DSD predecessors, he then pinpointed the value of their informality:

And of course, it’s not just the bilateral meeting you can have, because you can do chatting, when you’re having dinner, or you’re having your drinks, in the gaps between coffee, whatever it might be. So there’s a bit more of a continuous relationship as well that you can build up and start to actually know how somebody else works.

This was followed by a final observation about the private and consequently more open nature of the inter-prime ministerial dialogue:

An additional point is that you could do that without all the experts surrounding you. So if Blair met Ahern or anybody else in a European summit the Northern Ireland experts weren't there; which was a disadvantage in one way, but could also be an advantage, because you didn't have a cast of thousands, but probably just me. And that makes it easier to have a more informal and less structured meeting – with less baggage around the table as it were.

Whilst Blair and Ahern were unquestionably very close – much of which derived from their deeply European political visions – they were not immune to moments of disagreement, and as Ahern (2009, p. 210) asserts, European Council summits were 'always useful' to this, as it allowed the two premiers to discuss 'Northern Ireland questions more informally'. It was at the Luxembourg summit in November 1997, for instance, that they were able to make progress on the 'key sticking points' of prisoner release and getting the UUP to engage with Sinn Féin (Ahern, 2009, pp. 210–211). With the UUP into its pragmatic tack under Trimble, the European summit was now less about circumventing unionism – which gave rise to feelings of exclusion (Cochrane, 2021, p. 138) – but quietly honing effective positions to take with the NI parties. In fact, the governments of Blair and Ahern went to great lengths to meet the concerns of each, jointly lobbying at the 1999 Berlin summit to secure maximal EU funding for NI (Hayward and Wiener, 2008, p. 58). As Ahern (2021) told this author, 'Tony and I would have always sat down at the Council meetings either for breakfast or lunch, or for, you know, a jar at night; and we'd sit down and we'd kick these things around'. Ahern also underscored the impact of this contact in the wider sense, commenting that 'The biggest thing of all [in terms of EU influence] was from '73 on the Irish civil service – that for fifty years had little or no involvement with the British – they were going to all the Council meetings, the committees, the subcommittees; that huge engagement there was'.

According to the former Irish Attorney General (1997–1999) and GFA negotiator David Byrne (cited by Spencer, 2020), there was a 'psychological framework' between the British and Irish governments during the B/GFA period from working in the Council/COM environment where 'consensus is central to decision-and law-making'. As Byrne (Spencer, 2020) explains, the two were thus socialised to seek their preferred outcomes based upon negotiation and co-operation, with this being no less required of so-called larger states. There is a clear parallel here with the claims of new intergovernmentalist theory, where the general aspiration towards collective policy response is such, that consensus and deliberation have become 'ends in themselves' (Puetter, 2014, p. 32). The observance of this *modus operandi* was arguably evidenced in the efficiency of the British-Irish talks overall, but a prime example was the week before Good Friday – where unlike the sometimes seamless depictions – 'great differences' existed between the British and Irish governments, even after an emergency 1 April summit in Downing Street (senior Irish negotiator cited by Millar, 1998a). Indeed, the Irish newspaper of record projected at the time that this would be 'next to impossible' for the intergovernmental relationship to overcome (Millar, 1998b). At the 3/4 April EU summit with Asian countries however – away from the world media camped in Belfast (the information from whom hard-line unionism always stood ready to weaponise) – Blair

and Ahern were able to consider the text and ‘basically agreed’ to it (Powell, 2008, p. 90). As with Milan and the AIA and Brussels and the DSD, it was now simply a matter of officials resolving the outstanding points via telephone (Powell, 2008).

The British-Irish intergovernmental framework continually availed of the regularity, informality and privacy of Council summits in the immediate implementation stage of the Agreement (Bartlett, 2010, p. 574). In the margins of the summit in Vienna in December, the prime ministers reviewed the deteriorating situation arising from the issue of PIRA decommissioning and the number of NSMC Implementation Bodies (Millar, 1998c). These were matters that they again visited – with a view to meeting the 10 March deadline – on the margins of the informal summit in Petersberg in February 1999 (McKenna, 1998). The influence of the EU intergovernmental model was visible in the working model of the NSMC – the blueprint of which was not set out in the B/GFA – and which was up and running by 8 March (Coakley and Todd, 2020, p. 521). As O’Leary (1998, p. 1642) originally anticipated, the NSMC strongly resembles aspects of the COM, as the Irish Joint Secretary Tim O’Connor (2019) substantially drew upon his 1996 chairmanship of the EU Africa Working Group in working collaboratively with his NI counterparts to develop an effective model. The consensus-seeking practices arising from this – whether in the preparation, decision-making or communicate, much like the Council/COM – has been integral to the considerable success story that is the NSMC (a body that is now the custodian of some 156 areas of cross-border co-operation) (McCall, 2021, p. 27). The NSMC – along with other B/GFA creations such as the BIIGC and BIC – in a way conforms to intergovernmentalism’s idea of ‘de novo bodies’ (Hodson, 2019, pp. 2–3). As co-member states, Britain and Ireland oversaw what Puetter (2014, p. 5) coins as ‘institutional engineering’, creating consensus-seeking bodies with considerable autonomy and responsibility for their resources, and with specific remit to deal with EU issues (British-Irish Council, 2022). Crucially, as new intergovernmentalism anticipates, EU Commission influence was qualified by the British and Irish member states, as implementation of EU peace process funding was overseen by the NSMC and its Implementation Bodies (and previously Irish-NI government departments) (SEUPB, 2021). The EU summit – utilised in a constructive way even deep into the contemporary Brexit context – has undoubtedly contributed to the limited utilisation of the B/GFA’s east–west architecture (Tannam, 2021).¹³

Conclusion

The evident conclusion from this article is that British-Irish intergovernmentalism – the framework that was essential to the realisation of the NI peace process (McLoughlin, 2017) – is to some degree intertwined with the process of EU intergovernmentalism as embodied in the institutions of the Council/COM. It began per initial intergovernmentalist theory as extending the maximised utility of EU intergovernmentalism to the bilateral relationship (Moravcsik, 1993, p. 481). It evolved

¹³It might be questioned why en marge did not mitigate Brexit entirely; but this underestimates the impact of British statecraft’s failure to embed the United Kingdom at the ‘heart’ of Europe. British-Irish intergovernmentalism was at its height under Blair when this appeared conceivable, deteriorating as the vision ultimately failed, being replaced by Conservative governments, which reverted to faux jostling with the EU, inadvertently legitimising and amplifying the outlier Brexit movement (Usherwood and Startin, 2013).

then, in accordance with what is described by Bickerton et al.'s 'new' school (2015, p. 40), to emulate the post-Maastricht trend towards 'consensual policy solutions and intergovernmental policy deliberation', as well as forms of de novo bodies. The article is consequential first in that it represents British-Irish symmetry on the EU, confirming, to the fullest extent, Sir John Major's contention about the 'unquantifiable' bilateral deficit caused by Brexit (2016–). The second contribution is that it heeds Gillespie's (2006, p. 329) now vindicated view that the European summit in British-Irish relations deserves 'a separate study of their own'. In doing so, it provides a comprehensive and evidence-based case for more expansive study of the European summit and its distinctive conditions of privacy, informality and equality. There has been a longstanding normative awareness of its bilateral benefits, but as Westlake et al. (2004, p. 188) observe, it is a 'mostly hidden aspect of the European Council's overall success'. Furthermore, where there has been focus on the margins of EU summits, it has tended to be on purported negative effects, with the informality being said to enable larger state dominance, and the secrecy raising issues of transparency (Hillebrandt and Novak, 2016; Tallberg, 2008). The British-Irish case study presented serves to remedy this, empirically detailing its value across the entire trajectory of modern British-Irish negotiations, and the initial transformation that precipitated these. It will hence be useful to look beyond the Franco-German example – the summit 'breakfasts' of which are a well-known practice (Johnston, 1994, p. 69) – exploring other bilateral or multilateral dynamics where the summit space is advantageous. For example, its secure surroundings were beneficial to the Franco-British relationship when both countries were at odds over the Iraq War in 2003 (Johnston, 2005, p. 128). As Buonanno and Nugent (2013, p. 49) say, this function is arguably more important than ever, with so many member states participating in European summits; not to mention the ever-changing nature of the faces who present therein.

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