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The Irish Government and the Sunningdale Council of Ireland: a vehicle for unity?

In December 1973, the British and Irish governments and the Northern Ireland Executive designate agreed to the formal establishment of a 'Council of Ireland' as part of the historic Sunningdale Agreement.¹ This council was to have executive functions and co-ordinate the provision of certain services on both sides of the border; it would have 'executive and harmonising functions and a consultative role, and a consultative assembly with advisory and review functions.'² The Council of Ireland proposal was the British government's formal recognition of the 'Irish dimension' which it had accepted in the March 1973 White Paper the *Northern Ireland Constitutional Proposals*.³ The council proved to be one of the most divisive issues in Northern Ireland politics during the 1972-74 period, and was strongly resisted by a large section of the unionist community. The council issue led to the collapse of the power-sharing Executive which had taken office in January 1974. Loyalist opponents of Sunningdale argued that the Council of Ireland, if allowed to operate, would be a stepping-stone to a united Ireland. Recently, some scholars have retrospectively endorsed this interpretation of the council, arguing that the Irish government, in concert with the nationalist Social Democratic and Labour Party (S.D.L.P.), sought a particularly strong institution – with the goal of Irish reunification.⁴ But was the proposed Council of Ireland really intended as a vehicle for future Irish unity?

Christopher Farrington has argued that the Republic pushed for a strong Council of Ireland, with a 'longer term aim of achieving a united Ireland'.⁵ '[T]he assumption [on the Irish side] was that a strong council would be an institutional mechanism which would unify Ireland.'⁶ It has also been recently argued that the S.D.L.P. and the Dublin government became 'locked-in to an increasingly narrow policy trajectory, based on maximising gains for the minority community in Northern Ireland', particularly a strong Council of Ireland.⁷ The S.D.L.P. and

Dublin government are classed as ‘the two nationalist negotiators’, and it is suggested that ‘a large degree of unanimity’ existed between the S.D.L.P. and Irish government, particularly with regard to prioritising the Council of Ireland over power-sharing in Northern Ireland. Their supposed joint strategy, based on a ‘path dependent’ approach, was to ‘achieve maximal concessions in the form of [the] gradual unification [of Ireland]’. Path dependency is defined as ‘historical sequences in which later events, outcomes or choices conform in specific ways to initial occurrences or choices.’⁸

This article will survey a range of recently released archival material from Dublin, London and Belfast to test these claims in relation to the proposed Council of Ireland. The article demonstrates that the approach of the Irish government towards the council was much more complex and cautious than has previously been understood. Files from the department of the taoiseach, and other government departments reveal that after being initially disposed towards maximising the Council of Ireland in the early part of 1973, the government’s enthusiasm for a strong council waned significantly over the course of the following year. By early 1974, the government’s vision of the Council of Ireland became much more modest. Only one Irish government department, the Department of Foreign Affairs (D.F.A.), argued for a really strong Council of Ireland, (the kind feared by unionists), with the potential to develop into an all-Ireland government. However, archival evidence shows that the D.F.A.’s proposals were ignored by other Irish government departments, and that the majority of opinion within Irish political and official circles had little interest in getting too deeply involved in the troubled affairs of Northern Ireland during this period.

The historical origins of the term ‘Council of Ireland’ and the attitudes of the various Northern Ireland political parties towards cross-border co-operation in the aftermath of the collapse of Stormont in March 1972 are examined in the first and second sections of the paper

respectively. The reports made by Irish government departments concerning possible functions which might be devolved to the council in the summer of that year are analysed in the third section, and compared with the Northern Ireland proposals for Council of Ireland functions which are examined in section four. The final section shows that, in 1974, the Dublin government effectively abandoned any attempts to use the proposed Council of Ireland as a means to achieving Irish unity. Irish unification was no longer an immediate policy goal of the Dublin government – only the D.F.A. still appears to have favoured this outcome.

The Council of Ireland: historical origins

The concept of a Council of Ireland originated in the *Government of Ireland Act (1920)*, which partitioned the island of Ireland. Partition was originally intended as a temporary measure, since the British government envisaged that the parliaments of Northern and Southern Ireland, established by this legislation would eventually unite under a single legislature based in Dublin.⁹ To that end, a Council of Ireland was to be established for ‘the promotion of mutual intercourse and uniformity in matters affecting the whole of Ireland.’¹⁰ Once trust between both governments increased, the council was to play a role in the unification of both parliaments in Ireland at a later, unspecified point in time.¹¹ However, events in Southern Ireland, particularly the continuation of the war of independence, ended the council’s chances of success. When the boundary between Northern Ireland and the Irish Free State was confirmed in 1925, the Council of Ireland idea was axed. Its powers in Northern Ireland were transferred to the Northern Ireland government.¹² Following this transfer, there was some extensive cross-border co-operation in Ireland, the extent of which has been well documented.¹³ Such co-operation was often conducted at official level and not widely publicised. However, political meetings took place occasionally, the best-known being the Lemass-O’Neill meetings of 1965.

Shortly after these meetings, Terence O'Neill, was questioned on Irish radio about the prospect of a Council of Ireland being established. He cautiously stated that, despite the recent advances in relations between the northern and southern states, the timing was not yet right for such a council. He felt it would 'be better to concentrate on government discussions for the present, and hoped that discussions could take place to further cross-border co-operation in areas such as agriculture, physical planning, transport and tourism.'¹⁴ However, despite O'Neill's reticence, the idea of a Council of Ireland re-surfaced towards the end of the decade .

In October 1969, the British peer, Lord Longford, approached the Irish embassy in London with proposals supporting 'the resurrection of the Council of Ireland for which provision had been made in the 1920 Act'. Longford asked the Irish official, Kevin Rush,¹⁵ if his government would support the idea of a tripartite council, with British involvement. It was later confirmed to Longford that the Dublin government favoured a bilateral Council of Ireland, which might provide the impetus for "'dialogue" ... between Dublin and Belfast' as the situation in Northern Ireland deteriorated. Rush also stated that the Taoiseach, Jack Lynch, had recently 'spoken of a possibility of a federal solution' to the Northern Ireland problem, and speculated that a bilateral council might be one of the early ways of achieving this.¹⁶ Lynch's plans for federation, and Longford's attempts to resurrect the Council of Ireland, were hampered by the deterioration of the security situation in Northern Ireland which led, in 1972, to the collapse of the Stormont parliament.

The fall of Stormont and cross-border co-operation

The prorogation of Stormont prompted discussions about the possibility of establishing an all-Ireland council. These discussions originated with the Ulster Unionist Party (U.U.P.). Its policy document, *Towards the Future: A Unionist Blueprint*, suggested the formation of a 'joint-Irish

inter-governmental council' with equal membership from the governments of Northern Ireland and the Irish Republic, which might discuss matters of common interest, 'particularly in the economic and social field'.¹⁷ The S.D.L.P. proposed a much stronger all-Ireland body, the 'National Senate of Ireland'. Unlike the U.U.P.'s proposal, the national senate was designed to lead to the harmonisation of services on the island, and eventual reunification.¹⁸ The Vanguard Unionist Progressive Party (V.U.P.P.)¹⁹ and the Democratic Unionist Party (D.U.P.) rejected the idea of any all-Ireland body.²⁰ The latter party insisted that such an institution would be little more than a 'half way house to a united Ireland.'²¹ The British government announced that it would facilitate cross-border co-operation in an October 1972 Green Paper, which stated that the government would help 'to make possible effective consultation and co-operation in Ireland for the benefit of North and South alike'.²² This implied the creation of an all-Ireland institution. From that point onwards, discussions took place between the British and Irish governments as to what functions an all-Ireland council might have.

In January 1973, Sir John Peck, then U.K. ambassador to Ireland, held discussions with Brian Lenihan (Irish minister for foreign affairs) and his officials regarding a Council of Ireland. Peck's report of the meeting shows that there was a significant difference of opinion between Lenihan and one of his senior officials over what form a council should take. Lenihan argued it should be a 'very modest structure capable of evolving into something important'. However, according to Peck, Bob McDonagh, assistant secretary of the D.F.A., 'made the same gloomy noises [as usual], stressing how hard it would be to sell anything so modest as we proposed to the Irish Republic'. This was a reference to the British suggestion that any Council of Ireland would be a purely consultative body. Peck's report dismissed McDonagh's argument as 'rubbish, and not the first example of D.F.A. officials thinking they know more politics than their own politicians.' McDonagh's interventions, and the British ambassador's views, suggest that the

D.F.A. did not always seek ministerial approval with regard to particular matters of policy.²³ On 15 January 1973, Lenihan met his British counterpart Sir Alec Douglas-Home to discuss proposed Council of Ireland functions. The former suggested that tourism and electricity generation were possible areas which might come under the aegis of the proposed council, as well as the administration of regional funds from the European Economic Community (E.E.C.) for the whole of Ireland.²⁴ Hugh McCann of the D.F.A. further suggested, perhaps this time in consultation with the minister, that matters such as the environment, aspects of animal health and ‘other non-contentious issues’, be delegated to the proposed council. Lenihan’s modest proposals suggest that Fianna Fáil, traditionally regarded as a ‘republican’ party, did not advocate a particularly strong Council of Ireland when in government in the early 1970s.²⁵ Archival evidence demonstrates that the Fianna Fáil government’s policy towards the council was ambiguous. Minutes of a December 1972 meeting of government ministers records their approval for a Council of Ireland with evolutionary potential. The ministers were prepared to accept Westminster involvement in a council if the British government regarded such involvement ‘as a step towards its disengagement from the North’. A Council of Ireland would, the ministers agreed, need to be given ‘realistic’ functions if it was to have evolutionary powers. However, ministers were unable to reach ‘general agreement on what these functions might be.’ Indeed, they appear to have viewed the council primarily as a symbolic institution whose existence would be a ‘standing reminder’, north and south, of the desirability and practicality of ‘32 county actions’ in certain fields. The January meeting between Peck and Lenihan suggests that the government decided that the council’s functions should be relatively modest, uncontroversial ones.²⁶ Despite this, elements linked to the D.F.A., including the Irish ambassador to the U.K. Dr Diarmuid O’Sullivan, still argued that any council should have real power, if established.

At a meeting between British and Irish officials, O'Sullivan stated that a body with consultative functions would 'be a talking shop and would become the object of derision'. The Irish delegation took a strong line on the proposed council in these early discussions. O'Sullivan pointed out that the 'dual objectives' of the Irish government were to 'make the two communities of Northern Ireland accustomed to living and working together, and to achieve the same rapport between North and South', with both states 'put on convergent lines'. Bob McDonagh dramatically stated that the 'Irish were clear what they were aiming at: reunification ... Unless the Council of Ireland contained a promise of movement in that direction, it, and those who supported it, could be thrown to the wolves.' He tempered this by saying that he did not envisage that the Council of Ireland would govern the whole island from a set date, but should be charged with some specific functions from the outset. McDonagh then made an interesting remark about co-operation between northern and southern states.. He argued that co-operation in the fields already mentioned by the British, such as tourism and electricity supply, 'could be done just as well without a Council'. However, he claimed the British 'had to cater for the Irish dimension'. If a Council of Ireland did not adequately do so, 'they must find another way.'²⁷ This suggests that the main concern of the DFA was securing a role for the Republic in Northern Ireland affairs, and that creating a strong Council of Ireland was seen as the best way to secure this role. Presumably the stronger the proposed council, the more influence the Republic would have in Northern Ireland's affairs. McDonagh's remarks suggest that the DFA's primary concern was that the Irish dimension was somehow catered for, with a significant role for the Republic in Northern Ireland guaranteed. The British side recognised that the Irish 'regarded [their] readiness to establish a Council with real functions as a test of our willingness to turn the proposed Irish dimension into reality.'²⁸

In February 1973, Fine Gael TD Garret FitzGerald, then in opposition, informed Sir John Peck that the Irish, regardless of their political or religious persuasion, always adopted a tough line at the outset of any negotiations. FitzGerald claimed that Irish negotiators ‘invariably embarked on a negotiation by making an opening bid or adopting a position which was not intended to be taken seriously’. The purpose of this posturing was to allow the development of an agreed, or at least greatly modified, position to emerge.²⁹ If we accept FitzGerald’s argument, then perhaps D.F.A. officials were testing how far the British were prepared to go in relation to the Council of Ireland during these early meetings. In March 1973, a Fine Gael-Labour coalition replaced Fianna Fáil in government. Liam Cosgrave became Taoiseach, while FitzGerald was charged with foreign affairs. In June of that year, Irish government departments were asked to report on what functions might be ceded to an all-Ireland council, if established. Their findings were a blow to the ambitions of both Northern Ireland nationalists and officials within the D.F.A.

Other Irish government departments and Council of Ireland functions

In June 1973, various Irish government departments met with members of the government’s inter-departmental unit (I.D.U.) on Northern Ireland, a group dominated by senior officials from the D.F.A., to discuss their views on the council. One D.F.A. official, Noel Dorr, applied significant pressure on officials from the department of agriculture to consider giving the council as many functions as possible. He stressed that agriculture officials ‘should not exclude the view of a Council of Ireland as an embryo government of Ireland which would one day represent the entire island in the E.E.C. institutions’. However, despite Dorr’s prompting, one of the primary functions the agriculture officials recommended was a rather unremarkable ‘all-Ireland advisory service’ on agriculture and fisheries assigned to the council. Other, lesser functions suggested for transfer to the council included the organisation of cross-border tidy town competitions and an

all-Ireland forestry commission. One possible reason why agriculture officials were reluctant to transfer departmental functions to a Council of Ireland was the competition between northern and southern states in this field. Officials claimed there were potential difficulties in 'getting farming organisations North and South to adopt a co-operative attitude towards each other'. More significantly, they frequently referred to the possible implications of E.E.C. membership on future agricultural policy, with an increasing number of these decisions being taken in Brussels. It is therefore unsurprising that Dublin officials were reluctant to devolve decision-making powers to a body which may have advocated policies favourable to Northern Ireland farmers, at the expense of their counterparts in the Republic.³⁰ A similar picture emerges from files relating to the discussions held by the I.D.U. with officials from the departments of social welfare, labour, and health. These officials stated that they 'did not see what could be achieved within the Executive sphere' for a Council of Ireland regarding social welfare benefits. The officials did point out that there might be 'some merit' in harmonising the levels of benefits on both sides of the border; however, benefits in the Republic were lower than those in Northern Ireland, and the 'global cost to the South of bringing its benefits up to those of the North would be about £100 million'. The issue of cost in harmonising welfare services was frequently raised by officials from that department. It appears that, for these officials, keeping scarce resources within the Irish state took precedence over prospective Irish unity. The poor economic position of the Republic meant that such harmonisation was never a realistic option, and despite appeals from the D.F.A.'s McDonagh to 'include rather than exclude' functions which might be passed to the Council of Ireland, the only suggestion from the social welfare officials was that an independent appeals official for all of Ireland be attached to the proposed council.³¹ This demonstrates that the D.F.A. was clearly more concerned with the establishment of a powerful Council of Ireland than other Irish departments.

In its submission, the department of health stated that there was already a good deal of co-operation between northern and southern health boards, particularly in terms of emergency cases. However, problems were envisaged in trying to ‘institutionalise’ such arrangements. Health officials did not believe that cross-border health co-operation would lead to ‘problems of a “theological” nature’, in areas such as contraception and abortion. Rather, cost again was the primary hindrance to devolving significant health functions to the council, with reference made to the ‘allocation of limited resources’. No definite plans were put forward. The department of transport and power made almost identical comments to those of the health department, highlighting the already cordial relations and ‘considerable co-operation between North and South in this area’, such as the joint operation of cross-border rail and bus services. They, too, thought that devolving any of the existing areas of co-operation to the proposed council would be likely to cause difficulties. It was suggested, however, that consideration be given to a nuclear power station which might serve the whole of Ireland. Crucially, these officials did not make any reference towards attempting to use the proposed council to achieve Irish unity.³² The reports from these departments, coupled with the report from the departments of defence and justice, that no function relating to the police or army be placed under the aegis of a council, adds further weight to the suggestion that the Irish government did not, in real terms, attempt to use it as a means of securing Irish reunification.³³

The above departmental discussions appear to have engendered a slightly more realistic approach being taken to the proposed council within the D.F.A.. In July 1973, a D.F.A. memorandum for the government, authored by Garret FitzGerald, was much more cautious in tone. The memorandum noted that ‘[b]ecause of the complexity of the issues ... discussions with departments have not succeeded in producing a clear-cut picture of the functions which a Council of Ireland might have’.³⁴ FitzGerald referred to these discussions in his memoirs, claiming that

D.F.A. officials had informed him of the reluctance of other departments to cede parts of their responsibilities to the proposed council. He further claimed that the departments considered the proposed council as a threat to the institutions of the state. This, he thought, was partially explained by the fact that 'partition had struck very deep roots' in the Republic.³⁵ While the memo advised 'identifying the structures and functions which would maximise the role of a Council of Ireland', it also recognised that the 'portents for a maximum-type Council' were not particularly encouraging. ' The memo cited hostile unionist opinion as the reason why such a strong council was unlikely to materialise, omitting to mention the restrictions placed on the transfer of functions by the Irish departments themselves. The DFA advocated that a three-tier structure, based on the EEC model of ministerial, parliamentary and secretarial bodies be considered. One example of the DFA's slight change of approach was evident in comments regarding the parliamentary body which 'will not in the foreseeable future have anything like the status of a normal parliament. It could, therefore, be rather unreal to give real decision making powers to an Executive committee of that body'. There were also potential problems with plans to associate particular ministers with certain portfolios, as this might 'smack too much of the "Government of Ireland" approach' to be politically acceptable to unionists. Again, FitzGerald thought that the proposed council assembly should have scope to evolve in the direction of an all-Ireland parliament, but he noted it would 'seem unrealistic, even as a negotiating position, to advocate such a status for it in the short run and it must be accepted that it can only have a lesser role for the foreseeable future'. This minor role was to include providing a forum for politicians from both parts of Ireland to 'get to know and understand each other [and] ... debate and make proposals' on matters within the competence of the council. One further restriction on the potential development of the council was noted: the E.E.C. FitzGerald's memorandum claimed

that the common membership of Northern Ireland and the Republic ‘impinges on many of the functions which are appropriate for transfer to a Council of Ireland’.³⁶

At intergovernmental level, there were few apparent tensions over the Council of Ireland proposals. Records of a meeting between the prime minister, Edward Heath, and Liam Cosgrave reveal that both sides advocated a united approach to the matter. However, an important and potentially controversial issue was raised by Heath. The prime minister asked whether, in return for a Council of Ireland, ‘the Irish Government could in some way formally recognise the status of Northern Ireland’, particularly that its constitutional status could only be changed in accordance with the wishes of a majority of the people there.³⁷ The issue of Northern Ireland’s status later played an important role in the Sunningdale negotiations, and the subsequent political fortunes of the Executive. At Sunningdale, the Irish government acceded to Heath’s request and formally recognised that there could be ‘no change in the status of Northern Ireland’ until a majority of the people there so desired.³⁸ This declaration was designed to reassure unionists that the Republic had no intention of attempting to enforce Article 2 of its constitution, which claimed Northern Ireland as part of the national territory. Most importantly, however, a Council of Ireland with executive and harmonising functions was agreed to by all parties. After the Christmas break, when the Northern Ireland Executive took office, officials from both parts of Ireland considered what executive functions might be transferred to the proposed council. As well as internal discussions, the officials held meetings on a north-south basis. The evidence from these meetings further suggests that there was little chance of a strong Council of Ireland coming to fruition.

Northern Ireland attitudes to the Council of Ireland

On 4 January 1974, Brian Faulkner resigned as U.U.P. leader after losing the U.U.C. vote concerning the acceptance of the Council of Ireland.³⁹ Faulkner informed his Executive

colleagues that the result of the U.U.C. vote showed the ‘great concern among unionists over a Council of Ireland’.⁴⁰ In Dublin, there was a growing recognition of the difficulties facing Faulkner. Dublin official, Muiris MacConghail, noted that the problems for unionists regarding a Council of Ireland would necessitate the government having to ‘go somewhat slower on the Council idea’.⁴¹ This view was shared by Faulkner who wrote to Cosgrave in February 1974 urging greater caution on the Council of Ireland. The council’s elaborate structure, Faulkner argued, with both a ministerial and parliamentary tier, created ‘the impression of an all-Ireland parliament in embryo’. He argued that the council should be implemented in phases, to reassure unionists that it posed no threat to them. By failing to take unionist fears into account, Faulkner thought the Council of Ireland ‘if wrongly handled, could bring down the whole affair.’⁴² Thus Faulkner was more concerned about the perception of the council’s structure, rather than what functions might be attached to it. This suggests that he himself harboured no fears that the council had the potential to bring about a united Ireland.

The risks that unionist perceptions of the council posed to the Executive were amply demonstrated in February 1974, during the U.K. general election. At a national level, Labour replaced the Conservatives, with Harold Wilson returning to the premiership. In Northern Ireland, the election was fought solely on the issue of the Sunningdale agreement, particularly the Council of Ireland proposals. Anti-Sunningdale unionists formed an electoral coalition, the United Ulster Unionist Coalition (U.U.U.C.), and campaigned under the slogan ‘Dublin is just a Sunningdale away’.⁴³ The U.U.U.C. won eleven of the twelve Northern Ireland seats. Gerry Fitt (West Belfast) won the only pro-Sunningdale seat. This was a clear sign that Northern Ireland unionists were not prepared to accept any settlement which they felt might give Dublin undue influence in Northern Ireland’s affairs.

As mentioned, the Dublin government recognised the problems inherent in proceeding too quickly with the ratification of Sunningdale. The nationalist members of the Executive also recognised this. On 28 January 1974, its members unanimously agreed that there would be 'unacceptable risks to the stability of the Executive in pressing ahead with a Council of Ireland in advance of progress on all the other points'.⁴⁴ Elements within the S.D.L.P., though, continued to press the case for the full ratification of the Sunningdale agreement, with John Hume being the most vocal. However, the S.D.L.P. eventually, adopted a more pragmatic approach to the Council of Ireland. On 13 May, a scheme to implement the Council of Ireland in phases was devised by members of an Executive sub-committee which was investigating the best way to make progress on the matter. It recommended a meeting with Irish ministers by the end of the month to agree 'upon the phases by which, and conditions in which, the Council of Ireland provisions of Sunningdale can be implemented'. Such a meeting would precede another tripartite conference to facilitate the signature of a formal agreement, including the declaration on the status of Northern Ireland by the Dublin government. The reference to the Council of Ireland was to be minimal: 'It was agreed that a Council of Ministers shall be initially established and the Council of Ireland subsequently developed on the basis agreed between the Irish Government and the Northern Ireland Executive'.⁴⁵ A statement outlining this phased implementation was drawn-up, but the Executive delayed its release until 23 May. This was because it did not want to appear to make concessions to the loyalist opponents of Sunningdale, then involved in a concerted attempt to bring down the power-sharing Executive.⁴⁶

These attempts began on 14 May, after the Assembly voted on a motion calling for a renegotiation of the Sunningdale agreement tabled in March by John Laird representing the West Belfast Loyalist Coalition.⁴⁷ The anti-Sunningdale motion was easily defeated, but the vote was to have serious repercussions for the longevity of the power-sharing Executive. Loyalist

opponents of the agreement, organising themselves under the banner of the U.W.C., called for a halt to industrial activity in protest at the result of the vote. The U.W.C. consisted of loyalist politicians, Protestant trades-unionists and paramilitaries, called for a halt to industrial activity in protest at the result of the vote. The strikers had control of the main electricity generating station at Larne, which had an overwhelmingly Protestant workforce, giving them a telling advantage over the Executive. Intimidation of workers by loyalist paramilitaries was also widespread.⁴⁸ On 28 May, following the resignation of the unionist members, the Executive collapsed. The evidence suggests that opposition to the Council of Ireland provision of the Sunningdale agreement was the primary cause of its downfall. The precise nature of what the Council of Ireland stood for has been debated by historians, as has the future political role the Irish government wished it to play.

Alvin Jackson has argued that, despite the inherent safeguards, the council was designed as ‘an impressive step towards reunification’.⁴⁹ Richard Bourke has suggested that the all-Ireland body agreed to in 1973 was ‘a new look version of the old [1920] Council of Ireland’.⁵⁰ Since the 1920 Council was explicitly designed, by the British government, to lead to a single Irish legislature, the implication is that the Sunningdale Council was similarly designed. Michael Kerr, on the other hand, has emphasised the unionist veto on the council’s evolution, and argued that ‘[i]ronically, while [the Council] was seen as being a vehicle towards a united Ireland, constitutionally it was nothing of the sort and, as it stood, it could become no such thing’.⁵¹ P.J. McLoughlin has also noted these potential constraints, and suggested the council ‘could not be a mere harbinger of Irish unity’.⁵² The availability of archival evidence allows these claims to be investigated in more detail. Whether or not the council had the potential to become an all-Ireland government, will now be examined.

In January 1974, Kenneth Bloomfield wrote a memo concerning the potential functions of a Council of Ireland. He saw the council as having executive functions and a consultative role. He recognised that cross-border co-operation had been ongoing for many years in areas such as railways and fisheries and thus the consultative role would pose few problems. Bloomfield did, however, see potential difficulties with attaching ‘harmonising functions’ to the Council of Ireland. This was due to the variance between the economic positions in both jurisdictions at that time, with the Republic notably less wealthy. He cautioned that ‘unless Northern Ireland is to break its parity links with Great Britain, hold back development, or even to reduce its standards, such harmonisation can in various fields only be achieved by a more rapid development on the Southern side’. Given the disparity in the standard of services in both states, Bloomfield’s caution was well-judged. His memo went on to define ‘executive functions’, and concluded that the term could be interpreted in two possible ways. These he defined as ‘Pattern A’ and ‘Pattern B’. Pattern A functions were defined as ‘[e]xecutive decisions’, on certain matters agreed by the Irish government and the Northern Ireland Executive which a Council of Ministers would take for the whole of Ireland ‘which are now taken separately by the two governments’.⁵³ ‘Pattern B’, referred to ‘executive actions’, whereby certain services should become the direct executive responsibility of the Council of Ireland. For example, ‘the staffs engaged in tourist work in the Department of Commerce and its Dublin counterpart would transfer to the Council and conceivably then, or at a later stage, the staffs of the two tourist boards’.⁵⁴ Bloomfield noted that the Northern Ireland departments had, ‘at this stage comparatively little to recommend by way of Pattern B’. In other words, the attitude of Northern Ireland officials to the Council of Ireland was based on the continuation of existing co-operation with the Republic, without formalising or centralising it, lest that hinder existing arrangements. It is clear, from Bloomfield’s paper, that

Northern Ireland officials were neither prepared to contemplate a significant role for the Republic in their affairs, nor allow a significant devolution of executive functions to the council.

The Council of Ireland functions proposed by officials from Northern Ireland's department of health and social services are broadly representative of those of other Northern Ireland departmental officials. The views of these and other Northern Ireland officials reflect the stark differences in standards of public services between the two jurisdictions at the time.⁵⁵ There was little exaggeration of these differences in standards, with the possible exception of the northern department of agriculture, as discussed below.

The Northern Ireland health officials were critical of the attitude of the Republic towards cross-border co-operation. For example, the Northern Ireland health department 'decided some years ago [before E.E.C. membership] to provide free emergency services on a "Good Samaritan" basis for residents of the Republic taken ill or involved in accidents while visiting Northern Ireland'. This gesture was neither reciprocated nor acknowledged by the Republic at the time. It was not until both states joined the E.E.C. that there was 'some degree of reciprocity' in this regard. Given the Republic's relative lack of resources, there seems to have been little chance of increased co-operation either in health or other spheres. The section on health concludes with the observation – frequently made by Northern Ireland officials about all aspects of services in the Republic that – 'since Northern Ireland's health services are generally much more highly developed than the Republic's, the South has hitherto looked to the North for help rather than vice versa'. The health officials did not rule out future co-operation or oppose it in principle, but instead highlighted the real difficulties and potential damage to the interests of Northern Ireland which might have arisen from administering such services on an all-Ireland basis. The attitude of officials from the Republic of Ireland, concerning potential social services functions for a Council of Ireland, has already been noted. Bloomfield's memo reported that the 'wide disparity

between social security systems and benefits in the two countries' severely restricted any 'scope for reciprocity'. However, officials did concede that there may have been scope to co-operate with regard to 'super-specialities in the hospital field' on an all-Ireland basis, 'joint ventures' on industrial development in border regions and 'the common (but small) problem of itinerants on both sides of the border'. These mundane proposals were unlikely to have been what John Hume had in mind with regard to a role for the Republic in Northern Ireland affairs. Bloomfield's memo also mentioned that progress was unlikely to be made in other areas due to the backward nature of equivalent services in the Republic. These included the Ordnance Survey, the Public Records Office, and the care of historic monuments. Northern Ireland officials were concerned with maintaining British standards, rather than 'harmonising' with the Republic for political reasons. The only example found of overt reluctance to co-operate with the Republic, was in the sphere of agriculture. There was good reason for this, given the competition between farmers on both sides of the border, particularly in the export market. However, officials from that department stressed, in apparent earnestness, that co-operation in agriculture could be hindered by the 'climatic and geographical differences' between Northern Ireland and the Republic. They did, however, recommend potential co-operation in research and scientific aspects of agriculture be considered as council functions.⁵⁶ While the functions proposed by the Northern Ireland officials may be perceived as exhibiting a unionist bias, the records from the Dublin archives demonstrate that their caution was well-judged. After all, harmonising services with the Republic could have had a significant detrimental impact on the standards of those services within Northern Ireland, paid for by Westminster.

A further memorandum by Bloomfield, Sir David Holden and K.R. Schmiel,⁵⁷ noted some disagreements between Northern Ireland and the Republic regarding potential council functions. One area of disagreement was electricity generation. 'Each government [they noted]

must retain through its appropriate department the ability to intervene to deal with emergency or deadlock situations.’ The chairman of the NIES feared possible adverse staff reactions – both North and South – if responsibility for electricity generation was transferred to a Council of Ireland. He also suggested that ‘the public in the North who are opposed to a Council might take the excuse to withhold payment of bills.’⁵⁸ The Northern Ireland officials noted ‘more than a hint that the members of the Dublin steering group had received a firm political directive in general terms to push as much as possible into the area of executive action without adequate thought being given to the practical difficulties’. They also noted that it seemed strange ‘for the “generalists” on the Southern side to take up again points which their own “specialists” (i.e. those who had detailed experience of the subjects under consideration) had for the most part conceded in discussions’. It seems likely that these “generalists” might have been D.F.A. officials, working towards their agenda, and that of their minister FitzGerald, of attempting to maximise the role of the Council of Ireland. The fact that Dublin ‘specialists’ readily ruled out many possible council functions, does not suggest all ministers were applying political pressure on their civil servants. The Northern Ireland officials concluded that ‘commitment in principle to new institutions, the implications and problems of which have not been thought through ... would work against and could destroy the development of that co-operation between the two parts of Ireland which is the objective of the present discussions.’⁵⁹

On 8 March 1974, Brian Faulkner wrote a memo for his Executive colleagues regarding potential council functions. His views seem to have been influenced by the February election results. It could not have made pleasant reading for the S.D.L.P., particularly Hume and his supporters. Faulkner argued that the Council of Ireland could only be achieved gradually, and its functions were likely to be limited.⁶⁰ The approach of the Northern Ireland officials and unionist politicians to the council was one of caution. The S.D.L.P. favoured a strong council, but

eventually agreed to its phased implementation. But the Republic of Ireland was also cautious about devolving too many functions to the Council, as the sources from the Dublin archives reveal. The Irish government's caution actually increased during the 1973-4 period, until it eventually decided that the Council of Ireland should only be a symbolic institution with few significant powers.

The Council of Ireland proposals of the Republic of Ireland, 1973-74

The Irish government's view of what the role and functions of a Council of Ireland should have moderated significantly between 1973 and 1974. Files from the department of the taoiseach demonstrate that the government advocated a powerful council in early 1973, and was prepared to consider transferring significant functions to that body. As time progressed, however the government effectively decided that the council would have little more than symbolic importance. In April 1973, a department of the taoiseach memorandum considered a fundamental question regarding this institution from an Irish point of view: 'Why do we want a Council?'

Three basic aims were envisaged:

- (a) To provide for harmonious common action in certain limited matters where the interests of North and South overlap – such as fisheries, tourism and railways.
- (b) To act as a symbolic North-South link to induce the bulk of the minority in the North to accept political structures which are now to be created in the area; and sufficient to allow Dublin to accept the new settlement.
- (c) To involve the common interests of North and South in pragmatic projects of mutual benefit ... in this way to promote reconciliation on both parts of the island on a converging path ... without ultimately specifying the ultimate shape or timetable for possible unity between them.⁶¹

It was noted that proposal (a) was most acceptable to unionists, and that proposal (c) was the policy of the previous Fianna Fáil government. The latter was to remain the policy of the coalition government, but the ‘emphasis [was] now on the process rather than the results.’ In other words, the policy would be one of reconciliation. The stated goal in the memo was, therefore, an ‘open-ended means of working towards an indeterminate form of unity by consent over an unspecified period’. The stated goal in the memo was, therefore, an ‘open-ended means of working towards an indeterminate form of unity by consent over an unspecified period’, an ambiguous phrase, lacking both a clear vision of the kind of unity to be sought, and the means by which it might be achieved. The memo further argued that, if the government actually favoured a ‘Council of Ireland’ rather than a ‘Council of Northern Ireland’: ‘an embryo institution which we hope will develop towards unity in Ireland’, then it must not allow vested interests to prevent ‘the granting to the Council of substantial functions’, whatever the political risks involved.⁶² The memo thus argued for significant transfer of functions, suggesting that the government should ‘try to ensure that all areas of co-operation in practical matters between the administrations North and South come explicitly under the aegis of any Council – even if there seems to be no practical need for such formal sponsorship in particular cases’.⁶³

However, by early 1974, a greater degree of realism was apparent in the Irish government’s approach to the Council. A government study group, established in December 1973, considered all the departmental functions that could be administered by the Council of Ireland. The group’s report, completed in February 1974, noted that Northern Ireland officials were likely to oppose every area of cross-border co-operation suggested by the Republic. If the council was to have any ‘real power’, then it was necessary that the ‘least possible deletions’ were made before joint studies began. The report stated that it was ‘the desire of the Irish government, made known to us during the course of the study, to have as many executive functions as possible examined for

possible transfer to the proposed Council'.⁶⁴ Examination, however, did not necessarily mean a desire to transfer significant functions. Irish government departments, as previously noted, had already ruled out important matters from possible transfer in their consultations with the I.D.U. on Northern Ireland, despite encouragement from D.F.A. officials to propose as many functions for the council as possible. This contributed as much to a reduction of the council to 'negligible proportions' as did protests from Northern Ireland officials. Irish officials concluded that 'the only powers which could be transferred ... would be general powers of government in relatively unimportant areas'.⁶⁵ This report, in common with the documents produced by Northern Ireland officials, recognised that 'the Council was sometimes seen as an unnecessary intervention between the relevant departments, both in the Republic and Northern Ireland', given the fact that co-operation already existed at official level between departments in both jurisdictions.

Consistent with this realistic, cautious approach to the council, the areas considered for transfer by the Republic were not particularly significant. For example, the department of health 'decided before Sunningdale that the main business carried out under the Department ... ought not to be transferred to the Council of Ireland at this stage'. No reference was made to what stage such business might be transferred. Similarly, the department of industry and commerce noted the politically sensitive disagreement 'that could result in industrial development planning on an all-Ireland basis', and only felt able to recommend an all-Ireland film industry and co-operation in development in border areas as functions to be transferred to the council. A joint report by officials, from both sides of the border, noted the potential difficulty in transferring planning functions to a Council of Ireland, recognising that 'the provision of houses for people in Kerry and Antrim for example is an activity which can be administered best in Kerry and Antrim.' More general problems in respect of staffing were also noted by Irish officials: '[t]he settlement of officers who do not wish to transfer particularly if the transfer involves movement to

somewhere like Armagh are also relevant.⁶⁶ The education department made no recommendations at all, claiming it had insufficient time to consider the matter fully.

This report contained further references to Northern Ireland attitudes towards the Council of Ireland. It alleged that the Northern Ireland officials tended to emphasise their connection with Britain as an excuse for not wishing to transfer significant functions to a council. This Irish view is surprising, given that its own list was limited to a transfer of relatively minor functions without the difficulty of having a U.K. link. Despite apparent Irish reluctance to give the council any real power, it was noted that the officials had ‘from the start acted on the assumption that the Government wish is that the Council should be more than just a consultative forum.’⁶⁷ This implied that the council should have some decision making powers. However, the documents reveal that the potential areas in which any council could make decisions would be confined to uncontroversial, relatively insignificant matters, this does not suggest that the Irish government sought to establish the council as a means towards creating an embryonic all-Ireland government.

Documents from the department of the taoiseach reveal the extent of the moderation of the Irish government’s approach towards the council. By early 1974, the government fully accepted that any Council of Ireland must only have limited powers. Like their Northern Ireland counterparts, Irish government departments again ruled out ‘certain major functions’ from being transferred to the council on the basis that ‘it would be impracticable to transfer them to the proposed Council as executive functions’. These included housing, road construction, and health and social security services.⁶⁸ Excluding these key areas of government policy indicates a distinct lack of desire, on the part of the Irish government, to use a Council of Ireland as a means to reunite the island. Of course, it could also indicate a pragmatic assessment of what it could afford in the fiscal climate of the 1970s. As mentioned above, fiscal concerns were frequently cited by Irish officials as an argument against using the council to harmonise certain public services with

those in Northern Ireland.⁶⁹ However, successive Irish governments had rarely refrained from using irredentist rhetoric when it came to the national question, regardless of the reality of what was achievable, so there can be some significance attached to this exclusion of functions. In fact, it is arguable that the British government had fewer objections to what powers should be transferred to the council than the government of the Republic. The British government displayed a flexible attitude towards the council evolving into a powerful institution but were cautious about how it might be financed.⁷⁰ However, in contrast to the Irish government, the transfer of health and security powers to the council were the only areas excluded for consideration by the British government.

Even though the stated policy of the Irish government in the April 1973 memo was promoting reconciliation leading to the 'convergence' of both states, the policies actually advocated by the Irish, in the crucial year of 1974, were different. Over the course of the year, the Irish government had accepted a council could only be a symbolic institution with relatively insignificant powers. Despite the constitutional imperative towards Irish unity, partition, as FitzGerald observed, had indeed struck deep roots in the Republic. The last thing the majority of the political establishment in Dublin wanted was the violence in Northern Ireland affecting the relative peace and stability of the southern state. Logically, despite pressure from the D.F.A. to maximise its functions, the majority of departments sought to limit the responsibilities with which a Council of Ireland would be charged. As already mentioned, the D.F.A.'s primary interest seems to have been to secure a role for the Republic in Northern Ireland's affairs, and it saw the creation of a strong council as the best way to achieve this. Why the D.F.A. retained a higher level of enthusiasm for a stronger council is not immediately apparent. Perhaps it was less grounded in the everyday realities of domestic politics than the other departments and less inclined to see the potential difficulties involved with devolving significant functions to a

council. The refusal of the other departments to follow the D.F.A.'s suggestions, however, coupled with an apparent lack of ministerial interest in the project, illustrates that the Irish government did not attempt to use the Council of Ireland as a means towards achieving reunification, and was reluctant to cede any of its responsibilities towards such a council.

Conclusion

The evidence presented in this article illustrates that Farrington's arguments concerning the Irish government and the Council of Ireland, referred to in the introduction, are highly problematic.⁷¹ Presumably the Dublin coalition would have sought to devolve as many important functions as possible to the council if unification was indeed the Irish government's policy. The issue was more complex, however, and the reality more banal. There were distinct limits to the policies the Irish government could pursue, since its government departments did not wish to cede any significant functions to the council. In fact, the functions recommended for transfer to the council by the Irish government departments were broadly similar to those suggested by their Northern Ireland counterparts. Since unionist consent would have been necessary to make the council more powerful, its potential to bring about reunification is questionable; but also because the responsibilities the Dublin government were prepared to transfer to it were minor. This raises the question of the extent to which civil servants and permanent officials act as a restraining influence on their ministers. It seems clear, however, in the case of the Dublin government, that few ministers pressed the case for a strong Council of Ireland.

In this regard, Garret FitzGerald's July 1973 memo, cited above, provides some insight into the attitude of government ministers towards the council. FitzGerald urged that ministers 'should study the whole matter [of transferring functions to the council] very closely and give appropriate guidance to their officials.'⁷² This observation, coupled with the modest functions

which various departments were prepared to cede to the council, suggests a degree of indifference towards the council on the part of most ministers, who were probably more concerned with domestic politics, and a propensity on the part of these ministers to leave these somewhat mundane decisions to their senior civil servants.

There is no clear evidence that a Fianna Fáil led government would have taken a radically different approach to that of the Fine Gael-Labour coalition, and sought to establish a council with more significant functions and greater capacity for evolution. By the time of the Sunningdale agreement, the party had lost two of its most prominent public advocates of a united Ireland, Neil Blaney and Kevin Boland, from its front bench, weakening the traditional republican faction of the party.⁷³ Fianna Fáil's statements about the council in opposition during 1973 and 1974, however, do not suggest that Irish reunification was an immediate priority for the party.⁷⁴ One contemporary newspaper source suggested that Fianna Fáil had, in real terms, accepted the border, and, despite their professed ideological preference, would not want a united Ireland 'even if Ted Heath gave it to them in the morning'. The same article also claimed that Fianna Fáil politicians were much more concerned with social issues such as contraception (referred to as 'the French letter issue') than the persistence of partition.⁷⁵ In other words, domestic political problems emasculated any latent republican ideology among the party's parliamentarians. It also seems unlikely, given the general tendency of civil servants towards pragmatism and conservatism, that officials from government departments other than the D.F.A. would have been any less reluctant to transfer functions to a Council of Ireland even if Fianna Fáil had won the 1973 general election. The influence of officials and civil servants was also strong in Northern Ireland, but for different reasons. The nationalist members of the Executive were in favour of a strong all-Ireland body, but the Northern Ireland officials' recommendations more closely mirrored the proposals of unionists. However, this was primarily explained by self-

interest (due to the poor standard of public services in the Republic) rather than any inherent unionist bias on their part.

The contention that the Dublin government, in concert with the S.D.L.P., sought a strong Council of Ireland, due to a path dependent approach to the issue is also problematic, for two reasons.⁷⁶ Firstly, it treats both the S.D.L.P. and Dublin government as a single entity, and assumes that both had the same policy goals. The documents from the Irish government departments clearly illustrate how extensive the differences between the S.D.L.P. and the Irish government were. There was no question of the S.D.L.P.'s vision of an all-Ireland body along the lines of its proposed national senate being agreed to by the Dublin government.⁷⁷ Secondly, this path dependent approach only allows for an evolution in policy in one direction. It does not allow for changes which result in a moderation of the original aims, as was the case regarding the significant diminution of the Republic's conception of the Council of Ireland over the 1973-74 period.

The Council of Ireland was designed as a mechanism whereby the S.D.L.P., and other Northern Ireland nationalists, could work within the framework of the new constitutional arrangements for Northern Ireland. Officials within the D.F.A. in Dublin sought to transfer all existing areas of co-operation to the Council of Ireland, and were the most favourably disposed to it having evolutionary potential. This stance was influenced by their wish to see the institutionalisation of an 'Irish dimension'. A Council of Ireland was regarded as the most effective way to secure this goal, but the D.F.A. was flexible about this and was prepared to consider other options if this was not the most effective way to guarantee a role for Dublin in Northern Ireland affairs.

The chances of a very strong Council of Ireland being formed were curtailed by the lack of will on the part of officials from both Northern Ireland and the Republic to devolve significant

executive powers to that body. There was little difference in what functions officials from departments on both sides of the border were prepared to devolve to the council. Effectively, it could only make decisions on mundane and uncontroversial matters, on a basis of strict unanimity. The recent literature on the council therefore overstates its importance to Irish government policy, and the extent to which Irish unification was a policy goal of the Dublin coalition at the time. Too much emphasis is placed on archival material authored primarily by D.F.A. officials and not enough attention is paid to the material from other Irish departments. The recent literature focuses on documents produced in the first half of 1973, when the government was more disposed to a strong Council of Ireland. However, it is only by studying the Irish government's policy towards the council over the course of the 1973-74 period that it is possible to discern the significant diminution in the importance of a strong council to government policy.⁷⁸ The powers which the Irish government were prepared to devolve to the Council of Ireland did not include the power to alter the constitutional relationship between Northern Ireland and the U.K. without unionist consent and, as such, this could hardly be construed as an attempt to form an embryonic all-Ireland government. Some unionists, however, genuinely saw the attempted establishment of the council as the first step in the process of a gradual diminution of British sovereignty in Northern Ireland. The perception of what the council had the potential to become, and its power to mobilise the forces of proletarian loyalism, culminated in the U.W.C. strike and the downfall of the power-sharing Executive. However, the loyalist slogan 'Dublin is just a Sunningdale away' was an emotive, if ultimately inaccurate, reflection of the intentions which the Irish government attached to the Sunningdale Council of Ireland.

¹ For memoir accounts of the Sunningdale negotiations, see for example Brian Faulkner, *Memoirs of a statesman* (London, 1978), pp 202-25; Austin Currie, *All Hell will break loose* (Dublin, 2004), pp 211-25 and Basil McIvor, *Hope deferred: experiences of an Irish unionist* (Belfast, 1998), pp 95-8.

² *The Sunningdale Agreement*. University of Ulster, Conflict Archive on the Internet (C.A.I.N.) website. (<http://cain.ulst.ac.uk/events/sunningdale/agreement.htm>) (21 July 2010).

³ *Northern Ireland Constitutional Proposals* (London: H.M.S.O., 1973).

⁴ See Christopher Farrington 'Reconciliation or irredentism: The Irish government and the Sunningdale Communiqué 1973' in *Contemporary European History*, xvi, no. 1, (2007), pp 89-107 and Cillian McGrattan, 'Dublin, the S.D.L.P. and the Sunningdale agreement: maximalist nationalism and path dependency' in *Contemporary British History*, xxiii, no. 1, (2009), pp 61-78.

⁵ Farrington, 'Reconciliation or Irredentism?', p.106.

⁶ *Ibid.*, p. 98.

⁷ McGrattan 'Dublin, the S.D.L.P. and the Sunningdale agreement', p. 61.

⁸ *Ibid.*, p. 69.

⁹ Paul Bew, *Ireland: the politics of enmity, 1789-2006* (Oxford, 2007), pp 395-6.

¹⁰ Richard Bourke, *Peace in Ireland: the war of ideas* (London, 2003), p. 200.

¹¹ Jonathan Tonge, 'From Sunningdale to the Good Friday agreement: creating devolved government in Northern Ireland' in *Contemporary British History*, xiv, no. 3, (2000), p. 40; Graham Walker, *A history of the Ulster Unionist Party: protest, pragmatism and pessimism* (Manchester, 2004), p. 45.

¹² Bew, *Ireland*, pp 447-8; Alvin Jackson, *Home Rule: an Irish history, 1800-2000* (London, 2003), p. 213. For negotiations between Craig and Collins, see Michael Hopkinson, 'The Craig-Collins Pact of 1922: two attempted reforms of the Northern Ireland Government' in *Irish Historical Studies*, xxvii, no. 106, (1990), pp 145-58.

¹³ See for example Michael Kennedy, *Division and consensus: the politics of cross-border relations in Ireland, 1925 – 1969* (Dublin, 2000) and Etain Tannam, *Cross-border co-operation in Northern Ireland and the Republic of Ireland* (Basingstoke, 1998). For the history of North-South tourism co-operation, Eric G.E. Zeulow, "'Ingredients for co-operation": Irish Tourism in North-South Relations, 1924-1998' in *New Hibernia Review/Iris Éireannach Nua*, x, no. 1, (2006), pp 17-39. For an investigation of more recent developments, John Coakley and Liam O'Dowd (eds), *Crossing the border: new relationships between Northern Ireland and the Republic of Ireland* (Dublin, 2007).

¹⁴ *Irish Independent*, 19 February 1965. In the 1950s, there was existing co-operation regarding fisheries, electricity and drainage. See Diarmaid Ferriter, *The transformation of Ireland 1900-2000*, (London, 2004), p. 461.

¹⁵ Minister plenipotentiary at the Irish embassy, London.

¹⁶ Memorandum by Kevin Rush 7 Oct. 1969. (N.A.I., Department of Foreign Affairs (D.F.A.) 2000/14/444).

¹⁷ This was deemed preferable to an extradition treaty by the U.U.P. See U.U.P., *Towards the Future: a Unionist Blueprint* (Belfast, 1972).

¹⁸ S.D.L.P., *Towards a new Ireland* (Belfast, 1972).

¹⁹ The V.U.P.P. was formed in Mar. 1973. It originated as a pressure group within the U.U.P. It left when the latter refused to reject the *Northern Ireland Constitutional Proposals* outright.

²⁰ Ulster Vanguard, *Government without right* (Belfast, 1973); D.U.P., *1973 Assembly election manifesto: Ulster Democratic Unionist Party* (Belfast, 1973).

²¹ D.U.P., *1973 Assembly Election Manifesto* (Belfast, 1973).

²² *The future of Northern Ireland: A paper for discussion* (London: H.M.S.O., 1972).

²³ Sir J. Peck to U.K. representative, Belfast, 4 Jan. 1973 (The National Archives, Kew. (T.N.A. P.R.O.), Northern Ireland Office, (CJ4) /390).

²⁴ Meeting between Mr Lenihan and Sir Alec Douglas-Home, 15 Jan. 1973 (T.N.A., P.R.O, CJ4/391).

²⁵ For more on Fianna Fáil and Northern Ireland see, Peter Mair, *The changing Irish party system: organisation, ideology and electoral competition* (London, 1987), pp 12-61 and Catherine O'Donnell, *Fianna Fáil, Irish republicanism and the Northern Ireland troubles, 1968-2005* (Dublin, 2007).

²⁶ Note of a meeting held at Government Buildings, 22 December 1972, 22 Dec. 1972. (N.A.I., department of the taoiseach (D.T.), 2004/21/2).

²⁷ 'Council of Ireland': second meeting with Irish government representatives, 23 Jan. 1973 (T.N.A., P.R.O, CJ4/391).

²⁸,Council of Ireland: preliminary discussions with the Irish Government, 14 February 1973. (T.N.A., P.R.O, CJ4/391).

²⁹ Sir John Peck to Kelvin White, 5 Feb. 1973 (T.N.A., P.R.O, Foreign and Commonwealth Office (F.C.O.) 87/228).

³⁰ Preliminary consultations with departments. Agriculture, fisheries and lands, 15 June 1973 (N.A.I, D.T. 2004/1/240).

³¹ Preliminary consultations with departments. Social welfare, labour and health, 11 June 1973 (N.A.I, D.T. 2004/1/240).

³² Preliminary consultations with departments of transport and power, 8 June 1973 (N.A.I., D.T. 2005/7/653).

³³ See Preliminary consultations with departments of defence and justice, 18 June 1973 (N.A.I., Department of Justice (JUS) 2005/24/8).

³⁴ Memorandum for the government, department of foreign affairs, report by minister for foreign affairs [Garret FitzGerald] on the possible structures and functions of a Council of Ireland, 30 July 1973 (N.A.I, JUS 2005/24/8).

³⁵ Garret FitzGerald, *All in a Life: an autobiography* (Dublin, 1991), p. 203.

³⁶ Memorandum for the government, department of foreign affairs, report by minister for foreign affairs on the possible structures and functions of a Council of Ireland, 30 July 1973 (N.A.I, JUS 2005/24/8).

³⁷ Note for the record, 2 July 1973 (T.N.A., P.R.O, CJ4/391).

³⁸ *The Sunningdale Agreement*. C.A.I.N. website.

(<http://cain.ulst.ac.uk/events/sunningdale/agreement.htm>) (21 July 2010). The value of this declaration was lessened when veteran republican Kevin Boland challenged the Irish government in the Supreme Court, arguing that it violated articles 2 and 3 of the constitution.

³⁹ The U.U.C. was comprised not just of party members but also members of the Orange institutions

⁴⁰ Executive Minutes, 8 Jan. 1974 (Public Record Office of Northern Ireland, (P.R.O.N.I), Office of the Executive, (O.E.)/2/1A).

⁴¹ Minute by Muiris MacConghail, 5 Jan. 1974 (N.A.I., D.T. 2005/7/651).

⁴² Faulkner to Cosgrave, 6 Feb. 1974 (P.R.O.N.I., O.E./1/35).

⁴³ J.J. Lee, *Ireland 1912-1985: politics and society* (Cambridge, 1989), p. 444.

⁴⁴ Executive minutes, 28 Jan. 1974 (P.R.O.N.I., O.E./2/6).

⁴⁵ Annex – Sunningdale – outline scheme. Executive Minutes, 13 May 1974 (P.R.O.N.I., O.E./2/21).

⁴⁶ Executive minutes, 22 May 1974 (P.R.O.N.I., O.E./2/26).

⁴⁷ Jackson, *Home Rule*, p. 278.

⁴⁸ For detailed accounts see, Don Anderson, *Fourteen May days: the inside story of the loyalist strike of 1974* (Dublin, 1994), Steve Bruce, *The red hand: Protestant paramilitaries in Northern Ireland* (Oxford, 1992), pp 78-109; Robert Fisk, *The Point of no return: the strike which broke the British in Ulster* (London, 1975) and Gordon Gillespie, 'Loyalist politics and the Ulster Workers' Council strike of 1974' (Ph.D. thesis, Queen's University Belfast, 1994).

⁴⁹ Jackson, *Home Rule*, pp 272-3.

⁵⁰ Bourke, *Peace in Ireland*, p. 213.

⁵¹ Michael Kerr, *Imposing power-sharing: conflict and coexistence in Northern Ireland and Lebanon* (Dublin, 2005), p. 64. Kerr is correct that the Council of Ireland could not have become the vehicle for a united Ireland. However, this was not solely due to the unionist veto. The evidence suggests that unionists would not have had to veto any such development, since the Irish government did not intend to use the council to achieve Irish unity.

⁵² P.J. McLoughlin, "‘Dublin is just a Sunningdale away?’ The S.D.L.P. and the failure of Northern Ireland's Sunningdale experiment' in *Twentieth Century British History*, xx, no. 1, (2009), p. 87.

⁵³ Executive memorandum (EXMEMO) 13/74. Council of Ireland: Memorandum by the Secretary to the Executive, 28 January 1974. Executive Minutes, 28 Jan. 1974 (P.R.O.N.I., O.E/2/6).

⁵⁴ Ibid.

⁵⁵ As shown above, officials from the Republic admitted that standards in the Republic lagged behind Northern Ireland.

⁵⁶ Executive memorandum (EXMEMO) 13/74. Council of Ireland: memorandum by the Secretary to the Executive, 28 Jan. 1974. Executive Minutes, 28 January 1974 (P.R.O.N.I., O.E/2/6).

⁵⁷ Holden was head of the Northern Ireland Civil Service, Schmiel one of his senior officials.

⁵⁸ Memo by K.P. Bloomfield, D.C.B. Holden and K.R. Schmiel. Executive Minutes, 7 May 1974 (P.R.O.N.I., O.E/2/19).

⁵⁹ Ibid.

⁶⁰ EXMEMO 77/74. The Sunningdale agreement by A.B.D. Faulkner, 8 Mar. 1974 (P.R.O.N.I., O.E/2/9).

⁶¹ Council of Ireland memorandum, 16 Apr., 1973 (N.A.I., D.T. 2004/21/2).

⁶² Ibid. Emphasis as original.

⁶³ Ibid. Emphasis as original.

⁶⁴ Proposals for Northern Ireland settlement. Transfer of functions to the proposed Council of Ireland, [Feb. 1974] (N.A.I., D.T. 2005/7/665).

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Discussions between officials of the Government of the Republic of Ireland and officials of the Secretary of State for Northern Ireland, 18 Dec. 1973 (N.A.I., D.T. 2005/7/665).

⁶⁸ Proposals for Northern Ireland settlement. Transfer of functions to the proposed Council of Ireland, [Feb. 1974] (N.A.I., D.T. 2005/7/665).

⁶⁹ It was believed that the establishment of a strong council with the requisite human and financial resources would cost in the region of £25 million per annum ‘exclusive of overheads and pensions liability’. This comment appeared in a section of the report entitled ‘Implications of transferring the executive functions identified as seen by departments’. Ibid.

⁷⁰ Meeting between Garret FitzGerald and William Whitelaw at the N.I.O. [Northern Ireland Office], London, 8 Nov. 1973 (N.A.I., JUS 2005/24/8).

⁷¹ Farrington, ‘Reconciliation or irredentism’, pp 89-107.

⁷² Memorandum for the government, department of foreign affairs, report by minister for foreign affairs on the possible structures and functions of a Council of Ireland, 30 July 1973 (N.A.I., JUS 2005/24/8).

⁷³ Blaney, along with co-accused Charles Haughey, was sacked by Lynch in May 1970 over his alleged role in a plot to import arms using government funds for distribution to Northern Ireland nationalists. The charges against Blaney were later dropped; Haughey was acquitted. Boland resigned in protest at Lynch’s decision to sack the men. Blaney continued in national politics as an independent TD until his death in 1995. Boland formed his own party, Aontacht Éireann, but was never again elected to Dáil Éireann after leaving Fianna Fáil. See Justin O’Brien, *The Arms Trial* (Dublin, 2000).

⁷⁴ In the Dáil, George Colley stated that the Council’s unionist veto would ‘ensure that if there were any progress towards a united Ireland it would be by consent. We are not asking Loyalists to forego anything.’ *Dáil Éireann deb.*, cclxxv, 1657 (26 Jan. 1974). Jack Lynch had also stated that he did not wish the Council of Ireland to be seen as a “half-way house” to a united Ireland’. *Irish Times*, 10 Feb. 1973.

⁷⁵ Ibid.

⁷⁶ McGrattan, 'Dublin, the S.D.L.P. and the Sunningdale agreement', pp 61-78.

⁷⁷ Even officials from the D.F.A. had accepted that a body along the lines of the S.D.L.P.'s national senate was not feasible. Noel Dorr commented 'Realistically ... we must assume that it is simply "not on" at the present time.' N. Dorr, 'Council of Ireland', 16 Apr. 1973 (N.A.I., D.T. 2004/21/2).

⁷⁸ Neither the accounts of Farrington or McGrattan have analysed either the June 1973 discussions between the I.D.U. on Northern Ireland and the various government departments or the February 1974 report on the transfer of functions to the Council of Ireland.