

Civil Society's Bottom-Up Contributions to Cross-Border Interactions – To What End?

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In 1991 I was invited by the then newly and unexpectedly elected President of Ireland, Mary Robinson, to join her Council of State¹ as one of her seven personal nominees, the others being *ex officio* – current and former Taoisigh, presidents, justices and so on; the cream of the Irish establishment.

From her perspective, she wanted to make a northern appointment, and my civil society status (I was then director of the Northern Ireland Council for Voluntary Action (NICVA)), relative youth (then 35) and perceived Protestant background all presumably ticked the right boxes.

For me, the consequences were less benign – a Loyalist death threat, hostility from Unionism for fraternising with the Irish state, suspicion from Republicans for closeness to a 'liberal' incumbent president, and a *froideur* from my mainly middle-class Unionist family, who could not fathom why I would want to support the institutions of a 'foreign' country; they saw it as a betrayal.

Logistically, Council of State membership seemed to stretch cross-border cooperation; papers had to be couriered to the border by gardaí and transferred to the then Royal Ulster Constabulary (RUC) for personal delivery (email was not then in wide usage and the cross-border post too unreliable even in the 1990s apparently).

Understandably, heavy security and protocols on each side encumbered each visit north by the president. I recall almost being wrestled to the ground by Secretary of State and MP Peter Brooke's security detail as I arrived once to greet the president's plane at Belfast City Airport since the northern procedures had no box to accommodate a northern Council of State member in the welcoming party.

As an aside, there were also logistical challenges gaining entry to Áras an Uachtaráin² as either a cyclist or pedestrian – neither would trigger the bell to the guardhouse to be buzzed through!

North-South doldrums begin to sense wind in the sails

Meanwhile, day-to-day cross-border cooperation was resting in the doldrums, operating as usual for cross-border workers in each direction, for business and trade, for sporting and cultural organisations, women's groups, and several study visits, exchanges and proto-partnerships amongst adventurous youth and other civil society groups. However, the transactional barriers of currency differentials, VAT regimes, legal systems and cultural obstacles dampened much potential activity, underneath the ever-present and ominous cloud of the Troubles, with its pernicious violence and accompanying chill factors all round.

In my role at NICVA,³ we adopted an avowedly North-South, East-West perspective; we knew that our members were roughly 60% local and indigenous to Northern Ireland, 25% branches of UK organisations and 15% affiliated to all-island bodies; we also wanted to learn, share and build productive partnerships. So, for example, we:

- Co-wrote with the then Equality Authority Ireland (EA), later controversially merged with the new Human Rights Commission,⁴ an analysis of equality rights on each side of the border, in the then uncontested European context, with recommendations for alignment and mutual improvement;

- Collaborated closely with the then Combat Poverty Agency (CPA)⁵ on similar research and comparative analyses; and with the National Social Service Board (NSSB),⁶ our nearest counterpart, on how civil society could flourish in each jurisdiction and advance better outcomes for citizens;
- Promoted joint conferences, seminars and exchanges;
- Supported funding applications to the EU peace programmes, Interreg and the LEADER rural development programme;
- Liaised seamlessly with southern counterparts in emerging European networks, such as the European Anti-Poverty Network,⁷ the European Women’s Lobby,⁸ EuroCaso⁹ and many others, to ensure appropriate alignments and interactions across the island.

For many, this was a new prism to view society in the south. Beyond sporting and cultural outings, some had little reason to venture south; some found it challenging – threatening even – because of perceived differences and a sense of wariness about or even hostility to northerners. Mutual ignorance was indeed corrosive, exacerbated, of course, by the ever-present reality of looming and actual violence caused by the armed conflict.

However, when taken to the European level, many were surprised at how beneficial it became to come from the island of Ireland. Ireland was seen as neutral between the European north and south, a small member state, neutral in global terms too, effective as networkers across the EU and likeable both as diplomats and as activists. The UK, in contrast, was a large member state, a big player, aligned, Eurosceptic in parts, a stickler for the rule of law and sound process, and slightly distant and aloof. If one could play these assets well, pivoting between them, allying when appropriate and diverging where necessary, one could punch well above one’s solo weight.

Impressed by the pre-existing structures and operating methodologies of bodies such as the Irish Congress of Trade Unions (ICTU),¹⁰ the National Union of Students-Union of Students in Ireland (NUS-USI),¹¹ the great and oft-quoted pre-partition survivor, the Royal National Lifeboat Institution (RNLI),¹² the Gaelic Athletic Association (GAA),¹³ several faith organisations (e.g. Church of Ireland, Presbyterian Church of Ireland, Quakers in Ireland),¹⁴ and later arrival set up for this very existential purpose, Cooperation North¹⁵ (latterly Cooperation Ireland). Bodies that represented deeply felt and natural national allegiances, historical anomalies or customs and practices; others

consciously offered North-South and East-West parallel structures¹⁶ and opportunities for members and beneficiaries. Many pre-figured the *1998 Belfast/Good Friday Agreement's* eventual structures.

In parallel, in the early 90s, former civil servant, economist and banker Sir George Quigley¹⁷ was developing his ideas about the Dublin-Belfast or North-South economic corridor, with a blindingly simple proposition:

The island's potential will not be realised unless there develops between Belfast and Dublin the normal economic and business interaction which one would expect to see between cities only 100 miles apart. And it genuinely needs to be an economic corridor and not simply a tunnel, with nothing happening in the space between the two cities.

This compelling assertion at once electrified the debate, always dogged by fear and suspicion about underlying political or constitutional motives. It won early cross-party political support, business excitement and community buy-in. The Ibec/CBI NI Joint Business Council (JBC),¹⁸ established in 1993, flourished after that; and many non-business groups found the idea sufficiently non-political and practical to muster widespread backing as 'the right thing to do' in the moment. It gave a purpose and a sense of change-making potential that could stimulate and accompany the political process of peace, underpinned by economic development, growth and opportunity.¹⁹

Feeding frenzy

Politically, as the ceasefires neared and a formal talks process lurched into view (with various accompanying all-island forums and networks), cross-border activities mushroomed. Every civil society organisation seemed to want a piece of the action, cultivating relationships, building alliances, developing memorandums of understanding, protocols, joint agreements and all-island ("all-Ireland" was still frowned upon!) strategies and organisational outworkings.

Accompanying these organic developments, the EU was developing various initiatives through the structural funds directly or through special programmes such as the first PEACE Programme (known as the Special Support Programme for Peace and Reconciliation in Northern Ireland),²⁰ Interreg²¹ and LEADER.²² The International Fund for Ireland (IFI)²³ – although

a veteran of ten years by then – since its birth after the *Anglo-Irish Agreement* of 1985,²⁴ also played a part in stimulating and supporting a raft of cross-border projects, albeit more in the economic and business domain, than in the social field.

As the 1996 elections to the Northern Ireland Forum²⁵ presaged a new formalisation of the peace process, dozens of groups dusted down their asks and manifestoes for reform. Strangely, however, despite a flourishing and well-resourced third sector, a free and enquiring media, freedom of cross-border movement, and relatively constructive channels of communication between civil society and both governments and political parties, engagement with the forum was modest; it was probably still seen as ‘too political’, and its agenda was unremittingly political, overtly sectarian, misogynist, and mostly backwards-looking. After all, it was only a prelude, a device to move towards the real talks process.

Nevertheless, not much changed when the process graduated into the Castle Buildings Talks, a classic example of an élite accommodation between two governments, by the then eight consenting political parties, all egged on and supported by the US administration (who supplied Senator George J. Mitchell²⁶ to chair the talks, a skilled negotiation team, and massive public political encouragement through President Clinton) and the European Union, to which both countries belonged, at that moment harmoniously. It offered significant financial aid through its mainstream and special funding programmes and a convening space for governments ‘in the margins’ of EU meetings and civil society organisations eager to learn and share informally.

The waters were muddied perhaps by the irregular status of the Northern Ireland Women’s Coalition (NIWC),²⁷ both a political party elected in its own right but also effectively a civil society creation with deep roots back into the women’s movement itself, the community and voluntary sector, the trade union movement and academia. So, of course, it was open to external ideas, advocacy and listening (in a way in which the mainstream parties then seemed incapable).

The point stands – there was no formal engagement between the talks’ negotiators as an institution in its own right, and outside organisations, an anomaly now unthinkable in any other peace process negotiations across the globe. There are often roles for women through an integral consultative function (the Geneva Talks on Syria being a case in point²⁸ and also the

Havana-based Colombian talks with FARC²⁹ – whose eventual gender chapter is amongst the world’s best),³⁰ for business, unions, faith groups and others; often such external ‘experts by experience’ can quickly double-check more outer lying suggestions, but also to offer appropriate checks and balances, expert inputs, and guidance. Despite the risks of breaches of confidentiality, the substantial added value is widely recognised, and research shows implementation of any resulting peace agreement is more effective, swifter and sustained.³¹

Of course, some civil society concerns and solutions are to be found embedded in the eventual text of the 1998 *Agreement*, from the primacy of victims, through commitments to integrated education, the importance of legacy questions, to the encouragement of women in public life, alongside equality and human rights promises. Still, it would be wrong to suggest that the *Agreement* is cutting-edge in these respects.

The institutional proposals for the incorporation of civil society into public and political life were twofold:

- A civic forum³² to act as a consultative mechanism advising the First and Deputy First Ministers on social, economic and cultural issues;
- A cross-border consultative civic forum³³ (strand two, para 19).

Each enjoyed a slightly different genesis and coalition of backers as the final texts were negotiated and horse-traded late into the night before Good Friday 1998; each suffered the pangs of effectively being stillborn.

From organic growth to institutional torpor

The excitement of the 71.2% positive vote for the *Belfast/Good Friday Agreement* in the May 1998 Referendum³⁴ and the parallel 94.4% endorsement in the south was palpable. People had voted for hope, for a non-violent future with power-sharing, parity of esteem, and the principle of consent, with all the accompanying ‘frogs to be swallowed’, such as prisoner release within two years, decommissioning of weapons commitments, and for some, police reform and what became known as ‘terrorists in government’.

My recollection of that time was that civil society, especially the voluntary and community sector component, undertook an audible sigh of relief,

committed itself to support the political parties fulfil their new responsibilities and anticipated significant focus and delivery from the new institutions, for which we had worked so hard to see brought to life. There was anticipation and optimism, tinged with a pragmatic realism that this would not be overnight nirvana; peace needed to be worked at.

So, for example, the June 1998 elections to the Northern Ireland Assembly were planned to take place swiftly after the May referendum (only five weeks), lest things unravel, but because of the ambiguity around decommissioning of arms, with polar opposite Unionist/Nationalist stances, was not to convene until 30 November 1999. The North-South Ministerial Council³⁵ also had a delayed first outing in December 1999, which was marred by a rather triumphal display of two governments descending on Armagh City in convoys of limousines with outriders, not amenable to stimulate great public support about a lynchpin institution of the *Agreement*. Nor were its subsequent activities particularly transparent, with self-promoting press releases issued after each plenary and sectoral meeting, announcing some minister or other had achieved a goal. Notably, it was also dogged by endless political controversy over whether Unionists might exercise a boycott in pursuit of the resolution of some other dispute or not.

The British Irish Council (BIC),³⁶ despite its vast potential, both politically and administratively across these islands, never seems to have reached beyond the bland communiqué and photocall phase. Indeed, it resisted civil society input beyond hand-picked flagship projects, despite the crying need for action on many practical policy issues that crossed every border, especially after foot and mouth disease in 2001, the financial crash of 2008-09 and then again after the Brexit vote in 2016.

The opportunity to build a robust network of governmental and non-governmental actors, anxious to share best practices, learn from others' experiences and implement practical projects to improve well-being and deliver better outcomes for citizens has been squandered.

As to the two formal expressions of civil society engagement described above, neither was sustained. The Northern Ireland Civic Forum was almost strangled at birth³⁷ and swiftly abandoned by the then first minister and deputy first minister in 2002 amidst complaints of irrelevance, cost and unrepresentativeness. The North-South version, strand two, para 19 of the *Agreement*,³⁸ never flew formally at all, despite modest encouragement from

the southern government and three semi-formal seminars hosted at Farmleigh a decade on from 1998 with social partners (business, unions, third sector) and others, but with little outcome.

Therefore both significant institutional pieces of the *Agreement* infrastructure directly promoting and deploying civil society under strands one and two remain in abeyance; suggestions around hostility, or indeed lack of confidence amongst politicians about their status and ideas, may account for the cold-shoulder presented to both putative institutions from the north.³⁹ There was also a raft of other commitments to enshrine human rights and equality provisions, for example, to manage the complex questions of legacy, some of which remain outstanding.

Furthermore, none of the other institutions or structured processes under the *Agreement* appears to have developed any particular formal or semi-formal relationships with civil society representative bodies, including the North-South Ministerial Council (NSMC), the British Irish Council (BIC), the six formal North-South bodies⁴⁰ (with some honourable exceptions), the British-Irish Parliamentary Assembly,⁴¹ and others.

Exceptions to the above include the Institute of British-Irish Studies (IBIS), the Centre for Cross Border Studies, and various bilateral and multilateral networks and alliances. Although not mandated by the *Agreement*, Tourism Ireland⁴² and the Institute for Public Health (IPH)⁴³ came into existence around the same time and established productive two-way lines of communication with various civil society partners.

This institutional malaise, exacerbated by political breakdowns and deep ideological differences across Unionism and Nationalism as the political structures and cultures bedded down, stalled the organic growth of cross-border interactions in the 2000s. There remained an apprehension in civil society, concern about efficiencies and political antennae twitched lest one side or the other would look less favourably at your group's intentions. The "*Emerald Curtain*" also hung across the island from the southern perspective, too, ignorant about the 'black north' and reluctant to enquire far less engage. Operating East-West across the UK seemed more 'natural' for some than branching out into North-South adventures, also evidenced, of course, by the historical imbalances of volumes (the predominance of UK 'parent' bodies, brands, franchises and orientation for those not indigenous or local to Northern Ireland alone).

This period of 2000-2016 should have seen an explosion of North-South activity, giving expression to George Quigley's economic analysis about untapped potential across the island's economy, now supported and encouraged by a political mandate from the people, with accompanying institutional structures; and there were some striking and bold examples:

- The South-North gas pipeline⁴⁴ project that brought natural gas to Coolkeeragh power station in Derry, a political decision in the north by Ulster Unionist Party Economy Minister Reg Empey MLA, against economic and civil service advice;
- The Single Electricity Market (SEM)⁴⁵ of Ireland, the first anywhere in the world across jurisdictional and currency boundaries;
- Children's cardiac surgery⁴⁶ for which Democratic Unionist Party (DUP) Health Minister Edwin Poots MLA agreed to cease Northern Ireland provision in favour of an all-island package;⁴⁷
- Altnagelvin's North-West Cancer Centre,⁴⁸ partly funded by the Republic to provide services to those from Donegal as well as from the north;⁴⁹
- Much of the health collaboration had been pre-figured by CAWT⁵⁰ (Cooperation and Working Together), established in 1992 under the Ballyconnell Agreement to promote health resource-sharing across four border counties;
- Similar examples exist in education⁵¹ and transport, including the long-running A5 upgrade⁵² and other infrastructure projects.⁵³

Interestingly, the projects cited above recurred often as examples of note during a range of interviews conducted for this article with personnel across sectors; that may be of concern if they continually recur as the *only* positive examples that occur in respect of two decades of practice. Some other examples cited remain somewhat marginal or symbolic in the main.

For third-sector organisations, there were many pioneering initiatives by women's groups, rural groups (including rural women),⁵⁴ anti-poverty activists,⁵⁵ environmental groups⁵⁶ and equality specialists, sometimes bringing significant influence to bear on the relevant governments, as in the case of the role of women in peace and security under UN Security Council Resolution (UNSCR) 1325⁵⁷ with the Irish government. And, of course, organisations such as Cooperation Ireland,⁵⁸ whose *raison d'être* remains promoting and deepening cross-border interaction for peace.

Others saw and developed commercial and social enterprise opportunities across the island, such as Early Years,⁵⁹ Extern⁶⁰ and PraxisCare,⁶¹ or Choice Housing,⁶² in some cases building significant project infrastructure to offer services in their specialist domains and develop assets for the organisation concerned to deliver positive outcomes for current and future beneficiaries.

Nevertheless, one would not conclude that exponential growth occurred, innovation was rampant, mergers were frequent, new structures were developed, and a healthy, robust North-South civil society infrastructure was embedded. It has not.

External factors bite hard

At the end of the first decade of the 2000s, the financial crisis was particularly severe in the Republic of Ireland, with massive interventions from the International Monetary Fund (IMF) and EU⁶³ required to ensure effective loans of c. €67 billion. The crisis dampened the political and public atmosphere and regenerated fears and suspicions of Irish fragility as a financial and political entity⁶⁴ dependent on European and international bailouts. There was palpable relief among Unionists that they could shelter under the more significant and deeper umbrella of UK resources to weather the storm.

2016 saw the cataclysmic impact of the Brexit referendum⁶⁵ on all concerned, not just the British part of the UK but both parts of Ireland and the EU, with extensive wider global ripples. Economically the outworkings of the changes are still being assessed, as effort⁶⁶ after effort⁶⁷ is made by the key actors to resolve the complex trading dilemmas arising from the UK (i.e. through Northern Ireland) having a land border with the EU, causing the choices between land and sea borders driving existential wedges between jurisdictions and also between political parties. At the time of writing, the impasse, exemplified by the DUP boycott of Stormont,⁶⁸ persists.

For most businesses, the impact has been onerous, with invidious choices about actual and perceived allegiances overlaid with increased administration and paperwork and the seemingly everlasting uncertainty of the context and regulatory framework within which they must operate. For some, it has presented an opportunity to supply into the EU single market or to resupply previous Great Britain-Northern Ireland exporters who have chosen not to service Northern Ireland now as a marginal market with extra

costs and undefined regulation. It is undoubtedly too early to tell where the jigsaw pieces may eventually land and the picture they will display.

The 2020 arrival of COVID-19 on the island provided further challenges that swiftly became divisive politically – whose protocols and regimes should Northern Ireland follow? Nationalists naturally gravitated towards Dublin, while Unionists simultaneously looked to London for guidance and support; arguments broke out, almost from day one, despite protestations – and agreement – that everyone, politicians especially, should be *following the science*. We have 50 shades of science, from orange to green and back again.

Who would have thought that children's access to their schools, the length and format of 'lockdowns', the use of face-coverings, attendance at funerals, the definition of 'essential' workers, subsidies to affected businesses – and many more – would quickly become politically defined and colour-tinged? The polar opposite observations from Unionist and Nationalist politicians at the UK Covid Inquiry⁶⁹ currently being played out in London hearings underline the point. Sadly, many suffered on account of those political failures.

In 2022, when Russia conducted its illegal invasion of Ukraine, the global implications were immediately apparent, from the energy crisis and cost spiral, the mass movement of refugees, including large numbers entering the UK and Ireland (including some inevitably caught confusingly between the two jurisdictional efforts in Northern Ireland), inflationary pressures, commodity shortages and allied obstacles. In Ireland, north and south, the humanitarian response was magnificent. However, some pointed up the inevitable hierarchy of refugee status⁷⁰ as Ukrainians seemed to be afforded special and enhanced treatment over pre-existing refugees from Syria, Iraq, Afghanistan and elsewhere.

Intensified demands for a border poll to re-establish a unified, united, unpartitioned or agreed Ireland came against these four external factors (the financial crisis, Brexit, COVID-19 and now the Russia-Ukraine war). Nationalists sensed opportunity, and Unionists feared being bounced; others were intrigued or ambivalent in equal measure about the prospects of a long, drawn-out constitutional argument while the world seemed to be experiencing harsh and unusual pressures – and Northern Ireland itself was far from stable, reconciled, integrated and motoring on all cylinders for all citizens.

Strangely the formulation for a border poll had been ceded in strand one of the *Agreement* to the Northern Ireland Office Secretary of State⁷¹ to decide only when s/he felt a majority would vote to leave the UK and join the Republic, an undefined but high bar to achieve. Comparing it to the Scottish Independence Referendum of 2014, a purely political agreement between the UK and Scottish governments reached at Edinburgh⁷² between Alex Salmond MSP, head of the Scottish government and David Cameron MP, head of the UK government, in October 2012, when polls certainly did not show a majority was likely to vote to leave the UK, albeit counterbalanced by a narrow majority of the Scottish Parliament thus indicating.

Sinn Féin must be smarting that their absence from strand one talks at Castle Buildings has bequeathed this additional hurdle – however to be defined – to leap.

It is also becoming more apparent that quite apart from the political perils of the unification debate,⁷³ the modalities⁷⁴ of running parallel or possibly sequential referendums on each side of the border generate dozens of critical questions to be defined, analysed and negotiated by the two governments, from campaign finance, through question-wording to implementation issues, but also with northern political representatives – currently absent without leave – and some of whom are profoundly reluctant to enter talks that could entertain their demise.

As so often, the noble aspirations of the *Agreement* a quarter of a century ago have not provided the firm foundational platform so many expected; political malaise, other political and economic distractions, the diversion of the two sponsoring governments and the US, not to mention the no longer neutral presence of the EU, to which only one state still adheres, have conspired to create a miasma of muddle.

There is also a weariness in civil society, extending to burnout in many instances, especially amongst those who have all played their part over the decades since the 1990s and are facing enormous internal pressures organisationally (e.g. governance, funding, priorities, diversity, inflation) and immense personal pressures too (e.g. cost of living, fuel prices, post-COVID-19 adjustment).

So, what is to be done?

In civil society discourse, we are optimistic, agile, flexible, swift and energetic; here are five key recommendations:

1. **Strategy:** The *Agreement* creates a framework, but without a strategy, for implementation or prioritisation; say, to achieve reconciliation in the north or enhanced collaboration with the south; the Irish government's Shared Island Initiative⁷⁵ is but a modest start from one partner alone.
2. **Guarantors:** The two governments, the US and the EU (now hampered understandably by Brexit), when they work well together, provide leadership and drive. However, for nearly a decade since the Brexit vote, each has been distracted and almost missing in action (until external pressures have demanded urgent intervention).
3. **Leadership from the top:** The recent Presidents of Ireland, Robinson, McAleese, and Higgins, have each played a positive part by reaching out to the north, opening up *Áras an Uachtaráin* to visitors and extending the 'hand of friendship' (but without a northern counterpart); likewise *Taoisigh* and *Tánaisti*, ministers and institutional leaders (but again with a bifurcated northern polity, it can be hard to generate reciprocity). More is required to 'normalise' day-to-day interaction.
4. **Investment:** Strategic investment in capacity-building, training, mentoring and coaching, networks, and coalition-building will each pay dividends in embedding long-term sustainability.
5. **Institutions:** Focusing on strengthening institutions, networks and alliances, rather than just people-to-people exchanges, will lead to a more substantial and robust community infrastructure.

Endnotes

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