

The President	1
Presidential elections	2
Presidential functions	3
Presidential office holders	6
The case for abolition or reform	8
The Taoiseach	9
Constitutional, administrative and political resources.....	9
Structural and conjunctural constraints	15
Chairman or chief?	19
Conclusion.....	22
References and further reading	26

11 THE PRESIDENT AND THE TAOISEACH

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As we have seen in chapter 3, political life of the Republic of Ireland is overshadowed by two figures: the President of Ireland, who is the head of state and a mainly symbolic figure, and the Taoiseach, who is the head of government and is responsible for political leadership. This chapter explores the foundations of executive power in the Republic. It begins by assessing the role of the President. Why is the presidency such a weak institution and should the office be reformed or even abolished? It then considers the dominant position of the Taoiseach. What resources can the Taoiseach mobilise and what obstacles are placed in the way of individualised political leadership?

The President

In terms of protocol, the 1937 constitution indicates that the President takes ‘precedence over all other persons in the State’ (article 12.1). Furthermore, the constitution also states that the President is not ‘answerable to either House of the Oireachtas or to any Court for the exercise and performance of the powers and functions of his office’ (article 13.8.1). In practice, though, the Irish presidency has been perceived in a European context as ‘the weakest presidency to be filled by direct election’ (Gallagher, 1999). There is no doubt that the presidency is a secondary political office and there are no expectations that the President should exercise political leadership or be actively involved in political issues of the day. Indeed, any attempt to do so would be treated as an unnatural interference in the normal workings of the political process. For example, when President McAleese commented on the Nice Treaty referendum during a state visit to Greece in July 2002, a number of politicians expressed the view that her intervention went beyond that allowed by her role; John Gormley of the Greens, for instance, advised her to ‘butt out’ of the political debate (*Irish Examiner*, 22 July 2002). A number of factors contribute to the relatively weak position of the presidency: the party-dominated method of election, the absence of constitutional powers and the tradition of limited presidentialism that has been the norm since 1937.

Presidential elections

The constitution provides for the election of the President by a direct vote of the people every seven years. In order to stand for office candidates must be nominated by at least 20 members of the Oireachtas or four county or county borough councils (article 12.4.2); in addition, former or retiring Presidents may nominate themselves (article 12.4.4). The effect of the nomination process has been to place the selection of presidential candidates almost exclusively in the hands of Fianna Fáil, Fine Gael and Labour Party elites. In the past, these parties have tended to choose elderly candidates, or candidates from amongst the second-ranking set of politicians, rather than senior, as opposed to retirement-age, figures with a strong political base (though it is still likely that the limited powers of the office will also make it less attractive to high-profile candidates). In this way, Presidents have come to office either without ambition or without the party political means to achieve what few goals they might have set themselves in the first place. Moreover, party elites can collude to prevent an election from taking place at all. The constitution states that where ‘only one candidate is nominated for the office of President it shall not be necessary to proceed to a ballot for his election’ (article 12.4.5). In such a case, presidents are deprived not just of political authority but of popular legitimacy as well. Since the office was instituted, there have been five uncontested elections (1938, 1952, 1974, 1976 and 1983) and six have been contested (1945, 1959, 1966, 1973, 1990 and 1997; see appendix 2g). Whatever the nature of the contest, though, successful candidates have been in no position to claim a mandate for leadership even if they had ever wished to do so. In this way, one of the conditions for presidential leadership has been absent from the system.

Arguably, though, the context in which presidential elections take place may be changing, albeit marginally. First, parties have tended recently to nominate rather younger and more dynamic candidates. Moreover, in the elections of 1990 and 1997 the Labour Party chose a candidate (Mary Robinson and Adi Roche respectively) whose links with the party organisation were relatively weak. The selection of Mary Robinson in 1990 was quite significant. She certainly had a history of Labour Party politics, having been a Labour senator and an unsuccessful Labour candidate at two Dáil elections. However, she resigned from the party in 1985 and during the 1990 election campaign stressed that she was an independent candidate. As a result, while in office she was relatively unconcerned with maintaining close relations with her sponsor party and there were persistent rumours about the difficulties between her and the then Labour Party leader, Dick Spring. Indeed, when the 1993-94

government, which included representatives from the Labour Party, refused to let President Robinson chair a committee looking at the future of the United Nations, the President ‘implied strongly, in correspondence with Albert Reynolds, that she believed Dick [Spring] had leaked some of the details of the row. He in turn had been furious at this innuendo, and had written a sharp letter to the President’ (Finlay, 1998, p. 284). All told, if the trend towards nominating younger, more independent-minded candidates continues, then at some stage in the future a party may find that it has helped to elect someone who wishes to maintain and perhaps even promote his or her own separate political agenda while in office.

Second, the 1997 election set an important precedent in that for the first time ever candidates were able to obtain sufficient support from county councillors to be validly nominated (Dana Rosemary Scallon and Derek Nally). This was a clear sign that the grip of party elites on the nomination process was loosening. It might be argued that this innovation opens the way for non-party, even populist, candidates to be nominated in the future. So, while not having the support of a party organisation may make it difficult for independent candidates to be elected president, all the same such candidates may change the nature of the political contest and this may have an impact on the presidency itself. For example, in 1997 Dana Rosemary Scallon came third, winning a respectable 13.8 per cent of the vote, and she did so without the backing of a major political party. Overall, if elected, such candidates would most likely cause problems for the traditional view of the President as figurehead. Currently, though, it is this vision of the presidency which, despite these changes, still prevails.

Presidential functions

Over and above the context of the election process, presidents have very few constitutional powers of which to avail. Indeed, so limited are these powers that a populist, reformist or even mildly independent-minded president would soon come up against the constraints of the office. The President has both non-discretionary and discretionary powers (Ward, 1994, pp. 286-95). However, the former can scarcely be classed as ‘powers’ at all as the President has no room for independent action whatsoever. For example, article 13.1.1 states that the ‘President shall, on the nomination of Dáil Éireann, appoint the Taoiseach’; in other words, the President must accept the Dáil’s nominee. The same principle applies to all other roles under this heading. In addition, the President may not even leave the state without the express agreement of the government (article 12.9). The Taoiseach must keep the President informed

on matters of domestic and international policy (article 28.5.2), but there is no indication of how often the two must meet or how detailed the information must be. Indeed, Liam Cosgrave is reported to have seen President Ó Dálaigh only four times in two years in 1974-76. All told, presidents themselves have usually steered clear from taking any action that runs the risk of creating political controversy. More than that, on occasion governments have advised presidents to refrain from certain activities. Thus, in 1991 the government asked President Robinson not to deliver the Dimbleby Lecture in London, and in 1993 it asked her to decline to chair a Ford Foundation committee on the future of the United Nations, as mentioned above; on each occasion the President accepted this advice without forcing a confrontation (O'Leary and Burke, 1998, pp. 153, 220-2). In all of these ways, then, the President's room for manoeuvre is not just limited; it is altogether absent.

In the case of discretionary powers, the President has a somewhat greater degree of freedom. That said, the scope of these powers is very small. There are six such powers, three of which are of minor significance (they relate to the President's role as an arbiter in the case of disputes between the Dáil and the Seanad). In fact, so far only one discretionary power has been invoked with any degree of significance (article 26.1.1) and only one other remains potentially important (article 13.2.2).

Article 26.1.1 allows the President, after consultation with the Council of State, to submit a bill to the Supreme Court to test its constitutional validity (see chapter 3). The Council of State comprises the Taoiseach, Tánaiste, Chief Justice, President of the High Court, the chairs of both the Dáil and the Seanad, the Attorney General, as well as any former President, Taoiseach or Chief Justice who is willing to serve, plus up to seven presidential nominees. Its role in this, as in any other matter on which the President consults it, is purely advisory; the President need not follow its recommendations. There are certain limits to the President's power to submit bills to the Supreme Court. 'Money bills', meaning legislation that relates to the public finances as certified by the Ceann Comhairle, bills containing proposals to amend the constitution, and bills that have been rushed through the Seanad in accordance with article 24 cannot be referred. All the same, from 1937 to 2003 presidents used this power on 14 occasions (see table 9.1). On one occasion, it was the cause of controversy (Gallagher, 1977). In September 1976, President Ó Dálaigh had referred the Emergency Powers Bill to the Supreme Court. This bill was designed to give additional power to the state authorities when dealing with suspected IRA members. On its referral, the bill was declared constitutional by

the Supreme Court, but shortly afterwards the Defence Minister, Patrick Donegan, described President Ó Dálaigh as ‘a thundering disgrace’ for having referred the bill at all. The Taoiseach, Liam Cosgrave, refused to sack the minister for his comment and a Dáil motion of no confidence in Donegan was narrowly defeated. Following the vote, President Ó Dálaigh tendered his own resignation.

[table 9.1 about here]

Article 13.2.2 states that the ‘President may in his absolute discretion refuse to dissolve Dáil Éireann on the advice of a Taoiseach who has ceased to retain the support of a majority in Dáil Éireann’. In fact, this power has never been exercised. However, it remains controversial because at times of extreme political tension it draws the President into the party political process whether or not the article is actually invoked. Either to grant or to refuse a dissolution might lay the President open to charges of favouring one political party over another. Moreover, this article is doubly controversial because it politicises the presidency in circumstances which are not clearly spelt out in the constitution. Who is to say when the Taoiseach has actually lost the support of the Dáil? Is it simply when the government has lost a vote of confidence, or when it has been defeated over a single item of legislation, or when a party announces that it is leaving the governing coalition, or even when an independent TD withdraws his or her support? On several occasions the significance of this article has been apparent. In 1944 President Hyde agreed to dissolve the Dáil after a government defeat on a minor piece of legislation because he considered that there was no alternative administration in waiting. In January 1982 President Hillery again agreed to dissolve the Dáil after a government defeat on a part of the annual budget, even though this time the leader of the opposition, Charles Haughey, was apparently willing to try to form a government without recourse to an election. Finally, President Robinson made it known that she would have refused a dissolution had Albert Reynolds requested one following the fall of the Fianna Fáil-Labour coalition in 1994 (Gallagher, 1999).

These examples illustrate the ambiguities that surround article 13.2.2. As a result, in 1996 the Constitution Review Group stated in its final report that ‘the introduction of a constructive vote of no confidence would be preferable to the involvement of the President in the government-formation process’ (Constitution Review Group, 1996, p. 98). In other words, it recommended that the constitution be changed so as to oblige the Dáil to nominate an alternative Taoiseach at the same time as it voted on a motion of confidence. This would

prevent the President from participating in any such political controversies and put an end to any lingering problems associated with this article.

Presidential office holders

Against this general background, the tradition of a limited presidency was established from the first incumbent, Douglas Hyde, onwards. The fact that he was the sole nominee, that he was associated with the cultural rather than the party political world, that he was aged 78 at the time of his election and that de Valera, as Taoiseach, was still at the peak of his political authority all went to ensure that power continued to reside with the head of government. This tradition was then reinforced by Hyde's successor, Seán T. O'Kelly. In contrast to Hyde, he was elected (at least in 1945) and he had previously enjoyed a long party political and ministerial career. However, he made no attempt to break the mould that had just been set. Indeed, Hussey comments that O'Kelly held office 'safely and unremarkably' until 1959 (Hussey, 1995, p. 11). Thereafter, most presidents appear to have been happy with a role as figurehead. For example, President Hillery has written that he wanted to do the job with 'the minimum of self-projection' and, in an oblique reference to the events of January 1982, when he dissolved the Dáil despite attempts by Charles Haughey to form an alternative government, he stated that 'the most important use of [presidential] powers was sometimes not to employ them at all' (*Irish Times*, 12 November 1997). All told, the desire to exercise presidential leadership has generally been absent from the system.

In fact, it appears that only two or three presidents have had the will to test the limits of the office. The first, Erskine Childers, enjoyed considerable political authority and public affection. However, his attempts to reform the office were met with outright resistance from the Taoiseach of the day, Liam Cosgrave. For example, Garret FitzGerald reveals that the head of government vetoed the President's desire to fulfil a campaign pledge to set up a 'think-tank' to examine the long-term needs of the country (FitzGerald, 1991, p. 254). In the event, Childers's presidency was brought to an abrupt end by his sudden death. The second, Mary Robinson, was the most popular and, arguably, most successful president to date. She demonstrated that it was possible for a president to shape the political agenda at least at the margins. Most notably, on a visit to West Belfast in 1993 she shook the hand of Sinn Féin president, Gerry Adams, at a time when the first IRA cease-fire had yet to be called and when the party was still treated as a pariah. Equally, she made a series of high-profile visits to Rwanda and alerted the public not just in Ireland but also elsewhere to the atrocities that were

being perpetrated there. Needless to say, there was a great deal of opposition to some of her actions. For example, in 1995 her comments in a US television interview were interpreted as a call for a ‘yes’ vote in the divorce referendum and, hence, were criticised by those who were campaigning on the opposite side and by elements of the media. At the same time, though, she was truly able to incarnate the concerns of many sections of Irish life in her championing of women, the disadvantaged, travellers and the diaspora.

For her part, Mary McAleese has also been involved in a number of controversies. Her intervention in the referendum to ratify the Nice Treaty provoked a limited party political backlash (see above). In the main, though, President McAleese’s interventions have been outside the strict confines of the political arena. For example, in December 1997 she flouted the Catholic Church’s teaching that it is not permissible for Roman Catholics to take communion in Protestant churches. Equally, in May 2003 at the ‘Re-imagining Ireland’ conference in Virginia, USA, she stated that ‘the Irish love of conviviality has its dark side in the stupid wasteful abuse of alcohol’ (McAleese, 2003). These events provoked a great deal of public and social comment. However, they were not really the source of political debate. Thus, President McAleese has abided by the basic norm that the President is allowed to comment on matters that relate to social issues, but not in a way that impacts upon the party political agenda. In fact, like other presidents before her, one of President McAleese’s main roles during her term of office has been to support the government’s diplomatic and trade efforts abroad. The President has undertaken a number of high-profile foreign visits where she has supported the government’s efforts to extend Ireland’s cultural and economic relations abroad (see table 9.2). Her visit to China in October 2003 was a good case in point. Here, she was accompanied by 174 business people representing 82 Irish companies on the largest ever Irish trade mission abroad and addressed a number of meetings on the issue of trade links with Ireland (*Irish Times*, 4 October 2003).

Overall, the President is a symbolic head of state with a ceremonial role, such as receiving the credentials of foreign ambassadors; she has an acknowledged right to comment on social matters in a non-political way; and she is sometimes called upon to support Ireland’s national interests abroad. However, the President is not a major political leader.

The case for abolition or reform

The weakness of presidency is such that its very existence has periodically been called into question. In 1967, the Committee on the Constitution identified two arguments in favour of abolishing the office, stating that the Taoiseach could quite happily exercise the few powers that the president does enjoy and that abolition would bring about budgetary savings (Committee on the Constitution, 1967, p. 8). However, the Committee also identified three counter-arguments, stating that it would not be realistic for the Taoiseach to act as guardian of the constitution, that it would be a severe burden for one person to carry out the duties of both head of state and head of government and that the amount of budgetary savings would be minimal. More than that, it is generally felt that there is a real need for a non-political figure to personify in a disinterested manner the aspirations of the people as a whole. In this vein, the Constitution Review Group (1996, p. 28) concluded that ‘there is no public demand or good reason for abolition of the office’.

What about reforming the presidency? According to one writer, the basic problem is that as things stand the presidency is neither truly political nor truly non-political (Gallagher, 1977, p. 382). As the above examples demonstrate, there are occasions when presidents cannot avoid being drawn into the political process. At the same time, on the occasions when they might wish to make their mark presidents do not have the powers with which to do so. It might be argued, therefore, that the presidency should be reformed either to increase the set of presidential powers so as give the incumbent the potential to be a significant political player or to reduce them even further so as to place the institution completely above the political fray. In fact, if there is to be reform then it is likely that it will take the second of these two courses. All countries require a symbolic figure to personify the state. This is the role that the President is currently in a position to perform successfully. Moreover, the Taoiseach is already charged with exercising political leadership. There is therefore a case for a further reduction of the President’s powers with a view to eliminating the lingering suspicion that the presidency is anything other than a purely symbolic office. Indeed, this logic led the Constitution Review Group to recommend that executive authority should be reserved for the government and that the President should be placed ‘above politics’ altogether.

The Taoiseach

If the Irish presidency is perceived to be one of the weakest of all directly-elected heads of state, then the Taoiseach is usually considered to be one of the strongest of all heads of government. For example, Anthony King places the Taoiseach alongside the British, German, Greek, Portuguese and Spanish Prime ministers in the category of heads of government who have the highest degree of influence within their own systems of government (King, 1994, p. 152). Brendan O'Leary goes one further. He states that: 'Within his own political system the Irish prime minister is potentially more powerful than any other European prime minister, with exception of his British counterpart' (O'Leary, 1991, p. 159). However, the key word here is 'potentially'. In practice, the power of the Taoiseach varies from one office holder to another. Even if the Taoiseach is usually pre-eminent amongst his colleagues, the 'precise degree of this pre-eminence, however, may well vary from Taoiseach to Taoiseach' (Chubb, 1974, p. 13). The reality, then, is a system in which there are a number of constitutional, administrative and political resources at the disposal of the office. However, it is also a system in which the Taoiseach faces a number of constraints. Most notably, the power of the Taoiseach is shaped by party political factors, and these go a long way towards accounting for the strength of an individual Taoiseach.

Constitutional, administrative and political resources

The constitution officially designates the Taoiseach as head of government (article 13.1.1 and article 28.5.1). In this capacity, the Taoiseach meets and negotiates with heads of state and heads of government throughout the world, attends meetings of the European Council on behalf of the state, pays particular attention to the situation in Northern Ireland and is the government's main spokesperson at home. In all, the Taoiseach is the person upon whom the responsibility for leadership is most visibly incumbent.

The constitution also provides the Taoiseach with a considerable power of appointment. For example, article 13.1.2 gives the Taoiseach the right to appoint the other members of the government, subject, of course, to Dáil approval. Although the appointment of junior ministers, or ministers of state, is vested by law in the government, in practice the Taoiseach plays no less significant a role here. In addition, article 30.2 provides the Taoiseach with the right to appoint the Attorney General who has a seat at the cabinet table. It should be noted, though, that there are formal limits to the Taoiseach's power of appointment: the number of

cabinet ministers is limited to between seven and 15 (article 28.1), the Tánaiste and Minister for Finance must be members of the Dáil (article 28.7.1), the choice of ministers is restricted to members of the Oireachtas and no more than two ministers at any one time can be members of the Seanad (article 28.7.2). There are also informal limits which are outlined below.

Despite these limits, there is no doubt that heads of government have used the power of ministerial appointment to shape the membership of the cabinet to their own advantage. This was particularly noticeable in 1992 when Albert Reynolds failed to appoint a number of senior Haughey supporters to his first cabinet. Moreover, article 28.9.4 states that the ‘Taoiseach may at any time, for reasons which to him seem sufficient, request a member of the Government to resign ...’ and that if the minister refuses to comply, the Taoiseach may simply dismiss him or her. Accordingly, Jack Lynch dismissed Charles Haughey and Neil Blaney during the ‘arms crisis’ in 1970, while Haughey himself dismissed Brian Lenihan in 1990, and he dismissed Albert Reynolds and Pádraig Flynn for refusing to back his leadership in 1991. All other things being equal, then, the Taoiseach has the opportunity to determine the composition of the cabinet not just at the beginning of an administration but at any time throughout its life.

In selecting the government, the Taoiseach also determines the portfolios of individual ministers. By giving a particular policy area a ministry to itself, the Taoiseach bestows a level of importance on that area. For example, when the 1993-94 government included a Department of Equality and Law Reform, which engaged in a process of reform of family law culminating in the divorce referendum of 1995, the Taoiseach, Albert Reynolds, stated that the ‘issues involved are regarded as so fundamental to the character of our society that they require to be the responsibility of a member of the Government’ (*Irish Times*, 13 January 1993). Similarly, in bundling policy areas together in a ministry, the Taoiseach can effectively demote certain policy areas as government priorities. For example, in 2002 the area of equality and law reform was added to the responsibilities of the Department of Justice. According to the Taoiseach, Bertie Ahern, this decision was taken to ‘reflect or ... emphasise new priorities in government’ (*Irish Times*, 27 June 1997). In effect, this downgraded the importance of issues relating to this area.

In addition, the Taoiseach may also reserve certain policy portfolios for himself or herself. For example, from 1932 to 1948 Eamon de Valera combined the post of Minister for External Affairs with the position of head of government. In the period when Anglo-Irish affairs

dominated Ireland's external relations and the central issues concerned the jurisdiction and sovereignty of the state, de Valera's own interest in these areas propelled him to the view 'that this was a post which should, if possible, be held by the Head of Government, so that there might be no doubt as to the authority with which the minister spoke' (Longford and O'Neill, 1970, p. 275). More recently, from 1987 to 1992 Charles Haughey was both Taoiseach and Minister for the Gaeltacht. Haughey's decision to combine these posts seems to have reflected a personal interest in the cultural aspects of the latter portfolio and also perhaps doubts as to whether it warranted the full-time attention of a cabinet minister. Whatever the reason, by virtue of holding this post the Taoiseach took personal charge of presenting a number of pieces of legislation in the Dáil and the Seanad, including the An Blascaodh Mor (Great Blasket Island) National Historic Park Bill (1989).

Over and above the power to select the government, the Taoiseach nominates 11 members of Seanad Éireann (see chapter 7). This is usually sufficient to guarantee that the government of the day has a majority in the upper house. So, in 2002 Fianna Fáil won only 24 of the 49 elected seats to the Seanad but the incoming Taoiseach, Bertie Ahern, was then able to use his power of appointment to ensure that the Fianna Fáil–Progressive Democrat coalition enjoyed a comfortable majority in the 60-seat chamber. In addition, the Taoiseach nominates members of his or her own party to fill Oireachtas committee posts. In 2002, Bertie Ahern nominated members of Fianna Fáil to fill 14 committee chairmanships (the chairmanship of the important Public Accounts Committee goes to a member of the largest opposition party). There are also committee vice-chairs, convenors and chairs of subcommittees to be nominated (all of which earn the holders a higher salary). Finally, article 13.2.1 of the constitution provides the Taoiseach with the power to dissolve the Dáil and call a general election. The ability to use this power depends on the likelihood that the government will win the ensuing election, but it was successfully used by de Valera in the 1930s to maintain and reinforce his position in office. However, an attempt by John Bruton to emulate this feat in 1997 backfired when, despite high satisfaction ratings, the government failed to win an election that was called five and a half months before the natural end of the Dáil term. In short, when the circumstances are right the head of government, who comes to office thanks to the favour of the lower house, has the right to determine the parliamentary lifetime of the members of that house.

In addition to the power of appointment, the Taoiseach also has the capacity to shape the day-to-day process of policy making. The Taoiseach has important prerogatives with regard to the operation of the cabinet, even though coalition government is now the norm and has somewhat restricted the head of government's powers in this respect (see below). In general, as Farrell states: 'The Taoiseach determines the order in which items on the cabinet agenda are taken, the time given to consideration of each item, who is to speak, and when a decision should be reached – or postponed ... in practice, ministers do not challenge the Taoiseach's control of the agenda' (Farrell, 1996, p. 176). In this context, Farrell quotes an anonymous cabinet minister as saying: 'Really you can't get an item discussed for five seconds at a cabinet meeting if the Taoiseach isn't with you' (Farrell, 1994, p. 80).

Furthermore when the issue under discussion is one that is close to the Taoiseach, it is difficult to halt its progress. For example, Finlay (1998) describes how a tax amnesty was pushed through cabinet in 1993 by the Taoiseach of the day, Albert Reynolds, despite serious misgivings on the part of many around the cabinet table including the deputy head of government, the Tánaiste (see below), and the Minister of Finance. A further example of the power of the Taoiseach in cabinet is the way Bertie Ahern pushed ahead with a referendum on abortion in 2002 (the twenty-fifth amendment to the constitution – Protection of Human Life in Pregnancy Bill) despite a lack of enthusiasm from his coalition partners (Murphy, 2003, p. 16). While there are limits to how far a Taoiseach can push an unpopular item, particularly in coalition governments, confronting the Taoiseach at cabinet involves expending considerable political capital, and this encourages the avoidance of such confrontation. Outside the cabinet, the number of permanent cabinet committees is small. In one sense, though, this factor further strengthens the position of the Taoiseach. It obliges the head of government to be personally concerned with all departmental policy matters and requires the Taoiseach to be more than just a policy co-ordinator. As such, although the head of government must bear in mind the sensitivities of coalition partners, the Taoiseach is in a position to direct rather than simply manage the flow of governmental business and is thus able to follow the full course of policy making from inception through to approval at the cabinet table.

The Taoiseach is in a similar position with regard to the legislative aspect of the policy-making process (see chapter 8). For example, article 25 of the Dáil's standing orders allows the Taoiseach to determine the order in which government business will be taken each day. In this sense, the Taoiseach controls not just the cabinet's business but the Dáil's agenda as well.

In addition, the Taoiseach regularly defends the government's record during question time and on other occasions. The Taoiseach answers pre-submitted formal questions every week when the Dáil is in session. Elgie and Stapleton (2003) have found an overall increase in the parliamentary activity of Taoisigh since the foundation of the state. In particular, there was a sharp increase from the beginning of the 1960s in activities such as the presentation of the daily order of business, question answering and statement making. However, this overall rise masks a decline in certain forms of activity, such as set-piece speech-making and minor interventions in debates. Moreover, the aggregate level of parliamentary activity of the Taoiseach remains low when compared with heads of government in other countries, such as the UK and Canada. Indeed, in the years to come the average level of the Taoiseach's parliamentary activity may begin to decline again because since late 2002 Bertie Ahern has answered parliamentary questions on two rather than three days a week. Overall, the Dáil is one of the least influential legislatures in Western Europe (Norton, 1990), and it is the Taoiseach who is the main beneficiary of this situation.

The Taoiseach's position is further strengthened by the administrative support which the office commands. The most important institution in this respect is the Department of the Taoiseach. The department comprises approximately 300 people in a number of different sections or divisions. Their role is to co-ordinate government policy and contribute to its formulation. There are separate sections in various areas such as Economic and Social Policy, European and International Affairs and Northern Ireland. The department also includes the Taoiseach's private office, the Office of the Chief Whip, the Government Secretariat and the Government Information Service. Collectively, these institutions carry out many of the essential tasks of government on the Taoiseach's behalf. For example, one of most pivotal organisations is the government secretariat, the main task of which is to prepare cabinet meetings and to execute its decisions. In this capacity, the secretary general to the government attends cabinet meetings in a non-voting capacity to take the minutes.

More generally, though, the secretariat co-ordinates the work of the government as a whole. It liaises with government ministers to ensure that decisions are being made and deadlines are being met. In this way, it is central to the working of the cabinet system. As O'Leary notes, its existence 'is no proof of overweening monocratic power' (O'Leary, 1991, p. 155). At the same time, though, to the extent that the secretary general to the government is one of the Taoiseach's closest interlocutors, then it allows the head of government to maintain

a privileged overview of the cabinet system. As Morgan argues, it ‘equips the Taoiseach to exercise better-informed powers of surveillance over his Government’s activity’ (Morgan, 1990, p. 55). Also significant in this respect is the Government Information Service, which is headed by the Government Press Secretary. The press secretary is a political appointee chosen for his or her loyalty and knowledge of the media. There is no doubt that the press secretary is privy to the most sensitive of all government discussions (see, for example, Duignan, 1996). There is also no doubt that the presence of an experienced and skilled individual at this post can be of enormous public and political benefit to the Taoiseach personally.

The final resource upon which a Taoiseach may draw is electoral and party political. As will be shown below, party politics is also the main reason why the power of the Taoiseach varies. However, when the party situation allows, the head of government can draw upon three electoral and party-based resources. First, the Taoiseach derives authority from the electoral process. General election campaigns are highly personalised. In the words of Basil Chubb, they ‘often take the form of gladiatorial contests between two designated party leaders’ (Chubb, 1992, p. 185). In 2002, Bertie Ahern clearly won the popularity battle among the party leaders. For example, one analysis indicates that Bertie Ahern was viewed as the ‘best Taoiseach’ by 52 per cent of those asked, compared to 13 per cent for Michael Noonan (Garry et al., 2003, p. 129). As a result, the Taoiseach could claim that the party’s increase in seats was at least partly a due to his personal popularity and insist on a degree of loyalty from both cabinet and parliamentary party colleagues.

Second, the Taoiseach can benefit from the fact that the formation of the government is approved by a vote in the Dáil. As Coakley notes, this system forces ‘parliament to define at the outset its attitude to any new prime minister and compels would-be dissidents within his party to choose between open rebellion and conformity’ (Coakley, 1984, pp. 413-4). Thus, after the 2002 election the incoming government led by Bertie Ahern successfully marshalled its own troops to muster a working majority with the PDs.

Third, the Taoiseach is not just head of government but also party leader (John A. Costello, Taoiseach in 1948-51 and 1954-57, is the sole exception to this rule). This is a significant power because Fianna Fáil and Fine Gael are highly centralised political parties. The leader has the power to appoint staff members at party headquarters, influence candidate selection and party rules and, hence, create the conditions for party support (see chapter 6).

Structural and conjunctural constraints

All of the above points might suggest that there is a system of prime ministerial government in the Republic of Ireland. And yet, such a conclusion would be premature. Although it is certainly the case that the Taoiseach is the principal political figure within the executive, it is also the case that there are distinct limits to the Taoiseach's powers. Some of these limits are structural, others are conjunctural. That is to say, some are built into the system and are inescapable, whereas others depend on the particular context within which the Taoiseach has to operate. With regard to the latter, the most important variable is the nature of the party political situation with which the government is faced.

As a result of structural factors, the Taoiseach's position within government is always less than absolute. Most notably, running the business of government is an extremely complicated and time-consuming affair. The Taoiseach cannot be expected to master every detail of policy and there is pressure to prioritise some policy areas, such as foreign and European policy, Northern Ireland policy and social and budgetary policy, at the expense of others (see Fitzgerald, 1991, p. 425).

Moreover, the Taoiseach's power of ministerial appointment is, in effect, quite restricted. In addition to the constraints of coalition government (see below), the pool of potential ministers is always relatively small. For example, in 2002 there were only 81 Fianna Fáil TDs in total, while in December 1994 there were only 46 Fine Gael deputies from whom the Taoiseach was able to choose. Furthermore, the Taoiseach must pay attention to both the loyalty and seniority of party colleagues when making appointments. There are certainly times when it is best to appoint potential dissidents so as to bind them to the principle of collective governmental responsibility. There are also times when the Taoiseach may wish to appoint a complete Dáil newcomer to ministerial office, such as Niamh Bhreathnach in 1993, and evidence indicates that TDs are being promoted more quickly to ministerial office than in the past (Farrell, B. 1987, p. 146). However, in general terms the Taoiseach will wish to reward loyalty and there may be certain long-standing deputies whose presence at the ministerial table is almost a given. In these ways, the Taoiseach's freedom of choice is further restricted.

Equally, there may be pressure to appoint ministers from particular geographical areas in the hope of reaping future electoral reward. So, there will be strong pressure to appoint a number of deputies from Dublin and from the other major cities to ministerial office. In recent

times, gender has also become an important factor. It is now almost obligatory to include a number of female ministers in the cabinet. In 2002, two of the 15 cabinet positions went to women. Where there is a reshuffle of the cabinet or a party has remained in government after an election, the Taoiseach may also be lobbied to retain certain ministers in their current portfolios. For example, lobbying by fellow ministers and by figures in the agribusiness industry was seen as playing a role in the retention of the Ministers for Defence and Agriculture following the 2002 election (*Irish Times*, 7 June 2002). Finally, the Taoiseach must at least bear in mind the policy expertise of potential appointees. This is not to say that the Minister of Education has to be a former teacher or that the Minister of Health must be a former doctor. It is simply to suggest that the Taoiseach may wish to take into account the role played by junior ministers or opposition party spokespersons when appointing people to full cabinet posts. Overall, there is certainly a sense in which the Taoiseach's power of ministerial appointment is always more restricted than a simple reading of the constitution may suggest.

In addition to structural limitations the Taoiseach's power is subject to conjunctural constraints. In terms of the Taoiseach's power within government, the most important conjunctural variable is party political. As O'Leary asserts, 'the Taoiseach's ability to fulfil his policy-initiating role within the government is primarily determined by party-government variables' (O'Leary, 1991, pp. 159-160). The Taoiseach is a professional party politician who comes to power by way of a party-dominated process and who remains in power only for as long as party support can be maintained. Thus, party politics pervades the political process. At times, the Taoiseach can be liberated if the conjunction of party forces is favourable. At other times, though, the Taoiseach can be imprisoned by party politics if the conjunction of these forces is disadvantageous. Accordingly, his or her power and freedom to manoeuvre is shaped by whether there is a coalition or a single-party government, whether there is a majority or a minority government and whether the main governing party is united or divided.

All other things being equal, the position of the Taoiseach is stronger during periods of single-party government than coalition government. All told, from 1922 to 2003 single-party governments held power for 52 years and coalitions for 29. For the most part, then, heads of government have not had to operate within the confines of coalition constraints. This is one reason why commentators such as Anthony King (as we saw above) have classed the Taoiseach as such an influential domestic actor in a comparative context. However, there has been a coalition government of one sort or another since 1989 due to the fact that Fianna Fáil

has been unable to win an overall majority on its own and that it no longer refuses to envisage a coalition agreement (see chapter 5). As coalition government becomes the norm, the overall position of the Taoiseach has become weaker and judgements such as the one cited earlier by Anthony King may need to be revised accordingly.

The impact of coalition government can be seen in four ways. First, the Taoiseach's power of appointment is restricted; it is shared with the leaders of the other parties participating in the coalition. The head of government must accept ministerial nominations that are made by the coalition partner, and may even be forced to make imaginative compromises. For example, the agreement which sealed the formation of the so-called Rainbow Coalition in 1994 included the understanding that an additional junior minister would be allowed to attend cabinet meetings as Democratic Left's second representative, even though the constitutional limit of 15 cabinet ministers had already been reached.

Second, in office, representatives of the coalition partner may be in a position to shape the policy of the departments that they head. So, for example, in 2002 Michael McDowell was a high-profile Progressive Democrat Minister for Justice, Equality and Law Reform.

Third, coalition government may also mean that the Tánaiste becomes a significant political actor. There is a convention that the Taoiseach appoints the leader of the main coalition partner to this post. From this vantage point, the Tánaiste is in a position to participate in the most important decisions of the government (see box 9.1). For example, Mary Harney's opposition to the proposed construction of a national stadium at Abbotstown, outside Dublin, in 2002-03 had a key role in sidelining the project. It is certainly the case that her Labour Party predecessor, Dick Spring, was influential in shaping foreign and, arguably, Northern Ireland policy from 1993 to 1997. Indeed, during this time he headed a specially-created Office of the Tánaiste which was agreed as part of the January 1993 coalition agreement with Fianna Fáil and which was designed to provide the incumbent with administrative support along the lines of the Department of the Taoiseach. The Labour leader thus received all government papers and not simply those relating to his own ministerial portfolio of foreign affairs. Overall, such was the position of Dick Spring during this time that Brian Farrell wonders whether there was a subtle shift from the role of Tánaiste as deputising Taoiseach to the Tánaiste as deputy Taoiseach (Farrell, B. 1996, p. 179). This experiment, though, did not continue after 1997, when the Office of the Tánaiste was abolished.

Fourth, if the Taoiseach rides roughshod over the concerns of the coalition partner, then the government runs the risk of collapse. There is nothing inherently unstable about coalition governments, but circumstances can conspire to render them extremely fragile as the coalition break-ups of 1992 and 1994 showed.

[box 9.1 about here]

Over and above the number of parties in government, the power of the Taoiseach is also affected by the government's position in the Dáil: whether or not it enjoys majority support. Again, in general terms, the position of the Taoiseach is stronger during periods of majority government than minority government (where government parties fail to command 50 per cent of the seats in the Dáil). From 1922 to 2003, there were 63 years of majority government (single-party and coalition majority governments combined) and 18 years of minority government (again, single-party and coalition minority governments combined). Most heads of government, then, have benefited from the support of a parliamentary majority. This provides a further reason why most commentators have categorised the Taoiseach as such an influential political actor. Nevertheless, some minority governments have remained in office for a considerable period of time. This was particularly the case with the de Valera government from 1951 to 1954 and the Lemass government from 1961 to 1965. These were both single-party Fianna Fáil administrations which capitalised on the lack of cohesion amongst the opposition parties in order to remain in office. Moreover, it is also the case that governments which are only just short of a majority have encouraged non-aligned TDs to give them their ongoing support. This happened in 1987 in the case of the so-called 'Gregory deal' (Joyce and Murtagh, 1983). It also happened in 1997 when the minority Fianna Fáil–Progressive Democrat government looked for the support of independents, such as Harry Blaney and Mildred Fox. This indicates that a minority government need not necessarily be a fragile government.

At the same time, though, the absence of a parliamentary majority does constrain the power of the Taoiseach. This is because the government constantly runs the risk of being defeated. Its head must then negotiate more, bargain more and compromise more. For example, the minority Fianna Fáil–Progressive Democrat coalition found itself having to shelve proposals to bar members of the Dáil from also holding local authority seats in 2001 because of the objections of four independents on whose votes it relied. The proposal was only reintroduced after the general election of 2002 when the Fianna Fáil–Progressive

Democrat coalition was returned with an overall majority and no longer relied on independents. Moreover, if negotiations break down, bargaining positions are inflexible and compromise cannot be reached, then the government runs the further risk of being forced out of office altogether. Thus, the short-lived 1981–82 Fine Gael–Labour minority coalition was brought down when an independent deputy decided on the spur of the moment to vote against the budget. Overall, despite the fact that minority governments can exist for a considerable period of time, the Taoiseach's position is still somewhat less comfortable when the government fails to enjoy majority support in the Dáil than when it does.

Finally, the power of the Taoiseach depends on the extent to which the main governing party is unified. Generally speaking, the position of the Taoiseach is stronger under a unified party than a divided party. In this respect, the experience of the historic leaders of both Fianna Fáil (de Valera and Lemass) and Cumann na nGaedheal/Fine Gael (William T. Cosgrave), who were the subject of a certain ‘cult of leadership’ and were capable of inspiring not just followership but also a certain degree of devotion in some cases, contrasts starkly with the experience of John A. Costello, who was not even the leader of Fine Gael when he held office and who had to share power with the party leader Richard Mulcahy. That said, at least until the mid-1960s most heads of government enjoyed the almost unqualified support of their own parties. This is yet another reason why commentators have traditionally described the Taoiseach as a powerful leader. In recent times, though, the degree of party discipline has generally weakened. Jack Lynch and Charles Haughey were the particular focus of backbench plotting during their terms as Taoiseach. Furthermore, on occasions internal party problems have found expression not so much in rebellions against the parliamentary party whip but more in behind-the-scenes scheming and public ‘heaves’ against the leadership. In Fianna Fáil, the level of intra-party disaffection was particularly significant from the election of Jack Lynch in 1966 to the accession of Bertie Ahern in late 1994 (see the account in Marsh, 1993). Overall, the result is that the link between the Taoiseach and the party is more conditional now than in the past. As with the trend towards coalition government, this suggests that the overall position of recent heads of government is now weaker than was previously the case and requires King’s view of the power of the office to be further qualified.

Chairman or chief?

The Taoiseach, then, occupies an office which can call upon many political resources but which also faces both structural and conjunctural constraints. In practice, the power of the

Taoiseach is potentially great but it is also subject to considerable variation. In this context, how do we make sense of the role of the Taoiseach? One useful approach has been outlined by Brian Farrell (1971; 1996). He distinguishes between ‘chairman’ and ‘chief’ images of the office. He defines a ‘chairman’ as someone who is ‘prepared to allow others to share resources, responsibilities and publicity, reluctant to move beyond established procedures and slower to act’. By contrast, he defines a ‘chief’ as someone who is distinguished ‘by a tendency to accumulate political resources, concentrate decision making or control of decision making in their own hands, and – above all – make use of their strategic position to mobilise the machinery of government for action’ (Farrell, 1996, pp. 179-80). Although in practice a Taoiseach may exhibit a mixed set of characteristics, these ‘ideal-type’ images capture two of the main ways in which incumbents can exercise power.

Farrell argues that whether a particular Taoiseach should be classed as a chairman or a chief depends not just on the personality of the leader concerned, but also on the particular circumstances that the leader faces, the character of the political system and the style of authority within society. On this basis, he argues that the ‘growing size, intensity and complexity of the modern governmental machine have concentrated power in the office of chief executives generally, including the Taoiseach (Farrell, 1971, p. x). Thus, there is a tendency for Taoisigh to act as ‘chiefs’. At the same time, the power environment they face means that they may end up having to settle for the role of ‘chairman’ (Farrell, 1971, p. 84). In short, whether or not the Taoiseach emerges as a ‘chairman’ or a ‘chief’ depends on a number of factors. In the first place, the Taoiseach is an individual political actor and so each incumbent ‘will bring their own policy concerns and preferences to the office; they will enlist new supports, acquire new debts, recruit new men, confront new political situations’ (Farrell, 1971, p. 8). Even so, as Farrell also correctly indicates, it is ‘his position, not his personality, which puts him into the centre of the political stage’ (Farrell, 1971, p. 3). In other words, the office enjoys considerable powers and even reluctant heads of government have leadership responsibilities thrust upon them. And yet, even if the office enjoys considerable political resources and public attention, the incumbent also has to operate within the ‘value systems of the community’ (Farrell, 1971, p. 83) and ‘to switch roles according to circumstance’ (Farrell, 1988, p. 45). This serves to limit the role of the office holder.

In this context, perhaps the most notable finding of Farrell’s original study was that there was a strong tendency towards ‘chairmen’. He argues that William T. Cosgrave ‘set the

pattern by eschewing an innovative policy and establishing a role ... corresponding to that accorded to the Prime Minister in nineteenth-century Britain' (Farrell, 1971, p. 84). Perhaps surprisingly, Farrell also places Eamon de Valera in the chairman category, suggesting that he acted as a chairman partly because he headed a cabinet that was quite divided, for example, between Seán Lemass and Seán MacEntee in their respective ministries, and partly because of his own insistence on unanimous Cabinet agreement for government policies. Thus, it is partly because of political circumstances and partly because of de Valera's own personality that he is classed as a chairman. In fact, what is somewhat surprising is that of the five Taoisigh who held office in the period up the beginning of the 1970s, Farrell classed only Seán Lemass as a chief.

In the more recent period, a similar pattern emerges. So, for example, Farrell argues that Charles Haughey's instinct was to act as a 'chief', but this ambition was 'curtailed by factionalism within his party, failure to secure a parliamentary majority, and economic circumstance' (Farrell, 1996, p. 186). For his part, Garret FitzGerald clearly took an active role in the decision-making process. Indeed, his role in the negotiation of the 1985 Anglo-Irish Agreement has been well documented (FitzGerald, 1991, pp. 494-575). All the same, as the leader of a coalition government he was obliged to operate within a collective decision-making context. The same is true of John Bruton, who was able to manage a wide-ranging coalition government particularly well. In so doing, however, he was obliged to act more as a chairman-style figure than a chief. Finally, Bertie Ahern could be considered as the epitome of the Taoiseach as chairman. Though admittedly constrained by coalition politics, his reluctance to force through his own 'pet' projects, such as the plan to build a national stadium at Abbotstown outside Dublin, is a clear sign that he valued office before image. Overall, he has acted as a manager rather than a leader. However, even he has at times acted like a chief, such as when he pushed through the referendum on abortion in 2002. This situation is similar to the case of Jack Lynch in the 1970s. Though a compromise candidate when he became leader of Fianna Fáil, during the 'arms crisis' of 1970 he is described as having 'established a rock-like authority over the members of Fianna Fáil' (Arnold, 2001, p. 165). So, while the chairman or chief distinction provides a useful way of categorising different leadership styles, taoisigh are likely to have to exhibit both styles as some stage during their term of office as they react to the problems caused by differing circumstances.

Conclusion

The President and the Taoiseach stand at the apex of the executive system. The President is there in a symbolic capacity as the representative of the nation. As such, though, the President has little or no opportunity to control decision making. Yet, there is still a need for at least one high-profile public representative to be ‘above politics’ and to incarnate in a disinterested way the legitimacy of the state. In this way, the President performs an important function. In contrast to the symbolic position of the President, the Taoiseach is a ‘working’ part of the constitution. The Taoiseach has the potential to control decision making and there is an expectation that the incumbent will do so in order to address the pressing issues of the day. However, there sometimes exists a gap between the potential to shape public opinion and the actual capacity to do so. In this context, a Taoiseach must sometimes be content simply to articulate popular concerns, to administer party relations and to facilitate the business of government. Depending on the context, then, the Taoiseach may act as either leader or manager.

Table 9.1 Bills referred to the Supreme Court by the President

	Bill	Outcome
1.	Offences against the State (Amendment) Bill 1940	Signed into law
2.	The School Attendance Bill 1942	Found to be unconstitutional
3.	The Electoral Amendment Bill 1961	Signed into law
4.	The Criminal Law (Jurisdiction) Bill 1975	Signed into law
5.	The Emergency Powers Bill 1976	Signed into law
6.	The Housing (Private Rented Dwellings) Bill 1981	Found to be unconstitutional
7.	The Electoral (Amendment) Bill 1983	Found to be unconstitutional
8.	The Adoption (No. 2) Bill 1987	Signed into law
9.	The Matrimonial Home Bill 1993	Found to be unconstitutional
10.	The Regulation of Information Services Outside the State for Termination of Pregnancies Bill 1995	Signed into law
11.	The Employment Equality Bill 1996	Found to be unconstitutional
12.	The Equal Status Bill 1997	Found to be unconstitutional
13.	Illegal Immigrants (Trafficking) Bill 1999	Signed into law
14.	Planning and Development Bill 1999.	Signed into law

Sources: Dooney and O'Toole, 1998, pp. 117-118; BAILII, 2003.

Table 9.2 President McAleese's state visits abroad 1997-2003

Year	Countries visited
1997	Lebanon
1998	England (four times), France, USA (twice), Australia, New Zealand, Canada, Belgium
1999	Italy, Honduras, Mexico, England (three times), USA (twice), South Africa, Czech Republic, Scotland
2000	Hungary, USA, England (twice), Germany, Monaco, France, Bosnia-Herzegovina, Kosovo, Egypt, Oman
2001	USA, Finland, Estonia, Slovenia, Uganda, Kenya, England
2002	USA (three times), England (twice), Greece, Egypt, Thailand, Malaysia, Portugal, Wales
2003	Australia, USA, Poland, Slovenia, Scotland, England, China, Italy, Luxembourg, France, Belgium.

Note: The 1997 data begin on 11 November. President McAleese has also visited Northern Ireland on 41 occasions during the above period.

Sources: Áras an Uachtaráin, 2003.

Box 9.1 The Tánaiste

Tánaiste is an old Irish language word which means ‘heir apparent’ or ‘second in rank’. Indeed, some of the original proposals for what would become the 1937 constitution used the English language term ‘deputy-prime minister’ to describe the position (Smith, 1995). In the constitution, the Tánaiste’s main role is to deputise for the Taoiseach. Article 28.6.2 states that the Tánaiste acts ‘for all purposes in the place of the Taoiseach if the Taoiseach should die, or become permanently incapacitated’ and article 28.6.3 states that the Tánaiste ‘acts for’ the Taoiseach in their temporary absence. In practice, though, the Tánaiste is rarely called upon to carry out this role. In fact, the only occasion when the Taoiseach has had to be replaced for any length of time was when Eamon de Valera travelled to the Netherlands for treatment for his failing eyesight and was absent for four and a half months (Collins, 2000, p. 150). Instead, as a minister like any other, the Tánaiste’s main role is to carry out his or her duties as head of a government department. For example, in the 2002 government the Tánaiste, Mary Harney, held the position of Minister for Enterprise, Trade and Employment. Article 31 of the constitution grants the Tánaiste ex-officio membership of the Council of State. The Tánaiste is appointed by the Taoiseach (article 28.6.1). (For a list of incumbents, see Appendix 3b). The only condition imposed on who can be appointed is set down in Article 28.7.1 which requires that the Tánaiste be a member of the Dáil (in other words a Taoiseach’s nominee to the Seanad cannot be Tánaiste).

In recent times, there has been some speculation that the position has become more important and that the Tánaiste now acts more like a deputy rather a deputising prime minister. For the most part, this is because coalition governments have become the norm. In these situations, the post has tended to be filled by the leader of the second largest party in government, although it might be noted that during the 1989-92 Fianna Fáil-Progressive Democrat coalition the position was held by the deputy leader of Fianna Fáil rather than the leader of the Progressive Democrats. In addition, the post was particularly important from 1993-97 under Dick Spring. During this period, there was a separate Office of the Tánaiste, the role of which was set out by the Taoiseach in answer to a Dáil question in 1993: ‘The role and functions of the Office will encompass briefing and advising the Tánaiste generally on all government policy matters; representing the government on the new National Economic and Social Forum and thereby ensuring direct liaison through the Tánaiste between the forum and the government; joint responsibility, together with the Minister of State and Chief Whip attached to my Department, for the implementation of the provisions under the heading “Broadening our Democracy” which are contained in our Programme for a Partnership Government, 1993-97; representing the Tánaiste on a committee of programme managers to monitor the implementation of the programme for government; representing the Tánaiste on the Central Review Committee under the Programme for Economic and Social Progress any successor to that committee under any further such programme and representing the Tánaiste on the Interdepartmental Committee on the Co-ordination of EC Affairs’ (*Dáil Debates*, Volume 426, 17 February, 1993). However, the Office of the Tánaiste was abolished when the Rainbow government lost office in 1997. Overall, what power the Tánaiste has tends to be derived from his or her position as a minister and coalition party leader rather than from anything inherent in the position itself.

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