

# Brexit and the Northern Ireland Peace Process

Damien OKADO-GOUGH

## Abstract

Following the 1998 referendums in Northern Ireland and the Republic of Ireland on the Belfast Agreement and 19th Constitutional Amendment respectively, the long troubled UK region has enjoyed a sustained period of relative peace. The Provisional Irish Republican Army's (PIRA) support for the political process, which gave rise to the referenda, ensured that levels of political violence would drop significantly, allowing a sense of normality to become established. A power sharing government was established, and once virulent enemies began working together to administer government to the region. However, few political actors, who were involved in the negotiations which produced the Belfast Agreement, would have envisaged the possibility of the UK population voting to leave the European Union. The prospect of this has caused some concern that the Northern Ireland Peace Process might be entering a difficult phase. This article looks at possible ramifications of Brexit for Northern Ireland, making assessments on whether it might have any bearing on the region's membership of the UK, and if there is a possibility of a return of political violence from dissident Irish Republican elements, who see this as an opportunity to forward their agenda of Irish unity through violent means.

1998年に北アイルランドとアイルランド共和国で行われた Belfast Agreement（ベルファスト協定）及び 19th Constitutional Amendment（憲法補正第19条）のそれぞれに関する国民投票に続いて、長期にわたって紛争が続いていた北アイルランドにも比較的平和な日々が訪れた。The Provisional Republican Army（PIRA）が政治的和平プロセスを支持したことによって国民投票が実現し、政治的暴力が激減したことで社会にも日常感が確立されるに至った。

しかしながら、当時 Belfast Agreement に向けて交渉に携わっていた政治関係者のほとんどは、イギリス国民がEU（ヨーロッパ連盟）脱退に投票するとは思ってもよらなかったであろう。イギリスのEU脱退の可能性によって、

北アイルランドの和平プロセスが困難な局面にさしかかるかもしれないという懸念をもたらした。

この記事は、Brexit（ブレグジット）が北アイルランドに与え得る影響に目を向け、北アイルランドのイギリス連合王国の一員としての立場に影響を及ぼすのかどうか、また、Brexitをアイルランド統一を実現する機会と見なすアイルランド共和派の少数派によって、政治的暴力が再燃する可能性があるのかどうかを調査する。

## Background

### ‘The Troubles’

Northern Ireland has often been considered a ‘place apart’ within the United Kingdom, one of the UK’s regions whose continued membership of the Union has been regarded as precarious. Comprising of six of the nine counties of the northern province of Ulster, Northern Ireland resulted from the partition of Ireland, which followed from Irish Republican violent insurgencies, particularly the Easter Rising in Dublin in 1916 and the War of Independence from 1919–21. The Government of Ireland Act of 1920 sought to end the political upheaval by creating two separate political entities on the island, i.e. the Irish Free State in the south and a separate Northern Irish Government to rule the northern six counties, both within the UK, but leaving provision for eventual reunification of the two jurisdictions. However, the Irish Free State broke away from the UK, establishing itself as an independent state in 1949, but also retaining a territorial claim over the northern six counties. Northern Ireland, on the other hand, decided to remain part of the UK.

Northern Ireland’s desire to remain part of the UK comes from the majority Protestant Unionist community, the descendants of Scots and English settlers who arrived in Ulster at the behest of James 1 in the early 1600s. Centuries of conflict and division with the native Irish Catholics ensued and continue to this day. At the time of partition, Catholics made up around 35% of the population of Northern Ireland, which was enough for them to be considered a threat by the majority Protestant community (Brewer, 1998: 233). With a

birthrate of just 50% of their Catholic counterparts, the Protestant majority sought measures to ensure they would retain power in the new state. ‘The basic fear of Protestants in Northern Ireland is that they will be outbred by the Roman Catholics. It is as simple as that’, (Gillespie and Jones, 1995: 105). The results of the 2011 UK Census show that the percentage of the population identifying as Catholics had risen to 40.8%, whereas those identifying as Protestants were at 48%, a drop of 5% from the 2001 census (NINIS, 2011).

Systematic discrimination against Catholics by the majority Protestant population from the establishment of Northern Ireland, in jobs, housing, and political representation, gave rise to considerable grievance amongst Catholics, who, in the late-1960s, organised and undertook a peaceful campaign for civil rights, which was met with violence and repression by the Northern Irish authorities. Soon, a resurgent Irish Republican Army (IRA)<sup>1</sup> began a campaign of political violence aimed at destroying the Northern Ireland state itself and establishing an all Ireland independent republic, marking the beginning of a period that came to be known as ‘the Troubles’. By 1969, the Labour government in London had introduced the British Army onto the streets of Northern Ireland to help contain the IRA campaign and/or protect the local Catholic population from Protestant Unionists (Kennedy-Pipe, 1997: 49), and in March 1972, the British Government announced the suspension of the Northern Ireland Government and the imposition of direct rule from London. What followed was a long, drawn out, low intensity violent conflict fought largely between the newly formed PIRA and the British security forces, which ended with the signing of the Belfast Agreement.

### **The Belfast Agreement**

On the 10th April, 1998, the British and Irish governments, along with eight political parties and groupings, including the political representatives of the PIRA, Sinn Fein, as well as the main Unionist parties and the political representatives of the Protestant Loyalist paramilitaries signed the Belfast Agreement. Commonly called the ‘Good Friday Agreement’, the accord represented an historic compromise between Unionists and Irish Nationalists within Northern Ireland; between Unionists and Irish Nationalists on the

island of Ireland; and between the sovereign states of the UK and the Republic of Ireland (Hennessy, 2000: 172). Enshrined in the Agreement was the ‘Principle of Consent’, which states that the constitutional future of Northern Ireland can only be decided by the people of Northern Ireland.

Arguably the main achievement of the Irish Peace Process and the Belfast Agreement was the bringing about of the end of the PIRA’s ‘armed struggle’. The PIRA suspended its campaign in 1994 in order to facilitate negotiations with the British Government and the Unionist parties in Northern Ireland, which brought about the Belfast Agreement. Almost seven years after the signing of the Agreement, the group finally decommissioned their arsenal of weapons resolving one of the most intractable issues of the Peace Process and signaling what many interpreted as being a final declaration that their campaign was at an end (Walsh, 2013: 311).

### **Dissident Republicans**

In October 1997, in a secret meeting in rural Ireland, the leadership of the PIRA met to discuss the organization’s participation in the Peace Process. Most of the members present were in favour of pursuing a negotiated settlement with the British government, but a small group led by the leader responsible for managing the organisation’s substantial cash of weapons resigned from the group and formed a breakaway faction, which came to be known as the ‘real’ IRA (RIRA). This organisation vowed to continue a campaign of violence until the British Government declared its intention to give up jurisdiction over Northern Ireland. They said that the Peace Process was “a misnomer” and was “grounded on a false premise that it is the road to a final settlement,” (Okado-Gough, 2003). In 2012, the RIRA merged with a number of smaller Republican militant groups and the resulting organisation has come to be known as the ‘new’ IRA (NIRA). This group is widely considered to be that most capable of undertaking acts of political violence in Northern Ireland. Following the merger, the organisation’s ruling body, the Army Council, released a statement committing the group to continuing political violence:

“The IRA’s mandate for armed struggle derives from Britain’s denial of the fundamental right of the Irish people to national self-determination and sovereignty—so long as Britain persists in its denial of national and democratic rights in Ireland the IRA will have to continue to assert those rights.” (New IRA, 2012).

Despite assessments by the security forces in Northern Ireland that the NIRA represents the strongest threat to the peace brought about by the Belfast Agreement, the organisation has failed thus far to make political violence a significant element of the political life in the region. However, there are fears that Brexit might offer the group political and military opportunities to increase its presence and influence.

### **The Human Rights Act, 1998**

In 2015, the UK Conservative Party committed themselves to scrapping the 1998 Human Rights Act, which had been introduced by an earlier Labour Party government, and replacing it with a British bill of rights (Elgot 2016). The Human Rights Act incorporated the European Convention of Human Rights (ECHR) into UK law, and it was a significant factor in persuading the PIRA to support the Belfast Agreement, which presupposes joint European Union membership and adherence to the ECHR (McNulty, 2016). The ECHR provides practical safeguards to Irish Catholics in Northern Ireland that ensure against a return to majoritarian rule and domination by Protestant Unionists. Sinn Fein president Gerry Adams (2016) made it clear that his party views the Human Rights Act and ECHR as being “integral to the political infrastructure of the Good Friday Agreement.” He went on to make it clear that the British government’s plans were at odds with this. Whilst there is little chance that the leadership of mainstream Republicans in Sinn Fein and their supporters will return to violence, there is a possibility of some of those who followed the Sinn Fein leadership into the Peace Process slipping back towards groups like the NIRA.

While many Republicans either followed the Sinn Fein leadership or joined the dissident groups, others simply retired from political activity.

There was a constituency who felt that the war had run its course and was not going to achieve the aim of a United Ireland, but that the Peace Process fell too far short of what was needed to realize that aim through peaceful means. Some of these former PIRA activists have been providing dissidents with low levels of support, from advice on counter-surveillance techniques to training in bomb making and weapons use. If such former members were to feel that there is a rolling back of the agreement made between the PIRA and the British Government, there is a risk that their level of involvement with dissident groups might increase and that the dissident groups would get a much needed injection of experience and expertise.

### **The Northern Ireland / Republic of Ireland Border**

A further and possibly more tangible danger to the peace process is the possibility of a reintroduction of border controls between Northern Ireland and the Republic of Ireland. In 1923, one year after the Irish Free State seceded from the UK, the governments of both countries established the Common Travel Area (CTA) which includes both countries, the Isle of Man and the Channel Islands whereby both states agreed to enforce each other's immigration policies at their own ports of entry. The CTA has undergone various changes since then, but it remains in place today. However, Brexit might result in the border between Northern Ireland and the Republic becoming a 'hard border', with customs posts and controls dotted along the 310 mile boundary. This scenario represents a serious problem for the supporters of the Peace Process. As part of the conflict resolution efforts, the border between the two jurisdictions all but disappeared to the human eye. Military installations, customs posts and the constant military patrols disappeared, allowing free movement across the border and the removal of a hated British military presence from Republican areas, such as South Armagh, dubbed 'Bandit Country' by the British military due to the high level of PIRA activity. Were a 'hard border' to be reintroduced, any customs post would immediately become a target for dissident Republicans, making the reintroduction of the British Army a necessity, which in turn might inflame Republican feelings further, encouraging former PIRA activists to

return to violence. Furthermore, since the removal of border installations, community building has taken place along the border, facilitated by the new freedoms of movement allowed. If these new freedoms were to be denied or restricted to these rural and often isolated communities, resentment might result and give rise to support for dissident groups. One proposed solution to this problem is for the CTA to become an external border for the European Union as a whole, but what the British Government might consider to be an alternative to a ‘hard border’ maybe be “wishful thinking” as such a decision would require, not just the agreement of the Irish and UK governments, but also that of all 27 EU member states (Ferriter, 2016).

A further complication of this issue arises from the fact that Brexit would mean that the Republic of Ireland would be the only member state not a member of the Schengen passport-free travel zone. Since the Treaty of Amsterdam, a Protocol attached to the EU treaty allows the CTA to continue despite changes within and amongst Schengen states (de Mars, et al., 2016: 6). If Ireland were to join Schengen after Brexit, and there may well be pressure from the EU to do that, it would be the EU, and not Ireland who would determine how the Irish side of the Irish-UK border would operate, and there is no guarantee that the EU states would agree to allow the CTA to play a part in the EU’s system of external borders. If that were the case, the UK government’s hope of the CTA providing a ‘soft border’ might be dashed, and a ‘hard border’ might be the only option.

This confusion and sense of insecurity surrounding the border has given dissidents much to hope for, and an opportunity to claim that their political analysis has been correct all along. Prominent dissident, member of the 1916 Societies and barrister, Plunkett Nugent has claimed that Brexit has “lifted a veil of deceit in relation to the border and the partition of Ireland (2016). Speaking to The Guardian newspaper, he said that the EU referendum result, “means the border will be physically manifested again,” showing that the border remains a reality, something that dissident Republicans have asserted as being core to their opposition to the Belfast Agreement all along.

## **EU funding**

Northern Ireland stands to lose about £500 million a year in funding from the EU for farmers, peace building projects in local communities, and voluntary groups. Both Ireland and Northern Ireland benefit from several EU funding streams under the EU Cohesion Policy (2014–2020) although Northern Ireland receives more than Ireland as it is designated as a ‘region in transition’ (de Mars, 2016: 21). There is also funding under the Special EU Programs Body (PEACE IV Programme (2014–2020)) which provides funding to manage cross-border European Union Structural Funds programmes in Northern Ireland. INTERREG IVA provides structural funding for border regions. This programme is worth €240 million. Both of these schemes provide economic, political and social benefits across the border regions of the island, and there is no guarantee that they would be replaced by UK funding following Brexit. A lot of this money has gone to projects designed to help former paramilitaries adjust to life after violent conflict, but the majority of it goes to the farming community, helping to inject much needed funds into what are often impoverished areas. Lessons learned from the thirty-odd years of the Troubles tell us that economic deprivation has often fueled conflict, and only when significant funding was injected into these areas was it possible to bring many former combatants along with the Peace Process. The loss of EU funding would risk seeing a return to hardship for some, in turn generating resentment towards the status quo and potentially fueling renewed conflict.

## **Economic downturn?**

In addition to the threat of losing EU funding, there are fears that Brexit might result in serious economic difficulties for Northern Ireland. Donaghy (2016) estimates that a third of Northern Ireland’s exports in 2015 (£2.1bn of £6.3bn) were to the Republic, whilst only 1.6% of the Republic of Ireland’s exports of €111bn were to Northern Ireland (€1.73bn). Under World Trade Organisation (WTO) rules, dairy and other agricultural products are those which incur the highest tariffs. Tariffs on dairy produce can be as high as 42% under WTO rules, and such a high tariff would have a serious effect on the



trade in dairy produce between Northern Ireland and the Republic. Meat and animal products can attract tariffs as high as 20%. Food and livestock trade made up 16% of Northern Ireland exports in 2015, with the majority of that being trade with the Republic. Such pressures accompanied by the loss of EU farming subsidies could have devastating consequences for the Northern Irish agricultural sector, which is already suffering significantly as a result of a collapse in dairy prices.

### **Conclusion**

There should be no doubt that Brexit would represent a serious shock to the political and economic systems in Northern Ireland. As stated earlier, none of the parties to the Peace Process envisaged such a scenario coming to pass, so no provisions were put in place in the Belfast Agreement to prevent such a fall out. Fundamental to the spirit of the Belfast Agreement has been the idea that no major political or constitutional changes would take place without the consent of the majority of Northern Ireland, or indeed the major political actors, and with 54% of the population voting to remain, it seems that the spirit of that agreement is being ignored by the UK government. This certainly does not bode well for pro-Peace Process Republicans in trying to sell their project to yet unconvinced former comrades, but there is no indication whatsoever that Sinn Fein is inclined to withdraw its support for the new political arrangements in Northern Ireland and the continued Peace Process.

Where there is an increased threat is with anti-Agreement Republicans taking advantage of a possible hard border and subsequent reintroduction of British Army personnel into border areas, as well as increased economic hardship in this areas. However, there is no indication that any gains by militant Republicans would in any way disrupt the workings of the Northern Irish government or the other institutions set up under the Belfast Agreement.

In terms of Brexit representing a threat to Northern Ireland's continued membership of the UK, despite Sinn Fein calls for a border poll to be held in the near future, there is no indication that there is a majority in Northern

Ireland who would vote for an end of the union with Britain, even in the event of Brexit. Much is being made of the threat to the UK of the announcement by the Scottish First Minister Nicola Sturgeon to hold a second referendum on Scottish independence in the event of a ‘hard’ Brexit, and in the event of Scotland actually leaving the UK, there could well be a significant knock on effect in Northern Ireland, where many Unionists share historical and ethnic affinity with Scotland. Under such a scenario, coupled with a difficult economic downturn due to loss of EU funding and the introduction of crippling tariffs, there might be an increase in the number of people in Northern Ireland supporting an end to the union with Britain and the establishment of a unitary, independent state on the island of Ireland, but given the long and bloody history of division between the peoples of Ireland, there aren’t many who could see that coming to pass.

### Notes

- 1 Originally used in 1917, the name ‘Irish Republican Army’ has been used by several different groups. In 1969 the group split into the Provisional IRA and official IRA factions. IN 1986, a split from the PIRA saw the continuity IRA faction form, and another, in 1997, saw the creation of the ‘Real’ IRA.

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