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BREXIT AND THE IRISH CASE

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Introduction

On 25 June 2016, the day after the UK referendum on European Union (EU) membership, an Irish Times headline declared, ‘Deep disquiet as vote pushes North[ern] Ireland into “uncharted waters”’. The headline encapsulated the profound sense of dismay felt in Ireland following the UK’s unexpected decision to leave the European Union (EU). For Ireland, the UK vote to depart the EU poses acute economic and political challenges. Indeed, such is the magnitude of the Brexit issue for Ireland that the National Risk Assessment 2017 has identified the UK exit from the EU as a ‘strategic geopolitical risk’ and a ‘strategic economic risk’ for Ireland (Department of the Taoiseach 2017). In a foreword to the document, Taoiseach Leo Varadkar notes, ‘Brexit represents an overarching theme that could have far-reaching impacts on nearly all aspects of national life’ (ibid.). More than any other EU member state, Ireland stands to be most severely affected by their neighbour’s decision to sever ties with the EU. The Irish state harbours fundamental concerns about the likely negative impact of Brexit on the economy and about the potential for Brexit to be accompanied by political instability in Northern Ireland.

Ireland and the UK are neighbouring states, but relations between the two have often been acrimonious. A long history of conflict, particularly the Northern Ireland Troubles, contaminated the relationship. Developments from the 1990s onward, however, helped to heal uneasy relations. More recently, the relationship has been not just cordial but friendly. The signing of the 1998 Belfast Agreement was a pivotal moment that helped to placate and stabilise Northern Ireland and in so doing improved relations between the neighbouring states. Importantly, joint membership of the EU was the backdrop against which the peace process evolved and British–Irish relations improved. The UK decision to leave the EU, however, exposed some tension between the two states about the future relationship between the UK and the EU and what this means for Ireland. Perhaps more significantly, it also upset the delicate political equilibrium that supported the path to peace in Northern Ireland. A strong British–Irish relationship underpins the Belfast Agreement. The depth and strength of this relationship, however, is threatened by the UK decision to leave the EU.

The implications for Ireland of the UK leaving the EU are manifold. The precise economic impact is unclear, but such is the extent of Ireland’s trading relationship with the UK that any impact is likely to be negative and will affect a variety of sectors. Brexit also potentially entails
broader political and territorial implications as it alters the framework within which recent constitutional issues in Northern Ireland were agreed. This may lead to longer-term constitutional and territorial change for both Ireland and the UK.

This chapter examines the history of the British–Irish relationship against the backdrop of shared EU membership. It notes the anticipated impact of Brexit on the Irish economy and on the politics and broader constitutional arrangements on the island of Ireland. It details the Irish Government’s approach to the Brexit challenge and notes how Brexit has impacted the tone and tenor of the British–Irish relationship. A perception that the Irish/Northern Ireland dimension was overlooked, neglected and possibly even misunderstood fuelled Irish Government frustration with the UK’s approach to Brexit. This prompted an increasingly hard-line approach by the Irish Government under Taoiseach Leo Varadkar on the issue of Brexit and the Irish border. In turn, this led to tensions between the two governments and challenged an important bilateral relationship. The various economic and political dimensions of Brexit have the potential to produce unanticipated and wide-ranging constitutional and territorial changes that impact severely both the UK and its nearest neighbour.

The history of British–Irish relations

For much of the twentieth century, relations between Ireland and the UK were frequently difficult and marred by violence, particularly in Northern Ireland. The 1920 Government of Ireland Act partitioned the island and created a contested territorial arrangement where the six counties of Northern Ireland remained part of the United Kingdom and the remaining twenty-six counties became first the Irish Free State and later the Republic of Ireland. Partition clouded relations between Ireland and the UK for many decades. British Unionists (in the UK and Northern Ireland) supported the policy, but it was strongly opposed by Irish nationalists on both sides of the Irish border. Political contact and cooperation between the UK and Ireland was largely non-existent during this period. Although relations began to thaw during the 1960s with the emergence of a new generation of political leadership in both the Republic of Ireland and Northern Ireland, relations again deteriorated from the early 1970s with the emergence of the civil rights movement in Northern Ireland when the contested territorial question became entangled with issues around equality. The resulting violent conflict crystallised around a constitutional cleavage where unionists favoured Northern Ireland remaining part of the UK and nationalists supported a united Ireland. These opposing constitutional positions infiltrated all aspects of Northern Ireland politics and society, creating long-term division and hostility between communities and also between the UK and the Republic of Ireland. Relations between the two states remained tense throughout the 1970s and 1980s. Interestingly, however, the key forum for Irish–British contact and cooperation during this time was within the EU.

On 1 January 1973, the UK and the Republic of Ireland joined the then European Economic Community (EEC). Ireland’s decision to seek membership of the EU was heavily influenced by the UK’s decision. Substantial Irish dependency on the UK market effectively required Ireland to follow the UK’s lead and seek membership of the Community. The decision was also influenced by a new and younger generation of Irish politicians who sought to consolidate Irish statehood through a process of economic and social modernisation. EU membership was seen as instrumental to this objective. Ireland’s experience of the EU has been decidedly different from that of its neighbour. Originally one of the poorest and least developed of EU member states, the Republic of Ireland has, on the whole, benefited from membership of the EU. Participation in the single European market, access to the Common Agricultural Policy (CAP) and receipts from EU structural funding helped to transform the Irish economy. Today, Irish living standards...
are recovering following the post-2008 economic crisis and are currently above the EU average. Public support for Ireland's EU membership has typically been high. All of the main political parties and social partners are broadly supportive of the EU, and there is no strong Irish Eurosceptic movement. The overall Irish experience of the EU and positive Irish attitudes towards the EU contrast starkly with the UK's more fractious and testy relationship.

Contrasting attitudes towards the EU, however, was not an obstacle to the softening of relations between the UK and Ireland from the 1990s. This thawing of relations came as a consequence of closer collaboration and cooperation between the two states on the Northern Ireland question. Attempts to address the conflict became more emphatic from the late 1980s onward and culminated in the signing of the 1998 Belfast Agreement. The Agreement was a blueprint for peace in Northern Ireland. It created novel power-sharing institutions and included agreement on contested areas of public policy. New cross-border and cross-national institutions nurtured links between Northern Ireland, the Republic of Ireland and other parts of the UK. EU membership allowed for the border between north and south to soften to the point of invisibility and so facilitated close economic and political connections between the Republic of Ireland and the UK, as envisaged in the Belfast Agreement. Membership of the Single Market, free movement and engagement with EU institutions supported cooperation and contact between the neighbouring states. The resulting network of economic, political, social, cultural and psychological linkages aided and encouraged a fledgling peace process. The EU also played an important role in practically supporting moves towards peace in Northern Ireland by encouraging state-level agreement, committing Peace funding, and facilitating regional-level empowerment (see Hayward and Murphy 2012). Collectively, all of these domestic and European developments permitted a shift in the tone and tenor of British–Irish relations to produce constructive cooperation based on respectful relations. The altered relationship between the UK and Ireland has also been instrumental in terms of sustaining the peace process after 1998 when sporadic crises threatened to derail it. Successive UK and Irish prime ministers (and senior Cabinet members) maintained a close interest in Northern Ireland affairs and were available to engage with parties when necessary. In these instances, a strong British–Irish relationship was pivotal in stabilising the region. This more cordial, cooperative and collaborative relationship, however, has been bruised by the UK decision to leave the EU – a decision that involves immense economic and political consequences for Ireland, north and south.

**Brexit and the British–Irish economic relationship**

Ireland's original decision to join the EU was heavily influenced by the UK decision to seek membership. Irish reliance on UK markets meant that EU membership was imperative in order to safeguard Ireland's economy. EU membership, however, was also seen as a means for Ireland to diversify its trade relations and so to lessen its economic dependency on the UK. Over four decades later, Ireland is considerably less dependent on the UK. However, the magnitude of its economic linkages with Britain remain substantial, and so the economic ramifications of Brexit are potentially significant.

In 2015, 13.9 per cent of goods and 18 per cent of services were exported from Ireland to the UK. Approximately 25 per cent of all Irish imports emanated from the UK. Some sectors are more heavily impacted than others. The *National Risk Assessment 2017* notes that sectors including agri-food, retail, tourism, fishing and energy face ‘critical risks’ (Department of the Taoiseach 2017: 14). Various studies have pointed to the negative macroeconomic impact of Brexit on the Irish economy with estimates of the effect ranging from a reduction in GDP between 0.5 per cent and 3 per cent (see Bergin et al. 2016: 3). The most comprehensive analysis of the impact
of Brexit on Ireland considers the complete macroeconomic impact under three alternative scenarios over the medium term. This study confirms that:

Ireland will be particularly badly impacted by Brexit. Depending on the scenario considered, the level of Irish output ranges to between 2.3 and 3.8 per cent below what it otherwise would have been.

(ibid.: 10)

The future status of the border between Northern Ireland and the Republic of Ireland is central to how Irish economic interests will fare post-Brexit. The two economies are highly interdependent. Cross-border trade is significant, labour markets are integrated and many industries operate on an all-island basis. The establishment of a hard border would severely challenge existing economic activities and relationships.

Dire predictions about the impact of Brexit for Ireland have motivated the Irish Government and the Irish business community to examine means of exploiting the economic opportunities that may arise from Brexit. Continued Irish membership of the EU means that Ireland will retain its attractiveness as a location for foreign direct investment. Irish business is working to diversify its trading profile by boosting trade links with other parts of the EU and other parts of the world and by encouraging increased investment. The relocation of business from the UK (particularly from London and particularly in the financial services) may also be to Ireland’s benefit. However, even the most positive assessments do not view these opportunities as being sufficient to fight off the net negative impact of Brexit on Ireland.

Brexit will also impact on the movement of people between the Republic of Ireland and the UK. In 2015, visitors from the UK accounted for 41 per cent of overseas trips to Ireland by non-residents (Central Statistics Office 2016). This ease of movement between the two states predates UK and Irish membership of the EU. The Common Travel Area (in existence since 1922) has allowed Irish and UK citizens the right to live, study and work in either state. It means that Irish and UK citizens have access to various benefits and services in both countries. The CTA plays a significant role in facilitating the Irish–UK trade relationship. But it is also particularly important for Northern Ireland as it facilitates an open border between the two parts of the island. This means that those living along the border (and elsewhere) can move freely between the two jurisdictions – a freedom that is seen as central to livelihoods, identity and political aspiration and that is particularly important in terms of satisfying Irish nationalist identification with the Republic of Ireland.

The most visible impact of Brexit for Ireland will be on the economy, trade and free movement. These economic issues intersect with politically charged concerns about the status of the border between north and south and about the future of relationships within Northern Ireland, on the island of Ireland and between the UK and Republic of Ireland. The multilayered and complex web of interconnectedness between the two islands has been underpinned by membership of the EU. Removing that support block risks collapsing a series of not just economic gains but also important political achievements that have been fundamental to the attainment of peace and stability on the island of Ireland.

**The British–Irish political and constitutional landscape after Brexit**

Brexit presents pronounced political, constitutional and diplomatic challenges for the Republic of Ireland, and it has brought contested constitutional issues into sharp focus in Northern Ireland. The UK exit from the EU changes the political and constitutional conversation in Northern
Ireland because it removes an important shared feature of the UK and Irish political landscape. Brexit also exposes highly sensitive political complexities for the island of Ireland, which have the potential to fracture political relationships between Ireland and the UK and to destabilise Northern Ireland politics.

The 1998 Belfast Agreement is the anchor of the Northern Ireland peace process. It is based on a multiparty agreement between a majority of Northern Ireland’s political parties and an international agreement between Britain and Ireland. The document underpins the establishment of power-sharing institutions in Northern Ireland and contains provisions for dealing with policing, prisoners and the decommissioning of weapons. It also contains important principles in relation to civil, cultural and human rights, and future constitutional preferences. The fact of Irish and UK membership of the EU facilitated the inclusion of important guarantees in the Agreement. These included an open border between Northern Ireland and the Republic of Ireland through membership of the single European market. The significance of cross-border freedom brings economic benefits but also political and symbolic advantages too. It enables an ease of association with the Republic of Ireland that facilitates the expression of nationalist identity. The Agreement also created cross-border institutions and bodies that give institutional recognition and meaning to a series of economic, political and cultural connections between Northern Ireland and the Republic of Ireland. East–West bodies that have a variety of policy remits also exist and allow for mutually beneficial policy objectives to be explored and pursued. Joint EU membership means that all of these cross-border and cross-national institutions often cooperate on EU policy issues (see Murphy 2014). This demonstrates the subtle political benefits of shared EU membership for relations on the island of Ireland and between the UK and Republic of Ireland.

The Agreement is also notable for guaranteeing the right of Northern Ireland citizens to self-identity as Irish and/or British. Because of joint UK and Irish membership of the EU, either classification of citizenship guarantees EU citizenship. The Irish Government has expressed serious concerns about how Brexit challenges the legal, political and human rights arrangements contained in the Belfast Agreement – an agreement that Ireland is legally party to. Equally significant is how Brexit potentially undermines confidence in the Agreement as a basis for Northern Ireland’s hard won peace. The former secretary of state for Northern Ireland, however, is not persuaded that Brexit threatens the durability of the Belfast Agreement. In his evidence to the House of Lords European Union Committee report, Brexit: UK–Irish Relations (2016: 41), James Brokenshire stressed that ‘the Government stood behind its commitments in the Belfast/Good Friday Agreement, and “in our judgement the EU referendum does not change that at all”. This difference of interpretation between the UK and Republic of Ireland is an increasingly troubling aspect of the fallout from Brexit. When the Irish and British analysis of an issue that affects Northern Ireland is not shared, it complicates and undermines the prospect of resolving that issue (see Tannam 2017).

The principle of consent is a fundamental aspect of the Belfast Agreement. It provides that there will be no change in the status of Northern Ireland until such time as a majority favour change. The UK decision to leave the EU is at odds with the preference of the majority in Northern Ireland – 55.8 per cent of Northern Ireland voters voted for the UK to stay in the EU. This majority is comprised of overwhelming nationalist support and approximately one-third support among unionists (Murphy 2016: 849). The majority Northern Ireland vote and the very strong nationalist preference for Remain are overridden by the slim UK majority vote in favour of Brexit. Concerns exist about how this complies with the consent principle enshrined in the Belfast Agreement.

Addressing the Irish border issue in the context of Brexit means grappling with a series of economic, political and security challenges. Administering, managing, policing and ultimately
minimising the border between north and south presents a considerable challenge for the EU, the UK and Republic of Ireland. Suggestions that the frontier be controlled and managed using advanced technology have not been met with enthusiasm. Irish Foreign Affairs Minister Simon Coveney has objected to such plans:

What we do not want to pretend is that we can solve the problems of the border on the island of Ireland through technical solutions like cameras and pre-registration and so on. That is not going to work.

(BBC News 2017: 1)

Other proposals that advocate the status quo or suggest that Northern Ireland remain within the European Economic Area (EEA) may be practically feasible, but they are nevertheless politically problematic because they effectively mean moving the land border between the UK and Ireland to the Irish Sea. Such ideas are synonymous with calls for ‘special status’ for Northern Ireland being urged by Sinn Féin and the Social Democratic and Labour Party (SDLP). These plans are unacceptable to unionists, who view such a move as fundamentally undermining the integrity of the UK. The Irish Government has not explicitly proposed a special or unique arrangement for Northern Ireland but has been steadfast in its commitment to avoiding the imposition of a hard border with Northern Ireland.

The Irish Government’s pronouncements on Brexit are in contrast to the relative silence of the Northern Ireland administration. The Northern Ireland Executive did not produce a position paper on the EU referendum or on Brexit. This was because of differences around the power-sharing table. Nationalists supported the UK remaining in the EU during the referendum campaign. Following the Leave result, they called for a special deal for Northern Ireland. In contrast, a majority of unionists favoured a UK exit from the EU and do not support special arrangements for Northern Ireland. The collapse of the Northern Ireland Executive in early 2017 meant that there was no forum for the parties to agree on how Northern Ireland might face the challenge of Brexit. Perhaps even more worrying however, was the fact that the prolonged absence of an Executive demonstrated the tenuous nature of the peace accord in Northern Ireland.

The achievement of permanent peace and reconciliation in Northern Ireland has been. A number of legacy issues remain unresolved, including dealing with the past, parading and the status of the Irish language. There are also persistent concerns about respect for equality in Northern Ireland and fundamental differences between the parties in relation to the introduction of same-sex marriage. Attempts to address and resolve these outstanding difficulties soured relations between the two political blocs. An unrelated financial scandal, which nevertheless brought lingering political anxieties to the fore, culminated in the suspension of the Northern Ireland Assembly in early 2017. Election results also contributed to some destabilisation of relations between unionists and nationalists. Nationalist political representation in the Northern Ireland Assembly increased following the 2017 Assembly elections. However, this electoral trend was arrested following the 2017 Westminster election, which recorded gains for Northern Ireland’s largest unionist political party, the Democratic Unionist Party (DUP). A surprising national election outcome was to play out well for the DUP party. An electoral gamble by Prime Minister Theresa May failed to pay off. The Conservative Party sustained losses, and the prime minister was forced to seek support from Northern Ireland’s pro-Brexit unionist party. The DUP agreed to shore up Theresa May’s minority government, but the party’s new role propping up the British Government was met with dismay by Irish nationalists, who saw the alliance as being antithetical to nationalist interests. The benevolence of the UK Government on the Irish question was also called into question given their reliance on unionist support. In a further twist, the general
election also reduced nationalist representation in Westminster. The smaller nationalist party, the SDLP failed to return an MP, while Sinn Féin’s tally of MPs increased by three. The loss of SDLP representation however, meant that there was no Irish nationalist voice in Westminster. This is because the Sinn Féin Party follows an abstentionist policy and so refuses to take its seats in the House of Commons. These shifting electoral arrangements challenged central planks of the peace process, namely the UK as a benign force and nationalists having equal input and status to the political system. The Irish Government was attuned to these difficulties and consistently eager that the British Government take more serious heed of how Brexit and other internal developments produced a destabilising effect on Northern Ireland politics and Irish interests.

The precariousness of Northern Ireland’s political situation and the unsettling effect of Brexit reopened some old political vestiges. A possible reimposed physical border between Northern Ireland and the Republic of Ireland would be redolent of the worst days of the Northern Ireland conflict. It may involve the installation of customs points and checkpoints, which would likely act as a reminder of division and conflict. A physical border would be practically and psychologically difficult for border communities in particular (see Hayward 2017). There would be security implications too. Earlier border constructions were frequently targets for paramilitary attacks. In sum, the establishment of any form of border control system would signal a backwards step for relations on the island of Ireland. In the worst-case scenario, Brexit may provoke a sinister response from dissident groups, which could fatally undermine peace in Northern Ireland and undo years of economic and political progress.

In its Position Paper on Northern Ireland and Ireland, the UK Government (2017) outlined its commitment to safeguard the Belfast Agreement and stability in Northern Ireland. The document, however, was heavy on aspiration and weak on detail. The British Government proposed ideas that were dismissed as ‘wishful thinking’ by the EU and deemed unsatisfactory by the Irish Government. The UK also rejected calls for special treatment for Northern Ireland and were supported in this position by Northern Ireland’s unionist community.

The paucity of workable ideas emanating from the UK about how to deal with Brexit, in particular about how to manage the Ireland/Northern Ireland dimension, came to a head in late 2017. Plans to proceed to phase two of negotiations between the UK and the EU were temporarily derailed when the DUP strongly objected to an initial deal between the UK and the EU that included provisions to effectively keep Northern Ireland in the Single Market and Customs Union after Brexit by keeping EU regulations in place. This form of proposed special treatment for Northern Ireland was unacceptable to unionists for the way in which it threatened to separate Northern Ireland from the rest of the UK by creating distinct arrangements for the region. The conclusion of phase one Brexit negotiations was eventually reached in mid-December 2017 when the European Council deemed that ‘sufficient progress’ had been made to allow for phase two negotiations on the future UK–EU trading relationship to commence in early 2018. This decision to agree on the movement to phase two negotiations was based on a Joint Report agreed on between the UK Government and EU negotiators on 8 December 2017 following consultation with the DUP. The report included a section on ‘Ireland and Northern Ireland’ and contained a number of commitments in relation to the Irish dimension to Brexit. These included the protection of the 1998 Belfast Agreement, a commitment to North–South cooperation and the avoidance of a hard border. It is intended that the objective to prevent a hard border will be achieved through agreement on the new EU–UK relationship. In the event that this cannot be achieved, the UK Government has committed to ensuring that no new regulatory barriers will be erected between Northern Ireland and the rest of the UK, unless these are consistent with the Belfast Agreement and agreed to by the Northern Ireland Executive and Assembly.
The Joint Report is heavily focused on commitments and principles with little detail in relation to how such pledges might be secured and upheld. Reflecting the priority afforded to Ireland and Northern Ireland, phase two negotiations include a distinct strand focused on fleshing out detailed arrangements to give effect to the commitments contained in the Joint Report. The report has been criticised for its vagueness, ambiguity and lack of detail. Key issues were to some extent ‘fudged’ to allow the negotiations to proceed to the next phase.

Brexit also reopened debates in the UK about the UK’s constitutional future. Shortly after the referendum result, the Scottish National Party (SNP) called for a second Scottish independence referendum, a development with the potential to challenge the very unity of the UK. In Ireland, questions about the future cohesion of the UK have opened up a space for those who see Brexit as an opportunity to further a united Ireland agenda. Some Irish nationalists have been emboldened by Brexit to more seriously consider the rationale for Irish unity. The push for a border poll (i.e. referendum on Irish unity) has been led by Sinn Féin. The issue was also addressed by the Oireachtas Joint Committee on the Implementation of the Good Friday Agreement (2017), which examined the effect of Brexit on Ireland and included consideration of what Ireland would need to do to facilitate Irish unity in the event that the people of Northern Ireland supported constitutional change. The main political parties, including Fine Gael and Fianna Fáil, have also lately been more outspoken about the possibility of a united Ireland. Fianna Fáil is expected to publish a white paper on Irish Unification in 2018 and is planning to field candidates in future Northern Ireland elections. A more detailed and vocal discussion of a future united Ireland by Ireland’s larger mainstream political parties is unsettling for unionists. The constitutional status quo, which favours unionist preferences, is less secure than it was pre-Brexit. In short, the political narrative around the UK’s constitutional future has shifted. In the post-Brexit period, it includes the discussion of constitutional options and possibilities that enjoyed only marginal and peripheral support before the referendum vote but that now have broader appeal.

The likelihood of imminent constitutional change on the island of Ireland is low. Unlike Sinn Féin, other Irish political parties have not called for a referendum on the issue of Irish unity. This is because public opinion polls suggest that there is currently no majority support for such a prospect. Of course, this may conceivably change in the event that Brexit delivers negative results. Developments external to Northern Ireland, including the detail of the UK–EU exit package, a further growth in electoral support for Sinn Féin (North and South) and (unknown) economic shocks may also impact voter preferences. Northern Ireland’s constitutional status quo is no longer as assured as it was pre-Brexit, and this is disturbing a delicate political settlement between two communities who are still not fully reconciled.

For Northern Ireland – a post-conflict society in transition – Brexit provoked anxiety about the political and constitutional status quo. The implications are potentially far-reaching. Not only might economic progress be stalled, but peace and stability on the island of Ireland are also at risk. The Irish Government has been working assiduously to stave off these threats and to protect Ireland’s vital national and nationalist interests.

**Brexit and the pursuit of Irish priorities**

The Irish Government’s preference for the softest possible Brexit is not shared by the British Government. Whereas the Irish Government favours continued UK membership of the Customs Union and Single Market, the British Government appears to have rejected this scenario. In the aftermath of the referendum vote, therefore, the Irish Government has been focused on limiting the worst impact of Brexit in two key areas: the Irish economy and the Northern Ireland peace process.
The Irish Government has identified four priorities for Ireland during the negotiation stages:

- Minimising the impact on trade and the economy.
- Protecting the Northern Ireland peace process.
- Maintaining the Common Travel Area.
- Influencing the future of the European Union.

(Irish Government 2017: 4)

Irish diplomatic forces and resources were extensively mobilised to advance and protect Irish interests during the Brexit negotiations. Irish Government figures actively pursued the Irish cause in Brussels and across various European capital cities (over 400 engagements to date). Officials and politicians worked to inform and educate their fellow Europeans about the impact of the UK exit from the EU on Ireland. This involved outlining and explaining the consequences of Brexit for the Irish economy and for the Northern Ireland peace process. This strategy aimed to furnish the remaining EU27 with information and to contextualise Irish fears about the political ramifications of Brexit for the island of Ireland. Between 2016 and 2017, the Irish Government convened seven Cabinet committee meetings on Brexit, and cross-departmental work streams were established. Additional staff were also recruited to key agencies, including Bord Bia (Irish Food Board), the Industrial Development Authority (IDA) and Enterprise Ireland, in order to support businesses affected by Brexit. Many of these state agencies highlight Ireland as a place of trade, tourism and investment. They are focused on insulating Ireland from the negative impact of Brexit by working to diversify Ireland’s trading relations. The government was particularly attentive to the agri-food sector – the 2017 budget made €150 million available in loans to Irish farmers via a low-cost scheme. The cheap availability of finance helped Irish farmers to withstand the impact of sterling currency fluctuations following the referendum result.

A further significant development was the creation of the All-Island Civic Dialogue, which meets in plenary and sectoral format. An initiative of former Taoiseach Enda Kenny, the All-Island Civic Dialogue brings together civil society, interest groups, civil servants and politicians to identify, discuss and analyse what Brexit means for specific sectors and how those challenges can be met. The initiative has an explicitly all-island dimension and seeks to capture perspectives from both Northern Ireland and the Republic of Ireland. Unionists, however, were quick to dismiss the initiative and did not engage with the process of the consultation and deliberation that the All-Island Civic Dialogue sought to nurture.

Irish efforts to protect Irish interests returned some early and important successes. UK Prime Minister Theresa May’s letter to European Council President Donald Tusk in March 2017, triggering Article 50, made specific reference to Ireland and to protecting the peace process in Northern Ireland. This echoed one of the twelve principles contained in the UK Government’s white paper on exiting the EU (see HM Government 2017). References to Northern Ireland’s special position were also contained in a European Council note issued on 31 March and in a European Parliament Resolution issued after Article 50 was triggered. The resolution:

> urges that all means and measures consistent with European Union law and the 1998 Good Friday Agreement be used to mitigate the effects of the United Kingdom’s withdrawal on the border between Ireland and Northern Ireland; insists in that context on the absolute need to ensure continuity and stability of the Northern Ireland peace process and to do everything possible to avoid a hardening of the border.

(European Parliament 2017)
A further significant development was the Irish Government’s success at the 29 April 2017 EU summit in achieving an EU declaration recognising the potential for Irish unification. The declaration allows Northern Ireland automatic membership of the EU in the event of unification. One commentator characterised this as a ‘stunning diplomatic coup’ (Collins 2017) won on the back of an extraordinary diplomatic effort by the Taoiseach, government ministers and officials.

The EU’s commitment to Irish interests was articulated during an address to the Joint Houses of the Irish Oireachtas (Parliament) in May 2017 by Chief EU Brexit Negotiator Michel Barnier, who said:

I want to reassure the Irish people: in this negotiation Ireland’s interest will be the Union’s interest. We are in this negotiation together and a united EU will be here for you.

(Barnier 2017)

Barnier’s address also demonstrated an understanding of the myriad ways in which the repositioning of a hard border on the island of Ireland may undo years of economic progress and peace building. As a former European Commissioner with responsibility for the EU’s PEACE programme, Barnier is well acquainted with Northern Ireland’s journey away from conflict. His address noted how the EU facilitated the lifting of borders, strengthened dialogue between communities in Northern Ireland and supported the Belfast Agreement. In his address, Barnier committed that ‘nothing in this negotiation should put peace at risk’ (ibid.).

The same message was reiterated in the EU’s Guiding Principles for the Dialogue on Ireland/Northern Ireland (European Commission 2017a), which placed a heavy emphasis on protecting the gains of the peace process and of the Good Friday Agreement (Belfast Agreement) in all its parts’ (p. 2). The document was clear that, in terms of proposing solutions to the border issue, the onus was explicitly on the UK. Dealing with the Irish border issue is regarded as a unique aspect of the wider Brexit challenge and not one that might predetermine solutions in the context of wider discussions about the future of the UK–EU relationship. Jean Claude Juncker further reiterated EU support for the 1998 Agreement by alluding to partial EU ownership of the Northern Ireland peace process, which he claimed was ‘a major achievement of European, and British and Irish policy-making’ (Rae 2017).

The combination of these statements and positions suggests strong acknowledgement and awareness of specific Irish and Northern Ireland issues at the EU level and considerable resolve in protecting these interests. Notwithstanding the lack of detail in the EU–UK Joint Report agreed on in December 2017, the EU’s approach to negotiations with the UK prioritised achieving some agreement on the status of the border between Northern Ireland and the Republic of Ireland post-Brexit before substantive negotiations on the future UK–EU trading relationship.

Brexit and the British–Irish relationship: pressures and prospects

The Irish Government’s approach to Brexit altered following the installation of Leo Varadkar as Taoiseach in mid-2017. A previously soft diplomatic stance hardened. Borne out of Irish frustration about the UK’s perceived failure to fully appreciate the seriousness and the sensitivities of Brexit for Ireland, north and south, the taoiseach stated:

We do not think it’s in the interests of Northern Ireland or the United Kingdom that there should be an economic Border between our two countries or on our island and we’re not going to be helping them [the UK] to design some sort of Border that we don’t believe should exist in the first place.

(Leahy and Minihan 2017)
There is some measure of consensus that Brexit will have an economic impact on the UK (and also the EU, the Republic of Ireland and Northern Ireland). It is the scale and magnitude of the impact, however, that is disputed by Brexiteers and Remainers. The constitutional impact of Brexit for the UK, however, reveals even less consensus. Those in favour of Brexit in Northern Ireland view the UK exit from the EU as a project in protecting and buttressing the national sovereignty of the British state. Those who oppose Brexit (Northern Ireland nationalists and the Irish Government) harbour fears about its economic consequences and its impact on the Northern Ireland peace process. The fact of disagreement between the British and Irish administrations is not problematic in itself, but, when it is accompanied by poor communication and megaphone diplomacy on issues affecting Northern Ireland, it signals that the resilience of the British–Irish relationship is under pressure. Brexit has contributed to a discernible tension in the British–Irish relationship. Diverging views about how to confront the Brexit challenge have divided the two administrations at a time when agreement and consensus are essential to stabilising Northern Ireland. One of the hallmarks of Northern Ireland’s peace process has been a joint British–Irish approach to various issues and sporadic crises. The apparent weakening of this approach does not bode well in terms of dealing constructively with the very complex political and economic challenges facing Northern Ireland and the Republic of Ireland as a consequence of Brexit.

One form of constitutional change that does not enjoy support in Ireland is a so-called Ir-exit, that is, an Irish exit from the EU. Brexit has prompted some discussion in Ireland of the possibility of Ireland leaving the EU (see Coughlan 2017; Bassett 2017). There is little official or public appetite for such a prospect. Irish support for the EU is among the highest of any member state, and Ireland is the most optimistic about the future of the EU (see European Commission 2017b). Moreover, none of the larger political parties or social partners in Ireland are supportive of an Irish exit. Nevertheless, in the broader European context and in the longer term, Brexit will challenge some of the fundamentals of Ireland’s relationship with the EU. The UK exit from the EU alters the balance of interests within the Union. Following Brexit, Ireland will lose an important ally at the European table. Irish and UK interests certainly do not converge on all issues, but there are certain policy areas where Ireland and the UK share similar views. As the EU moves on from Brexit, its agenda is likely to include proposals for deeper cooperation on defence, Schengen and the Eurozone (see more in Chapters 19 and 20). For a number of these issues, the UK and Ireland would have been united in their opposition to change. For example, in his 2017 State of the European Union address, Commission President Jean Claude Juncker outlined plans to pursue tax harmonisation, a move that Ireland is opposed to. The state’s ability to successfully oppose the introduction of a Common Consolidated Corporate Tax Base (CCCTB), however, is compromised by the UK exit from the EU. Ireland’s relationship with the EU looks set to be tested as new policy issues become perceivable. The direct territorial and constitutional implications of these developments are limited, but there may be important longer-term political ramifications that affect the Irish party system and the relative strength of political parties. Such developments may indirectly prompt a more detailed national conversation around EU membership, Irish unity and Ireland’s constitutional future. Even after Brexit, UK/Irish constitutional and territorial questions may continue to create animation and agitation on the two islands.

Conclusion

For Ireland, the UK exit from the EU represents a critical moment. Brexit potentially threatens peace, prosperity and stability on the island of Ireland. The Irish Government harbours serious concerns about the economic, political, security, social, cultural and psychological implications of Brexit for Ireland, most especially for Northern Ireland. The absence of a
functioning regional Executive and Assembly limited the extent to which Northern Ireland contributed to the Brexit process. Recent electoral outcomes diminished nationalist representation in Westminster and elevated the influence of unionism. Against this backdrop, the Irish Government became increasingly bellicose in its approach to Brexit and sought to loudly voice its concerns about the implications of the UK’s EU exit for the island of Ireland. Ireland was supported in its approach by senior EU figures and by a series of EU positions and negotiating guidelines.

The Irish Government’s primary concern is about what form a hard or soft border between the UK and Ireland will take, how it will be managed and policed and where that border might be. The Government’s opposition to the reimposition of any sort of border between north and south is motivated by both political and economic factors. In short, the Irish Government expressly supports the UK remaining in the Customs Union and Single Market. The British Government’s obfuscation in relation to what type of Brexit it favours and how it might pursue that preference has frustrated the Irish Government, which perceives poor levels of British understanding of, and responsiveness to, legitimate Irish concerns. From this perspective, Irish fears about how Brexit has the potential to reawaken old political insecurities and lead to political instability in Northern Ireland were not fully appreciated by the British Government (at least during phase one negotiations). The implications of Brexit-related developments for the UK’s constitutional future are similarly underestimated.

The robustness of the British–Irish relationship is tested by the UK decision to leave the EU. Relations between the two states shifted and cooled as differences of outlook and interpretation became more pronounced. These developments happened at a time when Northern Ireland’s devolved institutions were suspended and the political situation there was tenuous. The delicate political accommodation in Northern Ireland was achieved in the context of shared membership of the EU, an arrangement that provides a common legal and policy framework for various forms of cross-border cooperation. The peace process in Northern Ireland was also underpinned by a strong cooperative and collaborative British–Irish relationship. Both of these pillars of the political and constitutional settlement on the island of Ireland are challenged by the UK decision to exit the EU. The ‘far-reaching impacts’ of Brexit identified by Taoiseach Leo Varadkar loom large over Ireland’s economic, political and constitutional future.

Note

1 First Minister and DUP leader Arlene Foster was implicated in a political scandal concerning the Renewable Heat Incentive (RHI) scheme, which it is alleged was mismanaged to the tune of stg£400 million. The first minister’s refusal to step aside while an investigation was carried out triggered the resignation of the former Sinn Féin deputy first minister, the late Martin McGuinness, amid concerns about accountability, respect and equality. The collapse of the Northern Ireland Assembly and the suspension of devolution followed.

References


Brexit and the Irish case


