


Requiem for a shared interdependent past: Brexit and the deterioration in UK-Irish relations

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Abstract

The vote by the electorate of the United Kingdom to leave the European Union in 2016 was one in which the impact of Brexit on the island of Ireland and on UK-Irish relations hardly figured. Within months, however, the ‘Irish border problem’ was centre stage. The deterioration in UK-Irish relations in the 2 years following the referendum was profound and marked the first stage in the potential unravelling of the deep interdependence which had come to characterise relations between Dublin and London by virtue of their shared membership of the European Union since 1973. A significant ‘reverse asymmetry of power’ emerged from the United Kingdom’s relative isolation in the Brexit negotiations and Ireland’s privileged position as an European Union insider. In an increasingly turbulent international arena, the retreat from integration set in train by Brexit also threatened the Good Friday Agreement and the institutions and processes put in place to manage North–South and East–West relations after 1998.

Keywords

Anglo-Irish relations, Brexit, European Union, Good Friday Agreement, Ireland, Northern Ireland, United Kingdom

Introduction

The vote by the United Kingdom on 23 June 2016 to leave the European Union (EU) constituted an existential shock to British and EU politics. Despite more than

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four decades of membership characterised by the United Kingdom's reputation as 'the awkward partner' (George 1990), the referendum result came as a surprise to the chancelleries of Europe and to the world beyond. Nowhere did the shock resonate as much as in Dublin. Although the Irish government had moved to put contingency plans in place, the result when it was finally delivered in the early hours of 24 June 2016, left Ireland in the worst possible position. The United Kingdom was not just its nearest neighbour. It was also one of its largest trading partners, the main market for Irish agri-food produce, the geographic link to the continent in getting Irish goods to market (Ireland's 'land bridge') and its most important ally within the European Council and Council of Ministers in Brussels. It was immediately apparent that the vote would have very significant consequences for the totality of relationships within the island of Ireland as well as that between Ireland and the United Kingdom.

This article examines the impact of Brexit on UK-Irish relations in the 2-year period after the vote. It argues that shared membership of the EU, along with the growing interdependence arising out of the deepening of the EU Single market, facilitated the long-term building of trust between the United Kingdom and Ireland: the 'totality of relationships' across the British Isles included an important European dimension after 1973. Over time, transformation, 'normalisation' and reconciliation were significantly bound up with joint membership of the EU which helped to decisively reshape relations between London and Dublin. The open-ended, multi-layered, shared sovereignty model which came to underpin the Good Friday Agreement (GFA) allowed for the same kinds of constructive ambiguity which had long characterised the EU model of governance.

In this article, it is argued that the referendum result had an extraordinary deleterious impact on UK-Irish relations, made all the worse by the result of the 2017 general election which left Theresa May short of a parliamentary majority and dependent for support on the Democratic Unionist Party (DUP) which sought to use its unexpected leverage to buffer against further encroachment by the Republic of Ireland into Northern Ireland's affairs. Brexit resulted in an unanticipated return of the 'Irish Question' to British politics. In effect, for the United Kingdom, the 'European question' joined the 'Irish question' as one of those perennially contentious issues that are never quite settled and never fully normalised. For Ireland, the decision by the United Kingdom is momentous and opens a new phase in the contested history of Irish-British relations (Laffan *in press*) even as it confirms the Irish 'choice for Europe' in no uncertain terms.

The Brexit negotiations also demonstrated a remarkable 'reverse asymmetry' in UK-Irish relations: the historical dynamic of British power over Ireland yielded to the inside-outside asymmetrical logic of the Article 50 negotiations: Ireland's position as a privileged EU Insider left it in position to veto any withdrawal Treaty agreement that did not include a 'backstop' clause on the Irish border acceptable to Dublin. In itself, this constituted an extraordinary turnaround in inter-state power dynamics. But the wider challenges thrown up by Brexit threaten to also reverse the hugely improved relationships on the island of Ireland and across the Irish Sea which had been achieved incrementally and painstakingly over many decades and, in particular, through the signature of the GFA in 1998. Constitutional regimes, state borders and both individual and collective identities are all deeply unsettled by Brexit and will remain so for years to come.

Brussels as a shared space: getting to know you

Ireland joined the European Communities along with the United Kingdom (and Denmark) in the first enlargement that took place on 1 January 1973. The European regional system in the post-war period offered Ireland an opportunity to dilute the influence of the United Kingdom and to place UK-Irish relations on a new, more mature footing (Laffan in press). From the earliest days of membership, Irish elites pursued a very different approach to the EU than their British counterparts, many of whom (on both the left and the right) seemed obsessed with the notion of 'ever closer union', the alleged European pursuit of a utopian 'end state', inevitably federal in character. The Irish in contrast viewed European integration as a rational process, a practical and dynamic mechanism for tackling regional collective action problems, and one that could particularly benefit small states in an international context which remained essentially Hobbesian in character. In the post-sovereign constellation of the EU Council of Ministers, small states like Ireland could exert significant leverage denied them in the anarchic world beyond this unique experiment in 'governance beyond the state'.

Ireland's European policy thus developed in ways that were much more noticeably 'communautaire' than that of the United Kingdom. Ireland was less committed to the 'veto' than the United Kingdom, saw the Commission as the institutional protector of small states in the decision-making process and supported the strengthening of the powers of the parliament and direct elections to that body at a time when this was still somewhat unpopular in the Communities. Although the Irish position could not be described as 'communautaire' as the Benelux states, for example, it was much more so than others, notably the United Kingdom (Laffan in press).

If the Irish response to deepening European integration has been positive (if, periodically qualified), the United Kingdom demonstrated increasing unease with 'Europe', a reflex culminating in the Brexit vote in 2016. One of the many paradoxes associated with that reflex was that the EU being rejected by UK voters had been heavily influenced by British preferences for neo-liberal modes of market integration. The Single Market Programme strongly reflected prevailing British Conservative policies supporting deregulation, enhancing competition and advancing free trade. But that conscious championing of European market integration sat uneasily with the much more equivocal attitude to political integration. That equivocation increased markedly when the Conservative party returned to office in 2010. The passion that animated Brexit, according to Fintan O'Toole (2016), was one of 'English self-assertion'. Growing interdependence within the EU encouraged an 'identity backlash' which was fuelled by myths of national ethnic selection, in particular, a mythology of England proudly 'standing alone', as it did against the Spanish Armada and Nazism.

If Ireland and the United Kingdom ended their joint experience of European integration in very different positions from where they started in 1973, the modalities of shared membership facilitated very significant convergence of experience, interests, policy preferences and values. European integration encourages and promotes both functional and substantive reciprocity among participating member states: the deepening of economic and political links and legal obligations within the collective supranational produces dynamics of increased cross-border and inter-state trust and mutuality (Haas 1968;

O'Brennan 2019; Ward 2018). Just as European integration facilitated deep reconciliation between France and Germany (and, later, Germany and Poland), the relationship between Ireland and the United Kingdom developed in the shadow of this grand experiment in transnational governance. Brussels offered a neutral space in which politicians and civil servants could 'get to know each other'. In the framework of mutual exchange which characterised the Council in particular, patterns of increased trust and better bilateral relationships became the norm: the multilateral bargaining forum facilitated both functional and normative adaptations by the member states.

After 1973, the most important potential offered by joint UK-Irish membership in the European Economic Community (EEC)/EU 'was to offer Ireland a way of diluting its excessive economic dependence on the UK and mediating the vast asymmetry of the post-colonial bilateral relationship between a large and a small state' (Laffan 2017: 45). Joe Lee's (1989) history of 20th century Ireland chronicled recurring economic failure in the Republic of Ireland. The main manifestations of this included slow and erratic patterns of economic growth, low productivity in many economic sectors, high and persistent levels of unemployment, exceptionally high outward migration rates and a preponderance of deep social problems (O'Brennan 2010). That desolate landscape of socio-economic failure encouraged continuing dependence on the United Kingdom decades after independence. But this baleful reality began to change decisively in the late 1970s. From accounting for 75% of Irish exports in 1960, and 61% in 1971, the UK market share fell steadily to under 20% in 2009 and 13% in 2018. In parallel with this, we have seen exports to EU states (excluding the United Kingdom) rise from just 13% in 1970 to almost 47% in 2016 (Department of Finance 2017). Market diversification away from the United Kingdom and towards other continental partners has been one of the most striking features of Ireland's membership of the EU.

Those macro trends, however, also reveal that Ireland remains highly connected to British markets in defined areas of activity and EU membership has in fact deepened those connections significantly. The United Kingdom is the second largest single-country export destination for Ireland for goods and the largest single-country export destination for services (Purdue & Huang 2015). More than 80% of the Irish agri-food sector's produce went to the United Kingdom in 2017. Almost half (46%) of all food and live animals exported went to Britain or Northern Ireland. UK visitors constitute 40% of the Irish tourist market. A total of 32% of Irish trips abroad in 2015 were to the United Kingdom. An examination of trade in the reverse direction is also illuminating. Ireland imports more goods from the United Kingdom than any other country. It shows that 55% of the fuel imported by Ireland comes from the United Kingdom. Almost half of all food imports and one-third of all manufactured goods come from the United Kingdom (Department of Finance 2017; Government of Ireland 2016). Large UK retailers operating in Ireland import a sizeable amount of the goods they sell in Ireland from the United Kingdom. UK outlets are the major trading partners of Irish-owned enterprises. Indigenous manufacturing firms sell more than 40% of their exports to the United Kingdom and 30% of all employment in Ireland is heavily dependent on sectors selling into the UK market. Many of these enterprises are acutely exposed to changes in the value of sterling. The Irish agri-food sector is significantly more dependent on the United Kingdom than Irish industry in general as the United Kingdom accounts for

about 50% of total Irish agri-food exports (Purdue & Huang 2015). About 80% of Ireland's total goods exports are transported to the United Kingdom – either for their direct use or for onward transit. Around 60% of the trade in goods in and out of Dublin port goes to or from the United Kingdom, while 46% of commercial flight arrivals into Ireland arrive from the United Kingdom. The Dublin–London air route is the busiest international flight route in Europe (Department of Finance 2017; Government of Ireland 2016).

On the UK side, Ireland accounted for about £34 billion in exports in 2017, about 5.5% of total UK exports, making it the United Kingdom's fifth largest export market, ahead of China (3.6% of exports in 2017). Imports from Ireland amounted to £22 billion in 2017, accounting for 3.4% of all UK imports. The United Kingdom recorded a trade surplus with Ireland of £12.2 billion in 2017, the United Kingdom's second highest trade surplus after that with the United States (Ward 2018). The United Kingdom in fact exports more than three times more to Ireland than to Japan or South Korea. The deepening intensification of UK-Irish trade is reflected in the increase in UK exports to Ireland from £16 billion in 1999 to a record high of £34 billion in 2017 and the increase in imports from Ireland to the United Kingdom from £12.3 billion in 1999 to £22 billion in 2017 (Ward 2018). Total trade between the United Kingdom and Ireland amounted to about €1.2 billion per week in 2017. The Irish energy market is heavily reliant on the United Kingdom and the Irish gas grid is linked to the United Kingdom via two interconnectors, making Ireland, in effect, a regional extension of the British energy market (Purdue & Huang 2015). These data reveal the extent of interpenetration of specific sectors of the UK and Irish economies. The pattern throughout the years of joint EU membership seems clear: a move from Irish dependence on the United Kingdom to a much more balanced but interdependent relationship, with vastly increased two-way volumes of trade and activity across goods and services and the development of critical supply chains to underpin this activity.

Joint membership of the Communities also opened up important spaces for both ministers and officials to engage in new forms of deliberation. Prior to 1973, no British Prime Minister had visited Ireland since independence. After accession, ministers met frequently in the Council of Ministers and, after 1977, in the (newly introduced) European Council, where heads of government would meet a number of times every year. For Ireland, the mediation of the asymmetry of the bilateral relationship meant 'the patron-client pattern was dissolved; in the new circumstances British ministers could see their Irish counterparts as clever partners in Europe' (Gillespie 2019; Kennedy 1994: 177). British and Irish civil servants got to know each other as much in the new informal spaces offered by Brussels (cafes, bars, diplomatic receptions and other social spaces) as the formal institutional landscape mandated by the treaties. The introduction of the 'Council Presidency' also encouraged intense interaction and engagement across the spectrum of EU legislative activity.

The extent to which joint membership of the EU contributed to improved UK-Irish relations is a matter of dispute. There is no doubt that the relationship remained very difficult throughout the 1970s and 1980s, as 'the Troubles' continued in seemingly insoluble form. Episodes such as the Arms Crisis, the Hunger Strikes in 1981 and the assassination of Lord Mountbatten as well as Irish Republican Army (IRA) attacks on London

and other British cities, not to mention daily atrocities in Northern Ireland itself, often placed enormous pressure on relations between Dublin and London.

The EU was an ancillary player in most respects in the Northern Ireland conflict, but I would argue that joint membership of the EU did play a critical role in the gradual emergence of a consensus between the United Kingdom and Ireland on how both to respond to the conflict and de-escalate it. Bilateral meetings between British and Irish leaders at European Council meetings 'became such a common occurrence that officials on both sides prepared for them as a matter of routine', enabling them to keep up communications during periods of difficulty on Northern Ireland (Gillespie 2019; Laffan & O'Mahony 2008: 201). An intensifying series of agreements, from Sunningdale in 1973 to the Anglo-Irish Agreement in 1985 and the GFA in 1998, laid down an increasingly elaborate framework of inter-state and inter-governmental institutions to maintain political dialogue and enable joint decision-making, even while maintaining the formal apparatus of British sovereignty over Northern Ireland (Gillespie 2019; Tannam 2011, 2018). The EU provided a neutral political arena that contributed to the internationalisation of the conflict; the European Parliament's 1984 Haagerup Report, for example, was important in educating a European political audience about the different dimensions and complexities of the conflict in Ireland. European funding with its emphasis on cross-community and cross-border cooperation provided vital neutral resources for new ameliorative initiatives on the ground, especially as a fledgling peace process took hold in the early 1990s. The role of EU officials should not be underestimated as they worked with both communities in Northern Ireland but did not represent either the Irish or British governments. Following the GFA, the Peace programmes represented tangible material support for reconciliation: Northern Ireland was the recipient of more than €1.3 billion in EU peace funding between 1995 and 2013 (Laffan 2019). As Katy Hayward (2018) argues,

it was common UK and Irish EU membership that had created the very conditions through which the border had been transformed from a sharp dividing line between states into a meeting point between friendly neighbours and partners in the European Union.

The contribution of the EU to UK-Irish relations was in effect to alter the structural nature of the relationship, to provide an arena for external political dynamics and funding and to offer a model of complex institutional interdependence which potentially facilitated inter-communal and UK-Irish reconciliation. At critical junctures, meetings on the margins of European Council summits were very important in enabling political leaders in Dublin and London to make incremental and painstaking progress on joint solutions. The GFA, with its complex and multi-level governance arrangements, reflected somewhat the development of EU institutions and the consociational institutional design of the EU architecture (Laffan *in press*).

In January 2018, the Taoiseach, Leo Varadkar, in a landmark speech to the European parliament in Strasbourg, consciously sought to link the EU model of integration as enabling peaceful inter-state coexistence with the peace process on the island of Ireland. Varadkar specifically emphasised the inter-linkages between and indivisibility of the two models and referenced former SDLP leader and Member of the European

Parliament (MEP) John Hume in asserting 'it is hard to imagine the Good Friday Agreement being made without our shared membership of the European Union and the Single Market' (O'Brennan 2019; Varadkar 2018). Here, we should note the constructive ambiguity which characterises both the EU as a post-sovereign cross national peace project and the GFA as a framework for accommodation of otherwise opposed communal identities and traditions. The EU architecture is built on a combination of inter-governmental and supranational logics and decision-making mechanisms. It is a hybrid model of political community and inherently ambiguous as to its endpoint. That ambiguity is crucial in that it facilitates the coexistence of, and cooperation between, often opposed national positions in the Council. Its macro purpose is to preserve the peace between national components with a bloody history of conflict. For Fintan O'Toole (2018), the link between the EU model and the GFA is obvious: 'the Good Friday gamble was that people could live with complexity, contingency, ambiguity'. Essential to the Agreement is that

people born in Northern Ireland have an absolute right to be Irish or British or both as they may so choose. We have here, written down in an international treaty, a recognition that national identity is not a territorial or genetic imperative, and is not necessarily a single thing. It is chosen and, therefore, open to a change of mind. And it can be multiple: those six letters – 'or both' – are the glory of the agreement, its promise and its challenge.

The crucial link here between European integration and the peace process in Northern Ireland is relational – individuals and states can be 'both/and' rather than 'either/or'. It is in this sense that European integration enabled national sovereignties to be viewed as complementary rather than threatening, Kantian rather than Hobbesian (Coakley 2002; Hayward 2009, 2018).

Finally, it is worth noting the ways in which the United Kingdom and Ireland developed an increasingly close relationship within the Council of Ministers over the years. Analysis of voting patterns in the Council provides evidence of the extent of UK-Irish convergence and successful coalition building. The question of alliances within the Council is not straightforward; far from demonstrating a 'Eurovision'-style pattern of geographic voting clusters, member states tend to converge around specific issue areas and policy prerogatives rather than defined cultural blocs. The United Kingdom became a very important ally of Ireland in the Council because both countries, from the mid-1980s onwards, favoured economic policies which were essentially neo-liberal in character. There was little to divide Ireland and the United Kingdom, neither on trade and competition policy nor on EU taxation policy. This pragmatic attitude to globalisation allied to a suspicion of the protectionist instincts of some member states made for a constructive interest-based alliance (which included other member states like the Netherlands and the Nordic countries) within the Council. In the agricultural sphere, however, Ireland allied most strongly with France in defence of the Common Agricultural Policy (CAP) on which the United Kingdom maintained an extremely critical stance throughout its membership. It is also noteworthy that the United Kingdom only really became isolated within the Council after the Conservative party came back to office in 2010. Prior to that, the United Kingdom was considered an 'awkward partner' but was

not an especial outlier in terms of being outvoted in Council. A detailed study conducted for *Votewatch* in November 2015 examined voting records within the Council, between 2004–2009 and 2009–2015. It demonstrates that within that time period the United Kingdom was not only the most outvoted member state but was on the losing side *a far higher proportion of the time* than any other EU government in the 2009–2015 period: jumping from being on the minority (losing) side only 2.6% of the time in 2004–2009 to being on the losing side 12.3% of the time in 2009–2015. In marked contrast, Ireland found itself on the losing side of the vote less than 2% of the time in both periods under review. Thus, UK disengagement within the Council and divergence from Ireland (and from the EU mainstream) began well before the Brexit referendum in 2016 and under ‘Remain’ advocates David Cameron and George Osborne rather than ‘Brextremists’.

Brexit and the great disruption in UK-Irish relations

It was immediately apparent that the United Kingdom’s decision to leave the EU would prove hugely consequential for Ireland. The vote to leave constituted an asymmetric exogenous shock, politically and economically more intense for Ireland than for any other member state of the EU (O’Ceallaigh 2017). Since the border between Ireland and Northern Ireland is the only land boundary between the United Kingdom and the EU, how Brexit evolves will determine whether it remains fully open, as from the 1990s, or relatively securitised (‘hard border’) as it was for much of the ‘Troubles’ (Gillespie 2019; Ward 2018). The UK vote to leave brings the Irish border back on the agenda in unsettling and potentially dangerous ways and permanently alters the contours of the relationship between the two islands. Joint membership of the EU, as we have seen, provided a neutral landscape of permanent negotiations and transcendent interdependence that significantly diluted UK-Irish asymmetry. This positive trajectory was seriously disturbed by the Brexit vote, which may have profound consequences for constitutional arrangements and inter-communal relations on the island of Ireland as well as relations between the United Kingdom and Ireland (Laffan in press).

In addressing Irish-specific issues within the Brexit negotiations, the Irish government very quickly decided to operate through the Union’s multilateral architecture and not rely on the bilateral Dublin–London channel. A close and intensive working relationship was established with the EU Brexit task force headed by Michel Barnier. This effort succeeded in foregrounding Ireland as one of the three core agenda items that had to be resolved before the EU would agree to a Withdrawal Treaty. Arising from an Irish request, the EU Brexit Task Force and the United Kingdom completed an extensive mapping of the (140 plus) areas of cooperation that must be prioritised and protected under the GFA. The outcome will revolve around the nature of the future relationship between the United Kingdom and the EU (to be negotiated under Article 217 of the Treaty on the Functioning of the European Union (TFEU), once the Article 50 of the Treaty on European Union (TEU) negotiations have been completed), and agreement on how to handle the border problem (Laffan in press).

One of the most remarkable features of the Brexit referendum was the almost complete absence of discussion about Northern Ireland, the implications of a vote to leave for the island of Ireland and the impact of such on UK-Irish relations. This pattern of neglect and taking Northern Ireland for granted continued until the general election of 2017, when parliamentary arithmetic placed the DUP in a powerful position to exert leverage on Prime Minister Theresa May's government and Northern Ireland moved from constituting a marginal to a core concern in the Article 50 negotiations (Ward 2018). British policy towards the 'Irish border problem' consisted of a strange admixture of arrogance, disregard and baffling ignorance about Irish history and politics (North and South). An added complication is that a clear majority of people in Northern Ireland (56%) voted to remain in the EU. In a region where the principle of consent is meant to underpin both the present and any future constitutional settlements, this provides ample grounds for those who seek to contest the result and upend the constitutional order put in place through the GFA.

The Agreement was the culmination of protracted efforts to bring about a peaceful resolution to the Northern Ireland conflict. Strand 1 set up a power-sharing executive, based on a consociational model of decision-making. Strand 2 deals with North-South relations based on an inter-ministerial model. Strand 3 set up a British-Irish Council comprising representatives of the British and Irish Governments, and the devolved institutions in Northern Ireland, Scotland and Wales (Gillespie 2019). A standing British-Irish Intergovernmental Conference to subsume the previous Anglo-Irish Intergovernmental Council and the Intergovernmental Conference set up under the 1985 agreement was also established. Strand 3 was not as developed, substantive or powerful as Strands 1 and 2. Assessments of the role and influence of these institutions must consider how they were utilised by political leaders as well as the extent to which they routinised ministerial, bureaucratic and parliamentary contacts between Ireland and the United Kingdom (Gillespie 2019; Todd 2017).

Colin Harvey (2018) points out that the GFA 'addressed British-Irish identity matters through carefully crafted formulas that facilitated honourable compromises' and 'the multi-stranded nature of the Agreement meant that people were already thinking in the 1990s about institutional cooperation across these islands'. The Agreement accepted the validity of the claims attached to both unionism and nationalism but weakened the competitive chauvinism of both by reducing the day-to-day functional significance of the border. Its enactment underpinned a vastly increased level of functional cross-border cooperation and cross-sectoral activity which negates or at least modifies the zero-sum logic of identity politics. It set in train a process of 'de-bordering' which was supported by the EU. That process reduced 'the economic, social and political significance of the border in order to de-politicise it as a focus of conflict'. Viewed through the prism of the EU's Single market programme, the border was an 'economic obstacle to be eliminated' (Anderson 2018).

The prospect of 're-bordering' what had been 'de-bordered' (McCall 2018) via the Agreement loomed into view as a logical consequence of Prime minister May's Lancaster House speech and the subsequent hard-line adopted by the DUP. The Agreement's intricate machinery facilitating reconciliation and extended regional cooperation was put at grave risk by the Brexit vote and the subsequent deterioration

in UK-Irish relations. This negative trajectory has been all the more unsettling as it follows a period of pronounced transformation in UK-Irish relations. Queen Elizabeth II's deeply symbolic visit to Dublin and Cork in May 2011, when she laid a wreath at the graves of the IRA leaders who led the Irish war of independence struggle against British rule in 1919–1921 potentially opened up new vista of cooperation. President Michael D. Higgins' reciprocal state visit to the United Kingdom in (7–9 April 2014) was equally significant (Gillespie 2019).

The main reason for the dramatic deterioration in relations was that the Irish border had become the main obstacle to the United Kingdom completing a successful Article 50 Withdrawal Agreement with the EU. The border was propelled to the sharp edge of the negotiations because of both its symbolic and real-world significance (Ward 2018). As Anderson (2018) puts it, 'GFA cross-border arrangements would be disrupted or severed, and the successful de-politicisation of the border would be thrown into reverse with unpredictable consequences. Border infrastructures and customs personnel could provide choice targets for dissident republican paramilitaries', which, in turn, could trigger a response from Loyalist paramilitary groups.

The 'Joint Report', agreed by EU and UK negotiators on 8 December 2017, fully supported the commitments and principles of the GFA (Joint Report, EC Conclusions 2017). It must be protected in all its parts 'irrespective of the nature of any future agreement between the European Union and United Kingdom', recognising that '[t]he United Kingdom's withdrawal from the European Union presents a significant and unique challenge in relation to the island of Ireland'. Clause 49 of the EU–UK Joint Agreement declared,

The United Kingdom remains committed to protecting North-South cooperation and to its guarantee of avoiding a hard border. Any future arrangements must be compatible with these overarching requirements. The United Kingdom's intention is to achieve these objectives through the overall (future) EU-UK relationship. Should this not be possible, the United Kingdom will propose specific solutions to address the unique circumstances of the island of Ireland. In the absence of agreed solutions, the United Kingdom will maintain full alignment with those rules of the Internal Market and the Customs Union which, now or in the future, support North-South cooperation, the all island economy and the protection of the 1998 Agreement.

This balancing act between the two geographical axes resulted from some intricate last minute negotiations after the DUP withdrew its approval from the initial agreed draft text because they feared it could imply a border in the Irish Sea affecting their access to the United Kingdom's internal market (Gillespie 2019). Thus, clause 50 of the final text declared,

In the absence of agreed solutions, as set out in the previous paragraph, the United Kingdom will ensure that no new regulatory barriers develop between Northern Ireland and the rest of the United Kingdom, unless, consistent with the 1998 Agreement, the Northern Ireland Executive and Assembly agree that distinct arrangements are appropriate for Northern Ireland. In all circumstances, the United Kingdom will ensure the same unfettered access for Northern Ireland's businesses to the whole of the United Kingdom internal market.

Full alignment (as per clause 49) would only come into play if there is no agreed solution to the border problem. Such a hypothetical proposition was necessary because this document covered only the first phase of the talks (the 'future relationship' talks would be conducted under Article 217 TFEU). Squaring the circle between Northern Ireland's exceptionalism and the United Kingdom's constitutional integrity was particularly difficult for Theresa May because the commitments made by the United Kingdom in Clause 49 contradicted those she made to withdraw from the EU customs union and single market as well as her undertaking to the DUP that the United Kingdom's sovereignty and geographical integrity would not be sundered by treating Northern Ireland differently from the rest of the United Kingdom (Gillespie 2019). The Irish insistence, however, throughout 2018, was on the British side being accountable for retaining the status quo of open borders – North and South and East and West.

Brexit resurrected emotions, rhetoric and issues that supporters of the Agreement hoped had been consigned to history. When talks intensified in November 2017, there was a sudden realisation in the British media and political parties that the Irish question was re-entering British politics and might radically constrain the United Kingdom's options on Brexit (Gillespie 2019). A senior EU figure closely involved in the talks told the *Financial Times*, 'Mrs May never saw it [the Irish border issue] coming ... That was a surprise to everybody, not only the Brits. Suddenly we were all facing the unsolvable problem'. Another senior negotiator told the paper, 'We are heading for a big collision on this [full alignment of UK to EU rules on the Irish border]. It is unavoidable. The Irish border is where reality meets Brexit fantasy' (Gillespie 2019). As the Brexit talks dragged on interminably towards a conclusion in the autumn of 2018, the very future of the Agreement itself as the anchor of the peace process came increasingly into question on the British side. Northern Ireland's 'negative peace' (especially the absence of the executive since early 2017) also serves as 'obstacle to dealing with complex and politicised Brexit-related challenges' (Murphy 2018).

The former UK minister responsible for exiting the EU, David Davis, had remarked to a meeting in London in 2017 that there had been a change of government in Dublin and that the new Taoiseach (Mr. Varadkar) was being strongly influenced by Sinn Féin. Varadkar described the comments as 'strange' and 'inaccurate', while his Minister for Foreign Affairs and Trade said they were 'nonsense' (*The Irish Times*, 11 April 2018). In fact, such a belief was reported to be commonly held in the Conservative party (Gillespie 2019). Former Northern Ireland secretary Owen Patterson tweeted that 'the collapse of power-sharing in Northern Ireland shows that the Good Friday Agreement has outlived its use'. Labour's staunch Brexiteer, Kate Hoey (herself born in Northern Ireland) called the Agreement 'unsustainable'. Leading Tory MEP Daniel Hannan claimed the Agreement was nothing other than 'a bribe to two sets of hardliners' in Northern Ireland. In addition, he argued that the Agreement was 'a consequence, not the cause, of the end of terrorism'. Jacob Rees-Mogg, leader of the so-called 'European Research Group' (ERG, the hard-line Brexit grouping within the Conservative party) conspiratorially declared the Irish border problem did not really exist – it was an 'imaginary problem' created by Dublin and Brussels to prevent Brexit happening. Later Rees-Mogg went so far as to suggest that it might be a good idea to 'inspect' people crossing the Irish border after Brexit (*The Irish Times* 26 August 2018).

This led Simon Coveney, Tánaiste (Deputy Prime Minister) and Minister for Foreign Affairs and Trade, to warn that ‘reckless shouting and sloganeering has consequences for the people of Northern Ireland’. He went on to say, ‘psychologically, it (peace) has transformed the landscape and allowed identity to breathe more freely. Protecting this precious achievement, a backbone to our hard-won peace, is the only motivation in prioritising Northern Ireland in the Brexit negotiations’ (O’Carroll 2018). Coveney’s remarks were indicative of the negotiations going into a final, hard-nosed bargaining period, but also demonstrated the extent to which UK-Irish relations had deteriorated sharply. When Arlene Foster, leader of the DUP, claimed that the Agreement ‘wasn’t sacrosanct’, Varadkar told the Dáil the Agreement

is not a piece of British legislation. It is an international agreement between the British and Irish governments as well as a multi-party agreement among the various parties. And certainly, as far as the government is concerned, the Good Friday Agreement is not up for negotiation in these talks over Brexit. (*The Irish Times* 2018)

The Brexit referendum was the catalyst for an unparalleled diplomatic effort on the part of the Irish government, the Irish Permanent Representation in Brussels and the diplomatic corps to educate EU leaders about the threats presented by Brexit to Ireland: more than 400 such meetings were held between Irish officials and EU counterparts between June 2017 and March 2018 alone. Brexit also prompted serious thinking about Ireland’s future in the EU without the United Kingdom, initiating a very comprehensive reconfiguration of Ireland’s geopolitical relationships within the EU. Brexit forced the Irish system to engage more systematically and intensively with EU institutions and member states than at any other time apart from EU presidencies. This greatly enhanced personal relations with key interlocutors which can be built on to intensify bilateral relations with key partners in the future (Laffan in press). The move to join the so-called ‘Hanseatic League’ in 2017 was indicative of this new strategic thinking among Irish officials and political leaders. This informal alliance includes like-minded states open to globalisation and liberal economic policy and consciously modelled as a counter to the Franco-German integration tandem. Its members include Estonia, Finland, Latvia, Lithuania, the Netherlands and Sweden (O’Brennan 2019). At the same time, Ireland also began to gear up individual bilateral relationships with partner states. The most important development here was the new partnership with Germany announced in early 2018 after a significant strategic review by officials within the Department of Foreign Affairs and Trade.

The Brexit negotiations also provided evidence of a pronounced reversal in the historical asymmetry in power between the United Kingdom and Ireland. The negotiations saw Ireland (as part of the EU27) situated on the much stronger side of the bargaining table (Laffan in press). For much of the shared history of and between the two entities, the United Kingdom was a global power and was able to exercise authority in Ireland through compellence and, not infrequently, violence. That dynamic began to change when Ireland gained independence in 1921 and was adjusted significantly when the two countries joined the European Communities together in January 1973. As Gillespie (2019) argues, ‘relations between Ireland and Britain have gone through a historical cycle of colonial dependence, political independence and deepening interdependence in the last 100 years’. But the Brexit negotiations placed Ireland in a very unusual position

vis-à-vis its nearest neighbour. When the EU gave Ireland an effective veto over the terms of UK withdrawal from the EU, it dramatically reversed the historical asymmetry in power relations. The extent to which Ireland's bargaining power within the negotiations exceeded that of the United Kingdom was evident in any number of statements by key EU actors, including Michel Barnier, Guy Verhofstadt and Jean Claude Juncker. But it was nowhere stated as emphatically as by Donald Tusk, President of the European Council when he visited Dublin and stated that 'Ireland's position (on the so-called 'backstop') will be the European Union's position' (*Irish Examiner* 2018). British efforts to exploit alleged divisions on the EU side between EU27 political leaders and the European Commission (and those states more and less exposed to the economic and political effects of Brexit), so as to optimise their negotiating hand, met with a consistently negative response. Those efforts were more than countered by an active and much more committed Irish campaign across the EU (Gillespie 2019).

Conclusion

Both Ireland and the United Kingdom are approaching the third decade of the 21st century facing a very unsettled geoeconomic and geopolitical environment. For one thing, Donald Trump's election victory in 2016 and his subsequent pursuit of unashamedly 'anti-globalist' policies has the potential to rupture international norms, institutions and practices. The transformation in UK-Irish relations set in train by joint membership of the EU in 1973 and solidified by the GFA in 1998 was enhanced again by the reciprocal State visits of Queen Elizabeth II to Ireland in 2011 and President Michael D. Higgins to the United Kingdom in 2014. In retrospect, it can be seen that the normalisation symbolised by those State visits and in the close political contacts between Dublin and London in the decade and a half after the GFA represented a temporary equilibrium profoundly disrupted by Brexit and the collapse of power-sharing in Northern Ireland in January 2017. The deterioration in relations between the United Kingdom and Ireland since the referendum has been profound and extremely destabilising.

The difficulties experienced by the United Kingdom in seeking to detach itself from the EU after the Brexit referendum provide a striking reminder of the depth of both economic and legal interdependence which has cumulatively characterised the EU order. Over time, Ireland made a determined move from the periphery to the mainstream of the EU, while the United Kingdom moved in the opposite direction, especially after the Conservatives came back to office in 2010. The Irish commitment to 'Europe' deepened significantly after the UK decision to leave the EU was made in 2016: with every unanticipated crisis experienced by the United Kingdom, the Irish choice to commit to European integration became clearer, despite the potentially significant collateral damage wrought on Ireland by Brexit (O'Brennan 2019). This commitment was reciprocated by the member states and EU institutions with an unprecedented level of solidarity shown to Ireland. The message coming from Ireland after the Brexit vote was emphatic: Ireland would not follow the United Kingdom out of the EU and exchange the EU anchor for a return to the historically asymmetrical relationship with the United Kingdom (Laffan in press). If the reflex of the Irish state elite was to maintain the European anchor as the primary mooring for the state (Laffan in press), the British choice still appears far from certain.

Brexit produced an (unanticipated) ‘dual sovereignty crisis’ for the United Kingdom. The internal crisis arose from the sudden contingency and malleability of the existing UK constitutional order. The external dimension revolved around the recurring failures of the Conservative government to have its ‘red lines’ satisfied in the negotiations with the EU. But Brexit also provided a most unwelcome external shock, resulting in what Jennifer Todd has termed a ‘constitutional moment’ for Ireland – North and South. That arises, Todd argues, when there is a critical juncture or crisis in political order which changes fundamental norms and the structure of political framing and opens up the possibility of identity change (cited in Gillespie 2019). Demands for a so-called ‘border poll’ have represented just one consequence of this new constitutional flux on the island of Ireland. And while a ‘softer’ form of Brexit might temper moves towards a radical break from the status quo, it is clear that Brexit will provoke further challenges to state and community identities on the island of Ireland and how those are accommodated within existing constitutional and institutional architectures.

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