

Mr Poots Tears Up Brexit... And Possibly Northern Ireland

By Scott Lucas

Five years and seven months after the 2016 referendum, it was not Remainers who ripped up Brexit. It was not the European Union.

It was Mr. Poots.

On February 2, Edwin Poots, Democratic Unionist Party politician and Agriculture Minister in Northern Ireland's devolved government, [ordered officials](#) to halt customs, health, and safety checks on goods from Great Britain.

If implemented, the lifting of checks would scrap the Northern Ireland Protocol, the "line down the Irish Sea" which maintains the North as part of the EU's single market and prevents a "hard border" between Northern Ireland and the Irish Republic. Brexit's fundamental economic separation of the UK from Europe would be obliterated, putting the entire agreement in question.

Poots' directive spelled the end of the coalition government, patched together in January 2020 to end three years of stalemate. First Minister Paul Givan, the DUP leader, [resigned the next day](#), after holding the post for only eight months. Under the power-sharing arrangement, that forced the [resignation of Deputy First Minister Michelle O'Neill](#) of Sinn Fein. This in turn put Northern Irish administration into limbo until elections can be arranged.

The UK Government's Northern Ireland Secretary, Brandon Lewis, said Givan's resignation was "[extremely disappointing](#)". He urged the region's political leaders "to reinstate the First Minister immediately to ensure the necessary delivery of public services for the citizens of Northern Ireland".

But, while citing "the impact the Northern Ireland Protocol is having on the ground", Lewis said nothing about Mr. Poots and his effective sabotage of the Protocol.

After all, it was Brandon Lewis who told the House of Commons in September 2020 that the Johnson Government was ready to break international law by withdrawing from the Protocol — an initiative checked by widespread opposition, including from US legislators as well as the EU.

[See also Slouching Towards the Irish Sea: How the Johnson Government Chose Brexit Failure](#)

The Northern Irish Context

Brexit has dented trade between Northern Ireland and Great Britain. British imports to Northern Ireland [fell more than 20%](#), compared with [a 64% increase in Northern Irish exports](#) to the Irish Republic and a 48% rise in Irish exports to the North.

But the DUP's motive is more political than economic. Ahead of scheduled local elections in May, the party was in electoral trouble. It has fallen behind the Irish nationalist Sinn Fein in polls, with only 17% support vs. its rival's 25%. It is facing the resurgence of the Ulster Unionist Party and the challenge of the Traditional Unionist Voice, a breakaway faction formed in 2017.

So the unsubtle tactic is to galvanize unionists behind a scorched-earth approach to the Protocol. As soon as Givan resigned, Jeffrey Donaldson — perhaps the most important voice in the DUP — framed the party as the last guardian of Northern Ireland. He said he had warned the Johnson Government of the DUP's departure from the executive, "I think now is the moment when we say enough is enough." Then he set up punching bags of the EU, the Irish Republic, and Sinn Fein,

claiming a “total disregard” of the principle of Northern Irish autonomy “by Brussels, by Dublin, and the Protocol cheerleaders here in Northern Ireland”.

Political Cover for the UK Government

The DUP’s maneuver is intertwined with that of the embattled Johnson Government.

Since September 2020, the Prime Minister and his allies have spectacularly failed to undermine the Protocol. The threat to break international law was followed through 2021 by bluster that the UK would invoke a suspension if the EU did not remove the customs line. But in months of negotiations — or, arguably, Johnson’s Brexit representative David Frost issuing warnings and ultimata — Brussels maintained the integrity of the Protocol while easing the extent of checks on both agricultural products and manufactured goods.

Frost finally resigned in December, leaving Prime Minister Boris Johnson without a representative as well as a coherent approach to the Protocol and Brexit. Foreign Secretary Liz Truss has nominally taken over the portfolio, but so far there has been no notable advance in talks with the EU’s Maroš Šefčovič, even if the tone is more diplomatic than with Frost.

[See also Not With A Bang But A Whimper: The UK’s Brexit Facade Collapses](#)

So while Johnson is paralyzed — and perhaps fatally wounded — by his PartyGate, the DUP’s posture on the Protocol is convenient cover for the ambition of some of his Ministers as well as loud Conservative MPs like the “European Research Group”.

A [Belfast court has ruled](#) that the checks on food and agricultural goods from Great Britain to Northern Ireland must continue, pending a hearing and judicial review next month.

But the threats remain. As [Irish Foreign Affairs Simon Coveney noted](#), Poots’ order was “effectively [the] breach of international law” that the UK Government had put forward in September 2020: “It’s essentially playing politics with legal obligations.”

And it seems both the DUP and the Johnson Government are willing to play politics to the point of turmoil in Northern Ireland and instability between the North and the Republic.

Northern Ireland Secretary Lewis may have insisted that London wants to “protect the Belfast (Good Friday) Agreement in all its dimensions”. But Northern Ireland’s history, including the collapse of power-sharing and no Stormont administration from 2017 to 2020, vividly demonstrate the risks of provoking a vacuum in power.

This will not be averted by snap elections. If the DUP pull off their political trick and recover to take the largest vote share, the demand to scrap the Protocol will have been vindicated. If their gamble fails and Sinn Fein top the poll, then there is no guarantee that the power-sharing agreement will be recognized.

Responding to Givan’s resignation, Northern Ireland Justice Minister Naomi Long of the Alliance Party said, “[Pulling down the Executive](#) doesn’t make one iota of difference to negotiations happening between the UK and the EU.”

Colum Eastwood, leader of the moderate Social Democratic and Labour Party, echoed, “It won’t make a damn bit of difference to those negotiations.”

But what if Mr. Poots has pulled back the curtain?

What if the Johnson Government — or whoever leads the Government if Johnson is finally removed — doesn't want the negotiations?