

'Bumbling Boris' Does the Northern Ireland 'Shuffle'...Again

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Prime Minister Boris Johnson's trip to Northern Ireland (NI) on Monday to attempt to deal with the impasse created by unwillingness of the DUP (Democratic Unionist Party) to enter into the power-sharing arrangement following recent elections for the devolved Assembly did not, as expected, produce instant results (Andrews, 2022).

Unfortunately, it must be feared, uncertainty and instability in NI will continue.

The reason for the DUP's stance, according to its leader, Sir Jeffrey Donaldson, is belief the potential implications of implementation of what's known as the Northern Ireland Protocol (NIP) are negative to the economy of this part of the United Kingdom (UK) (Breen, 2022).

That Northern Ireland to be continues be problematic is hardly a surprise.

As the only part of the UK to share a land border with the European Union (EU), there was always the question of what would happen if the UK voted to withdraw from the economic and social considerations that had bound us together since joining the EEC (European Economic Community) on 1st January 1973.

Membership of the EU, enabling free movement of goods and people was invaluable in facilitating an end to the dreadful conflict that had resulted in the deaths of over 3,500 people including 1,840 civilians and in excess of 47,500 who were injured, some in a life-changing way (BBC, 2017). The formation of the state of Northern Ireland in May 1921, created through the Government of Ireland Act 1920 resulted in a border separating six of the counties of Ulster from the newly created Republic of Ireland (McCabe, 2019).

Partition of Ireland which ensured a state in which there was a majority of protestants who traditionally believed themselves to be British was criticised as at the time as 'gerrymandering', a word first appearing in reaction to a cartoon in the *Boston Gazette* in March 1812. The cartoon played on the altering of the state senate election district of South Essex under Massachusetts Governor Elbridge Gerry, and which looked to some like a salamander.

Initial pessimism about the immediate future of NI based on intransigence from the in-built majority of Unionists, who displayed little inclination to improve equality, employment and social inclusion, for the Catholic minority, proved ill-founded. Relative peace endured until the late 1960s when the Civil Rights Movement led to a violent backlash from unionists and loyalists whose actions were ignored, and in some cases assisted, by members of the police force, the Royal Ulster Constabulary (RUC).

At times, especially after terrorist outrages, many expressed the view that Northern Ireland's sectarian problems were insoluble. All that could be done was to implement increased security arrangements which made prospects for the vast majority worse.

Peace when it did come, albeit slowly and after many false dawns, felt to many that the impossible had been resolved through a combination of deft negotiation under American Senator George Mitchell, combined with what was perceived to be a good deal of leaving precise conditions imprecise; what's usually referred to as 'constructive ambiguity' (Whitten, 2020).

What was essential, Mitchell and his team stressed, was mutual respect from both traditions in NI as well as 'normalisation' of the relationship between the North of Ireland and its neighbour, the Republic. One essential aspect of the GFA was that the border between the two countries should be as invisible as possible. Critically, this meant dismantling of security checks on major crossing and the ending of blocking of the hundreds of smaller roads on the 310-mile border.

When the GFA was achieved, almost a quarter of a century ago, a bilateral international agreement between the British and Irish governments, the notion that the UK would no longer be part of the EU seemed inconceivable.

However, once the outcome of the UK-wide vote on continued EU membership, which took place on 23rd June 2016, in which Northern Ireland voted 55.8% to remain, attention quickly shifted to what to do with regards to the border in Ireland. In *Brexit and Northern Ireland, Bordering on Confusion*, there was extensive examination by a number of leading commentators and politicians about what the impact of the UK's departure from the EU would mean for Ireland north and south of the border (Mair *et al*, 2019).

The abiding concern was that in order to protect the integrity of the EU's single market, particularly with regards to food and environmental standards, there would need to be a border somewhere if Northern Ireland were to leave the EU entirely (Foster, 2022).

Who can forget the development of the notorious 'backstop' which evolved under PM Theresa May's attempt to 'square the circle' of respecting the will of those who, across the UK as a whole, voted 51.9% to leave the EU, whilst maintaining the spirit of the GFA in avoiding a 'hard' border in Ireland?

May, who originally claimed "no deal with would be better than a bad deal" with the EU, will perhaps be judged harshly for her valiant, but failed, attempt to protect the GFA. Having inherited a majority from predecessor David Cameron, she called an election to strengthen her hand and, in the process, presided over a minority government which relied on the support of the DUP, which by then had overtaken the Ulster Unionist Party (UUP).

Suffering huge losses in Parliament in attempting to gain agreement for her withdrawal agreement from those opposed to her deal within her party voting with opposition parties, May was stymied in implementing the deal negotiated by her representatives. Her situation was not assisted by attacks on her from within her own party from those claiming she was far too willing to acquiesce with the EU.

One such critic was, until he resigned in July 2018, her Foreign Secretary Boris Johnson, who used his position to claim that he would be better able to negotiate with the EU by using the threat of 'no deal' which raised the issue of what would happen as far as the border in Ireland was concerned.

On becoming PM in the summer of 2019, Johnson engaged in a series of actions which have, as many expected, called into question his integrity. One involved Johnson categorically stating at a DUP Conference in 2018 that there would never be a border in the Irish Sea (Steerpike, 2020).

In winning the general election in December 2019 with his 'oven ready deal', Johnson effectively used May's withdrawal agreement with a few tweaks. One notable tweak was that Northern Ireland was no longer going to leave with the rest of Great Britain.

Instead, and agreed with the EU, it would be subject to a hybrid arrangement covered by the Northern Ireland Protocol (NIP), under which goods crossing the Irish Sea from GB would be subject

to checks at Northern Ireland's ports. Crucially, Northern Ireland would effectively remain in the EU by being allowed to continue to follow EU rules on product standards (BBC, 2022a).

Having left finally the EU on 1st January 2021 following the end of the transition period, The NIP has partly been implemented with, as might have been anticipated, some challenges in coping with additional bureaucracy and cost. Similar challenges have, of course, also been experienced in GB.

Nonetheless, many, particularly the DUP which has undergone a number of leadership changes, believe that the protocol, which requires checks on dairy and meat products, animals being transported and medical goods, has been disadvantageous to the NI economy. Arguably more significant, to critics of the protocol is that such checks appear to indicate the province has diminished status in the UK.

The DUP, following the recent NI Assembly elections, is no longer entitled to be assume the role of First Minister. Sinn Fein, which has replaced the Social Democratic Labour Party (SDLP) as the main Nationalist Party in NI, which is now the largest party, will be entitled to take up that position.

Sensing that this is the moment to extract advantage and having campaigned not to resume co-sharing of governing NI until the protocol is resolved, Boris Johnson is confronted with the dilemma of what to do.

Worryingly, and having overseen and agreed to the protocol as part of his 'oven ready deal', Johnson stridently argues it must be changed by the EU.

Mistrust with Johnson, who has displayed scant regard for detail and the sensitivities of political parties in NI, is not assisted by the threat to introduce legislation allowing his government the unilaterally override parts of the protocol. Indeed, the fact Johnson's ex-chief political advisor, Dominic Cummings, who's credited with winning the EU referendum for leave and the 'Get Brexit Done' election in December 2019, claimed last year that agreeing the protocol was merely for short-term expediency and that the intention was to ditch it, doesn't help (O'Carroll, 2021).

Prior to his visit, Johnson wrote a 2,000 word article in the *Belfast Telegraph* in which he claimed the protocol was "out of date" and did not adequately reflect the issues confronting citizens of NI in a post-Covid era and, combined with war in Ukraine, has caused a spike in the cost of living (2022).

Many believe that situation, grim as it may seem, allows Johnson to deflect attention from his own political travails by focusing attention on the EU. Though the EU asserts renegotiation is not possible, it' has proposed a number of alterations to the protocol including an 80% reduction in checks on food products arriving in NI as well as relaxing rules so that chilled meats and medicines can be sent across the Irish Sea (BBC, 2022a).

Many commentators suggest that, faced with a situation requiring more effort than the PM is willing to expend, and possibly sensing events could spiral out of control economically if the EU were to retaliate against any unilateral changes to the protocol, not to mention the risks of conflict in NI, Johnson's language has discernibly softened. Pointedly, he stated the need for all parties in NI, including the DUP, to "roll up your sleeves and get stuck in" by returning to Stormont to find a way to fix the Protocol (Maidment and Penna, 2022).

It's to be noted that Maidment and Penna report that when questioned about the potential for a trade war with the EU, Johnson replied by stressing, "What we're doing is sticking up for the Belfast Good Friday Agreement, and what we're doing is trying to protect and preserve the government of Northern Ireland" (*ibid*).

If the situation were not so serious and potentially fraught with all sorts of dangers, the story by Tim Shipman in the *Sunday Times* that Foreign Secretary Liz Truss, who's been conducting ongoing negotiations with the EU, was selected to stop a trade war but that the PM's officials are concerned "she could start one" would be amusing (2022).

As Mason *et al* (2022) point out, Johnson acknowledges the legislative alterations to the protocol which will be proposed by Truss, who clearly revels in playing 'bad cop, is intended only to be "insurance" policy. Intriguingly, they add, the timetable for the draft law is believed to have slipped "with the text now only promised before the summer break, according to Whitehall sources" (*ibid*).

Johnson, ever the pragmatist, knows that though picking fights with the EU may appeal to many in his party who believe that even the current deal is worse than the no deal they'd hoped for. However, expending time and energy on NI undermines his ability to produce the sort of successes, such as improving prospects for those in deprived areas of Britain through levelling up as well as solving the cost-of-living crisis, required to ensure another victory at the next general election.

Unfortunately, as Webber and Parker write in the *FT*, without compromise, NI "faces the prospect of months of limbo and potentially even new elections this winter, while the region confronts a cost-of-living crisis and serious problems in its health service" (2022). Besides, following initial disruption, manufacturing jobs in NI are growing four times faster here than the UK average and inflation is lower than the UK average (Carroll, 2022).

Some sort of quick win is needed.

As to who will blink first, who'd bet against it being Boris Johnson?

However, given his track record on NI, many argue that if he carries out some sort of shuffle on this issue, it won't be sufficient to engender the level of trust and cooperation that's urgently needed.

Perhaps Johnson's greatest problem is that he's known to lack respect for rules and the law.

By supporting a law which, if passed, unilaterally disregarding commitments made as part of an international treaty (Elgot, 2022), would represent a new addition to Johnson's litany of misdemeanours.

Johnson should recall that, Margaret Thatcher, not the most wholehearted supporter of the EU, stated in a speech in 1975, "Britain does not break treaties. It would be bad for Britain, bad for relations with the rest of the world, and bad for any future treaty on trade" (Banks, 2020).

What an utterly dreadful state of affairs we appear to have descended to.

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