

The UK and Ireland: The UK's Referendum on EU Membership

The Implications for UK–Ireland Relations

On Tuesday 1 March 2016, the British Academy and the Royal Irish Academy held a roundtable in London to discuss the implications for Northern Ireland and for UK–Ireland relations more broadly of the UK's referendum on membership of the EU, and of any changes that might be made to the UK's reliance on the European Convention on Human Rights (ECHR). The following is a note of some of the substantive points raised during the roundtable, which was held under the Chatham House Rule.

Peace Process

■ A success of the peace process has been how North–South relations are today uncontentious. The common membership of Ireland and the UK in the European Union is very important for many in Northern Ireland and was part of the context in which the 1998 Good Friday Agreement was conceived and achieved. The Agreement was also a component of growing devolution within the UK, which is experiencing renewed changes and stresses at present. If the UK were to leave the EU it would lead to differences in status between the North and South that might destabilise current good North–South relationships in unpredictable ways.

■ If following a decision of the UK to leave the EU Scotland were to leave the UK, this would leave Northern Ireland delicately balanced, particularly because of the close affinity to Scotland of many in Northern Ireland. Questions of sense of identity would be likely to become more prominent despite the fact that considerable effort has been expended over many years to minimise identity as an issue. It is therefore unclear what impact the UK leaving the EU would have on political attitudes and psychology in Northern Ireland.

The Land Border and Migration

■ The Peace Process aimed among other things to minimise the socioeconomic and other effects of the border between Northern Ireland and Ireland. If the UK were to leave the EU, this would leave a land border running across

the island of Ireland between the UK and an EU state, with implications for how that border would be managed.

■ No Member State besides the Republic of Ireland currently has a land border with the UK, and that is not an EU border at present. In the UK debate on membership of the EU there is a lot of discussion around ideas such as 'control our borders'. It is unclear what leaving the EU would mean for the Republic of Ireland and the Common Travel Area between it and the UK. The prospect of customs and other controls on the border is perceived as a real risk by many in the Republic of Ireland and in Northern Ireland.

Republic of Ireland

■ The prospect of the UK leaving the EU has caused concern in the Republic of Ireland. As a co-guarantor of the Good Friday Agreement, the Republic has to have regard to any impact that this would have on the Agreement and the principles of socioeconomic justice that underpin it.

■ The current states of affairs both in Northern Ireland and between the UK and the Republic of Ireland are much better than they have been at other times in history. The departure of the UK from the EU is seen as potentially opening up uncertainties and risks for those relationships. In addition, there is concern about how the bilateral relationship will be affected, as it has been aided by officials from the UK and Republic of Ireland meeting on a regular basis in Brussels to collaborate and cooperate.

■ The Republic of Ireland and the UK tend to be on the same side in discussions with other Member States, and the loss of the UK from the EU would remove an important ally for Ireland in policy formation in the EU.

Unions

■ The referendum, as well as current discussions on the UK's potential future relationship with the ECHR, is taking place at a time when there is some constitutional stress within the UK itself, which is an additional complicating factor. There is a lack of popular engagement with the debate about the constitutional position of the constituent parts of the UK, leaving it open as to whether and how a crisis of identity could impact on the future direction of the UK.

■ Some suggested there might be a lack of awareness of what binds the UK's union, particularly among those with London perspectives. On the other hand, changes such as 'English Votes for English Laws' might indicate that England's traditional restraint in pushing its interests within the union may be wearing thin. From a constitutional perspective, measures such as 'English Votes for English Laws' have introduced significant changes to the UK's constitutional order simply by altering the Standing Orders of the House of Commons.

Rights

■ The outcome of the UK's referendum on EU membership may well have a significant knock-on impact on the UK's relationship to the ECHR; however, the consultation on any changes on that front is not now expected until after the referendum. Although it is now thought unlikely that the UK would resign from the Council of Europe, exit from the ECHR or exit from the Strasbourg Court, changing the implementation of human rights from that introduced by the Human Rights Act 1998 might lead to a number of problems.

■ The EU and ECHR context in which Northern Ireland politics takes place provides a standard route for protecting certain rights which are not otherwise fully protected by Northern Irish legislation, notably certain rights for lesbian, gay, bisexual and transgender people.

Affective Dimension

■ Throughout the discussion there was recurring mention, directly and indirectly, of emotive forces and of identities, communities and other affective processes, which were a critical policy and public consideration for all the issues, relationships and unions under discussion. For example, in Northern Ireland, as noted above, the considerable work that has been done to calm disputes based on questions of identity might be undone or damaged by discussions of the UK's membership of the EU. Such discussions could lead to the fraying of any 'shared future' and to a growing lack of communication across affective and community divides within current Northern Ireland public and policy debates.

■ Discussion of the various unions and relationships between their members all highlighted the interaction within and connections (and their lack at times) between elites (and academic discussion can appear as part of detached elite discourse) and the public, variously defined. Where these unions, and relationships they currently supported, have little to no affective resonance with the public, would it be possible to engender such resonance? Work on and with such affective dimensions and concerns would be important in the long term for public and policy understanding of how affective processes will affect perspectives, histories and politics in current and future debates.

■ Many European countries have a 'grand narrative' that can be seen to support their membership of the EU. For example, Ireland's economic fortunes have been transformed during the time of its EU membership and its relations with its nearest neighbour have improved markedly. The UK does not have a similar narrative on which it can draw. This is linked with discussions on the attitudes, emotions, sense of belonging and values that the people of the UK feel as UK citizens and the language that could be used to articulate these and understand their affective origins.

■ The UK geographically is a small country, but in the past had a global vision. It was suggested that this international vision and an interest in matters beyond the shores of the UK has been lost, and has not been replaced by another convincing vision, and this has led to a variety of segmented local and regional identities gaining prominence.

May 2016