

Cooperation, Identity and Brexit at the Irish Border

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Introduction

The future nature of the border between Northern Ireland and the Republic of Ireland has become the focus of much renewed attention ever since the United Kingdom announced it was to hold a referendum on its membership of the European Union. Much of that attention (which has gathered momentum following the decision of the UK's citizens to leave the EU) has centred on how "hard" or "soft" the border might be once "Brexit" has occurred; whether it retains its low level of visibility, or whether it will become the site of controls on the movement of people and goods, and therefore regain the physical presence it once had. The UK's only land border with another Member State has also become a synecdoche for wider constitutional and socio-economic questions arising from the outcome of the UK's referendum, not least because unlike England and Wales the majority of the populations of Scotland and Northern Ireland voted to remain in the EU.¹ In the border counties of Northern Ireland that desire was expressed even more emphatically,² with 64% of the population voting to remain and no border electoral area voting to leave.³ However, and bearing in mind that since this was a UK referendum the population on the other side of the border did not take part in this

exercise, there has been no significant attempt to understand what these results may tell us about the embeddedness of cross-border cooperation within civil society. Without such an understanding it is possible we will overlook undercurrents linked to issues of identity and with the potential to undermine cross-border cooperation efforts in a post-Brexit context.

This article, then, asks whether the UK's referendum on EU membership has brought to the surface a residual view of the Northern Ireland-Ireland border as either safeguarding or threatening identities according to the degree of its perceived porosity. If this were the case, then a measurement of its porousness could be the intensity of cross-border cooperation, particularly where it is seen as contributing to social cohesion or integration across the border. In other words, the abandonment of EU Cohesion Policy and of cross-border cooperation as its instrument could underline the significance of the border as a demarcation of Northern Ireland's position within the United Kingdom, and thereby reinforce a British identity to those in the region who may have seen the pooling of sovereignty within the European Union as undermining their sense of "Britishness". For those in Northern Ireland who identify themselves as Irish, however, any moves perceived as making the border a figurative (if not physical) obstacle separating them from the Republic of Ireland and tying them more closely to the United Kingdom would be interpreted as a threat to their own identity.⁴

In order to answer the question posed by this article, it will begin by placing the border into its historical context and seeing how it was both a source of conflict and its ongoing resolution. It will then consider the importance of the 1998 Belfast/Good Friday Agreement to cross-border and wider North-South cooperation, focusing in particular on the creation of formal cooperation structures and the extent to which they have complemented cross-border cooperation initiatives undertaken outside the formal institutional architecture. The 1998 Agreement and the institutions it created, however, came into being within a context where both the United Kingdom and the Republic of Ireland were Member States of the European Union and of its Internal Market, which impacted upon the nature of the Irish border and on the ability of a range of actors to embark on cross-border cooperation

¹ Although the overall result of the UK's referendum on EU membership was 52% in favour of leaving, in Northern Ireland 56% voted to remain, whilst in Scotland 62% favoured remaining in the EU.

² It is important to note that the term "border counties" is used here for reasons of simplicity. In reality, for electoral purposes (as was the case for the referendum) Northern Ireland is divided into 18 electoral areas that do not correspond geographically with its 11 local government districts. For a concise overview of Northern Ireland's administrative geography, see NISRA, "Geography Fact Sheet", available at: <http://www.ninis2.nisra.gov.uk/public/documents/NISRA%20Geography%20Fact%20Sheet.pdf> [last accessed 10 November 2016].

³ This figure represents the average from the six electoral areas (East Londonderry, Fermanagh and South Tyrone, Foyle, Newry and Armagh, South Down, and West Tyrone) on the border with the Republic of Ireland. The highest vote in favour of remaining in the EU was in the Foyle constituency (78%, which was also the highest recorded in all of Northern Ireland), while the lowest was in East Londonderry (52%). Away from the border, seven electoral districts recorded majorities in favour of leaving the EU. The results are available from the Electoral Office for Northern Ireland: http://www.eoni.org.uk/getmedia/50595cd6-0ed8-410f-a7ee-75b46c32045d/EU-REFERENDUM-2016-CONSTITUENCY-COUNT-TOTALS_1 [last accessed 10 November 2016].

⁴ It should be noted that as well as the dominant "British" and "Irish" identities in Northern Ireland, there has been an increase of citizens self-categorizing themselves as "Northern Irish". See, for example, MULDOON, Orla et al. "Religious and National Identity after the Belfast Good Friday Agreement". *Political Psychology*, 28, 1 (February 2007), 89-103.

activities that differed in their intensity to what had taken place in the past. Cross-border cooperation, as this article will show, has been seen as playing an important role in the peace and reconciliation process still underway in Northern Ireland and the border counties of the Republic of Ireland. However, it will also question the extent to which Protestant communities living in the border region have engaged in and are supportive of cross-border cooperation, suggesting that whilst cooperation in economic matters is seen as potentially worthwhile, cooperation in other areas can be interpreted as part of a political process that threatens their identity.⁵ In its concluding remarks, this article will consider how cross-border cooperation may operate in a radically changed context, where the United Kingdom – and therefore Northern Ireland – will no longer be within the European Union, and where the border will become an external EU border.

I. The border and the conflict

The almost 500km border that divides the island of Ireland dates back to 1921 and is the result of the British Government's attempts to simultaneously accommodate demands for Irish autonomy whilst protecting the interests of a largely Protestant minority wishing to remain part of the United Kingdom.⁶ Although a minority in relation to a majority Catholic population on the island of Ireland as a whole, Protestants formed a majority in the Northern province of Ulster.⁷ Therefore, in drawing the boundary that would separate the two parts of the island, three counties with largely Catholic populations (Donegal, Cavan and Monaghan) that had traditionally been part of the province of Ulster were left out of what would now become Northern Ireland, thereby ensuring that the new political entity would have a Protestant majority. "In most respects", however, as Brian Harvey and others note, "the border in Ireland is a tale of unintended and unforeseen consequences".⁸

Perhaps one of those unintended or unforeseen consequences is how the border would become a core factor in the most protracted period of violent conflict on the island of Ireland. While what would become known as "the Troubles" began in 1969 in Northern Ireland, the violence inflicted by paramilitaries either seeking a united Ireland or ensuring Northern Ireland's place in the United Kingdom was not bound by the border, nor

was it felt only within the island of Ireland. During this period, which saw over 3,600 people killed and more than 45,000 injured and would only come to an end with the paramilitary ceasefires in 1994, although the border was not the primary site of violence, it would be instrumentalised in the process of communal division. In this process, "the inter-state and inter-community alienation and distrust underpinning the conflict was caused less by the material manifestation of 'the border' than by its exploitation in political rhetoric and cultural symbolism",⁹ as the border was cast as either an artificial divide denying the aspirations of Irish nationalists or as a vital marker distinguishing Northern Ireland as an integral part of the United Kingdom and entirely Notwithstanding the extent of its precise role in the conflict, the border's material manifestation nevertheless became increasingly visible as the Irish and British governments made their security presence felt. Along with military bases, watchtowers and fortified checkpoints along the northern side of the border, more than 200 border crossings were closed, cratered, blocked or check-pointed, making cross-border contact more difficult. The closure of border crossings meant "an entire generation of contact and social intercourse was broken",¹⁰ with long-lasting effects. The "hardness" of the border due to the conflict created an additional dimension of suspicion between communities separated by the border to add to the mutual distrust of communities within Northern Ireland. In this sense the border not only divided people for decades, it also "crystallise[d] the issues of identity and allegiances that [went to] the heart of the conflict".¹¹ Violence and distrust were not elements supportive of the development of significant cross-border cooperation networks, and therefore the socio-economic peripherality of the border region would only be exacerbated over the decades of the conflict, despite (as will be seen later) the efforts of some to improve conditions for their communities through cross-border cooperation.

distinct from the Republic of Ireland.

II. The 1998 Belfast/Good Friday Agreement and the North-South dimension

Following the announcement of ceasefires by the main paramilitary groups on both sides of the conflict in 1994, the conditions were in place for Northern Ireland to set out on the road to some type of normality in political and civil life. The signpost for that road was the 1998 Belfast/Good Friday Agreement,¹² which in its

⁵ The analysis of border Protestant communities and cross-border cooperation is informed by work undertaken as part of the Centre for Cross Border Studies' "Towards a New Common Chapter" project, generously funded by the Joseph Rowntree Charitable Trust.

⁶ For an overview of the history of the Irish border, see for example, ANDERSON, Malcolm; BORT, Eberhard. *The Irish border: history, politics, culture*. Liverpool: Liverpool University Press, 1999. For a more detailed understanding of the boundary process, see RANKIN, K.J. "The creation and consolidation of the Irish border". *Mapping Frontiers, Plotting Pathways*, Belfast and Dublin, Working Paper 2 (2005): http://www.qub.ac.uk/research-centres/CentreforInternationalBordersResearch/Publications/WorkingPapers/MappingFrontiersworkingpapers/Filetoupload_175395_en.pdf [last accessed 14/11/2016].

⁷ The other Irish provinces are Leinster, Munster and Connaught.

⁸ HARVEY, Brian; KELLY, Assumpta; MCGEARTY, Sean; MURRAY, Sonya. *The Emerald Curtain: The Social Impact of the Irish Border*. Carrickmacross: Triskele Community Training & Development, 2005, p.12.

⁹ HAYWARD, Katy. "The EU and the transformation of the Irish border". *Accord*, 22 (2011), 31-34 (p.32).

¹⁰ HARVEY et al, op. cit., p.64.

¹¹ CHANNEL RESEARCH. *Peacebuilding and Reconciliation Across the Border: Evaluation of the Peace and Reconciliation Impact of the Cross Border Measures 5.3 and 5.4 of the Peace II Programme 2000-2006*. Monaghan and Belfast: The Cross Border Consortium, 2007, p.62.

¹² The Belfast/Good Friday Agreement is actually made up of two principal agreements: the "Agreement reached in the multi-party negotiations", and the accompanying "Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ireland". It is commonly known as the Belfast or Good Friday Agreement, although the use of either of these titles (or both simultaneously) is reflective of community divisions in Northern Ireland, with Unionists/Protestants generally preferring to refer to the

three interrelated strands not only created the institutions for a devolved government in Northern Ireland (Strand I),¹³ but also the mechanisms for cooperation between the two parts of the island of Ireland (the North-South dimension in Strand II), and between the island of Ireland and Great Britain (the East-West dimension in Strand III). Accepted by the populations in both parts of the island of Ireland in simultaneous referenda,¹⁴ the Agreement contained a number of tailored solutions to the specific problems related to the conflict in Northern Ireland, including not only a form of power-sharing of government between the two main communities in Northern Ireland (Protestant/Unionist and Catholic/Irish Nationalist), but also a provision regarding citizenship that was designed to cater for the competing aspirations of those communities. In this regard the Agreement recognises “the birthright of all the people of Northern Ireland to identify themselves and be accepted as Irish or British, or both, as they may so choose”.¹⁵ This formal conferring of a certain degree of fluidity to national identity could be seen as by extension making the border between Northern Ireland and the Republic of Ireland permeable in terms of how it is perceived by those crossing it who self-identify as Irish. Simultaneously, it could be argued that the border’s function as a marker of territorial sovereignty is reinforced by the 1998 Agreement, thereby reassuring those in Northern Ireland who self-identify as British and want to remain as part of the United Kingdom. This is because the Agreement committed the Irish Government to amending Ireland’s constitution so that it would no longer contain territorial claims on Northern Ireland, thus addressing longstanding concerns of Unionists in Northern Ireland who had always regarded this as an underlying threat to their identity and as an obstacle to meaningful cooperation with the Republic of Ireland.

Cooperation across the border also acquires a formal dimension under Strand II of the 1998 Agreement with the creation of the North South Ministerial Council (NSMC). The Agreement set out how the NSMC would “bring together those with executive responsibilities in Northern Ireland and the Irish Government, to develop consultation, co-operation and action within the island of Ireland – including through implementation on an all-island and cross-border basis – on matters of mutual interest within the competence of the Administrations, North and South”. This represents a significant political commitment to cooperation, enshrined in a formal architecture that is deliberately interwoven into the functioning of the devolved administration in Northern Ireland, as the Agreement states how “the North South Ministerial Council and the Northern Ireland Assembly are mutually inter-dependent, and that one cannot successfully function without the other”. In addition to

the NSMC and its joint Secretariat staffed by members of the Northern Ireland Civil Service and the Irish Civil Service, the Agreement also called for the establishment of a number of cross-border or all-island implementation bodies to take forward work in areas of cooperation to be subsequently agreed by the NSMC.¹⁶ These implementation bodies – like the NSMC’s joint Secretariat – are staffed by a combination of civil servants from the relevant government departments from both sides of the border, and by directly recruited staff, and are ultimately accountable to the NSMC.

As a result of the 1998 Agreement, therefore, the impetus for cross-border and wider North-South cooperation is offered a political and administrative structure with significant potential. With the regular meetings of government leaders and ministers from both jurisdictions under the NSMC, and the work of implementation bodies drawing staff from both administrations and funded by both the Irish and Northern Ireland governments, the degree to which the Northern Ireland-Ireland border signified an insurmountable obstacle to cooperation was greatly reduced. Whilst during the conflict the border stood as the boundary not only dividing citizens but also policy-makers, its resolution opened the border to communities and political leaders, and provided the moment where back-to-back policy development could cease to be an entrenched norm. A paradigmatic example of this shift could be seen in what became known as “the Common Chapter” – a section replicated in Ireland’s National Development Plan and Northern Ireland’s Structural Funds Plan – and which “set out a strategic framework for building on and developing cooperation in all its forms”.¹⁷ Political settlement within Northern Ireland, therefore, had made it possible for cross-border and cross-jurisdictional cooperation to gain the political support it had lacked previously and to take that cooperation to another level.¹⁸

III. Membership of the EU and the Internal Market

¹⁶ The implementation bodies created were: Waterways Ireland (responsible for the management, maintenance, development and restoration of specified inland navigable waterways); the Food Safety Promotion Board (responsible for the promotion of and research into food safety, communication of food alerts, surveillance of food-borne disease, and promotion of scientific cooperation); InterTradeIreland (responsible for promoting trade and business on an all-island and cross-border basis, and for enhancing the global competitiveness of the all-island economy); the Special EU Programmes Body (responsible for the management and oversight of EU funding programmes); the Language Body (consisting of two agencies, one with responsibility for the promotion of the Irish language, and the other for the promotion, study and conservation of the Ulster-Scots language); and the Foyle, Carlingford and Irish Lights Commission (composed of two agencies, one responsible for the development of Lough Foyle and Carlingford Lough, and the other to replace the Commissioners of Irish Lights).

¹⁷ GOVERNMENT OF IRELAND. *National Development Plan 2000-2006*. Dublin: The Stationery Office, 1999, p.177.

¹⁸ It should be noted that devolution of government to Northern Ireland only occurred at the end of the 1994-1999 EU funding period, and therefore any proposals coming from Northern Ireland for cross-border cooperation would have been the responsibility of UK Government Ministers and officials.

city where it was signed, and Nationalists/Catholics opting to refer to the day in which agreement was reached.

¹³ It is important to note that Northern Ireland had a devolved government and parliament from 1921 to 1972, but dominated by Unionists.

¹⁴ Referenda were held in Northern Ireland and the Republic of Ireland on 22 May 1998, with 71% voting in favour of the Agreement in Northern Ireland, and 94% in the Republic of Ireland.

¹⁵ NORTHERN IRELAND OFFICE, “The Belfast Agreement”, available at: <https://www.gov.uk/government/publications/the-belfast-agreement> [last accessed 16/11/2016].

It is no coincidence, however, that the Common Chapter forms part of two policy documents whose very existence is due to the UK and Ireland's membership of the European Union. To slightly differing extents both documents were dedicated to setting out how EU funding would be employed in the development of their respective jurisdictions, with the Northern Ireland Structural Funds Plan for the 2000-2006 period being the first to be approved by a newly devolved government in Northern Ireland. Indeed, the recent creation of the devolved institutions in Northern Ireland is remarked upon at the outset of the document, not only noting how the consultation process that informed its contents included "members and parties of the new Northern Ireland Assembly and with the then First Minister (Designate) and Deputy First Minister (Designate)", but also explaining how "The Plan, which was submitted to Brussels in November 1999, could not therefore reflect the Executive's own Programme for Government", since the latter was not completed at the time of the Plan's submission.¹⁹ Significantly, the Plan's introductory comments also indicate how its "proposals include a cross-border priority which will provide opportunities for funding of cross-border co-operative actions across the full range of economic and social areas", further noting that these "recognise that the political context has changed".²⁰

The character of the border also changed, from one that was a visible obstacle to one whose current "soft" nature [...] owes much to the cessation of paramilitary violence (which saw an end of the 'hard' securitisation of the border) and the UK and Ireland's membership of the EU and its Internal Market.²¹ It is the combination of these two factors – the end of the conflict and membership of the Internal Market – that have resulted in a border where customs posts (which, along with the personnel that worked in them, were a regular target of paramilitary attacks) have been removed, along with the physical material of fortified checkpoints, watchtowers and military bases. However, it could also be argued that the changing nature of the border reflected the opening up of a European dimension to Northern Ireland that would not have been possible without the cessation of violence and the resulting political settlement enshrined in the 1998 Belfast/Good Friday Agreement. In other words, the present nature of the Northern Ireland-Ireland border is not merely indicative of an absence of conflict and of membership of an economic bloc that facilitates the movement of goods between the two jurisdictions on the island of Ireland, but also of Northern Ireland's potential ability to enter into the European policy arena on a different level.

Indeed, the possibilities (and challenges) offered to the newly devolved institutions in Northern Ireland through the European dimension were woven into the 1998 Agreement, and specifically into the institution embodying cooperation between the governments of

both jurisdictions on the island of Ireland. The Agreement, therefore, states that one of the North South Ministerial Council's roles is "to consider the European Union dimension of relevant matters, including the implementation of EU policies and programmes and proposals under consideration in the EU framework". Consequently, the NSMC becomes the platform where cooperation between the governments in Dublin and Belfast can take place on EU matters and where shared interests and concerns can be identified, although in a context where only one government represents an EU Member State with full representation within the EU institutions. The other – the government of Northern Ireland – possesses limited powers as a devolved administration of another Member State – the United Kingdom – that represents it in the decision-making councils of the European Union.

Cooperation nevertheless takes place on EU matters between the two jurisdictions on the island of Ireland, which is itself a product not only of the resolution of conflict in Northern Ireland, but also of the cooperation between the Republic of Ireland and the UK. Their cooperation is in turn framed by geographical setting and joint membership of the EU, as acknowledged in the two governments' declaration that the 1998 Belfast/Good Friday Agreement represents their desire to "develop still further the unique relationship between their peoples and the close co-operation between their countries as friendly neighbours and as partners in the European Union". Cross-border and transjurisdictional cooperation between the Republic of Ireland and Northern Ireland is, therefore, placed within a wider context of East-West cooperation (between the Republic of Ireland and the United Kingdom),²² which can itself be seen as part of a much broader field of cooperation involving EU Member States with a common policy framework.

However, although the 1998 Agreement and the opening up of the border with the Republic of Ireland mark Northern Ireland's more direct involvement in EU matters, the intensity of that involvement is informed by a history of varying degrees of suspicion of the European Union by some political parties in Northern Ireland that dates back to the UK's accession to the EU in 1973 (simultaneously with the Republic of Ireland). A significant part of that history is summed up by David Phinnemore and his colleagues in their analysis of Northern Ireland elections to the European Parliament: From 1979 until 1999, Ian Paisley, leader of the Democratic Unionist Party (DUP) topped the poll with a majority of unionist votes. John Hume of the Social Democratic and Labour Party (SDLP) received a similarly large mandate from nationalists. John Taylor of the Ulster Unionist Party secured the third seat. As in their views on Northern Ireland, Paisley and Hume represented very different attitudes towards Europe. Paisley's staunch opposition to the EC matched his hardline unionism, and reflected those in the unionist community who saw European integration as an additional threat to British sovereignty over Northern

¹⁹ DEPARTMENT OF FINANCE AND PERSONNEL. *Northern Ireland Structural Funds Plan 2000-2006*. Belfast: DFP, 1999, p.2.

²⁰ DEPARTMENT OF FINANCE AND PERSONNEL, op. cit., p.3.

²¹ CENTRE FOR CROSS BORDER STUDIES, "Brexit and UK-Irish Relations" (October 2016), p.1. Available at: <http://crossborder.ie/brexit-and-uk-irish-relations-3/> [last accessed 19/11/2016].

²² The East-West cooperation dimension is provided for in Strand III of the 1998 Belfast/Good Friday Agreement, which includes the establishment of the British-Irish Council comprising "representatives of the British and Irish Governments, devolved institutions in Northern Ireland, Scotland and Wales [...], together with representatives of the Isle of Man and the Channel Islands".

Ireland. By contrast, Hume –French-speaking and having previously worked as a special advisor in the European Commission – was unrepentantly Europhile, articulating the dominant view among progressive nationalists that European integration – diminishing the importance of borders, transferring political sovereignty, and reconciling previously warring populations – would help to ease the path towards Irish reunification.²³

Sinn Féin on the other hand, which is now the largest nationalist party, has moved from a broadly Eurosceptic position to one that saw it campaign in favour of the UK's continued membership of the EU. This "softening" of Sinn Féin towards the EU may be seen as reflective of a more generalised attitudinal change amongst some of the political parties in Northern Ireland since the devolution of power, and therefore since political actors in the region have had the possibility of increased direct contact with the EU's institutions and policies. It is questionable, however, whether that possibility was ever fully exploited. "In truth", suggests Mary C. Murphy, "the EU does not register as an important policy concern for parties. It is only minimally considered, and even then, it is invariably used to further domestic objectives and interests".²⁴ Crucially, those objectives and interests often continue to be shaped by divisive identity politics whose roots lie in the conflict of the past.

IV. Cross-border cooperation

Away from the political sphere, however, there were those who even at the height of the conflict in Northern Ireland saw cross-border cooperation as a means of combatting divisions amongst communities and addressing the specific needs of the border region. Non-Governmental Organisations and a range of community groups were amongst those who "argued that in the absence of governmental cooperation, it was all the more important that trust be built between the people of both parts of the island through informal contacts".²⁵ Similarly, beginning in the 1970s efforts were made at the local authority level to cooperate on a number of issues of common concern, including tourism, communications and transport, despite the obvious manifestation of the border as a potential obstacle. As Pamela Arthur notes in her overview of the evolution of the East Border Region local authority cross-border network (one of three such networks currently in place on the island of Ireland), crossing the border to attend meetings of local officials and elected representatives "was daunting for Southern politicians in particular as they regularly came across a checkpoint or road block".²⁶ For much of this period, however, lacking adequate financial resources and genuine political support (and without a devolved

government in Northern Ireland) cross-border cooperation was largely piecemeal in nature, sporadic, and highly localised. Nevertheless, these early cross-border interventions should not be dismissed as in many cases they served to break down distrust between local politicians and communities along the border, providing a positive foundation for the future.

Until the very end of the 1980s, in terms of the work the local authority cross-border networks wanted to undertake, "What was desperately needed", according to Pamela Arthurs, "was a mechanism to fund these various initiatives. This mechanism came with the introduction of the European Union Community Initiative INTERREG I".²⁷ The introduction in 1989 of the INTERREG programme to the island of Ireland, however, predated the introduction of a devolved government in Northern Ireland, with central power in the region being administered by UK Government ministers and officials. In INTERREG's initial operation "cooperation was top-down, tightly controlled by government, supply-led (by grants), limited in nature, disjointed and tactical rather than strategic or lasting".²⁸ It was further described as "being insufficiently transfrontier, the two governments using the extra money for their own jurisdictional projects with little reference to, still less cooperation with, the other",²⁹ and no funding available for projects led by community and voluntary organisations or civil society involvement in the management of the programme.

This state of affairs saw some gradual improvement, particularly in the wake of the establishment of devolved government in Northern Ireland and the creation of the cross-border structures under the 1998 Belfast/Good Friday Agreement. Local authorities and their cross-border networks were given a more central role in the identification of needs and in the management and implementation of INTERREG-funded cross-border projects, whilst civil society representatives were also placed in positions contributing to the oversight process. With more direct access to INTERREG funding, the political make-up of the local authority-led cross-border networks underwent change as exemplified by the East Border Region network where "these developments encouraged predominantly unionist Local authorities to consider joining a cross-border organisation", which meant that a network that "had been viewed as a predominantly nationalist organisation [became] truly cross-community, encompassing all of the political parties North and South".³⁰ However, notwithstanding positive moves away from centralised control over the use of EU funding for cross-border initiatives whose operation was characterised by back-to-back implementation, the question arises as to whether the increased involvement of local politicians from parties historically suspicious of cross-border cooperation denoted a sea-change in terms of their attitudes, or was there a correlation between their participation and access to new sources of finance.

If the financial incentives made available by the EU rather than deep-seated beliefs led to an increased engagement in cross-border cooperation, this may be interpreted as part of a functionalist approach to

²³ PHINNEMORE, David; MCGOWAN, Lee; MCCALL, Cathal; MCLOUGHLIN, Peter, "Northern Ireland: 40 Years of EU Membership". *Journal of Contemporary European Research*, 8, 4 (2012), 563-570 (p.568).

²⁴ MURPHY, Mary C., *Northern Ireland and the European Union: The dynamics of a changing relationship*. Manchester: Manchester University Press, 2014, p.19.

²⁵ HARVEY et al, op. cit., p.121.

²⁶ ARTHURS, Pamela, "The Local Authority-Led Cross-Border Groups: an early example of cross-border best practice along the Ireland/Northern Ireland Border area?". *The Journal of Cross Border Studies in Ireland*, 10 (2015), 8-19 (p.11).

²⁷ ARTHURS, Pamela, op. cit., p.13.

²⁸ HARVEY et al, op. cit., p.122.

²⁹ HARVEY et al, ibid.

³⁰ ARTHURS, Pamela, op. cit., p.15.

overcoming divisions based on identity. As Jonathan Tonge has argued, “the EU may play a successful role in reconfiguring contentious borders by placing demands upon previously competing user groups in civil society to cooperate across borders and divides within civil society, in order to maximise financial support”, and as a result “contestatory rivalries between ethno-national groups are displaced by shared clientelistic relationships with the EU”.³¹ In the case of relationships across the border on the island of Ireland, therefore, the EU “provides a basis for movement away from what are mutually unattainable ‘bargaining positions’ of an independent united Ireland and an exclusively British Northern Ireland”,³² thereby removing in theory obstacles to cross-border cooperation derived from divisions based on identity.

In practice, there can be no denying that cross-border and wider cross-jurisdictional (North-South) cooperation on the island of Ireland have had many successes in a range of sectors, and the formal structures for cooperation created under Strand II of the 1998 Belfast/Good Friday Agreement represent a significant source for innovation in the area of multi-level governance of such cooperation. Moreover, as Ruth Taillon notes, “one of the most valuable outcomes of the EU cross-border programmes has been the facilitation of multi-level cross-border networks [where] partnership working has effected a real change in culture for civil society organisations”.³³ Without placing in doubt these achievements, there is nevertheless the possibility that the potential of cross-border cooperation on the island of Ireland has not been fully exploited or its value completely embedded institutionally. On whether the impulse for cross-border cooperation originates within the structures created by the 1998 Belfast/Good Friday Agreement, Tonge suggests that the “main impetus to cross border activity in Ireland has been provided by the EU, rather than the GFA [Good Friday Agreement]”.³⁴

The nature of post-conflict political structures in Northern Ireland can also be regarded as impeding the development of forms of multi-level governance and innovation in policy inherent in Strand II of the 1998 Agreement, and resisting greater inclusion of civil society in cross-border and wider North-South policy considerations. “The institutionalisation of politics, which devolution entails and consociationalism demands”, as Mary C. Murphy notes in relation to Northern Ireland, “has lent greater power to political actors [which] has manifested itself in the marginalisation of other, mainly civil society, actors”.³⁵

³¹ TONGE, Jonathan, “The EU and the Irish Border: Shaping Aid and Attitudes?”, Centre for International Borders Research, Electronic Working Paper Series 2005, 1 (2005), p.2; available at: https://www.qub.ac.uk/research-centres/CentreforInternationalBordersResearch/Publications/WorkingPapers/CIBRWorkingPapers/Fileupload,1744_05_en.pdf [last accessed 17/01/2017].

³² TONGE, op. cit., p.4.

³³ TAILLON, Ruth, “Cross-Border Cooperation and Peacebuilding in Ireland”, *The Journal of Cross Border Studies in Ireland* 9 (2014), p.97; available at: <http://crossborder.ie/the-journal-of-cross-border-studies-in-ireland-no-9/> [last accessed 26/01/2017].

³⁴ TONGE, op. cit., p.23.

³⁵ MURPHY, op. cit., p.20. The operation of consociationalism in Northern Ireland effectively means mandatory power-sharing between the main political parties representing the Unionist and Irish nationalist

Paradigmatic of this marginalisation is the failure to implement the creation of a North-South Consultative Forum “representative of civil society”, as had been set out in the 1998 Agreement, but remains outstanding due to resistance from elements within the political leadership in Northern Ireland.³⁶ Therefore, whilst membership of the European Union and access to funding undoubtedly spurred cross-border cooperation, resistance at the political level has limited the role of civil society in terms of shaping its direction, which – it could be argued – has been further compounded by the implementation of the European Commission’s policy of thematic concentration. This has resulted in a drive for larger-scale projects seen as promising greater impact, which has not only reduced the number of cross-border interventions, but also discouraged smaller civil society organisations from participating in cross-border programmes perceived as being primarily aimed at larger institutions with the capacity to undertake cross-border projects at the required scale. Citizens in this case become largely passive beneficiaries of cross-border projects instead of active participants.

V. The peace and reconciliation process and border Protestants

The trend that has seen a diminishing role for smaller community organisations in cross-border cooperation programmes is a more prominent feature in the INTERREG A programme. Greater space for civil society participation in cross-border cooperation has generally been afforded through the European Territorial Cooperation programme that is unique to the island of Ireland: the PEACE programme. Established by the European Union in 1995, its overarching purpose has been to support peace and reconciliation in the post-conflict context, and to promote economic and social development in Northern Ireland and the Border Region of Ireland. By its very nature, the PEACE programme has supported projects that have sought to bring divided communities together, both on a cross-border basis and through projects operating only within Northern Ireland.³⁷ However, for a range of reasons the PEACE programme has encountered

communities, and the ability to veto initiatives interpreted as detrimental to one of those communities.

³⁶ The failure to create a North-South Consultative Forum continues to be a matter of concern for the Irish Government, as noted recently by the Minister for Foreign Affairs who stated: “A North South Consultative Forum is a further important outstanding provision. In 2008, the then Government sent proposals for such a Forum to the Executive, but there was no reply. Between 2009 and 2011, three consultative conferences were hosted in Dublin to support the establishment of the Forum. While the issue remains on the agenda of the North South Ministerial Council, the Northern Ireland Executive has not been able to give its assent to the establishment of the Forum”; DEPARTMENT OF FOREIGN AFFAIRS AND TRADE, “Minister Flanagan’s statements on Northern Ireland in Seanad Debate” (26 January 2017), <https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2017/january/flanagan-ni-statements/> [last accessed 27/01/2017].

³⁷ Regulation (EU) No 1299/2013 makes provision for certain derogations of the PEACE programme from the rules that generally apply to cross-border cooperation programmes, including their operation across two Member States. This means that PEACE-funded projects do not have to operate on a cross-border basis.

challenges in maximising the participation of Protestant communities in its cross-border cooperation projects. Underrepresentation of Protestants in cross-border peace and reconciliation projects could be seen as symptomatic of what had been (or could still be in some cases) the suspicion Unionist politicians displayed towards cross-border initiatives that strayed beyond the economic sphere. “Among Protestants”, Tonge suggests, “there is little antipathy to cross-border cooperation, provided it is outside the political sphere”,³⁸ although the “political sphere” can encompass a wide range of issues linked to identity, particularly close to the border.

Whereas there may be support for economic cross-border cooperation among Protestant communities living along the border,³⁹ resistance tends to increase when such cooperation is perceived as undermining a Protestant border identity. Research has shown that Protestants living on either side of the Ireland-Northern Ireland border “acknowledge and treasure a Protestant border identity”, and that “the loss of that identity, especially among younger Protestants, would be regretted”.⁴⁰ Forged in part by the experience of the conflict, which “created a psychological atmosphere of silence, suspicion and fear for those who lived in the Border counties [that] had a particularly detrimental impact on the confidence of the Protestant community”,⁴¹ the survival of the Border Protestant identity is also predicated on the border as a guarantee of sovereignty. It is also an identity that has experienced significant demographic decline since the partition of the island of Ireland, and one that has a sense that it is not valued or taken into account. Consequently, Protestant communities along the border have “a long tradition of making do on their own, not seeking funds, not making common cause with their Catholic neighbours and not engaging in community development”.⁴²

Engagement by Border Protestant groups in cross-community and cross-border projects has seen some increase over recent years, but the perception remains among some that cross-border cooperation forms part of a broader political “reconciliation” narrative that they had no part in constructing and threatens their identity. From this perspective, the funding provided for cross-border and cross-community work – including that provided by the EU – can be seen as a financial incentive to acquiesce to a dilution of British sovereignty that marginalises those in Northern Ireland who self-identify as British. Although there are certainly Protestant community groups from the border region who participate in cross-border and cross-community projects and support their goals, there are others who

either refrain from participating or do so without fully committing to the cooperation objectives. On the other hand, considering the progress that has been made in terms of cross-border cooperation in general, there may be a belief amongst policy-makers that those who hold such attitudes form an unrepresentative minority stubbornly clinging to outmoded notions of identity and territoriality. Such a belief, however, together with trends that diminish active citizen participation, represents a threat to the future health of cross-border cooperation that must not be ignored.

Conclusion: Post-Brexit cross-border cooperation

Once the UK finally leaves the European Union the imperatives for cross-border cooperation on the island of Ireland will remain, not least because Strand II of the 1998 Belfast/Good Friday Agreement requires it. The crucial issue is what will that cross-border cooperation look like, and who will undertake it, particularly if there are no EU funds to support it? For many of those in Northern Ireland who voted to leave the EU, Brexit was seen as a means of reiterating the sovereignty of the UK and of Northern Ireland’s place within that Union. This could pose a particular challenge to cooperation across the Irish border, as what had arguably been an underlying suspicion of cross-border cooperation beyond the economic sphere held by some and generally ignored, could now reassert itself and limit the scope of cross-border activity. The reduction of cross-border cooperation’s focus to purely economic matters may become more of a possibility if policy development in this area is reserved exclusively to the North South Ministerial Council, with minimal input from civil society, especially in the continued absence of a North South Consultative Forum. Levels of cross-border cooperation activity are also likely to be affected without the introduction of alternative sources of funding to replace those currently made available through the European Territorial Cooperation programmes. If this scenario were to become a reality, the institutions for cross-border and North-South cooperation under the 1998 Agreement may continue to exist as formal structures, but the spirit of cooperation under which they were created would be severely diminished, with the potential for increasing insularity and damage to social cohesion. Crucially, however, this is not yet a reality – let us hope that it will not become one.

Works cited

ARTHURS, Pamela. “The Local Authority-Led Cross-Border Groups: an early example of cross-border best practice along the Ireland/Northern Ireland Border area?”. *The Journal of Cross Border Studies in Ireland*, 10 (2015), 8-19

CHANNEL RESEARCH. *Peacebuilding and Reconciliation Across the Border: Evaluation of the Peace and Reconciliation Impact of the Cross Border Measures 5.3 and 5.4 of the Peace II Programme 2000-2006*. Monaghan and Belfast: The Cross Border Consortium, 2007

DEPARTMENT OF FINANCE AND PERSONNEL. *Northern Ireland Structural Funds Plan 2000-2006*. Belfast: DFP, 1999

GOVERNMENT OF IRELAND. *National Development Plan 2000-2006*. Dublin: The Stationery Office, 1999

³⁸ TONGE, op. cit., p.22.

³⁹ It should be borne in mind that the simple categorisation of “Protestant” can be problematic, as it blurs attitudinal and denominational differences within the broader Protestant community.

⁴⁰ LOGUE, Paddy; MCGILLION, Karen; SHIRLOW, Pete, “A report to the Peace II Monitoring Committee on the Border Protestant community & the EU Peace Programmes” (May 2007), p.4. Available at: http://www.seupb.eu/Libraries/Peace_Network_Meetings_and_Events/PN_The_Border_Protestant_Community_and_the_EU_PEACE_Programmes_100205_A_report_to_the_Peace_II_Monitoring_Committee.sflb.ashx [last accessed 30/01/2017].

⁴¹ LOGUE et al, op. cit., p.12.

⁴² LOGUE et al, op. cit., p.7.

HARVEY, Brian; KELLY, Assumpta; MCGEARTY, Sean; MURRAY, Sonya. *The Emerald Curtain: The Social Impact of the Irish Border*. Carrickmacross: Triskele Community Training & Development

HAYWARD, Katy. "The EU and the transformation of the Irish border". *Accord*, 22 (2011), 31-34

LOGUE, Paddy; MCGILLION, Karen; SHIRLOW, Pete. "A report to the Peace II Monitoring Committee on the Border Protestant community & the EU Peace Programmes" (May 2007)

MURPHY, Mary C., *Northern Ireland and the European Union: The dynamics of a changing relationship*. Manchester: Manchester University Press, 2014

PHINNEMORE, David; MCGOWAN, Lee; MCCALL, Cathal; MCLOUGHLIN, Peter. "Northern Ireland: 40 Years of EU Membership". *Journal of Contemporary European Research*, 8, 4 (2012), 563-570

TAILLON, Ruth. "Cross-Border Cooperation and Peacebuilding in Ireland", *The Journal of Cross Border Studies in Ireland* 9 (2014), 91-100

TONGE, Jonathan. "The EU and the Irish Border: Shaping Aid and Attitudes?", Centre for International Borders Research, Electronic Working Paper Series 2005, 1 (2005)

