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Northern Ireland and the EU Referendum: The outcome, options and opportunities



Dr Mary C Murphy

Introduction

The result of the UK EU referendum in June 2016 produced a surprising result. Contrary to expectations, the Leave side won, although the margin of the victory was small. Fifty-two per cent of the UK electorate chose to leave with 48% opting to remain. The outcome of the referendum has revealed the existence of marked political, ideological, socio-economic, demographic and geographic divisions across the UK. The latter division may be the most significant. In contrast to other parts of the UK, Scotland, Northern Ireland and London voted to Remain. At 56%, the margin of the Remain victory is a few percentage points lower in Northern Ireland than in these other regions. Arguably however, the implications of the overall Leave vote are more profound for Northern Ireland than for any other part of the UK, and by extension the result is similarly problematic for the Republic of Ireland.

The Northern Ireland electorate expressed a majority vote to Remain which is at odds with the overall UK vote. The breakdown of the Northern Ireland vote suggests some overlap between unionist and nationalist voters in terms of a preference for the UK to stay in the EU. Critically however, the two parties to the Northern Ireland Executive, the Democratic Unionist Party (DUP) and Sinn Féin, do not share the same view on the Brexit issue. In this context, the capacity of the Northern Ireland administration to contribute to UK exit negotiations and to agitate effectively for Northern Ireland's best interests remain under-developed. In the aftermath of the referendum, Northern Ireland is potentially vulnerable, both economically and politically, to an exit process which may not take account of the intricacies and sensitivities of the Northern Ireland situation.

This article examines the EU referendum campaign and result in Northern Ireland. It documents the reaction and response in the aftermath of the vote, and analyses the immediate priorities for Northern Ireland in defending and promoting the best interests of the region without destabilising a delicate political and economic situation.

The Referendum Context

The UK has had a difficult and often strained relationship with the EU. Writing in 1990, Stephen George characterised the UK as an 'awkward partner' in Europe, a label which

is regarded as broadly accurate. The UK's journey to EU membership was protracted. Initially uninterested in joining the then European Economic Community (EEC), the UK eventually acceded to the Community in 1973 along with the Republic of Ireland and Denmark. The UK has long grappled with aspects of EU membership, including its impact on national sovereignty and identity. The British period of membership has been shaped by 'its exceptionalism, its Euroscepticism and by the extent and lack of knowledge of its Europeanisation' (Cini and Pérez-Solórzano Borragán, 2016, p. 1). Since the 2000s, popular objections to the EU have been championed by the UK Independence Party (UKIP) which has long advocated for the UK to leave the EU. The party's electoral strength was initially limited, but its fortunes changed and during the period of David Cameron's leadership of the Conservative Party, UKIP scored electoral gains at European, national and local levels. These successes constituted a direct challenge to the Tory Party which was itself divided on the question of Europe. In his 2013 Bloomberg speech, Cameron set out his vision for the EU and for the UK's place in it. He also committed to negotiating a new settlement for the UK in the EU and he pledged to hold a referendum on EU membership following the 2015 general election. Following the Conservative Party victory in 2015, a proposed UK-EU settlement was outlined in a letter from European Council President, Donald Tusk, to the UK Prime Minister in February 2016. Four key areas of reform were highlighted: economic governance; competitiveness; sovereignty; and free movement and access to social benefits. Cameron reacted positively to the proposed reforms and guarantees, and vowed to campaign for the UK to remain in the EU. The referendum date was set for 23 June 2016.

Northern Ireland had traditionally enjoyed a more harmonious relationship with the EU than the UK as a whole. Initially, support for UK membership of the EU was muted. During the first two decades of membership, Northern Ireland was distracted by other more pressing constitutional and security issues, and in that context was somewhat detached from EU politics. The evolving peace process, the 1994 ceasefires, the signing of the 1998 Belfast Agreement and the subsequent introduction of devolution altered Northern Ireland's constitutional status within the UK and also impacted on Northern Ireland's engagement with the EU. The newly installed cross-community Assembly and Executive were charged with managing key areas of public policy, including many with an EU dimension. The EU also committed financial resources to Northern Ireland in the form of the Peace programmes (from 1995) to support the evolving and often fragile peace process. In addition, the EU created the Northern Ireland EU Taskforce, a novel initiative designed to support local civil servants in their interactions with EU services and institutions. Attitudes to the EU in Northern Ireland have typically been positive and support for the Union tends to be influenced by its financial largesse. Importantly however, where issues of 'high politics' are concerned, such as the broader UK relationship with the EU and all that entails for British sovereignty and identity, discord is present and it often reflects the communal divide. Nevertheless, the depth of Euroscepticism in Northern Ireland is not as pronounced or as vitriolic as elsewhere. The contrasting EU referendum campaigns in Northern Ireland and across the UK provide ample evidence of the differing territorial outlooks and perspectives on Europe.

The Referendum Campaign

The EU referendum campaign differed markedly across the UK. In fact, it is possible to discern a variety of different campaigns taking place simultaneously in the run up to the referendum. Across England, the campaign was focused heavily on immigration, and the slogan 'take back control' was synonymous with Eurosceptics and those advocating for Leave. The English campaign was also punctured by allegations that David Cameron and the Remain side were conducting 'Project Fear' in an attempt to frighten voters into choosing Remain. David Cameron's cabinet members were freed to campaign on either side and the ensuing political rancor, rather than the substance of key issues, fueled much of the debate. This produced a largely misinformed, misleading and often nasty narrative: 'During the referendum campaign, sneering and attack replaced interrogation and information' (Seaton 2016, p. 334).

Scotland's campaign was decidedly less acrimonious. The case for Remain was led by First Minister, Nicola Sturgeon, who was supported by a cohesive and united Scottish National Party (SNP), while the Labour Party was also pro-Remain. Support for the EU in Scotland has always been strong. A vocal Scottish Parliament and Executive have been proactive in promoting Scottish-EU interests. Having previously grappled with constitutional questions during the earlier Independence Referendum in 2014, Scotland was better equipped to consider issues central to the EU referendum. This produced a campaign and debate which were more structured and less hostile (Minto et al. 2016, p. 184):

> As the EU dimension had formed part of the Scottish independence referendum debate, the public, media and political parties were aware and prepared to enter debates on Brexit and to consider the possible implications of a UK vote to leave, including a new referendum on Scottish independence'.

In Northern Ireland, the referendum campaign was lackluster, limited in depth and late to develop. The EU referendum largely failed to capture the public imagination as political parties shied away from engaging robustly with challenging political questions about the UK's constitutional future.

Voters take their cues from political parties, and in Northern Ireland political parties have traditionally displayed differing perspectives on the EU. Nationalists are more supportive of the European integration project than unionists. The nationalist Social Democratic and Labour Party (SDLP) has always been the most Europhile of Northern Ireland's political parties. The party's former leader, John Hume, was a champion for the EU in Northern Ireland. Sinn Féin has historically been more critical of the EU. Their support for the Remain position during the UK EU referendum contrasts with the party's campaigns for 'No' votes in the Irish referendums on the Nice Treaty, Lisbon Treaty and Fiscal Stability Treaty. Both nationalist political parties supported the UK staying in the EU. The Alliance Party of Northern Ireland (APNI) and the smaller Green Party also supported the Remain position.

Unionists have typically been Eurosceptic in outlook. The Ulster Unionist Party (UUP) has been less opposed to the EU than the Democratic Unionist Party (DUP), but both have been openly critical of various aspects of the EU integration project. The DUP opted to campaign for the UK to leave the EU, while the UUP chose to support the Remain position. This support, however, was not universal within the party ranks. Some UUP members expressed reservations about the party strategy and openly challenged the party leadership. On this occasion, the unionist bloc was divided on the question of continued UK membership of the EU.

The majority of Northern Ireland political parties were late to develop their stances. They were also constrained in communicating their positions. These two factors impacted not just on the amount of debate, but also on the quality of debate. The muted nature of the Northern Ireland campaign may have been impacted by the Northern Ireland Assembly elections. The fifth elections to the power-sharing Northern Ireland Assembly took place on 5 May 2016, less than seven weeks before the UK referendum on EU membership. Any expectation that the looming referendum would spark spirited discussion of the EU on the election trail was emphatically quashed. The 2016 election, like those before it, remained resolutely focused on local issues and influenced by old communal rivalries. Discussion of the EU was limited, a situation which endured during the weeks leading up to referendum day. Weary of canvassing and wary of the debate, there was little mobilisation of party activists and few enthusiastic campaigners.

The official Leave and Remain campaigns in Northern Ireland were also late to emerge and their contribution to the overall debate was similarly limited. Indeed, there was no readily identifiable campaign leader and no maverick figures on either the Leave or the Remain side. A lack of political dynamism, however, leaves a space for civil society. Here too however, there was a shortage of proactivity. *EU Debate Northern Ireland,* an initiative of the Centre for Peacebuilding and Democracy, launched in late 2015 produced a briefing paper *To Remain or Leave? – Northern Ireland and the EU Referendum (2015)* which highlighted some of the questions Northern Ireland might confront in seeking to develop a position on Brexit. The project aimed to 'stimulate through consultation and engagement with stakeholders discussion of the key issues that should inform debate about the consequences of the outcome of this [EU] referendum for Northern Ireland'. Broader civil society engagement was patchy and also late. Some pronouncements from the Confederation of British Industry (CBI) in Northern Ireland and other economic actors including leading banks, contrast with the obfuscation of, for example, the agricultural industry. The Ulster Farmers' Union (UFU) did not take a position. This was somewhat surprising given that Northern Ireland farmers benefit disproportionately more from the Common Agricultural Policy (CAP) than their equivalents in other parts of the UK. The inability of farming and other representative organisations to settle on definitive positions and to guide their members accordingly may be construed as a failing of civil society.

The EU referendum campaign in Northern Ireland clearly lacked vigour, however, and perhaps more damagingly, it also lacked information and depth. The precise impact of

a UK departure from the EU on Northern Ireland was not comprehensively investigated, and this was despite a view that Northern Ireland, more so than any other part of the UK, would be worst affected in the event of a vote to leave. A very small number of studies and reports were produced, but these did not penetrate the public consciousness or the mainstream media. The campaign itself was largely conducted through the media and although this is an important and necessary dimension of any referendum, it alone is insufficient in educating and/or motivating voters. The political and constitutional ramifications of the vote were alluded to, but the more detailed policy debate was obscured. The main focus was on the impact of the referendum result on the border, trade, farming, EU funding, and to a lesser extent human rights. Unlike elsewhere in the UK, discussion of immigration was very limited and nor was the appeal to 'take back control' especially evident in Northern Ireland. The Scottish position also provided some food for thought during the Northern Ireland referendum campaign with a number of commentators suggesting that the Scottish result might undermine the unity of the UK, and thus impact on Northern Ireland.

A lack of detail, depth and discussion was not aided by the absence of a clear Northern Ireland position on the referendum question. The Scottish government strongly endorsed continued UK membership of the EU and published *Scotland's Agenda for EU Reform* (2015) by way of input to the broader UK debate. In contrast, the Northern Ireland Executive was unable to articulate a position on the referendum question. Party political differences on a host of EU related policy issues, and a reluctance to debate some of the more fundamental constitutional implications of the referendum debate, meant that the Executive was largely absent from the campaign.

Internal political input may have been muted, but the same cannot be said for external contributions, in particular, input from the Irish government. Dublin strongly supported the UK remaining in the EU. Contributions to this effect from senior Irish figures were regular and prominent. The Dublin government was keen to make its voice heard.

The Referendum Result

The overall UK decision to leave the EU may have been somewhat unexpected. However, the Northern Ireland referendum result was as predicted – a majority of 56% opted to remain. Turnout in Northern Ireland was lower, almost ten percentage points below the average turnout of 72% across the UK. The lower turnout rate in Northern Ireland was influenced by a reduced nationalist turnout rate. Those who might have been expected to vote Remain did not turn out in the same numbers as their unionist counterparts. Average turnout in nationalist constituencies was 60.4% compared with 63.8% in unionist constituencies. The most striking example of low nationalist turnout is the Sinn Féin stronghold of West Belfast where less than 50% of voters voted. This figure is 8% down on the turnout figure for the Northern Ireland Assembly elections a few weeks earlier. It appears that some nationalist voters may have strategically absented themselves from the voting booths in an attempt to force a border poll. Geographically, support for Remain was strongest in Belfast and in border areas, and in constituency

terms, all those with a nationalist MP voted to Remain. Interestingly, three of the ten Northern Ireland constituencies with a Unionist MP also voted to Remain. The size and spread of the Remain vote indicates that this choice enjoyed support from both unionists and nationalists. Indeed, the outcome suggests that the Northern Ireland electorate did not divide entirely along traditional communal lines. According to a Lucidtalk exit poll, 33% of unionists voted Remain. More recent research by Ipsos-Mori suggests that 40% of Protestant voters wanted the UK to stay in the EU (McBride, 2016). In terms of the broader profile of Northern Ireland voters, some trends are in line with those across the UK. Younger voters were more likely to vote Remain and middle-class voters likewise. This distinction between social classes was particularly marked among Protestants with those from a working-class background being much more likely to vote Leave than middle-class Protestant voters, 71% as against 47% (Coakley and McGarry, 2016).

The Response to the Referendum Result

The referendum result was greeted with surprise and shock across the UK, as well as throughout Europe and further afield. In Northern Ireland, the shock was matched by a sense of widespread alarm. Questions immediately began to surface about what precisely the result would mean for Northern Ireland, for the border between North and South, for trade and other relations with the Republic of Ireland, and for access to the single European market. The *Belfast Telegraph* weekend front page captured this anxiety with the headline, 'A step into the unknown' (25 June 2016).

The poor quality of the referendum debate across much of the UK and the reluctance to engage in contingency planning meant that there was a lack of preparedness in terms of knowing how to respond to the result. The limited discourse had not allowed for Brexit strategies to be developed or teased out and so there was something of an initial blankness of response. In Northern Ireland, survey data shows that a majority of Northern Ireland businesses did not plan for a possible Brexit. As the dust settled, the process of adaptation got underway. According to a Chamber of Commerce survey, one in four firms in Northern Ireland have now revised plans for their business as a result of the vote, with the majority likely to pause or freeze growth, investment and recruitment plans. The political response to the vote was interesting. The two parties of the Northern Ireland Executive had different and clashing positions on the EU referendum and in the post-referendum period, those differences persist. However, the DUP and Sinn Féin demonstrated some ability to achieve a unity of approach. Both parties share the view that Northern Ireland must be treated sensitively and they are pressing for special arrangements catering to Northern Ireland's geographic, political and economic situation.

The most visible (and only) example of unity came in the form of a joint letter by the First Minister and Deputy First Minister to the UK Prime Minister. The letter outlined key concerns for Northern Ireland and specifically focused on five issues where Northern Ireland interests might be threatened. These included:

1. Status of the land border between the Republic of Ireland and Northern Ireland;
2. Competitiveness, EU trade and access to labour;
3. Access to energy;
4. Ability to draw down EU funding;
5. Impact on agri-food and fisheries industry.

The letter requested that the Northern Ireland administration be fully involved and engaged in negotiations between the Irish and UK governments on the question of the border. This outward unity, however, masks a significant chasm between the Executive parties. Sinn Féin ultimately wants Northern Ireland to remain in the EU, whereas the DUP fully supports plans to leave. Echoing a familiar phrase, albeit one with a very different sentiment, Deputy First Minister, Martin McGuinness, advises that in Northern Ireland 'remain must mean remain' (*Irish Times*, 19 August 2016). The party was also quick to call for a border poll, a proposal which has been roundly rejected by other parties and the UK government. In contrast, the DUP is ultimately in favour of UK withdrawal from the EU, despite seeking some concessions for Northern Ireland.

In the aftermath of the referendum, the Executive has been criticised for its inability to agree contingency plans. This criticism became particularly pronounced following revelations that officials in the Office of the First Minister and Deputy First Minister had produced a report in May 2015 listing more than 20 ways Brexit may damage Northern Ireland's economy. This report only became public in September 2016 following a Freedom of Information request. The Executive's inability to reach agreement on the document prevented its earlier publication and meant that it did not form part of any substantive contingency plan for Northern Ireland.

Following the referendum result, the Northern Ireland Executive is to take the lead on all Brexit related issues. Unlike Scotland however, no Minister for Brexit has been appointed and there has been no parliamentary inquiry or consultation exercise launched (although the House of Lords EU Committee has launched an inquiry into the impact of Brexit on the relationship between Ireland and the UK). The Department of Finance (Northern Ireland) has been among the more vocal and proactive of Government Departments. It added a tranche of new posts to help deal with the processing of EU funding applications before the Autumn statement deadline. Only applications submitted by this deadline are guaranteed support by the Treasury.[1] This is an immediate and targeted reaction to a pressing financial deadline, rather than constituting a more rounded response to the totality of the Brexit challenge for Northern Ireland.

The cross-border institutions created by the 1998 Belfast Agreement have become a venue for Brexit discussions. The North South Ministerial Council (NSMC) has facilitated

1 Editor's note: On 3 October, the Chancellor extended this guarantee to the point at which the UK departs the EU. The Chancellor confirmed that the government will guarantee EU funding for structural and investment fund projects, including agri-environment schemes, signed after the Autumn Statement and which continue after the UK has left the EU.

joint action on the part of the Northern Ireland Finance Minister and the Irish Minister for Public Expenditure and Reform who have jointly written to the European Commission highlighting their commitment to Peace and Interreg programmes. The British-Irish Council has also been a forum where some discussion of Brexit has taken place and where further dialogue will happen. An extraordinary meeting of the Council took place in Cardiff on 22 July 2016. The summit was convened to discuss the implications of Brexit for the Council and its members and it noted several priority areas including: the economy and trade, the Common Travel Area, relations with the EU and the status of all citizens affected by the change.

Proposals to develop structures for dialogue outside of established institutions has led to some tension between Northern Ireland and the Republic of Ireland. An initial Irish government proposal to convene an all-island forum on Brexit was rebuffed by Northern Ireland's First Minister and subsequently shelved. More recently however, the Taoiseach has indicated his intention to revive the idea in the form of a civic dialogue which engages with civic society groups, trade unions, business people, non-governmental organisations and the main political parties on the island of Ireland.

No longer part of the Northern Ireland Executive, the UUP and SDLP have been somewhat more strident in pressing Northern Ireland interests. The UUP produced *A Vision for Northern Ireland outside the EU* which details 10 key 'asks' including financial guarantees for those losing EU funding; safeguards for the Common Travel Area; no 'hard border' at Great Britain's ports and airports; and unfettered access to the EU's single market. The SDLP along with the Alliance Party, Green Party and representatives of the community and voluntary sector have taken a more drastic approach by seeking a judicial review of the Brexit plans. The issues they hope to raise in their challenge include the potential dangers posed to the 1998 Belfast Agreement by a UK exit from the EU. A second legal challenge has also been mounted by Raymond McCord, a Northern Ireland rights activist, who claims it would be unlawful to trigger Article 50 of the Lisbon Treaty without Parliament first voting on the move. The case is motivated by concerns that EU Peace money that goes towards victims of the Troubles may be discontinued in the aftermath of leaving the EU.

The UK government's representative in Northern Ireland, Secretary of State, James Brokenshire, has also been keen to allay concerns in Northern Ireland. The recently convened Northern Ireland Business Advisory Group first met on 1 September. It is designed to ensure Northern Ireland interests are fully represented during the forthcoming EU exit negotiations and that the voice of business is heard. The inaugural meeting of the group was attended by the Secretary of State and also by David Davis, the Secretary of State for Exiting the EU. It was at this forum that both men spoke about maintaining a soft border between North and South. Brokenshire also plans to meet with other business and community leaders, politicians, and victims and survivors of the Troubles. Much of this dialogue will be conducted simultaneously with fresh political talks aimed at resolving the impasse over dealing with the legacy of Northern Ireland's

past. This latter point is important. Political talks in Northern Ireland about sensitive and controversial issues are always difficult. They often reopen old arguments (and wounds) and sometimes they lead to greater entrenchment, rather than compromise and conciliation. Such has been the case with earlier iterations of this dialogue on dealing with the past. There is a reasonable fear that the upcoming talks might derail the fledgling and tenuous unity of purpose on Brexit which is currently on display. Indeed dealing with the past may undermine attempts to deal with the future.

Where to Now?

The outcome of the referendum may not have produced emphatic support for Brexit, but the majority UK decision is for Leave and the newly installed Prime Minister, Theresa May, quickly committed to respecting the vote. Although her pronouncement 'Brexit means Brexit' is categorical, there is nevertheless an ambiguity about precisely what Brexit means, and about how the UK will disengage from the EU. It is clear that neither the UK government, nor the Leave and Remain campaigns had given any serious consideration to the question of managing a possible exit. This is highly problematic and amounts to 'gross negligence' according to the House of Commons Foreign Affairs Committee. The Committee's *Equipping the Government for Brexit* report (2016) notes that a lack of contingency planning has: 'exacerbated post-referendum uncertainty both within the UK and amongst key international partners, and made the task now facing the new Government substantially more difficult'.

Two new Government Departments have been established to manage aspects of the Brexit process. The Department for Exiting the European Union (DEEU) is led by David Davis MP, and the Department for International Trade (DIT) is led by Dr Liam Fox MP. The work of both departments will overlap with that of the Foreign and Commonwealth Office (FCO) which is headed by Boris Johnson MP. Key civil service personnel have also been transferred from across Whitehall to support the work of the new departments. This administrative reshuffling and re-organisation has produced some confusion and concern as civil servants adjust to new roles and responsibilities against an uncertain policy backdrop.

Aside from these developments, the Government has not articulated a clear 'Brexit plan'. The Prime Minister has convened a cabinet sub-committee to oversee the UK's various negotiations and this committee will be the ultimate decision-making body in relation to the exit process. The sub-committee does not have permanent positions for the Northern Ireland Secretary of State (or his Scottish or Welsh counterparts) and it is mainly composed of Ministers who supported the Leave position. The Prime Minister has made it clear that she favours a bespoke deal for the UK and has ruled out modelling the future UK-EU relationship on the Swiss or Norwegian template. However, what precisely this bespoke deal might look like remains uncertain. This ambiguity has led to some frustration both within the UK, among other EU member states, and at the EU level. Impatience with the UK has caused some member states to ratchet up the rhetoric about what the UK can and cannot expect during the exit negotiations. This opaque and

ambiguous picture contributes to political and economic inertia as key actors await the detail of the UK Brexit deal.

Northern Ireland's vote to remain in the EU does not align with the overall UK vote. This discrepancy has led to calls for Northern Ireland's democratic preference to be respected. There is some justification for such appeals. Being the only territory of the EU (bar Gibraltar) which shares a land border with the EU, Northern Ireland will likely face the worst consequences of Brexit, whatever form it takes.[2] The economic and political ramifications are likely to be negative and possibly severe. The Prime Minister has – unsurprisingly – ruled out any asymmetrical approach to the UK exit process, but she has committed to giving consideration to the specific needs and interests of particular parts of the UK. The Minister for Finance, Martín O'Muilleoir, however, claims that Northern Ireland is being left out of post-Brexit negotiations and that decisions about, for example, the future of Peace and Interreg programmes are being made in London without Northern Ireland involvement. The Minister has been outspokenly critical of Whitehall and the UK government. In truth, Northern Ireland is not a priority for a UK government embarking on a complex and challenging series of negotiations. Theresa May's address to the Conservative Party conference in October 2016 implicitly suggests so. The Prime Minister hinted at a hard Brexit insofar as she intends to prioritise border controls over single market access. For Northern Ireland, this may entail the re-imposition of a more visible border with the Republic of Ireland, a situation which is broadly regarded as economically damaging and also politically problematic. In the same speech, the Prime Minister advised that she will trigger Article 50 by the end of March 2017, a move which will effectively begin exit talks. Elements of the Brexit framework and process are slowly beginning to emerge.

Northern Ireland faces a number of challenges in terms of participating and contributing to the negotiation processes. First of all, Northern Ireland has to identify and define its vital interests. There are, however, a number of challenges here, and the primary one is to know what those interests are. To some extent, an agreed synopsis of Northern Ireland's key interests are contained in the First Minister and Deputy First Minister's letter to the Prime Minister in August 2016. The letter, however, contained only 'initial thoughts'. To effectively pursue these issues and interests requires much greater depth, detail and substance. Data and evidence-based analysis are vital to constructing and presenting the Northern Ireland case. Engaging with legal, economic and policy expertise is critical. This (technical) approach may also help to diminish existing Brexit-related tensions between Northern Ireland's political parties by facilitating a *pragmatic* outlook and position which is designed to protect Northern Ireland sectoral interests as a whole.

The May 2015 OFMDFM (now the Executive Office) Report, *Preliminary Analysis on the Impact of a UK Referendum on the European Union* includes a sobering assessment

2 The Economic and Social Research Institute (ESRI) recently repeated its warning that the Northern Ireland economy would be worst hit by the UK's split from the European Union (see *Irish Independent,* 21 September 2016).

of the impact of Brexit on the UK and Northern Ireland. However, as noted above, the report was not made public prior to the referendum and the Northern Ireland Executive did not discuss its contents.[3] The under-use of civil service expertise and insight is regrettable. The European Policy Coordination Unit (EPCU) in the Executive Office has grown and developed since the early years of devolved power. The unit now has bases in Belfast and Brussels, namely the Office of the Northern Ireland Executive in Brussels (ONIEB), an elevated number of staff and a more strategic and forward looking outlook. It is well placed to both articulate and represent Northern Ireland interests, but if can only do so with political support and approval. Moreover, given the uniqueness of Northern Ireland's power-sharing structures that support must be cross-party based, and this is where the key problem lies. So far, political disagreement has restricted the Northern Ireland response. As the Brexit process develops, however, overcoming political difference and finding ways to deal pragmatically with various challenges becomes more urgent and pressing.

Identifying key interests is not just confined to the Northern Ireland Executive. Other features of the broader political system and civil society can contribute and influence. In the run-up to the referendum in Northern Ireland, the debate suffered from a lack of broader societal input. It would be a missed opportunity were this to happen post-referendum. EUdebateNI (2016) has produced an important document post-referendum which details options for a new relationship between the UK and the EU, and which identifies some of the issues which Northern Ireland needs to consider in the context of the exit process. These issues touch on nearly all facets of public policy and warrant attention by those sectors and interest groups which will ultimately be affected by an altered UK-EU relationship. There is some onus here again on the Northern Ireland administration to construct a forum (or fora) where these voices can be heard and listened to. The Northern Ireland Assembly, and in particular its committees, are an important access point for civil society actors. Facilitating contributions to parliamentary inquiries, evidence to committees, and direct dialogue with policy-makers by various sectoral interests is an important means of building and legitimising a Northern Ireland Brexit strategy. More open forums in the form of seminars/conferences, consultation exercises and targeted collaboration with key interest groups are other means of ensuring broad input from wider society.

The UK government will lead both the exit talks' process and the negotiations creating a new UK-EU relationship, but there is little clarity about how the devolved regions will feed into UK strategising. Given the composition of the cabinet sub-committee on Brexit, Northern Ireland cannot rely on its Secretary of State to have strong influence or input. Existing formal institutional mechanisms for intergovernmental dialogue include the Joint Ministerial Committee (EU) and the British-Irish Council. However, in the past, these have not always proved effective. Indeed previous experience has demonstrated

3 Some preparations, however, are underway. A report identifying the capacity and resource needs of the Northern Ireland civil service in respect of preparations for withdrawal from the EU has been produced and has been discussed by the Committee for the Executive Office.

that, on occasion, Northern Ireland interests have been overlooked. Sometimes this may be intentional when Northern Ireland interests do not coincide with the wider UK policy agenda, for example CAP reform. But in other instances, Northern Ireland has been overlooked due to a lack of awareness of Northern Ireland interests in London. The existence of effective (not token) intergovernmental structures is therefore essential. It is in the interests of the Northern Ireland administration, and the other devolved units, that institutions are in place where positions can be articulated and influence brought to bear through robust, frequent and repeated communication with UK central government and others.

The process of defending Northern Ireland interests is not just confined to the national realm. Northern Ireland has long enjoyed high level (and often enviable) access to EU institutions in Brussels, and many leading EU figures have taken a deep interest in Northern Ireland affairs. The Peace programmes and the Northern Ireland-EU Taskforce have facilitated networking and cultivated relationships between Northern Ireland and Brussels. These now represent an additional avenue for both accessing and communicating information. Similarly, there is merit in engaging with MEPs, especially Northern Ireland MEPs. The Republic of Ireland may also prove to be an important ally for the UK, and for Northern Ireland, during the various talks. The Irish government believes that a soft Brexit is manifestly in the interests of the Republic of Ireland (although it is clear that there exists a sensitive challenge for Ireland in terms of reconciling this preference with a broader commitment to the EU).

Conclusion

The Northern Ireland relationship with the EU has been different from that of the rest of the UK. The region's history of conflict has been acknowledged by the EU. Support for the peace process has come in the form of targeted financial assistance and practical administrative/technical support from Brussels. Public attitudes towards the EU have also been more positive in Northern Ireland than in other parts of the UK, and although Euroscepticism exists in Northern Ireland, it is not as widespread or as intense as elsewhere. Nevertheless, it is possible to discern communal differences in Northern Ireland on the question of the EU and EU membership and to some extent these played out during the referendum campaign and vote which returned a Northern Ireland vote to Remain.

The referendum outcome and aftermath have revealed a myriad of challenges and complexities, dilemmas and difficulties for the UK in negotiating its exit from the EU and in agreeing its future relationship with the EU. A key predicament is accommodating political divergence across the UK. While Prime Minister May is working to achieve a full UK departure from the EU, she is doing so against the wishes of a volatile Scottish situation, a divided Northern Ireland electorate, and a reluctant London city. It is not clear that she (or her cabinet or Whitehall) are overly exercised by specific Northern Ireland issues and concerns. This underlines the necessity for the devolved administration to be a strong and united voice for Northern Ireland during what will be

a challenging and difficult period of negotiations. Achieving some degree of consensus and unity in Northern Ireland is invariably problematic. And agreeing a forward strategy when the two leading political parties ultimately aspire to different EU futures will test the cohesion of the Northern Ireland Executive. If the devolved administration can agree and promote a unified position, it will underline the utility and advantage of the power-sharing system. Successfully finding a means to accommodate divergent political positions will mark an important moment in the maturation and stabilisation of Northern Ireland politics. Reaching that point, however, rests on the ability of the administration to adopt a proactive and pragmatic approach, a move which, in turn, demands a measure of political courage. Brexit may prove to be one of Northern Ireland's biggest tests since the introduction of devolved power.

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DR MARY C MURPHY holds a Jean Monnet Chair in European Integration and is a lecturer in politics with the Department of Government, University College Cork. Mary specialises in the study of the European Union (EU) and Ireland, north and south. Her book *Northern Ireland and the European Union: The Dynamics of a Changing Relationship* was published by Manchester University Press in 2014. Mary was also co-editor of a special issue of *Administration* which examined forty years of Irish membership of the EU. Mary's research has been published in leading political science journals, including *British Journal of Politics and International Relations, Ethnopolitics, Irish Political Studies, Parliamentary Affairs and Regional and Federal Studies,* and she has contributed book chapters to a number of edited volumes. In 2015, Mary was awarded a prestigious Fulbright-Schuman award and was based at George Mason University, Arlington, Virginia. Mary is currently the President of the Irish Association for Contemporary European Studies (IACES).