


Now Article 50 has been triggered, will the United Kingdom survive?

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29/03/2017

The UK has formally given notice of its intention to leave the European Union by triggering Article 50.

Janice Morphet assesses what the process will mean for the United Kingdom, writing that with a second independence referendum looming in Scotland, and a difficult picture emerging in Northern Ireland, the British Prime Minister could be soon be fighting on two fronts to preserve the Union.



PM Theresa May. Credits: Tom Evans / Crown copyright (CC BY-NC-ND 2.0)

Now that Nicola Sturgeon has [her mandate](#) for a new independence referendum, attention will turn to the Article 50 negotiations. The European Commission's lead negotiator, Michel Barnier, has already said that he will be giving priority to some key issues. These are primarily reported in the media as the outstanding UK bill on leaving the EU and the position of EU citizens.

What has been less reported is that Barnier has a third priority and this is the position of Northern Ireland. As a former EU Regional Commissioner, Barnier was one of the Good Friday agreement negotiators in 1998 and responsible for the PEACE programme that has existed to support the process of social integration and economic growth in practical ways. He has not forgotten that commitment now.

In a recent speech to the EU's Committee of the Regions, setting out his initial negotiating stance, Barnier stated that he thought particularly of Ireland in the forthcoming negotiations. He reflected on the EU's role in strengthening dialogue in Northern Ireland and supporting the Good Friday Agreement. Barnier stated that he would be particularly attentive, in the negotiations, to the consequences of the UK's decision to anything that may, in one way or another, weaken dialogue and peace. This includes the UK's statement that it will leave the customs union and he is keenly aware of the effects that this may have on the border with Ireland.

This commitment through the forthcoming negotiations comes within the context of the agreement that the Irish Taoiseach has with the European Commission President Jean-Claude Juncker, which was agreed in February. This states that, should there ever be any political settlement for unification for the island of Ireland, then Northern Ireland

would be able to re-join the EU without any other formal procedures in the same way as East Germany on reunification. At the time, coming before the election of the Northern Ireland assembly, this seemed more of a pipe dream than a practicality, but the outcome has meant that a different scenario could be emerging.

Before the election, Sinn Fein had already been speaking with members of the European Parliament to obtain a special package once Brexit is implemented and visiting all EU capitals to garner support for a special status for Northern Ireland in the future. Now, in the aftermath of the Northern Ireland elections, it too has requested a referendum on independence. Although less reported, this request received the same response as that to the First Minister in Scotland – now is not the right time. But it would be impossible for the UK Prime Minister to say never, and constitutionally this may have to be done within the current five-year term of the UK Parliament.

All of this has left the UK government in a difficult position, not least as power sharing in the Northern Ireland Assembly has broken down. Both the options open to the UK Government – of re-introducing direct rule or a second election – could increase the power of Sinn Fein. People in Northern Ireland may prefer to give an outright answer the second time around, increasing the pressure for an independence referendum sooner rather than later. This is exacerbated by the intransigence of the DUP, whose leadership seems to have returned to a pre-1998 position.

This uncertainty has not gone unnoticed down south in the Republic, where preparations are being made for the terms that could be used to bring about some reunification across the island of Ireland. People do not want the return of a hard border that the UK's departure from the customs' union would inevitably bring, not least as such borders attract organised crime and smuggling. Fianna Fail's leader, Michael Martin, is preparing a White Paper on reunification and this is expected to include several joint actions to start the process of moving together. These include two Parliaments, one for the north and one for the south. Michael Martin has also indicated that there is a potential for an all-Ireland approach to education, including universities and research, a single food safety body, a common enterprise body to promote small business and a common corporate tax rate. There are already some common utilities and sports teams.

While the situation in Scotland is more high profile and will attract more news coverage, as the recent meeting between the Prime Minister and First Minister demonstrated, the issues in Northern Ireland are likely to grow in importance. The Prime Minister's call for unity during the Brexit negotiations are not backed by any substantive case, and on her well-publicised unity tour of the UK before triggering Article 50, she could not visit Northern Ireland as there was no government to meet. Ireland is now a strong EU member and its position on the periphery following Brexit will be one that is recognised.

There have been calls from Gordon Brown for a federal UK, but this would only work if there is a written constitution that includes the principle of subsidiarity. Without this, devolution is in the hands of each five-year Parliament. Meanwhile, even existing devolved powers appear likely to be re-centralised. The UK negotiators have been rumoured to be considering a 'divide and rule' approach to negotiation amongst the 27 members of the EU. It seems more than likely that the EU will be well positioned to adopt the same strategy by giving comfort to Scotland and Northern Ireland. This could leave the UK Prime Minister fighting on two fronts as the union appears increasingly to be the cost or even the price of Brexit.

Janice Morphet's new book, [Beyond Brexit? How to assess the UK's future](#), has just been published by Policy Press

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Note: This article gives the views of the author, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.

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