The discussions between the Conservative Party and the DUP to break the deadlock of a hung parliament have drawn attention to a number of flaws in the 1998 Belfast Agreement. A Tory-DUP alliance has the potential to seriously damage a number of important UK national interests: the peace agreement in Northern Ireland, relations with the Irish Republic in conditions of Brexit, commitments to progressive values and human rights, and the struggle against violent and non-violent extremism.

Northern Ireland’s peace was made from the extremes. The Belfast Agreement was unstable from the outset mainly because the DUP, as the populist extreme of Unionism led by Ian Paisley, was the only major party in Northern Ireland to refuse to sign up to it. Between 1998 and 2007 the power-sharing institutions were suspended on four occasions by the UK government, including for the whole period between October 2002-June 2007. At this time the DUP engaged in extremist outbidding tactics against the moderate Ulster Unionist Party. Some stability only ensued after the St Andrew’s Agreement of November 2006, which saw the DUP commit themselves to the restoration of power-sharing institutions.

By general consensus, the bicephalous DUP-Sinn Fein executive led by Ian Paisley and Martin McGuinness worked cooperatively and effectively, despite their deep ideological differences, and the cooperation continued under Paisley’s successor Peter Robinson. The transition in late 2015 to a new DUP leadership under Arlene Foster has seen the return to more polarised politics leading to the breakdown of the Executive. Whereas the old leaders were the makers of the conflict, and peace came from their willingness to compromise, many of the new leaders are the children of the conflict – and the polarisation produced by the recent general election reflects the fundamental differences that persist in Northern Irish politics. The need to bridge this divide is what makes UK and Irish...
government impartiality so critical.

What will be the impact on the peace in Northern Ireland?

The Belfast Agreement was an international agreement, with the UK and Irish governments acting as co-guarantors. Both governments legislated for a special constitutional status of conditional sovereignty for Northern Ireland: dependent on the wishes of the people of Northern Ireland (as expressed in a referendum) (Agreement 2.1). The governments’ positions are not “neutral”. That word does not figure in the Agreement. The Agreement states that whichever government exercises sovereignty over Northern it must do so with “rigorous impartiality” (Agreement 2.1.v) on a wide range of issues: diverse identities and traditions, human rights, freedom from discrimination, and parity of esteem.

The commitment of the previous Tory government under Theresa May to “rigorous impartiality” was already seen as suspect, in particular on “legacy issues” from the conflict, and efforts to insulate state agents from prosecution. An alliance with the DUP magnifies the claim that the British government cannot act with rigorous impartiality in adhering to the Agreement and in brokering the negotiations to restore the power-sharing institutions. The same charge would apply if one of the main Irish political parties attempted to form a government through an alliance with Sinn Fein.

Relations with the Republic of Ireland

One of the paradoxes of the Belfast Agreement is that it expects “rigorous impartiality” from governments that have strong ideological positions. May and many Conservatives are explicit about their ideological Unionism. Nationalism has also been rehabilitated in the Irish Republic, where all of the main parties, previously repelled by hardline Northern nationalism, are now advocating for a United Ireland.

The question of the border between Northern Ireland and the Irish Republic is one of the three EU conditions to be agreed prior to the negotiations on Brexit. The Belfast Agreement created special North-South institutions to deal with common policy areas (and EU-related funding) and special arrangements for joint citizenship, and it rendered the border between Northern Ireland and the Republic of Ireland porous and irrelevant. Transparent borders are common in the Schengen Area, but the concept is challenging for die-hard Unionists.

Even a soft Brexit will make managing the social and economic interdependencies between North and South more difficult. The DUP is opposed, at least formally, to a hard Brexit that would see a reimposition of strong border controls. However, the symbolism of a distinct border is important for the DUP, and in particular for its base, and the opposite is true for nationalists. The rational outcome would be for a continuation of the special status that Northern Ireland already has under the Agreement. A Tory-DUP alliance may complicate negotiations on this.

No single country has a veto on Brexit, but the Irish can make things very challenging for the British, and vice versa.

The DUP and human rights

The DUP was founded by Ian Paisley in 1971 on policies of anti-Catholic sectarianism, opposing civil rights for Catholics, demonising reformist Unionists, and provoking civil disorder and encouraging Loyalist paramilitarism. In his later life, in a mea culpa, Paisley acknowledged his major destructive contribution to the conflict. Many of his party colleagues, who form the current leadership, proffer no apologies for DUP extremism past or present.

The current DUP leadership under Arlene Foster presided over the collapse of the power-sharing institutions in January 2017, seemingly unable to replicate the spirit of compromise achieved by the previous leadership. Even moderate nationalists, such as former SDLP leader Alasdair McDonnell, have charged Foster with reverting to crude sectarianism. The DUP “don’t want a taig (derogatory term for Catholics) about the place”, he declared in late 2015..
The social values of the DUP are “extremist” in a UK or Ireland context. The founding ethos of the party was set by Paisley’s religious fundamentalist “Free Presbyterianism”. Large numbers of its members, and many of its voters believe in Creationism and regard the Pope as the Antichrist. Since the late 1970s the UK parliament has legislated for the reform of human rights for women on abortion, and equal rights for gays, and more recently including same sex marriage. A similar process of social reform has occurred in the Irish Republic since the 1990s. The social conservatism of the DUP is today out of step with the other main parties in Northern Ireland, and at Westminster.

The DUP has used a power established by the Belfast Agreement, the “petition of concern”, to block any legislative reform on these social values in the Northern Ireland Assembly. In addition to several financial corruption scandals the party has also been embroiled in numerous anti-migrant racism and Islamophobic episodes. Notably, in 2014 the then party leader Peter Robinson made disparaging remarks about Muslims and defended a Free Presbyterian pastor, James McConnell, who denounced Islam as “heathen”, “satanic” and “a doctrine spawned in hell”.

The struggle against extremism

No one questions the strong relationship historically between Sinn Fein and the IRA. Theresa May seems to be overlooking the similar strong relationship between the DUP and Loyalist paramilitarism. The DUP’s founder Paisley was careful to incite and condone Loyalist violence. However, at certain key moments the DUP collaborated openly and directly with Loyalist paramilitaries, for example, during the Ulster Workers’ Strike in 1974, in mass protests in 1977, and again in opposition to the Anglo-Irish Agreement of 1985.

In 1986 the DUP formed its own terrorist organisation, Ulster Resistance, which became part of the combined loyalist paramilitary command, and co-organised illegal arms shipments. Current MP Sammy Wilson chaired the opening meeting of Ulster Resistance, and current MP Emma Little-Pengelly’s father was convicted of arms smuggling for Ulster Resistance.

May has been a leading advocate of strengthening the UK Prevent Strategy against violent and non-violent extremism that conflicts with “British values”. In making a deal with the DUP she not only endangers UK national interests, but is also further damaging the credibility of government policy on violent and non-violent extremism.

This post represents the views of the author and not those of Democratic Audit.

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