Life and work across the Irish border through Brexit

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Changing the status of the Irish border to an external boundary between the UK and the EU was always going to be difficult to manage. Both the UK and the EU shared the objective of avoiding a hard border but finding the means of doing so proved to be a complex technical and diplomatic challenge. Whilst the withdrawal negotiations continued, concerns grew among those who would be most directly affected. Despite a history of conflict and underdevelopment, the Irish border region had become one of the most successfully integrated in the world. This only increased the potential price to be paid for Brexit by those living and working there. Successful cross-border development depends on the conditions for, and habits of, cooperation fostered 'on the ground'. The Protocol on Ireland/Northern Ireland in the Withdrawal Agreement brings some assurance about maintaining the conditions of north/south cooperation. Nonetheless, the UK/EU border problem that falls on Northern Ireland will persist as a topic in perpetual need of political sensitivity and accommodation.

The prospect of Brexit – Avoiding a hard border

From the beginning of the negotiations for the UK's withdrawal from the EU, both sides shared the objective of avoiding a hard border on the island of Ireland (Council of the EU, 2017; HM Government, 2017). It soon became clear, however, that they held contradictory interpretations of what this would mean in practice. In many ways, the Irish border problem was a microcosm of a fundamental conflict in the UK and EU's understanding of the implications of Brexit itself. It was at the Irish border, so to speak, that both the most existential and the most practical complexities of the UK's withdrawal were exposed.

The difficulties in coming to an agreed compromise over the Irish border were so acute that they led to the date of UK's exit from the EU being postponed three times. From the UK side, the primary concern was to find a means of enforcing a hard border without 'physical infrastructure, or related checks and controls' (as it committed to in the UK-EU Joint Report) (European Commission, 2017). On the part of the EU, the intention was to avoid a hard border as far as possibly by minimising the need for such checks and controls in the first place. In essence, this implied a soft Brexit – something that was directly at odds with the wishes of an increasingly vocal wing of the Conservative Party. The more the EU insisted, the more the pro-Leave lobby felt vindicated in their claims that the UK's sovereignty was being compromised.

In this way, the 'Irish border' because a by-word for suspicion and strain between the two protagonists. As the speculation and tension rose, those who live and work in the Irish border region became increasingly anxious.

The Irish border as a source of conflict

The symbolic power of the invisible border

As the Brexit deliberations raged on over their heads, people in the Irish border region had no doubt that 'avoiding a hard border' had to mean far more than merely avoiding physical or visible infrastructure. First, in terms of its symbolic importance, the Irish border is a line of division that goes to the very heart of the conflict in Northern Ireland. A century ago, the partition of Ireland was intended to be a temporary solution to the 'Irish question'. The question was posed by the fact that a majority in the north-east of the island of Ireland held strong affiliations to Britain and that, in so doing, they were in a minority on the island as a whole. The challenge is to find accommodation (rather than conflict) between Britishness and Irishness on the island of Ireland.

Whenever people in Northern Ireland are given an 'either/or' choice about being closer to Britain or to Ireland, it tugs on the roots of this invidious problem. The overriding danger in the Brexit debate over the Irish border arose from the fact that it provoked this dilemma once again.
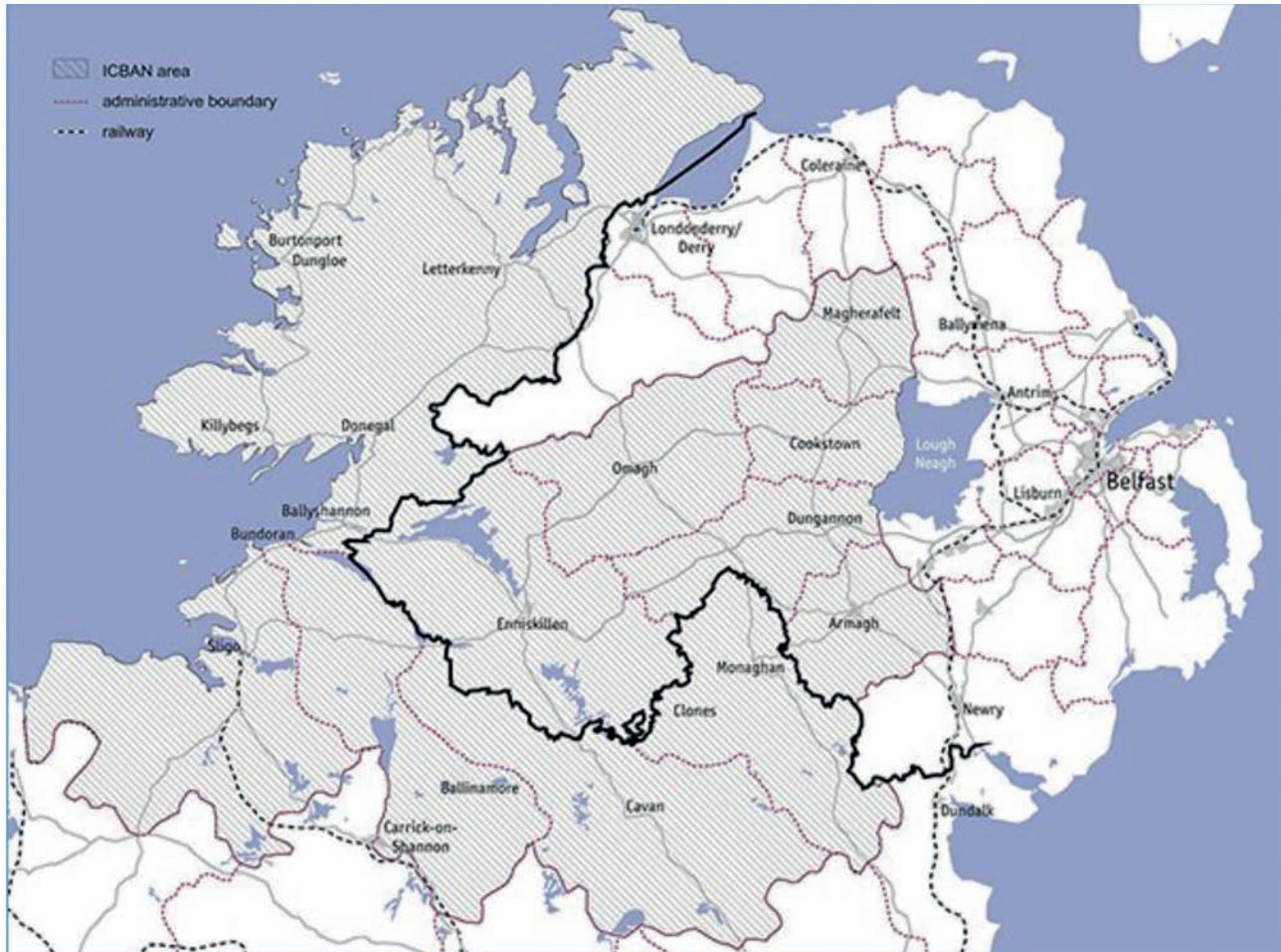
Figure 1: A map of the Irish border and central border region of Ireland/Northern Ireland [2].

This is not to say that the dilemma had ever been fully resolved. As then-Taoiseach Enda Kenny pointed out after the Brexit referendum, the border could be removed altogether if a majority in Northern Ireland vote for a united Ireland [1]. And politics in Northern Ireland is dominated by competition between nationalists who wish for a united Ireland and unionists who want to remain in the United Kingdom. Peaceful democratic politics has been premised on minimising the stakes in that competition, not least through a close British-Irish relationship.

The Brexit debate over the Irish border was dangerously polarising. Writing to the newly-incumbent Prime Minister Boris Johnson (whose rise to power was due to the strength of that hardline, pro-Leave wing of the Conservative Party), a Church of Ireland Bishop from the cross-border diocese of Clogher emphasised the need for sensitive handling of the matter: "[The border] is pivotal to how politicians and people here assess almost all policy alternatives. For this reason alone, any big change which has an impact on the border is unavoidably complicated and inevitably charged

with emotional and symbolic significance" (McDowell, 2019).

To explain further: the significance of the Irish border today rests in a paradox. Although it is so important in terms of identity and politics, the strength of the peace process comes in the fact that so many local people can (to all intents and purposes) ignore its existence. This was neatly elaborated by an interviewee for the *Border into Brexit* (Hayward and Komarova, 2019) report: "Of course the border is… a line that people have put on a map… but for many people [living here] it doesn't exist. It doesn't exist in terms of where they farm their animals, where they cut their grass, where they bring their milk from… [And] for many people their natural affinity, their natural environment, is in another jurisdiction… [Thus] many people live on one side of the border and go to socialize or work on the other side."

The impact of EU integration

The peace process underpinned by the 1998 Good Friday (Belfast) Agreement enabled this degree of openness in the Irish border. As well as recognising the legitimacy and parity of unionist and nationalist aspirations, it established formal means of cross-border cooperation (as we discuss below). In practical ways, this was made possible by the context and model of EU membership.

At the same time as drawing the UK and Ireland closer together through EU integration (thus reducing the

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(1) "Border poll: Enda Kenny 'Brexit talks must consider possibility'", *BBC News*, 18 July 2016. Available online at: https://www.bbc.co.uk/news/uk-northern-ireland-36830452 (accessed 28 April 2020).
(2) Source: Irish Central Border Area Network (ICBAN). Available online at: https://www.williemiller.com/icban-regional-strategic-framework.htm (accessed 28 April 2020).

hardness of the Irish border), the 'normalising' and depoliticising cross-border cooperation in the EU was very useful to the peace process. So whilst the impact of EU membership on the Irish border was varied and rich (from protections for frontier workers to the removal of barriers to trade; from EU regional development funding to matching environmental standards), it was the re-emergence of the border as a point of contention between the UK and Ireland (as part of the EU) that gave rise to the greatest concerns.

A distinctive border region

A combination of historical connectivity, enduring social networks and kinship ties, the peace process and the effects of European integration mean that it is possible today to speak confidently of a 'border region'. Indeed, it is the integrated nature of the border region which means that the ramifications of Brexit are not confined to Northern Ireland, even though Ireland remains in the EU. This is true both in urban locations such as Newry in the east or the north-west city region (Derry/Londonderry and Letterkenny) as well as in the predominantly rural central region (see Figure 1). The sense of connectivity in the border region went hand in hand with a sense of vulnerability as the prospect of a hard border loomed. As one resident in a border village put it: 'Because the border cuts through our parishes, neighbourhoods, farms and homes, [Brexit] will affect us in every single thing we do' (Hayward and Komarova, 2019).

Crossing the border

Frequency and purpose

In order to better understand the impact of Brexit on the Irish border, I collaborated with ICBAN (the Irish Central Border Area Network of local authorities) to conduct three studies

of the central border region of Ireland/Northern Ireland in 2017-2019. Using the methods of an online survey, focus groups and interviews, we gathered qualitative data from people of various backgrounds on both sides of the Irish border. The online survey was distributed through local authorities in the region using networks and social media; it was conducted on a voluntary basis and we do not claim that it constitutes a representative sample. In 2017, we used this method to gain an impression of how frequently people living in the region crossed the border and the reasons for them doing so. Two-thirds of our respondents crossed the border at least once a fortnight, with a quarter crossing at least daily (see Figure 2) (Hayward, 2017).

When asked why they did so, respondents reported that the primary reason for crossing was social and/or family; this reflects the integrated nature of the region in terms of kinship and social ties. The second most frequent reason for crossing was for shopping. This reflects the fact that the most convenient place for retail can often be on the other side of the border; it also shows that currency difference can be used as an incentive for cross-border activity.

Why people value an open border

It is important to acknowledge that the normality and frequency of crossing the Irish border is quite so significant

(3) The online survey received over 300 responses [n=305] from across the eight local authority regions of the Irish Central Border Area Network (Armagh City, Banbridge and Craigavon; Cavan; Donegal; Fermanagh and Omagh; Leitrim; Mid Ulster; Monaghan; and Sligo). Most of our respondents are in full-time work and aged 31-64. The survey asked for detailed comments in answer to 20 substantive questions on the experience of the border and anticipation of the UK's withdrawal from the EU (see Hayward, 2017).
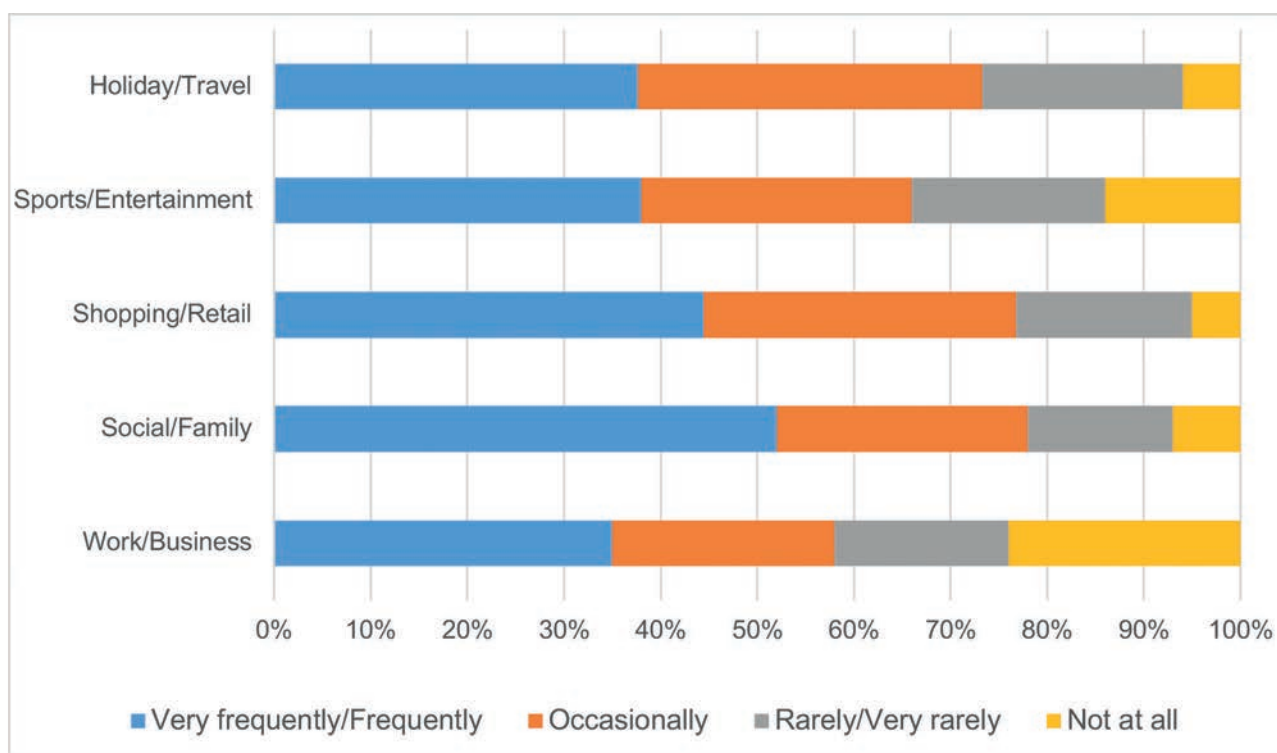

Figure 2: How often residents in the border region cross the border for different purposes [3].

because of what went before. The border region has suffered the experience of violent conflict and associated processes of securitization on top of decades of underdevelopment associated with geographical peripherality. For this reason, the benefits of single market membership could not be fully realised until de-securitization was well under way. Perhaps unsurprisingly, we found that people in the border region tend to credit the peace process (specifically the 1998 Agreement), not EU membership, with fundamentally changing their experience of crossing the border or of trading across it.

This also explains why, for many in the region, the very term 'border control' is one that conjures images of military checkpoints and surveillance, and the paramilitary activity that it sought to quell. For this reason, the notion of 'border controls' in Ireland can evoke negative experiences and memories of communal trauma, even among young people. As one respondent described it, 'hardening the border is like reopening a wound' (Hayward, 2017). It is this awareness of the fragility of the peace process which led so many to fear the prospect of changes to the openness of the border. One survey respondent put it succinctly (see Hayward, 2017): "Whilst a hard Border may not affect my life in terms of commuting, I believe any form of a hard border will have an adverse effect on relations here between Unionists and Nationalists, particular in the border region."

Any change to the Irish border could never be confined to 'technical' matters because it is simply neither experienced nor seen in just a 'technical' way by those who live and work along and across it.

Working, living and cooperating across the border

Mapping connections

As one respondent in the *Brexit at the Border* study reported (Hayward, 2017): "Cooperation is based partly on goodwill and ease of access to one another's jurisdiction and both these qualities could be seriously diminished by a hard Brexit."

Aware of the fact that cross-border cooperation was a core strand of the 1998 Agreement which needed to be protected through Brexit, the UK and EU conducted a 'mapping exercise' of the type of activities that occur on a cross-border basis between Northern Ireland and Ireland (HM Government, 2018). This revealed that there were over 150 areas of clear and specific cooperation across the border. These were categorised in three different ways.

First, the work and operation of the six north/south 'implementation bodies' of the 1998 Agreement, including inland waterways, food safety, and cross-border trade. Second are the six areas of cooperation overseen by the North/South Ministerial Council (NSMC) but implemented separately in each jurisdiction [4]: agriculture, environment,

transport, health, tourism, and education. Finally, the mapping exercise found cross-border cooperation to have developed across much broader fields, including energy, telecommunications, higher education, criminal justice, and sport. Whilst some of this was enabled by the existence of the Common Travel Area between the UK and Ireland (O'Donaghue *et al.*, 2017), it was evident that the common Union legal and policy framework had fostered many of these connections. This means that they will thus be vulnerable to collapse after Brexit (Centre for Cross Border Studies, 2020).

Habits of cooperation

The real benefits of cross-border cooperation, however, are felt not only in the formal initiatives or the institutionalised structures. The habits of cooperation are the ones that are slow to build but which make the most substantial and sustainable contribution to quality of life and work around a border. Such habits have been developing in the Irish border region in the past two decades which have brought practical benefit. There is plenty of evidence today of the building of economies of scale, small trader exporting, social enterprises and tourism projects across the border which have widespread knock-on effects (Magennis *et al.*, 2017). It isn't just that such connections increase familiarity; they also bring new opportunities for cooperation and growth. One thing that comes out clearly from our research is that freedom of movement across the Irish border is not seen so much as an abstract right but more as a way of life in the region. As one younger participant in a focus group put it (see Hayward and Komarova, 2019): "I cross the border six times on the way to work and six on the way back. So there's a complete misunderstanding of [the] use of crossing the border that the political class have. It's our day-to-day reality."

Undoing the good

The importance of cross-border work and life mean that uncertainty about Brexit brought deep uncertainty into the very heart of respondents' lives in the border region. People's fears about the prospect of a hard border only grew over the course of the three years of Brexit negotiations. And these concerns blended existential worries about the peace process with very practical considerations, such as the availability of prescription medicines, the conditions of employment or the increase in 'red tape' (form-filling). In response to such uncertainty, people began to take decisions of their own. Our research found many examples of this having consequences that retreat from cross-border practice. Respondents and interviewees, for example, talked about their decisions not to expand their business across the border, not to take up a job on the other side, and not to accept a university place in the other jurisdiction (Hayward, 2018). Such decisions (and indecision) will have wide implications for the experience of life and work across the border for years to come.

Conclusion – An unresolved dilemma

The very nature of the Irish border is in many ways an 'unresolved' matter which it goes far beyond geographical, economic or even political concerns. The fact that cross-

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(4) The North/South Ministerial Council is where ministers from both the Northern Ireland Executive and the Irish Government meet to discuss common matters of concern, both in plenary and in sectoral forms. An emergency meeting of the NSMC around the coronavirus pandemic is a good example of this in action. A joint secretariat of civil servants from Northern Ireland and Ireland services the NSMC.

border life and work came to be quite so unremarkable is a testament to the 1998 Agreement and the resilience of residents all along the border region. Such resilience was tested by the Brexit process, the fallout from which has only just begun. After increasingly fraught political debates in London and in Brussels over the Irish border, a compromise was reached in October 2019. The UK and EU negotiators agreed, in effect, not to resolve the Irish border problem but to move it. The Protocol on Ireland/Northern Ireland in the Withdrawal Agreement keeps Northern Ireland as *de facto* in the EU's customs union and single market for goods (European Commission, 2019).

This allows the EU a degree of confidence about the ease with which goods can move across the Irish border even though it is now a UK/EU boundary. Instead, the impact of friction in trade between the UK and the EU post-Brexit will be felt in the movement of goods from Great Britain to Northern Ireland, i.e. within the UK's internal market. This poses severe risks to Northern Ireland's economy unless handled carefully (around half Northern Ireland's external sales are with Great Britain) (NISRA, 2020). It is also highly controversial. All parties in Northern Ireland have objections to the Protocol, and unionists are particularly resistant to its implementation. Although the EU may see unionist fears about an Irish Sea border as a domestic concern for the UK, it needs to be aware that its handling of the matter could exacerbate tensions within Northern Ireland. Emotions of insecurity and mistrust, from any quarter, can be severely damaging to a peace process. The difficulties of managing a UK/EU border placed anywhere around Northern Ireland remain stubbornly complex and precariously sensitive.

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