

Are Northern Irish Eyes Smiling?

by Michael Curtis



Before the formal meeting of the Group of Seven, President Joe Biden and Prime Minister Boris Johnson met in Carbis Bay, Cornwall to discuss and strengthen traditional and historic links between the two countries. On June 10, 2021, they agreed to reaffirm those ties by updating the Atlantic Charter signed by President Franklin D. Roosevelt and Prime Minister Winston Churchill on August 14, 1941, on a ship off the coast of Newfoundland. The Charter set out a general statement of the aims of the U.S. and UK for the post-World War II world. It included eight common principles: the countries agreed not to seek territorial expansion, and called for liberalization of free trade, disarmament, collective security, and the right of all peoples to choose their own form of government. The Charter was not a binding treaty, but it did affirm the solidarity between the two countries against Nazi aggression.

The new Charter is concerned with the challenge of China and Russia, and their interference through disinformation or other malign influences, including on elections, on the Western world. Among other matters, the U.S. and UK promise to counter modern threats including cyber threats, to promote free trade and human rights, to adhere to the rules-based international order, and to challenge those who seek to undermine the alliance between them and the institutions of the U.S. and UK.

However commendable the intentions of the new Charter, unity was not achieved because of tension between the two leaders over Northern Ireland. This is not new. Winston Churchill once said, or is alleged to have said, "We have always found the Irish a bit odd. They refuse to be English." The Irish question will not go away. The problem of Northern Ireland, NI, has become more sharp and more divisive as a result of Brexit. Joe Biden, unlike President Donald Trump, has not been a supporter of Brexit, as he displayed during the 2020 presidential campaign, though he accepted the British right to leave the EU. He warned Boris that tension in NI would be inflamed if he did not compromise over border checks.

Joe Biden's political stance is often linked to personal and emotional folksy issues. Basic in his attitude on the question of NI, is his affection for and emotional attachment to Ireland. He is proud of his Catholic Irish roots, and his ties to County Mayo. At his first press conference as president on March 25, 2021, Biden who is 5/8 Irish in background, mentioned his great-grandfather had sailed in a coffin ship in the Irish sea; "They left because of what the Brits had been doing. They had no choice." Implicitly, Ireland was a victim of British oppression of which he is critical. Biden is fond of quoting a few poems of Seamus Heaney and W.B. Yeats, especially the latter's Easter Sunday 1916: "All changed, changed utterly, a terrible beauty is born." It may be too strong to say that Biden consciously displays anti-British sentiments, or that he believes the Irish people are still

oppressed by the British, but he has been sympathetic towards the IRA, the Irish Republican Army, and to Irish nationalism, and has little concern for the Unionists in Ulster.

Just before the summit in Cornwall the most senior U.S. diplomat in London on June 3 had issued a demarche, a formal rebuke, rarely used against a close ally, that Britain's attitude on the Northern Ireland Protocol was jeopardizing the Northern Ireland peace process. Moreover, Yael Lempert, the U.S. charge d'affaires in London, linked a possible U.S.-UK trade deal with Britain's following the EU's directives on agricultural standards. Biden, who is sympathetic to the EU, has backed off any public confrontation and is not issuing threats or ultimatums, but in "frank diplomatic conversations" has urged Britain to reach a negotiated settlement on border checks.

To some extent, Biden appeared to back off from an extreme position. There are two factors at the core of his views: one is the conviction that the Good Friday Agreement is the foundation for peaceful coexistence in NI, must remain in place, and must not be jeopardized by differences over trade disputes that cause instability; the other is that any trade deal between the two countries must depend on preventing the return of a "hard" border between NI and the Republic of Ireland.

Some explanation is in order on the two crucial factors, the GFA and the Northern Ireland Protocol which are interconnected in practice. The GFA in 1998 ended decades of sectarian violence in Ulster, by a power sharing system, a framework for peace and reconciliation in NI, and agreed the border must remain "soft," an open border between the Republic of Ireland and NI, which in 1998 were both part of the EU and shared the same rules on trade. After Brexit, new arrangements were necessary. The EU requires many goods from non-EU countries to be inspected. This led to the Protocol, an arrangement to avoid a "hard" border between Ireland, which is in the EU, and

NI. The agreed compromise was border checks on UK goods entering NI, thus in effect a border of a kind within the UK.

This complex trade arrangement relates to the fact that Ulster is the only part of the UK with an EU land border. There are no "hard" border posts with checks on traffic. However, there is a trade barrier in the Irish sea for goods coming from Great Britain which must face customs checks before entering NI, even if the goods are not ending in the Republic of Ireland. The arrangement allowed a six month grace period for the infrastructure for the checks to be put in place, and this runs to the end of June 2021.

On this there are differences. Boris has not ruled out the possibility of unilaterally extending the check free period. Brussels, though there are differences among the members of EU has, at its extreme, threatened a trade war if this is done. Boris has complained of the disproportionate number of checks imposed on goods from Britain to NI.

A current problem is the arrangement for shipments of chilled meat, such as sausages. Checks on these were postponed, but the deadline is close on chilled meat entering NI. The EU has threatened to launch a sausage trade war if Britain overrides the Protocol. On the other hand, Boris responds that the EU is being too strict, and threatens to use article 16 of the Protocol, which can be used to prevent serious economic, social, or environmental difficulties.

People of all parties agree that the Brexit agreement and differences over trade must not jeopardize Irish peace. At the same time, all should agree that Northern Ireland is part of the UK, that the UK is a single country, a single territory. The Irish problem is complex, not simply one of trade and the peace process, but also a constitutional issue and the ambiguity on which a peace settlement rests. The GFA stated that citizens could regard themselves as Irish or British, or both, as they may so choose. Nationalists could opt to have

Irish citizenship while Unionists, favoring adherence to the UK, can remain British, living in parallel constitutional entities. But with Brexit, the border between NI and the Republic of Ireland becomes the external border of the EU.

The EU threatens to impose tariff quotas on British exports if Britain fails to implement customs checks. Politically, the arrangement is complex. England, Scotland, and Wales do not follow EU rules, but NI does because of its border with Ireland, an EU member, and therefore there are customs checks on goods entering NI from elsewhere in UK.

Boris underlined the need to maintain both the sovereignty and the territorial integrity of the UK. For him, the unaltered implementation of the Protocol threatens the UK's territorial integrity, and he promised do whatever it takes to protect it.

A possible fight is now over the sausage war. The EU allows importation of only frozen processed meat from outside its borders. At the moment, the sale of raw sausage meat from Britain into NI is permitted during the grace period until the end of June. Boris has to deal with the complex trade plan and is determined to preserve peace in Northern Ireland, but will he fight to extend unilaterally the free movement of the sausages to continue? Perhaps some chips with the sausages might help him decide.