

IRISH REFERENDUMS PROJECT

Irish unity can only be objectively examined as one of two options , argues
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Political tremor not earthquake

Sinn Féin's spectacular resurgence has placed a party still controlled by a secretive group which includes old IRA bosses into leadership roles north and south, uniquely positioning them to influence developments on both sides of the border. Their continuing paramilitary affiliation was reason enough for the traditional parties of government

What is a referendum for? The question nags and the answer is by no means straightforward. Is it to register the settled will of the people in favour of a decision already broadly taken; or to impose a majority verdict on a reluctant minority for the perceived greater good? How is respect for the result to be secured if opinion is narrowly split? With all their experience of referendums on both sides of the Irish Sea, team members will have the question at the forefront of their minds.

In Ireland the question is complicated by two referendums which are complementary but distinct. A prime purpose of this project is to explain how the processes might best be coordinated. The bigger question is whether recommendations can be robust enough to stand the test of time in the volatile state of politics in both jurisdictions.

In the North a numbers game will be played out with mounting intensity, presenting quite a challenge for dispassionate public debate. Fresh ammunition will be provided in the census of 2021, the year which happens to mark P q t y j g t p " K g r p f a u ' e g p v g p c t { ' c u ' c ' u c v g 0 Conventional wisdom has it that a border poll is more likely than ever, if not inevitable. The assumption is made that a poll would not be called unless there was confidence in a unity result. This is more doubtful as the trend is ambiguous. Because of the sharp rise in the number q h ö

DUP a thrashing for three years of Stormont standoff. In the South a few weeks later, record numbers defied the old party lines and rewarded them with the largest share of the vote. These results are striking evidence that voters in Ireland as elsewhere are choosing to vote with discrimination rather than along the old party lines, making the old sectarian predictions increasingly unreliable.

Proposals for the constitutional future

For a united Ireland

A united Ireland will not happen by elision. Belief in its inevitability is all very well, but strong incentives will be needed for a partly hostile and poorer north and assurances for an otherwise preoccupied south. Many perhaps most in the south would oppose a stampede for unity which would allow the northern tail to wag the southern dog. The dimensions of unity reach far beyond the definitions of binary referendum questions.

If they are serious about it, it is incumbent on the Republic to present a plan for unity which contains financial and other incentives to both parts of Ireland, reaching out for broad based consent. The unity offer should be developed as much as possible in public to allow all concerned to contribute. This would maximise the involvement of civil society and individual unionists. It is unrealistic to expect the unionist parties formally to respond unless a yes vote is returned in a border poll. The New Ireland Forum of 1982 is the rough model. This exercise requires a radically different approach from the elite hot house negotiations of the Good Friday and subsequent agreements.

The consultation process should be steered by an impartial body independent of government. The recommendations would eventually form the basis of draft proposals for the Oireachtas. Integration proposals should be taken forward regardless of the referendum result. The Assembly would doubtless debate the plan for unity but cross community consent would not be given for negotiations.

Two referendums in each jurisdiction are profoundly undesirable, one on the principle of unity, the second to approve the form of implementation. A second vote would only restage the battles of the first, with a high risk of utter confusion. The southern referendum would follow the border poll a short time later, necessarily contingent on the northern verdict. A comprehensive plan for unity would be put before the voters north and south in advance and an updated version of the GFA representing the status quo added for voters in the North.

A choice of futures

The project should approach the future governance of Ireland as an open question. The referendums should offer a choice of constitutional futures. The survival of the Assembly should be the factor common to both. A simple yes or no fails to reflect the real choice, unwittingly accepts a nationalist narrative, threatens essential mainstream unionist participation and limits the impact of the recommendations.

The structure of unity

While it is entirely appropriate for academics to consider different forms of unity, fortunately one is oven ready. The continuation of a devolved Northern Ireland within a united Ireland is the obvious model for at least the initial period of unity.

Transfer of sovereignty from the UK to Ireland, leaving the GFA institutions largely intact and introducing a West Lothian- type self denying ordinance on southern TDs against voting on northern devolved matters. This would be most readily understood by everybody. Most importantly it would give special recognition to unionists by guaranteeing them a role in government in a united Ireland. Assurances for the protection of British and unionist citizen rights would be written into the constitution. A debate should be held and rehearsed by the project on whether the Assembly now part of Irish devolution, should be entrenched in the constitution and whether the UK government should act as guarantor of the rights of British citizens and unionists. The whole package should be wrapped before the referendums to avoid the political disaster of two referendums particularly in Northern Ireland. The settlement could be reviewed years later in a different climate. Approval by an all-Ireland referendum would be appropriate for moving to a unitary state.

The structure and internal character of a united Ireland

Amending the constitutional and legal framework could be the easy bit. More daunting is devising a national plan for harmonisation and integration that describes the character of the unified state. To start with this project should produce the latest estimate of the cost of unity. The subvention from the UK would continue for a negotiated period. The taxation system, pensions and welfare would be harmonised, the currency would transfer to the euro and a choice made over time between the NHS and the EU. An international Marshall investment Plan heavily supported by the EU would be devised and special incentives created for transferring multinationals to the border region. Some capital city features would be decanted to Belfast and Armagh and a great deal of energy would be expended on arguing over the display of British national symbols. The plan for unity would be implemented over years. In outline form it would be ready for the referendum voters.

The transition

Before the referendums the Irish government would present a draft transition plan with an indicative timetable to the UK government and the Assembly to begin harmonisation under Irish sovereignty as soon as possible after the votes. The necessary legislation would be passed in both Irish soveo

The alternative to unity is a status quo that describes the ideal pattern of relationships between unionist and nationalist, north and south, the UK and the Republic. It guarantees rights and provides the machinery which naturally imposes collaboration in government on previously warring factions. After each breakdown they have been forced to return. No version of a united Ireland as yet produced achieves that. Unity however dressed up in warm words, can only

unity is an idea whose time has not yet come. Whatever is contemplated for the future should not be left to snapshots of ephemeral opinion taken on the wing. It deserves no less than the commitment of political parties in an election to trigger referendums of unity. A simple binary referendum in the North would fail to maximise the consent necessary to ensure stability. Looking at it today and whatever the trend, the outcome is sure to be marginal.

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