



Negotiating Brexit:

A Small State Moves Centre Stage

Ireland

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Introduction

Ireland's accession to the European Economic Community (EEC) on January 1 1973, together with the United Kingdom (UK) and Denmark marked the state's most important political and economic decision in the post war period. Joint membership of the EU profoundly altered the context and texture of British Irish relations. It transformed the bilateral relationship as both states evolved into member states and afforded them an accommodating environment within which to address the violence that plagued Northern Ireland from the end of the 1960s until the signing of the Good Friday Agreement (GFA) in 1998. The first visit to an independent Ireland by a British Monarch in 2011 represented a normalisation of relations between the two states after a turbulent and bloody history. Given the ties of history and geography, economic and social bonds were extremely strong between the two countries. The Dublin to London air routes are the busiest in Europe and second busiest in the world. Ireland is the country most affected by the UK's decision to leave the EU and the complexity of political and constitutional relations on the island of Ireland has made it extremely difficult for the UK to exit the Union in an orderly manner. The tangled histories of the two islands proved central to the attempted disentanglement of the UK from the EU.

The objective of this chapter is to map and explain Ireland's negotiating position on Brexit and the way in which it went about responding to the challenges posed by the exit of its neighbour from the Union. From the time David Cameron announced his aim of renegotiating the terms of UK membership and the holding of an 'in-out' referendum, the Irish state elite understood how salient this was. Ireland was the first member state to set up a Brexit unit in the prime minister's office and long before the vote was held in June 2016, the Irish governmental system engaged in extensive due diligence to ensure that if the UK voted to leave, it had done its homework and understood what the key issues were for Ireland. The Irish system knew more about the consequences and costs of Brexit than the UK state when the results of the referendum were announced on the 24th of June 2016. Since then, Brexit has absorbed the energies and focus of Ireland's Government, administration, key economic and social actors, the Irish parliament and the wider society. The Irish media covers Brexit with the same intensity that is prevalent in the UK and Irish society is exposed to the UK Brexit debate on a daily basis because of the circulation of UK papers in Ireland and access to UK broadcasting channels. Put simply, Brexit has hit home and 'Making Ireland Brexit Ready' is the mantra. Ireland's traditional approach the EU was to focus on issues of key salience, deploy diplomatic capital

with care given its size and engage in coalition building on a case by case basis. Brexit forced Ireland to leave its comfort zone and move centre stage on an issue of major importance to it and the EU. Brexit also put Ireland on the other side to the table to the UK with very different preferences on an issue of high salience to it and its nearest neighbour. Brexit is a historic event for Ireland the outcome of which will resonate for decades to come.

None of the classical theoretical frameworks on EU policy making and negotiations, liberal intergovernmentalism, variants of institutionalism and structural approaches provide an adequate account of how and why the Irish state elite approached Brexit the way it did. Liberal intergovernmental approaches to domestic preference formation posit a plurality of domestic actors attempting to influence national preferences and the positions taken by Governments; it accords primacy to economic actors. In the Irish case, it is important to explain why despite significant economic ties the Government privileged other interests. Why was it that economic actors although present in the debate did not trump political concerns and preferences. Institutional perspectives provide insights into how the Irish state built capacity to organise for Brexit and how it deployed its resources in the EU arena but it does not account for the salience accorded to Brexit and Irish preferences on the UK's exit. A structuralist perspective that accords primacy to the domestic political economy or the nature of the political system does not provide explanatory purchase on the how Brexit was addressed in Ireland. An understanding of how and why Ireland approached Brexit the way it did, must begin from premise that Brexit confronted Ireland with existential issues to do with the peace and stability of the island of Ireland and Ireland's membership of the EU. Brexit was about 'raison d'état' and 'raison de paix'. This was about the state and its relations to its immediate neighbour and the wider geopolitical space. Brexit was high politics, as significant as any event short of war. It was also happening against the backdrop of the centenary of the formative events that led to the foundation of the Irish state in 1922 and the partition of the island, notably the 1916 Rebellion and the earthquake election of 2018 when Sinn Fein swept the board in what is now the Irish state. The commemorations were a constant reminder of how and why the Irish state emerged from the crucible of the British Empire and the first world war.

State theory offers the most appropriate theoretical frame to understand how Irish preferences evolved and how Ireland confronted the dilemmas arising from a decision over which it had no control. The literature on bringing the state back in focuses on state autonomy defined as the ability of states to take decisions and pursue policy lines that are not simply reflective of demands arising from the interplay of societal actors (Skocpol et al, 1999). State theorists

emphasize the importance of state capacity and the way in which states amassed power during the processes of state building (Tilly, 1990). Functioning states invest in effectiveness that enables them to address the challenges they face either internally or from their external environment. From this perspective, states are actors that can draw on their state capacity to pursue strategic goals especially when the challenges go to the heart of the geopolitical standing of the state and the stability of the polity. When faced to address issues of high salience that go to the heart of a state's future, political elites draw on the existing state capacity to influence to the extent possible the outcome of an event with big consequences. Ireland's response to Brexit was driven by key political and official actors acting as a cohesive state elite. There was an all of government response, that radiated out to state institutions, underpinned by the parliament and active engagement with societal actors on the island of Ireland.

The Irish political system transformed itself into a task force, an 'administration de mission' to plan, orchestrate and manage the Brexit negotiations. The Irish state organised for Brexit by creating a cohesive central node around the Prime Ministers department and the EU Division of Foreign Affairs. All other departments developed the sectoral analyses and the Department of Finance kept a close eye on the economic consequences of Brexit. State agencies such as Enterprise Ireland (EI), Industrial Development Authority (IDA) and others engaged actively with economic actors to get them Brexit ready. On the 24th of June, the day after the referendum, the Irish Prime Minister, Enda Kenny announced Ireland's contingency planning for Brexit and reasserted Ireland's commitment to its membership of the EU. He wanted to reassure the public that Ireland could collectively cope with any and all challenges generated by Brexit. In July 2016 he announced:

Our primary goal now is to protect and advance those interests. As a result of many months of preparatory work, we have a *whole-of-government contingency framework*, within which we will continue to track and develop key policy issues and negotiation positions. This will be used in key economic areas such as trade, energy interconnection, social welfare arrangements, education and research cooperation. It will, in reality, extend right across every single area of Government activity. Above all, our contingency management arrangements will prioritise the key political and strategic issues arising from the implications for Northern Ireland, the common travel area and the border (Kenny, 18 July 2016).

The announcement was accompanied by an intensive diplomatic effort; in July 2016 the Irish PM met Chancellor Merkel, President Hollande and the new UK Prime Minister Theresa May. The Irish state was about to embark on its most complicated negotiations since the accession talks in the early 1970s. Ireland's state capacity was deployed in two ways, one to engage with the society and particularly those sectors most affected by Brexit and second, to engage with the EU institutions and member states to ensure that Irish preferences were understood. Relations with London also remained important given the shared responsibility for Northern Ireland. The negotiations were not just two level but best conceptualised as vertical EU-Ireland, horizontal multiple bi-laterals with the other member states and relations with London. The analysis begins with how the Irish question made it onto the EU Brexit agenda, and proceeds to explore how the EU collectively addressed the Irish question and maintained solidarity with Ireland on an issue that was not of high salience to the other member states. The analysis concludes with an examination of how the Government worked to build and maintain a domestic consensus on Brexit.

Putting the Irish Question on the EU Agenda

As the Brexit shock was absorbed in summer 2016, the Irish political system began to probe what all of this might mean and how its core priority, the border and the Good Friday Agreement (GFA) would be protected. The Irish Government was initially reassured when the new UK Prime Minister, Theresa May met with Enda Kenny, the Irish PM on July 26 just after her arrival in office. In the post meeting press conference Enda Kenny said:

We are in full agreement that we do not wish to see any return to the borders of the past on the island of Ireland (Kenny, 26 July 2016).

Agreement on a common goal did not however offer a plan for its achievement. Bilateral discussions with London in autumn 2016 provided no clarity on how the UK proposed to address the challenges associated with the border. Moreover, Ireland's priority of remaining a member state in good standing led it to actively engage with the Article 50 Task Forces in the Council and the Commission in addition to high-level contact with the leadership of the key institutions. The Irish received Michael Barnier, the Chief negotiator in Dublin, on the 12th of October and participated in the Council confessionals that mapped out the key issues. Subsequently a large delegation from Dublin met twice with the Commission's Taskforce 50 in Brussels before Christmas 2016. Members of the Government and senior diplomats

continued their bilateral meetings with each member states. May's speech to the Conservative party in October 2016 followed by Lancaster House in January 2017 together with the norm of unity and a singular Brexit negotiating track in Brussels meant that increasingly Irish attention was focused on Brussels and member state capitals. The Government came to understand that the border could not be addressed on a bilateral basis between London and Dublin but needed to be elevated to a European issue. The decision by the EU to refrain from negotiating with the UK until it had formally gave notice of its intention to leave, gave the Irish first mover advantage because the UK government was out of the loop. The intensity of diplomatic and political effort was increased in the period leading up to formal negotiations. Before the UK notification in March 2017, Ireland had held 400 meetings with EU institutions and its counterparts in other capitals. The concentration of effort met with understanding and support as the other member states and EU institutions accepted that the Irish case was compelling and deserving of support.

The Commission began to develop its thinking on Ireland. In February 2017, the Juncker Cabinet drafted a memo entitled 'Brexit and the Border between Ireland and the UK', which began to identify the challenges of having an invisible border and maintaining the integrity of the single market (Connelly, 2017, 324-25). Ireland's Commissioner Phil Hogan did extensive behind the scenes work in sensitising the Commission to the Irish issue and liaising with the Irish Government. There was a change in how Dublin perceived the issue. At the outset it engaged actively in assessing all of the technical means of addressing the border issue but concluded that, as the UK was the source of the problem, it should search for technical solutions as Dublin increasingly saw the border as a political problem. The opening of the Brexit negotiations coincided with the arrival of a new Irish Prime Minister as Leo Varadkar was elected as Taoiseach on 14 June, 2017 having already won the Fine Gael party contest to become party leader. The political change in Dublin was portrayed in UK politics and the media as a hardening of the Irish position. Speaking in the former DExEU Minister, David Davis concluded that "The original Taoiseach [Enda Kenny] took a slightly more constructive approach than came later... the attitude of the Irish authorities in the first year was different than what came later," (Davis, 2019,). In fact, while still PM, Enda Kenny had already shut down the Revenue Commissioners work on solutions to the Irish border. The new PM explained that Ireland was not going 'to design a border for the Brexiteers, because they're the ones who want a border. It's up to them to say what it is, say how it would work' (quoted in

Connelly, 2017, 333). Put simply, Brexit was a UK idea and they had a responsibility to address the problems it caused to the Irish border and the GFA.

PM May's letter of notification, which arrived on 29th March 2017, made significant references to Ireland and the Irish border. The PM wrote:

We want to avoid a return to a hard border between our two countries, to be able to maintain the Common Travel Area between us, and to make sure that the UK's withdrawal from the EU does not harm the Republic of Ireland. We also have an important responsibility to make sure that nothing is done to jeopardise the peace process in Northern Ireland, and to continue to uphold the Belfast Agreement (UK, 2017, 29th March).

During the entire negotiations, the Irish Government pursued a strategy as holding the UK Government to its pledges on Ireland. Crucially it had the backing of the EU27 in this endeavour. The European Council Negotiating Guidelines issued in April 2017 underlined the success of the Irish political and diplomatic offensive. Ireland was one of three issues that needed to be settled before the EU would move on to discuss the future relationship. The paragraph on Ireland was couched in support for the peace process and the Good Friday Agreement. Specifically the Guidelines stated:

In view of the unique circumstances on the island of Ireland, flexible and imaginative solutions will be required, including with the aim of avoiding a hard border, while respecting the integrity of the Union legal order (EU Guidelines, April 2017).

This sentence was carefully crafted; it signalled that the EU would be 'flexible and imaginative' in relation to Northern Ireland which was code for special arrangements to avoid a hard border that would not be available to the UK writ large. However, there is an important caveat, the reference to the integrity of the Union's legal order.

The inclusion of the Irish border in the negotiations at this stage was contested by London as they argued that the border was an issue for the future relationship. There were three primary reasons for the EU's insistence on the Irish question during this phase. First, they did not want Ireland to become a pawn in the future negotiations but needed a framework for handling the Irish issue in place before those negotiations began. Second, the EU collectively was persuaded that this was an issue of peace and stability rather than an economic issue and three, they did not want the UK to seek to use Northern Ireland as a bargaining chip to get more favourable

treatment for the UK. The Irish dimension of Brexit was greatly complicated when PM May lost her overall majority in the 2017 general election. The continued survival of her Government relied on the support of 10 MPs from the Democratic Unionist Party (DUP), the only party in Northern Ireland to support Brexit. The DUP was known for its hard line on constitutional issues and had not supported the Good Friday Agreement (GFA). Moreover the DUP was confident that regardless of their position, the EU would guarantee a soft border and the 'the Republic is the European Union negotiator's Achilles Heel' (quoted in O'Rourke, 2019, 249).

When the negotiations began in summer 2017, a separate track was established to address the Irish dossier under the direction of the most senior officials and was described in the following manner: 'a dialogue on Ireland / Northern Ireland has been launched under the authority of the Coordinators' (EU Commission, June 2017). This indicated that unlike money or citizens, the Irish border was not yet ripe for negotiations but this formulation gave it visibility and salience as it was the responsibility of the two senior negotiators, Sabine Weyand and Ollie Robbins. The UK published its interlinked position papers on Ireland and the future of the EU-UK customs arrangements in August 2017. This represented the first official UK response to the border. The paper outlined UK views on support for the GFA, the common travel area and border. The controversial element of the position paper related to the border. Although committed to the objective of no hard border, the report outlined a commitment to 'maintain as seamless and frictionless a border as possible' (UK Position Paper, August 2017). In terms of practical solutions, the paper relied heavily on the customs arrangements paper issued the day before, including references to waivers, trusted trader schemes and a streamlining of customs arrangements. The papers were not well received in Brussels or Dublin as it was felt that they were wildly optimistic and experimental. The Commission reacted by publishing a text on guiding principles for the dialogue on Ireland/Northern Ireland on September 7, 2017. The principles focused on the border, North-South Co-operation and how to ensure 'that Ireland's place within the Internal Market and Customs Union is unaffected' (EU Commission, September 7, 2017). The Union made no secret of the importance of the internal market and the customs union.

The 2017 October and December European Councils were flagged as important staging posts in the Brexit negotiations. By autumn 2017, London wanted agreement on a transition to provide certainty for its increasingly nervous economic actors and sought to move to discussions on the future relationship. The negotiators made considerable progress on two of

the key issues, citizens and on money but little movement on how to handle the Irish border. Dublin was becoming increasingly concerned that the Irish dossier might be neglected as the UK did not appear to want to engage actively with it following its August position paper. Irish fears proved well founded. At a meeting on 24th of November 2017, between President Tusk and PM May at a sensitive time in the negotiations. President Tusk warned Theresa May that she needed to sort out the Irish dossier. The PM's reply was very revealing; she said that 'One country cannot hold up progress' and the 'UK was a 'much bigger and much more important country than Ireland' (O'Rourke, 2018, 253). Unfortunately, for the UK, Ireland was a member state and had the backing of its partners and EU institutions. This was demonstrated on 1 December, when President Tusk visited Dublin. He could not have been clearer in his assurances to Dublin. President Tusk said, 'the EU is fully behind you and your request that there should be no hard border on the island of Ireland after Brexit' and 'It is the UK that started Brexit and now it is their responsibility to propose a credible commitment to do what is necessary to avoid a hard border' (Tusk, Dublin 1 December 2017).

Throughout autumn 2017, the UK struggled with the problem of the Irish border and was faced with unpalatable choices. PM May was desperate to achieve 'sufficient progress' at the December European Council. The idea of a backstop emerged in autumn 2017 as a way of bridging the time between the departure of the UK from the EU and agreement on a future relationship. The UK had hoped that apart from a general commitment to the avoidance of a hard border, the issues would be resolved when negotiating the future relationship. When PM May met Leo Varadkar at the November Gothenberg Summit, the Irish PM was adamant that Ireland would block moving to the next phase of the talks at the December European Council unless there was text on Ireland. President Tusk supported the Irish PM when he said that if the UK offer on the border 'is un acceptable to Ireland, it will be unacceptable to the EU' (Tusk, Dublin, 1 December 2017). The UK was leading that by being a departing state, its negotiating power was less than that of a small European state. The PM's Chief of Staff, Gavin Barnwell, is reported to have said 'The Irish are behaving very badly. The EU is not the issue. The issue is Ireland' (Shipman, 2018, 525). The challenge for the UK was that Ireland was now the EU, at the heart of the EU's negotiating strategy.

On the 4th of December, PM May flew to Brussels to finalise the text of a Joint Report for the European Council in order to begin discussions on the future relationship. The report contained a paragraph, paragraph 49 on the Irish border, which outlined a series of UK commitments,

notably to protecting North-South cooperation under the GFA and to avoiding a hard border. The paragraph then went on to specify how this would be achieved. The UK signalled that its intention was to achieve these objectives through:

- The overall EU-UK relationship;
- If this was not possible, to propose specific solutions to address the unique circumstances in Ireland;
- In the absence of agreement the UK pledged to maintain full alignment with those rules of the IM and CU necessary to maintain co-operation and protect the GFA (Joint Report, December 2017).

The commitment to full alignment was acceptance of a backstop. As a portent of things to come, the draft joint report which PM May was intending to endorse was strongly condemned by the DUP in a telephone conversation between PM May and the leader of the DUP, Arlene Foster from president Juncker's office. . The Prime Minister could not sign off on the report and had to fly back to London empty handed to deal with the DUP backlash. Following a week of high drama, the PM agreed the joint report with the inclusion of a new paragraph, paragraph 50, which included a commitment to no new regulatory barriers between Great Britain and Northern Ireland. The Joint report was very ambiguous as it involved joint commitments by the EU and UK but also UK only commitments. Articles 49 and 50 sat uneasily together. The report was sufficient to get the European Council to agree sufficient progress had been made. It was regarded as an insurance policy, which would guarantee no physical border on the island of Ireland regardless of what happened.

The challenge in spring 2018 was to translate the Joint Report into legal text as the Withdrawal Agreement (WA) was an international treaty. The Commission published a draft colour coded WA in March 2018; green meant that agreement had been reached, yellow agreement was almost there and no colour signalled that there was more work to do on the text. The draft WA demonstrated that there was less agreement on Ireland than on the other two issues and that the backstop remained highly contentious. The Minister for Exiting the EU, David Davis, had gone back to London in December essentially arguing that the UK did not have to take the measures outlined in the Joint Report on Ireland seriously. This reduced trust in the UK. The Commission and the Irish Government were far more vigilant and determined to hold London to its word. The UK did not actively engage on the Irish border in this period. It offered no text or an outline of what alternative measures it might suggest. The UK strategy was to keep

the Irish issue until the very end so as not to destabilise the DUP commitment to the Government. Its negotiators also understood that the Irish border revealed the incompatibility of its preferences, namely to leave the single market and the customs union while at the same time have an open border in Ireland. As the UK Cabinet grappled with the challenge of what kind of relationship it sought with the EU after exit, it published the Chequers proposals in July 2018. The document claimed that the proposals it contained would:

meet our shared commitments to Northern Ireland and Ireland through the overall future relationship, in a way that respects the EU's autonomy without harming the UK's constitutional and economic integrity (UK, July 2018).

A central claim was that a free trade area for goods would meet the commitments to Ireland. The 27 did not want to publically crush the Chequers proposals as they understood the challenging political environment PM May found herself in but it was evident that Chequers would never find favour with EU27. The proposals were effectively unpicking the single market and proposing untested customs arrangements.

The Salzburg informal meeting of the leaders in September 2017 was regarded as an important *rendez vous* by Theresa May. The heads were willing to be supportive of the prime minister and were prepared to refrain from ruling out the chequers proposals. Unfortunately Salzburg went badly wrong as PM May used her time with the leaders to reiterate the contents of an article that had appeared in a number of European outlets. When meeting the Irish PM bilaterally, she informed him that the UK would not have text on Ireland ready for the October European Council although the UK had since December 2017 to put legal text on paper. The Taoiseach was very concerned and informed his counterparts when he met them of his disappointment in the UK negotiating position. During the meeting of 27, the mood hardened and President Tusk effectively killed off the Chequers proposals in his meeting with the press after the summit. The meeting' reconfirmed that there will be no Withdrawal Agreement without a solid, operational and legally binding Irish backstop' (Tusk, Salzburg, September 2018). The backstop had become an important red line for the EU27.

Faced with EU 27 demands and DUP intransigence, London moved focus and asked the EU to consider an all UK customs union rather than one for Northern Ireland only. This was a major demand that met with considerable resistance and concern among the member states especially with regard to level playing field issues. After considerable deliberation the EU conceded an all UK customs union in order to agree a WA. By mid-November the two negotiating teams

had signed off on a 500 page plus draft treaty that was subsequently agreed by the UK Cabinet and the European Council. Ireland had achieved its key negotiating objectives with the backstop as it would protect the border ‘unless and until’ it was replaced by something agreeable to both sides. The challenge however was to achieve the ratification of the WA by the House of Commons. Following defeats of historic proportions, the UK has failed to ratify the agreement. There have been continuing attempts to explain the backstop and to emphasize its temporary character if it is ever used. The EU27 and particularly Ireland have resisted any effort to dilute the text of the WA.

The Irish Government and diplomatic service although not at the EU table in the negotiations was closely involved in consultations and discussions on every aspect of the Irish dossier as the negotiations progressed. The Irish representation in Brussels, the PM’s Sherpa and the EU unit in Foreign Affairs accorded the highest priority to the Brexit negotiations and tracked them intensively from June 24th, 2016. Irish embassies in the national capitals continuously liaised with their counterparts and kept Dublin fully informed on evolving preferences and attitudes.

EU Solidarity with Ireland

Ireland is one of twenty two small states in the EU and as such understands the limits of its influence and the need to nurture diplomatic capital and networks. Having achieved the backing of EU institutions and the 26 member states in the negotiating guidelines, solidarity with Ireland was maintained right up to the present day. Given that the issue of the Irish border represented a very particular set of challenges, how should the Union’s solid support for Ireland be explained? The explanation partly lies in the political and diplomatic skill displayed by the Irish system throughout the Brexit process. The Irish did their homework and ensured that its concerns were known and understood across the continent. Twenty-one years after the signing of the Good Friday Agreement (GFA) in 1998, knowledge and support for the GFA is evident in the actions and statements of senior political leaders and diplomats in Europe. The Irish were very attentive to soft power including the power of symbols. Key players such as Michael Barnier visited the border area and spoke to those who lived in the region. Visitors to Dublin made the pilgrimage to be photographed on the border. When Chancellor Merkel visited Dublin on April 4th 2019, her bilateral meeting with the Irish PM was preceded by a roundtable discussion with people whose lives had been plighted by the troubles. Given her experience of growing up in the DDR, she had a natural empathy with the challenges of contested borders.

The peace process and the achievements of the GFA resonated with the EU narrative as a peace project. It went beyond this because the EU had played an important although not central role in the GFA. Joint membership of the EU had altered the context and dynamic of British Irish relations in numerous ways. It transformed the asymmetrical relationship between the two states and afforded both Governments an external arena within which to work on the joint challenge of Northern Ireland. European Councils offered an opportunity for bilateral summits away from the expectations of domestic politics. EU policies, particularly regional policy, provided models of cross border co-operation and INTERREG led initiatives softened relations in the border region. Because of the European context, it brought local actors together in an unthreatening environment. Once the GFA was agreed, the EU supported it with the development of a new financial instrument, the Peace Fund, which continues to this day. The focus of the fund was on communal reconciliation and support from it relied on cross-community activity. John Hume, MEP from 1979 to 2004 had always placed the Northern Ireland conflict in its wider European context and saw Franco-German reconciliation as a model to build on. Throughout his political career, he had used his time in the European Parliament to build his model for peace in Ireland.

Solidarity with Ireland resonated with the EU's strategic goals in relation to Brexit. Following the Brexit referendum, a core goal for the EU was to demonstrate that there was a difference between membership and non-membership. There was a need to signal that the EU was a club with club rights and obligations. The Irish border offered the EU a powerful means of signalling solidarity with a member state. EU solidarity meant that the interests of a member state would be supported and protected over those of a departing state however big. Given the number of small states in the EU, support for Ireland sent a very powerful message, that the EU protects its members. It also sent a muscular message to the UK, the country that was opting for exit over voice. The UK did not want the Irish border addressed in phase one of the negotiations but it had no choice. Moreover, the Irish succeeded in getting the minutes of a European Council to record that in the event of a United Ireland, which is provided for in the GFA, Northern Ireland would immediately become part of the EU without an accession process. The UK misread solidarity with Ireland and continued to expect support to fall away as the negotiations proceeded.

The Irish border was not just an Irish issue but was adopted by the EU 26 and the Brussels institutions as a European issue. The EU saw its role as protecting peace on the island of Ireland and protecting the dingle market so the backstop was not just an Irish backstop but a European

one. Solidarity with Ireland manifested itself in deed and in action. Symbolically Michel Barnier and Jean Claude Juncker addressed the joint houses of the Oireachtas, an honour usually reserved for prime ministers and presidents. President Tusk visited Dublin in December 2017 at the height of the crisis over the Joint Report and the backstop. The Irish PM, Deputy PM and Minister for European Affairs were always welcome in the Council and the Commission. Every time there was a meeting with PM May there were prior high level consultations with Dublin. European political actors never missed the opportunity to publically pledge their solidarity with Ireland in speeches, press conferences and on social media. Apart from two interventions by the Polish Foreign minister, there was no public breach in support for Ireland. Solidarity with Ireland became a practice norm in the Brexit negotiations.

Maintaining Domestic Consensus

The stakes in Brexit were very high for the island of Ireland and the Irish Government. It adopted a strong position domestically and internationally that could at any time implode because so much of the outcome was beyond its control. It was evident throughout the negotiations that a no deal Brexit would have a dramatic and negative impact on the Irish economy and on the border. The Government from the outset was as active on the domestic front as it was on the international. Making Ireland Brexit Ready was the strap line that guided a sustained communications strategy. There was active engagement with the parliament, economic actors, civil society organisations and the wider public. To emphasize the all island dimension of Brexit, the Government launched an All-Island Civic Dialogue on the UK's exit; the first plenary session was held on November 2, 2016 in Dublin Castle. Four plenary sessions were held between November 2016 and April 2017 bringing together stakeholders from all sectors and from across the country. Michel Barnier addressed the fourth session on April 30, 2017. The Government was using the dialogue to steer the Brexit process and to listen to the concerns of key actors as it shaped its response to Brexit. The All-Island dialogue was supplemented by a Brexit Stakeholder Forum, which was launched on 13 September 2017 following the first wave of Brexit negotiations. It brought together economic interests, trade unions, state agencies, political parties and experts on Europe. The purpose of the forum was to update key actors on the negotiations and to ensure that there were open lines of communication between the Government and society. Each Government department organised

sectoral dialogues and all state agencies, notably, Enterprise Ireland, Bord Bia and the Industrial Development Authority (IDA) developed packages of financial aid and technical support for business and those potentially affected by Brexit. Road shows on becoming Brexit ready toured the country to ensure that this was not just a Dublin driven process. Public engagement on Brexit builds on two important features of Irish political culture and state capacity. Since the economic crisis, Ireland had experimented with deliberative forms of democracy such as Citizen's Assemblies that have validated the centrality of deliberation and communication on major public policy issues. Second, the Irish state is a 'developmental state' adept at supporting Irish business in its adaptation to and search for external markets. This expertise and active state tradition was used to make Ireland Brexit ready.

There was broad political support for the government's Brexit strategy across the political spectrum. It was a salient issue for all parties and all recognised that this was a key national issue. The Government is a minority Government relying on support from Fianna Fail in a 'confidence and supply arrangement'. When the agreement reached its end after three budgets, the Fianna Fail leader Michael Martin pledged his party's continued support for the Government because of the uncertainty of Brexit. The date of the next Irish general election is being driven by the Brexit negotiations as no party in the parliament want to be accused of causing an election at a delicate time in the negotiations. The Irish Parliament, the Oireachtas has paid considerable attention to Brexit and the issues it raises (Barrett, 2018). A number of parliamentary Committees have produced reports that fed into the domestic debate. The Committee on European Union Affairs published a report on 23rd June 2015, one year before the referendum, which underlines just how seriously Brexit was taken in Ireland. A Seanad Select Committee on Brexit published a report on 4th of July 2017 on the Withdrawal of the United Kingdom from the EU. In preparing its report, the Committee held nine days of public hearings involving former senior ministers, sectoral experts, civil society organizations and all-island bodies. The Committee for Implementing the Good Friday Agreement was active on the issue leading to a number of reports. The Oireachtas held a public conference on the economic costs of Brexit. There was active engagement and outreach to key actors. In February 2017, the Oireachtas Joint Committee on European Union affairs visited Brussels and met with Michel Barnier. The Oireachtas hosted numerous parliamentary delegations including two visits from the House of Lords EU Select Committee and the House of Commons Exiting the European Union Committee. A search of the Oireachtas web site returned 10,000 hits which included debates, parliamentary questions and committee activity. Support for the Government's

position on Brexit has remained steadfast during the negotiations. In February 2019, a survey found that 79 % of respondents agreed to the statement that “the Irish Government should hold out for a legal guarantee that there will be no hard border between Northern Ireland and the Republic of Ireland even if that risks a no-deal Brexit on March 29th” (Irish Times, 19 February 2019). Over 60% approved the Government’s handling of the Brexit negotiations with 17% disapproving and 63% favoured the EU’s handling of the issue (Irish Times, 2019). The UK’s management of the Brexit negotiations found support with only 6% of respondents. Although the stakes are high and the consequences of Brexit, particularly a no deal Brexit, are very serious for Ireland, it appears as if the Government is supported by a deep societal consensus.

Conclusions

Brexit forced the Irish state elite to place Irish interests and preferences at the heart of the EU agenda. The externalities arising from Brexit cause immense challenges for the island of Ireland, which ratcheted up its salience for the Government and wider society. Brexit was addressed with the same level of intensity in Ireland as it is in the UK. There is one major difference. Irish society and the state elite have arrived at a high level of consensus on this issue and have been remarkably consistent in the pursuit of core preferences. In the period between the referendum and the notification of the UK’s intention to leave, the Irish Government pursued a ‘whole-of-government’ strategy at domestic level and in the EU to ensure that its concerns were acknowledged and addressed by the EU and that the Government had the support of the other political parties and society. It worked hard to put the Irish question on the EU agenda and to keep it there.

The UK acknowledged that Brexit raised particular challenges for Ireland, particularly for the border in the context of the Good Friday Agreement and the peace process and committed from an early stage to no return to the borders of the past. However, the kind of Brexit pursued by the UK Government as outlined by PM May in her Lancaster House speech of January 2017 was incompatible with protecting the Irish border. The preference to leave the customs union and the single market while at the same time having no border on the island of Ireland was not credible. UK papers on the Irish border and customs arrangements were viewed as inadequate by the EU and Ireland. This led to the development of the concept of the ‘backstop’ which is an insurance policy in the event that the UK’s future relationship with the EU does not solve the Irish border challenge. Ireland has received full backing from the other 26 member states and EU institutions in the pursuit of this insurance policy and that solidarity has not waned in the face of the prospect of a UK exit without a deal. EU solidarity has sent a powerful signal

that membership matters and that the EU will defend the interests of a member state against those of a departing state.

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