

THE RECONSTRUCTION OF IRELAND

The republican position is that the six north-eastern counties of Ireland, known in British law as "Northern Ireland", are an invalid political entity. This is because they were set up by arbitrarily carving out of Ulster, and therefore Ireland, an area for domination by unionists. The democratic principle requires that majority rule rest on a valid electoral constituency. In the case of a State, that is the national territory. Ireland was effectively recognised in British law as a national territory up until 1922 and the Irish Free State Agreement Act. Before that statute, Ireland was one of three kingdoms within the United Kingdom, the other two being Scotland and England (with the principality of Wales attached to the latter). In 1920, the Government of Ireland Act, which first instituted the six-county unit, at least only designated it as in effect a devolved entity within the Kingdom of Ireland. In 1922, the Kingdom of Ireland was effectively dissolved and a quasi-republic was established in 26 counties, while six counties were retained in a State then reduced to two kingdoms of England and Scotland and a province of "Northern Ireland" attached thereto, thus giving the new "United Kingdom of Great Britain and Northern Ireland".¹



Ireland may be seen as being currently inhabited by two populations - a fully fledged Irish nation and a grouping of colon descendants, namely unionists. A nation may be defined in various ways, taking account of history, geography, language, culture, folk customs, and psychology. The latter involves, among other things, a subjective acceptance of nationality. Unionists contemporaneously amount to an anomaly in this context. And this is not an unusual phenomenon, given the distortional interferences of imperialism in other countries. In many ways, unionists have come to be indistinguishable from nationalists in Ulster in general terms of common language (hiberno-scots English), broad culture, and basic folk customs.² But, while some of them do not totally disavow Irishness, they wish to be part of a pan-British community coextensive with the UK State.

However, sociological research has shown, over and over, that most people on the island of Britain do not see themselves as being part of such a community inclusive of unionists. At the same time, nationalists have indicated that they wish to be part, with unionists, of what the historian Robert Dudley Edwards once dubbed a Community of Ireland. In political terms, this points towards what the Good Friday Agreement envisages, namely some form of united Ireland. And this could still allow for devolution within Ireland and indeed power-sharing within a devolved unit. Moreover, different emphases of identity can be accommodated within a Community of Ireland, for example nobody need be restrained from expressing a feeling of Britishness, however defined, through holding dual citizenship, choosing a passport, and so on. An all-

¹ After 1603, when King James VI of Scotland also became King James I of England, the island came to be known as "*Great Britain*" in order to distinguish it from the historical Roman province of "Britain" which stopped at the then Scottish border.

² I once heard loyalist Billy Hutchinson in person saying: "Culturally, I'm Irish, politically, I'm British."

Ireland polity does not require having to accept a particular nationality or ethnic classification, but rather would the aim be to build a sense of civic fellowship.

The question might be raised, as it has been on occasion before, of "why not simply repartition?" And perhaps with an independent North if the mainlander British no longer want to be associated with it? The answer is that one has to take account of the reality that unionists are not grouped homogeneously in a particular area; rather are unionists and nationalists interspersed throughout the six counties. Therefore, if one is not to have forced movement of population or 'ethnic cleansing', as this has sometimes been described, the only democratic solution is in fact some form of reunification or what might also be called a reconstruction of Ireland.

The Good Friday Agreement provides for a mechanism by which this may be brought about. That is, a border poll in which a majority of 50% plus one of the valid vote would initiate a process of reunification. That does not, by definition, entail a majority of the electorate and not even of those casting a ballot when spoiled or invalid votes are taken into account. In particular, it does not need a majority of the unionist electorate or even of all those unionists casting valid votes. Therefore, we have travelled far from the simplistic 'unionist veto'. The question then arises as to whether or not, in current or imminent circumstances, a pro-unity majority could actually be achieved in a border poll, even if, in principle, such a majority should not be required insofar as the valid electoral constituency for determining the constitutional status of Ireland remains the whole island.

A number of factors have arisen in recent times which would point towards the possibility of realising a united Ireland by means of a border poll. The most fundamental is demographic, whereby the nationalists will soon outnumber unionists within the six counties. (This is, in part, due to the fact that unionists now seem to be emigrating more than nationalists.) However, given what has just been observed about the specifics of a poll, an absolute majority of nationalists in the electorate may not be necessary in order to secure a pro-unity outcome, which may also be assisted by a certain number of unionists coming to accept the inevitability of a united Ireland on reasonable terms. The factor which has already been identified of the mainland British, including it now seems the Establishment,³ no longer wishing to continue the Union is also a driving force in this matter. A third factor is no less than geopolitical and connected with the end of the Cold War, whereby Northern Ireland has lost much of the strategic significance which it possessed for Britain hitherto, therefore making its detachment now from the UK, and incorporation in an unthreatening polity, of little or no concern, and thus particularly affecting the Establishment attitude just referred to. A fourth factor is the elimination of an overweening influence in the affairs of State in the 26 counties on the part of the Roman Catholic Church.

It has been alleged by dissidents that Sinn Féin's current promotion of a border poll means an abandonment of republican ideology regarding the invalidity of the northern statelet, through acquiescence in a *principle of consent* in respect of the six counties concerning reunification. In fact, what is involved does not endorse such a ***principle***

³ While Secretary of State for Northern Ireland, Patrick Mayhew gave an interview to a German newspaper in which he made clear that the British would be only too glad to get out of Northern Ireland in the right circumstances. Apparently, he did not anticipate the interview being translated into English and publicised in anglophonia.

of consent, but rather utilises the **method** of consent in the North, in circumstances which have developed since 1922 and offer the prospect of actually delivering a united Ireland. It is political madness not to recognise all the changes which have come about over the past century and the possibilities which they offer of realistically achieving the Irish national objective. The dissident position is in reality more akin to dogmatic theology than practical revolution. It also involves obsessively gazing at the past rather than intelligently looking to the future.

And, as for the Good Friday Agreement, if it is read carefully, it can be seen that it does not embody a **principle** of consent regarding the North. It is not without accident that, nowhere in the document, can the phrase 'principle of consent' be found at all. There are various qualified references to "consent", "agreement" and to "legitimate" or "legitimacy" in relation simply to "wish...aspiration...choice" or to balloting procedure, but these are all compatible with republicans employing the **method** of consent in the North. The key criterion in the Agreement is "that it is for the people of Ireland alone ... to exercise their **right** of self-determination". In fact, that is the only **self-determination right** referred to in the Agreement.

It is also important to note that, unlike the Anglo-Irish Treaty of 1921, the Good Friday Agreement was not formally signed. Rather was it accepted as a basis for moving forward by the various parties in question. Of course, unionists have one view of what that should involve, while nationalists and republicans have another. It is subject to interpretation and all are not agreed on what that interpretation should be. However, the crucial point is that the text does not cut across republican principle, no matter what dissidents and unionists may say to the contrary.

It is also necessary to refer here to Articles 2 and 3 of the Irish Constitution. Initially, opponents of these simply sought their deletion. However, the opposition mounted to this ensured eventually that the issue should be one just of possible redrafting. This was never a problem for republicans, because there is always more than one way to say the same thing. The vital consideration was to retain the assertion of Irish national sovereignty in opposition to the residual Act of Union.⁴ The important Article in the Irish Constitution is Number 3 and the first sentence thereof, which now reads as follows:

"It is the firm will of the Irish nation, in harmony and friendship, to unite all the people who share the territory of the island of Ireland, in all the diversity of their identities and traditions, recognising that a united Ireland shall be brought about only by peaceful means with the consent of a majority of the people, democratically expressed, *in **both jurisdictions*** in the island."

In the run-up to the Good Friday Agreement, various redrafts were submitted to republicans, but these were deemed not to be compatible with republican principle. Then, at the last moment, the above wording was produced. The significant change from that which had immediately gone before was that the phrase "in each jurisdiction" was replaced by "in both jurisdictions", as highlighted. The difference was that the final

⁴ The 1800 Act of Union was effectively amended in 1922 when the 26 counties left the then UK. It was further effectively amended in 1998 when it was provided that the six counties might leave also following a border poll. However, the Act will not totally cease to exist until such a poll is held with a positive result and followed through by the necessary complete repeal.

draft, while allowing for separate ballots 'North' and 'South', permitted arguing for their aggregation in order to ascertain the will of the people of Ireland. In fact, some unionists have since remarked on this and have raised objections accordingly.

At the beginning of the Good Friday Agreement, we have seen that it was stated that it is "for the people of the island of Ireland alone ... to exercise their right of self-determination" and it is further stipulated that this be done "without external impediment". The British have presented this as them becoming neutral on the issue of disengaging from Ireland. In truth, this does not follow from the phrase in question. It is ridiculous to suggest that the peoples of the island of Britain (>64m) cannot have a policy on whether or not to retain the Union with Northern Ireland (<2m). Republicans have been remiss in not highlighting this point and vigorously pursuing it. Indeed, given this consideration and the evidence which has been regularly forthcoming from opinion surveys, republicans should be calling, not only for polls in Ireland on the question of reunification, but for a referendum in Britain on whether or not the peoples there wish to maintain the Union with the North. There is little doubt as to the outcome of that.

As for persuasion and reassurance of unionists, that should indeed continue apace, but one ought not to be naïve and think that that alone will bring about change. Pressure as well as persuasion is always necessary in politics, particularly when dealing with bullies, which are unfortunately still to be found in a not insignificant number among unionists.

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