

Course: The Irish Border Issue – Deal Breaker for BREXIT Negotiations

On 23 June 2016 a narrow majority of UK citizens decided in a referendum the UK to exit the European Union. The UK government under PM Theresa May activated article 50 of the EU treaty and thus initiated the withdrawal process on 29 March 2017 which will last max 2 years until 28 March 2019.

Since then the EU-27 and the UK are negotiating about a so-called BREXIT-deal which would identify and record the specific conditions and requirements under which the UK may leave the EU and still has some kind of access to the European common market. There is a time constraint, though: All issues need to be settled and agreed upon latest on 28 March 2019 as this is the last day with the UK being a member of the EU.

To these requirements belong a solution on the future status of EU citizens in the UK and UK citizens in the EU, a financial settlement of liabilities and financial commitments by the UK beyond its membership in the EU and finally a framework to assess the unique circumstances in Northern Ireland. The former two issues seem to be resolvable.

However, the Irish border issue has become a deal breaker for the BREXIT negotiations: Either there will be no hard border on the island Ireland – as the EU insists as a requirement for *any* deal – and this would imply a hard border in the Irish Sea threatening to crash the current UK government and territorial integrity of total United Kingdom or there will be some kind of hard border between Northern Ireland and the Republic of Ireland which would violate the Good Friday Agreement, a treaty signed by 2 governments and several conflict parties in Northern Ireland, result in a no-deal exit from the EU and might destabilise the peace and reconciliation process.

Aims and objectives

This course will analyse the unique circumstances in Northern Ireland from an economic, historical, legal and political point of view including the peace and reconciliation process and the reform of police and security forces under way since the signature of the Good Friday Agreement on 10 April 1998.

Class design

The course should be as interactive as possible. The course combines presentations by the professor and by students, discussions in sub-groups and an exchange of views within the audience. Thus, the class design offers alternate phases of individual contributions, group work and discussions in the audience. In addition, we will also use audio-visual media.

Credit points

Students may acquire credit points by continuous presence and presentations or essays.

Schedule

- 20.10.18 Part I The Irish Border Issue and Brexit – Options, Impacts and Risks (4 x 90 min)
- 10.11.18 Part II The Troubles – Civil Rights Movement, Bloody Sunday and Hunger Strikes (4 x 90 min)
- 08.12.18 Part III – Cease Fire and Demilitarisation, Good Friday Agreement and Power Sharing (4 x 90 min)
- 12.01.19 Part IV Legacy – Human Rights Violations and Collusion, Justice and Truth, Policy Reform and Trust (4 x 90 min)

Literature

- Bank of England (2015), EU membership and the Bank of England. (October).
- Center for Civil and Human Rights Notre Dame Law School (2006), Report of the Independent International Panel on Alleged Collusion in Sectarian Killings in Northern Ireland (October).
- De Silva Report (2012), The Report of the Patrick Finucane Review – The Rt Hon Sir Desmond de Silva QC Vol. I, ordered by the House of Commons to be printed on 12 December 2012, HC 802-I, London: The Stationery Office.
- Democratic Progress Institute (2014), The Belfast Project: An Overview - Peace, Justice and Oral History (July).
- Doyle, J., Connolly, E. (2017), Brexit and the Future of Northern Ireland. DCU Brexit Research and Policy Institute Working Paper no. 1.
- European Parliament (2017), The Impact and Consequences of Brexit for Northern Ireland, Briefing.
- Evans, JAJ and Tonge, J (2012) Menace Without Mandate? Is There Any Sympathy for “Dissident” Irish Republicanism in Northern Ireland? *Terrorism and Political Violence*, 24 (1). 61 - 78.
- Good Friday Agreement / Belfast Agreement (1998).
- Hamber, B. (2005), “Blocks to the Future” A Pilot Study of the Long-term Psychological Impact of the ‘No Wash/Blanket’ Protest, (mimeo) (October).
- HM Government (2017), Ireland and Northern Ireland – Position Paper (mimeo).
- Hughes, K. (2017), Brexit Uncertainty, Scotland and the UK in 2018, Scottish Centre on European Relations Policy Paper no. 5 (October).
- Independent Commission (1999): A New Beginning: Policing in Northern Ireland (Report) (September).
- Joint Committee on the Implementation of the Good Friday Agreement (2017), Brexit and the Future of Ireland: Uniting Ireland & Its People in Peace & Prosperity, 32/JCIGFA/02, Dublin (August).
- Kierzenkowski, R. (2016), The Economic Consequences of Brexit: A Taxing Decision, OECD Economic Policy Paper no. 16 (April).
- Llewellyn, D.T. (2016), 10 Myths in the Brexit Debate, SUERF policy note no. 7 (May).
- Pat Finucane Centre (2018) Anatomy of a Cover-up: The death of Gary English and James Brown, Derry / Northern Ireland (April).
- Shirlow, P. and Hughes, C. (2014), Tar Isteach: A Survey of Conflict-Related Prisoners’ Experiences (mimeo).

Sampson, T. (2017), Brexit: The Economics of International Disintegration. In: JEP 31 (4), pp. 163-184.

The Rosemary Nelson Inquiry Report (Chairman: Sir Michael Morland), ordered by the House of Commons to be printed on 23 May 2011, HC 947, London: The Stationery Office.

Additional literature will be made available via moodle.