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A scenic view of a city at sunset from a hilltop. The sun is low on the horizon, casting a golden glow over the city and the surrounding landscape. The foreground shows a grassy hillside with some rocks and dry grass. The city below is densely packed with buildings, and a body of water is visible in the distance. The sky is filled with soft, golden clouds.

**THE AGREEMENT AT 25:
A TIME FOR CONSTITUTIONAL CHANGE
IN NORTHERN IRELAND?
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The Constitution Unit

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Front cover image: Glorious morning Sunrise from Cavehill in Belfast with cold frosty views over Belfast, Northern Ireland and beyond]
by Paul Barr/Alamy images

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Executive summary

As the Belfast/Good Friday Agreement reaches its 25th anniversary, its principal institutions have been in suspension for a year. Political discourse has polarised, notably over Brexit and the Northern Ireland Protocol. Constitutional issues have returned to the fore. (Chapter 1)

Polling and election results suggest that support for Irish unity has increased in Northern Ireland, with some signs that young people increasingly favour it. But an early majority for unity seems unlikely. In the South, polling returns substantial majorities for unity, but also suggests that attitudes could change significantly as the consequences of unification became clearer. (Chapter 2)

What are the prospects for the union? Support for unionist political parties has been shrinking, so that the swing constituency in a vote on unity would now be supporters of the Alliance Party, and ‘soft’ nationalists. But little of what is heard from political unionism at present addresses these voters: much of it is about ‘strengthening’ the Union (and is at times unrealistic). And unionism commands little understanding or support in Great Britain or further afield. It would be possible for unionists to propose change that while not imperilling the Union would make people who might vote for unity reconsider. But little at present is heard of this, and nor would most unionist political figures have significant powers of persuasion elsewhere in the community. (Chapter 3)

So is unity an early prospect? Increasing numbers appear to think so. There has been a great upsurge in activity around unity focused on an early poll in Northern Ireland and the South. But the debate remains at a high level of generality, with difficult questions both as to the route to unity, and on what a united Irish state would look like, so far neglected. When those issues come into clearer focus, there might be much reappraisal of enthusiasm for unity, not least in the South. The practicality of a united Ireland achieved on the basis of a bare majority, with a large number of recalcitrant citizens entering the state, with potentially significant financial liability, may be much reflected on. We see much less discussion of gradualist approaches that would put the early priority on promoting reconciliation within the island, before seeking constitutional change. Here, as with unionism, we need a more comprehensive, questioning debate, from which proposals may emerge that command a wider measure of support. (Chapter 4)

It is hard to conclude from this analysis that early constitutional change is likely, or that it would resolve Northern Ireland’s problems if it did. But the Agreement – the only plausible framework for stable government in Northern Ireland for the foreseeable future – is at present in danger of withering away. Early action is needed to bring back the Agreement institutions – including, potentially, temporary steps to overcome vetoes. But much else is needed – and London, in close partnership with Dublin, has an important role in this – to revive the Agreement, and the hope the momentum that it generated. (Chapter 5)

Introduction

In the 25th anniversary year of the Belfast/Good Friday Agreement,¹ this short report looks at its future prospects. It focuses particularly on prospects of constitutional change: the Union versus unity debate. But the chances of such change coming about, and, even if it did, of it resolving Northern Ireland's serious social and economic problems, is small in the foreseeable future. The report argues that the current situation is grave – and the danger that the Agreement may eventually wither away is real – but that a better path remains available. For that we need honest debate, and serious leadership, not least from London.

The report picks up two previous productions of the Constitution Unit: the report of the Working Group on Unification Referendums on the Island of Ireland published in 2021, which examined the mechanics of so called 'border polls' on the constitutional question; and a discussion paper on Northern Ireland's Political Future by the present author, looking mainly at shorter-term questions.² The current report focuses particularly on the longer term: the debate on 'Union' versus 'unity' (that is, between being in the United Kingdom or a united Ireland), which has intensified in recent years after a couple of decades in which the issues were not seriously pursued.

The report sets out a personal view, not a collective view of the Constitution Unit or the Working Group. Like the Working Group, it aims to be neutral on the question of 'Union' versus 'unity'. (The chapter on the latter is significantly longer, but only because there is much more change to talk about in the context of unity.)

Why this paper now?

The debate over Northern Ireland's future has taken on an especially binary character, with a fixation on constitutional forms: Union versus Irish unity. Much of what is proposed on both sides of this debate is arguably unrealistic; some of the key questions about what constitutional change would involve go unaddressed.

We are left with the institutions of government in suspension, with the foundations of the Agreement – the only plausible basis we have at present for the stable government of Northern Ireland – undermined, and with the hopes for the future that the Agreement created increasingly withering. The very serious challenges to public policy that Northern Ireland faces are going unaddressed. Many people may be putting their faith in constitutional developments as their salvation when they have no such potential. Northern

¹ Belfast/Good Friday Agreement, 10 April 1998. Available from the [UK government](#) and the [Irish government](#).

² Alan Renwick, Oran Doyle, John Garry, Paul Gillespie, Cathy Gormley Heenan, Katy Hayward, Robert Hazell, David Kenny, Christopher McCrudden, Brendan O'Leary, Etain Tannam, and Alan Whysall, [*Working Group on Unification Referendums on the Island of Ireland: Final Report*](#) (London: UCL Constitution Unit, 2021), hereinafter '*Working Group*'; Alan Whysall, [*Northern Ireland's Political Future: Challenges after the Assembly Elections: A Discussion Paper*](#) (London: UCL Constitution Unit, 2022), hereinafter '*NPFP*'.

Ireland risks being set on a road to nowhere, increasingly unwanted either in Great Britain or in the rest of Ireland.

The paper argues that we need a debate about the future that is realistic and that lays greater emphasis on advancing by consensus, consistent with the principles embodied in much of the Agreement. And meanwhile we need to renew the Agreement so that the institutions established through it can deliver good government to Northern Ireland.

A great deal has been written recently about prospects for unity – though less on the longer-term prospects for the Union. This report does not attempt to be in any way an exhaustive treatment: it is more in the nature of an annotated agenda of the questions we should be asking, about the case for the Union, and the case for unity.

It has five chapters. The first briefly describes the current situation and the second the state of public opinion. Chapters 3 and 4 then in turn examine the ‘Union’ and ‘unity’ options, delineating the state of debate and highlighting points needing further thought. The final chapter draws out conclusions.

Readers who are completely new to Northern Ireland politics may wish to look first at the primer at the beginning of *Northern Ireland’s Political Future*.³

³ *NIPF*, p.5. The results of the 2022 Northern Ireland Assembly election, in which Sinn Féin became the largest party in place of the DUP, are set out [on the BBC News website](#).

1. The Agreement at 25

The Belfast/Good Friday Agreement (hereinafter, ‘the Agreement’) stands, on its 25th anniversary, in urgent need of renewal.

Once the foundation of great public hope and enthusiasm, in many ways it has disappointed. Its principal institutions have been in suspension for the last year. Many advances that flowed from it, indeed the whole process of reconciliation after conflict, appear to have stalled, if not gone into reverse. And Northern Ireland, which has serious social and economic challenges, has been, on the whole, badly governed since the Agreement.

Brexit was the first significant development in the constitutional environment of Northern Ireland since 1998 that did not have the cross-community support by which the Agreement was concluded.⁴ It has been profoundly disruptive to politics there.

Brexit gameplay in London has made matters worse. And the British government, which once worked in close cooperation with its Dublin counterpart to secure political advance in Northern Ireland, has often abandoned the partnership, indeed been at odds with many of the Agreement’s supporters, at home and abroad.

The first chapter of *Northern Ireland’s Political Future*, published last spring, summed up the balance sheet of the Agreement. It had brought clear benefits, many of which endured – notably, it created the conditions in which political violence had largely ceased; policing by consent had been achieved; there had been economic success, and much international goodwill; relationships within the island had developed to mutual benefit; and much of society had moved on. But, the paper suggested, these gains cannot be seen as permanently guaranteed. Polarisation and political dysfunction in recent years, notably the suspensions of the institutions provoked in 2017 by Sinn Féin and last year by the Democratic Unionist Party (DUP), have cast doubt on their capacity to endure.

Yet there is no prospect of any other generally acceptable foundation emerging for the government of Northern Ireland, and for its wider relationships. The Agreement, for all its faults as the foundation for government, has alone provided the only intervals we have enjoyed of stable politics in 50 years.

So, the paper concluded, urgent action was needed to revive the Agreement, and the ensuing chapters suggested how that could be done. That included a significant change of approach and commitment from London.

⁴ Indeed, it did not even have majority support: Northern Ireland voted Remain by 56% to 44%.

The last year

We have not, so far, seen this revival. Matters for a time worsened: London's conflict with the EU over the Northern Ireland Protocol⁵ initially intensified. Polarisation in Northern Ireland intensified too. The DUP, having withdrawn from the Executive in February in protest at the Protocol, after which Assembly elections were called, then prevented a new Executive from being constituted; and it also blocked the Assembly itself from meeting. These measures are apparently popular within the party's own electoral base, but certainly not beyond.⁶

Northern Ireland ministers, who had remained in office in a caretaker capacity from February 2022, finally lost their offices in the autumn, and Northern Ireland is once again without effective government.⁷ Civil servants run matters from day to day, but are incapable of taking new initiatives. Nothing new, therefore, can be done to tackle the economic, social and public service problems that confront Northern Ireland.

The confidence of Northern Ireland people in London, meanwhile, has continued to be notably low in all parts of the community.⁸

But Rishi Sunak, once established as Prime Minister, changed course on the Protocol, and negotiated changes to its operation with Brussels, christened the Windsor Framework (with complex machinery intended to address unionist constitutional concerns).⁹ The new arrangements secure greater flexibility from Brussels than many had expected.

The ground in Belfast had not been prepared, though – perhaps it could not have been, given where the politics stood. The DUP for the moment has not accepted that the Windsor Framework sufficiently addresses its doubts about the Protocol. So, as world leaders and other luminaries assemble in Belfast to celebrate the 25th anniversary of the Agreement, the institutions it established are in abeyance.

In this atmosphere, constitutional issues have again come to the fore. The Protocol dispute has led some unionists, asserting that the Union is under threat, to demand further guarantees, reinforcing those already set out in the Agreement and the Act of Parliament

⁵ Formally the Ireland/Northern Ireland Protocol to the EU-UK Withdrawal Agreement; see *NIPF*, chapter 6.

⁶ See for example polling conducted by LucidTalk in early March 2023: data for [unionists](#) and for [all parties](#).

⁷ Alan Whysall, '[Northern Ireland: dangers and opportunities for London](#)', UCL Constitution Unit blog, 15 November 2022.

⁸ In [LucidTalk polling conducted in January](#), the Secretary of State had a performance rating of minus 64, far lower than any Northern Ireland-based politician; 67% of unionists thought he was doing a bad or very bad job, as well as 75% of nationalists (only 37% of unionists thought the same of Micheál Martin, who had just stepped down as Taoiseach). [LucidTalk polling in February](#) (conducted before the Windsor Framework was agreed) showed that the British government was distrusted as regards handling Northern Ireland's interests over the Protocol by 85% of people.

⁹ For explanations of the Windsor Framework's key provisions, see Jess Sargeant, Sachin Savur, and Joe Marshall, '[The Windsor Framework](#)', Institute for Government, 27 March 2023, and Jess Sargeant and Sachin Savur, '[Stormont Brake: The Windsor Framework](#)', Institute for Government, 10 March 2023.

giving effect to it.¹⁰ Meanwhile, Irish unity, which the Agreement provides for if majorities support it both north and south, is once again much discussed. The debate has become an unhelpfully binary one between warring camps, very much at odds with the consensus politics the Agreement aimed to promote.

¹⁰ [Northern Ireland Act 1998](#). At the time of writing, the UK government is apparently contemplating ‘reassurances in law that Northern Ireland remains an integral part of the United Kingdom’: BBC News, [Windsor Framework: Unionists to get “legal reassurances”](#), 3 March 2023.

2. Constitutional change: the state of opinion

This chapter considers indications of opinion on the constitutional question – opinion polling and election results in Northern Ireland, and polling in the South and Great Britain.

The Agreement makes Irish unity dependent on consent, north and south.¹¹ Voters in Great Britain are not part of the decision, but clearly their views may inform those of British governments.

Northern Ireland

Public attitudes towards the constitutional question in Northern Ireland can be gleaned both from opinion polls and surveys and from voting patterns in elections.

Polling and surveys

The Working Group report summarised polling/survey results, up to early 2021:¹²

- Before 2013, almost all surveys and polls showed support for unification to be below 30%.
- After that, there was much more variation: some surveys showed little or no change, others placed support for unification close to 50%.
- A clear divergence emerged between online polls, which showed significantly higher support for unification, and traditional interviews (face-to-face/telephone/video) – though in the latter category, support for unification nevertheless on average rose from about 20% to 30% between 2013 and 2021.
- Support for maintaining the Union, however, has been higher than that for unity in the great majority of polls – though a few found a plurality for unity, and one an overall majority.

¹¹ The Agreement expressly requires a referendum in Northern Ireland, widely spoken of as a ‘border poll’; there is no express requirement that consent is expressed that way in the south, but the Working Group concluded that a referendum was probably required: *Working Group*, paragraphs 4.28–32. The Agreement requires that expressions of consent should be ‘concurrent’: the Group concluded that meant that they needed to be close in time, but not necessarily on the same day: *Working Group*, paragraphs 4.39–43.

¹² *Working Group*, paragraphs 3.41–48.

This picture continues: polling published since the Working Group reported has shown higher levels of support for unity in online polls, but still falling short of overall majorities.¹³

Some polls show a large proportion of don't knows (fewer with the online polls): the behaviour of these people, and those who do not habitually vote but who might do so on the constitutional question, could be very significant.¹⁴

A striking finding of recent online polling is in the age divide, with much more support for unity among younger people.¹⁵ Overall, the poll found 48% of respondents favouring Northern Ireland remaining part of the UK, and 41% favouring unity, with 11% don't knows (if a border poll were held today). However support for the Union was heavily skewed towards older age groups: 18 to 24-year-olds would favour unity by 57% against 35% favouring remaining in the UK; with 48% support for unity to 42% UK among 25 to 44-year-olds.

Polling allows us to conclude that, in the present state of the debate, support for unity is probably increasing in Northern Ireland, and there is evidence that that trend may continue; but overall the Union continues to command more support. The caveat is that the detailed implications of unification are so far little debated (see chapter 4): as they come into the spotlight, results may change.

Elections

Election results also give an indication of opinion in Northern Ireland – since four of the five main political parties are declaredly unionist (DUP, UUP) or nationalist (Sinn Féin, SDLP), with only Alliance among them uncommitted on the question.

Over the last 25 years, the unionist parties have lost a significant proportion of their vote: from 50.3% in the 1998 Assembly elections, to 40.4% in those held last year.

The nationalist proportion of the vote, however, has barely changed: from 39.6% in 1998, to 39.8% last year (it peaked at 41.8% in 2007).

The increase has been in the vote of 'other' parties, from around 6% in 1998 to 15.4% last year. Much the greatest part of this is for the Alliance Party, which does not take a position on the Union versus unity debate, but certainly does not favour early unity.¹⁶

Supporters of the centre-ground parties appear to have mixed, perhaps uncertain, views of Irish unity. According to a 'face-to-face' survey conducted in 2022, among Alliance voters, 42% would vote for the Union, 29% for Irish unity with 28% undecided.

¹³ See, for example, the compilation of polls available at Martin Melaugh, ['Unification – Poll questions about support for a united Ireland'](#), CAIN, last accessed 1 April 2023.

¹⁴ Jon Tonge, ['How Close is a Border Poll or a United Ireland?'](#), *Political Insight*, 13, no. 4 (December 2022), 16–19.

¹⁵ LucidTalk, [Northern Ireland Tracker Poll, August 2022](#), pp.30–31

¹⁶ Jon Tonge, [op. cit.](#)

Among supporters of the SDLP, 27% would vote for the Union against 51% for unity, with 18% undecided.¹⁷

So, as with opinion polling, Northern Ireland election results clearly show the pro-Union cause declining in popularity, but offer no evidence for the likelihood of an early majority for unity.

The South

Surveys of attitudes to unification in the South have consistently shown support over 70% (excluding don't knows).¹⁸

A substantial set of questions were put to people in both Northern Ireland and the South by the ARINS project: the results, published in December 2022,¹⁹ attracted much commentary.²⁰ The overall result in the South was in line with earlier polls (66% for unity, with only 16% against and 18% don't know/wouldn't vote).

But other questions suggested that this result might change significantly depending on the terms of reunification: for example, almost half of respondents in the South said they would be less likely to vote for unity if it involved a new flag or new national anthem.

There is clearly still a strong aspiration in principle for unity in the South, but there are grounds to suppose that opinion might be subject to significant change if the shape of likely unity arrangements became clearer.

Great Britain

There was apparently no polling in Great Britain on these issues between the mid-1990s and 2014. Since then, polling has shown a large measure of indifference as regards Northern Ireland remaining in the UK or becoming part of a united Ireland, though generally with some preference for the former over the latter.²¹

A poll conducted in early 2023, however, suggests greater support (32%) for Irish unity than opposition (10%) – though the largest camp was 'neutral' (37%). Even among 2019

¹⁷ The [Northern Ireland Assembly Election Study 2022](#), table 23, page 32. Note that in this study, even among Sinn Féin voters, 9% would vote for the Union with 13% undecided, against 76% for unity. This contrasts with the unionist parties, all of whose voters were fairly solidly pro-Union. Overall the study showed 49% for the Union, 28% for unity and 17% don't know, the remainder being people who said they would not vote.

¹⁸ *Working Group*, paragraph 3.50. More recent results are similar: Martin Melaugh, '[Unification - Poll questions about support for a united Ireland](#)', CAIN, last accessed 1 April 2023.

¹⁹ Analysing and Researching Ireland North and South (ARINS), '[North and South – What people think, told in graphs](#)', 8 December 2022.

²⁰ Summarised at Analysing and Researching Ireland North and South (ARINS), '[Assessing the state of public opinion on the constitutional future of the island](#)', 6 February 2023.

²¹ *Working Group*, paragraph 3.49.

Conservative voters, there was more support for unity (24%) than opposition (15%), and 45% were neutral.²²

The implication of this – limited – polling may be that voters in Great Britain feel little affinity in general with Northern Ireland, and they may be likely to give London governments a generally free hand. And the indifference may be growing. But as elsewhere, views may change markedly as the issues are debated and people become better informed.

²² Redfield and Wilton, '[As Sunak Heralds Protocol Deal, Majority of British Voters Remain Indifferent to Northern Ireland](#)', 4 March 2023.

3. Prospects for the Union

This chapter considers the state of support for Northern Ireland remaining within the United Kingdom; what arguments are being made, to what audiences and with what success; and how the case might develop.

Is the pro-Union cause in serious decline?

As the previous chapter set out, polls and election results suggest that there remains a majority in favour of maintaining the Union, but that it has been reducing. Political unionism in recent years has successively lost overall majorities it had traditionally held: in the share of the overall vote received by unionist parties, and in seats in the Assembly and in parliament. In the 2022 Assembly elections, the largest party was not unionist, but Sinn Féin, and accordingly unionism lost the right to nominate the First Minister. Adding to the impression of decline, the 2021 census results revealed for the first time more declared Catholics than Protestants in the population.²³

The swing constituency on the constitutional question is the centre ground: notably the voters of the Alliance Party. There may also be soft nationalists who, whatever ultimate aspirations they hold, may doubt that the time is right for unity and the upheavals it may bring. But most of these centre-ground voters, unlike traditional supporters of the Union, are likely to favour the status quo for pragmatic reasons rather than deep-seated commitment.

Political unionism, however, like political nationalism, is composed of parties that have essentially fought for votes within one section of the community. There is little tradition of addressing the wider public. Those who do so risk being regarded as weak on the core issues. Unionist leaders who have tended too far to moderation have found their support crumbling, with the experience of Brian Faulkner in the 1970s widely remembered as a cautionary tale. At times, unionist parties have nevertheless tried to broaden their support towards the centre.

But in recent years, the main pitch of the DUP, the largest unionist party, has largely been inward looking, not seeking to appeal to the centre ground. The party's battle has been over the Northern Ireland Protocol, and has therefore been fought primarily with London, and only secondarily with the non-unionist Northern Ireland parties. The party has argued that Northern Ireland's position within the United Kingdom is diminished by the Protocol, in a way allegedly incompatible with the Agreement, and it has sought extra guarantees of Northern Ireland's status: all causes essentially of the unionist heartland.

²³ See NISRA, [Census 2021: Main Statistics for Northern Ireland: Religion](#), 22 November 2022.

In pursuit of this campaign, the DUP has boycotted the institutions of the Agreement. It started this in 2021, by withdrawing from the symbolically important institutions bringing together Belfast and Dublin. Since February 2022 it has also prevented the internal government institutions of Northern Ireland from functioning. These policies have substantial support within unionism, but little beyond.²⁴

There is little impactful effort on the part of unionism at the moment to broaden the base of the pro-Union cause.

The pro-Union case: arguments, reach, strategy

In principle, while proponents of unity may be under some obligation to show what changes a united Ireland might entail, unionism, since it is defending the status quo, is not required to make new proposals. There may be a temptation for people in unionism to make the case that indeed present arrangements are the best that can be obtained; a united Ireland would be for financial or other reasons impractical. Some have declined even to argue, asserting that a debate on unity is destabilising, or a distraction from other business.

More recently, the DUP and others have been arguing for change to strengthen the Union: repudiation of the Protocol, and protections against ‘any diminution of Northern Ireland’s status as part of the UK’.²⁵ And in fighting the Protocol, they appear content to see the Agreement institutions remain suspended. This carries the implication that all the other problems confronting Northern Ireland – social, economic, public services – are secondary.

These arguments are largely addressed to the already convinced supporters of unionism, with limited appeal beyond.

At some stage, the boycott of the institutions calls into question the longer-term viability of the Agreement as the basis of the Northern Ireland political settlement. Harder-line unionists, and those close to loyalist paramilitaries, have already disavowed the Agreement.²⁶

But there are no other foundations for political advance plausibly available, and certainly none that would be more favourable to unionism. The collapse of the institutions meanwhile feeds into the nationalist narrative of Northern Ireland as a ‘failed political entity’.²⁷

This is not the outlook of all unionists: the leader of the Ulster Unionist Party (UUP), Doug Beattie, has argued for unionism to broaden its appeal, in pursuit of a ‘Union of

²⁴ Polling conducted by LucidTalk in early March 2023: data for [unionists](#) and for [all parties](#).

²⁵ DUP, ‘[DUP Leader announces Seven Tests for HMG plans on NI Protocol](#)’, 15 July 2021.

²⁶ BBC News, ‘[Loyalist group withdraws support for Good Friday Agreement](#)’, 4 March 2021.

²⁷ How far the recent tactics of unionist parties serve the interest of the pro-Union cause is discussed further at *NIPF*, pp.46–48.

People’;²⁸ and the UUP has opposed the institutional boycotts, while also opposing the Protocol. There are unionist-associated initiatives about broadening support and strengthening the arguments. One such was to be the Castlereagh Foundation provided for in the *New Decade, New Approach* settlement of 2020,²⁹ but it has yet to come properly into being.

Much more public prominence goes, however, to hardline centres of opinion like Unionist Voice.³⁰

In most of unionism’s recent tactics and arguments, it is hard to see any longer-term strategy calculated to broaden support for the Union; or that pro-Union arguments are reaching the centre ground and nationalism. The core of the argument from the DUP and those to its harder extremity has been about the Union under fire and the need to strengthen it – not its benefits for wider Northern Ireland society and the need to underpin and extend them.

Are pro-Union arguments reaching people in Great Britain and beyond?

Ignorance of Northern Ireland is widespread in politics, the media and among the public in Great Britain;³¹ and the rough-and-tumble of the Brexit debate has in large part driven out the recognition of the need for sensitivity that many politicians there previously felt.

Politically, unionism has few reliable allies among politicians there. The DUP has tended to align itself with right-wing conservatives: but at the crunch their support for DUP positions has been limited – as over the original votes in favour of the Protocol; and more recently over the Windsor Framework. Some vocal elements of unionism regard the positions taken by the great majority in the UK parliament over the Protocol as betrayal.

Unionism thus finds itself arguing the imperative need to maintain or intensify ties with the very politicians whom a significant proportion of unionists accuse of selling Northern Ireland out. Such arguments have limited appeal in Great Britain, as well as with the wider Northern Ireland public.

Beyond the political world in Great Britain, the unionist cause likewise appears to have few friends. Besides the polling referred to above demonstrating the limited affinity felt by the public for Northern Ireland, there has been a succession of leading conservative

²⁸ Doug Beattie, ‘[UUP offering a confident, positive, pro-Union vision in order to build a Union of People](#)’, 28 April 2022.

²⁹ *New Decade, New Approach*, Annex A, paragraph 25. Statutory authority to establish the Foundation was taken in the [Identity and Language \(Northern Ireland\) Act 2022 section 8](#).

³⁰ [Unionist Voice](#) (website, last accessed 3 April 2023).

³¹ *NIPF*, chapter 4.

commentators recently asserting that Irish unity is both inevitable and welcome (and, apparently, relatively painless).³² Such comment may be ill-informed at times, but the lack of counter-argument is notable.

As to the wider world, unionism has traditionally been much less well-connected than nationalism and republicanism, which in particular have had substantial support in the US. It has made efforts in the past to reach out – and the UUP, notably, has in recent years continued that effort. But while the battle within unionism remain so fierce, at times even politicians who might recognise the value of making friends feel the need instead to denounce US figures.³³ As with so much of what political unionism does, in the longer term such an approach is likely to prejudice its interests.

Is a majority for unity therefore inevitable?

Unionism has been losing support over time, and attitudes among young people reflected in polling would suggest that it may continue to do so. But it has not so far configured itself to deal with the new electoral politics in Northern Ireland, where maintaining the Union depends on persuasion. Is all therefore lost? Some unionists are fatalistic.

Nevertheless, as suggested in the next chapter, the route to unity will not be plain sailing: the material outworking of it will face serious difficulties as the debate turns to specifics.

And there has remained a willingness in the swing constituency to accept the Union over the uncertainties of unification, despite the widespread lack of trust in London and general dysfunction in recent years. Many, even if they do not love the Union, do not appear to find it so objectionable that they wish to take risks.

But the trends are against unionism. If it is to persuade an increasingly sceptical middle ground, it will need better arguments, and it will need more convincing communicators to make them.

What arguments could unionism make?

The proposition that current arrangements are the best Northern Ireland can hope for is not a readily attractive one. Voters elsewhere on the political spectrum believe much is going wrong in Northern Ireland. They are unhappy about the state of public services, notably health, and about lack of economic opportunity. Less concretely, they are concerned about the inability of the devolved institutions to operate effectively (even if they meet) and about the continuing negativity of public life, which drives many talented young people away.

³² NIPF, p.48.

³³ Will Hazell, [‘Joe Biden’s meddling will not end Stormont boycott, DUP sources warn’](#), *Daily Telegraph*, 25 March 2023.

Meanwhile, the blank canvas that the concept of a new unified state offers permits its advocates to depict attractive vistas.

As regards people of nationalist outlook (such of them as are still persuadable that immediate unity is not the imperative), there may be an increasing feeling that the promise of the Agreement of parity of esteem for different traditions – ultimately, a sense that one could as comfortably feel Irish in Belfast as in Dublin – has been lost in the partisan politics of recent years.

Effective arguments for the Union might therefore need to recognise that matters must change. Steps that might broaden consent for the Union might include:

- committing to full participation by unionism in politics, and indeed to effective government to drive greater prosperity and functioning public services
- going beyond mere acceptance that some people in Northern Ireland feel predominantly Irish, to a willingness to respect fully the Irish identity, and to embrace dual British/Irish identity (which is acknowledged by the Agreement, and indeed by some in unionist politics, but is still little heard of)
- working constructively with Dublin
- making the most of Northern Ireland's status in the post-Brexit world, with the unique access Northern Ireland has to the single markets of both the UK and the EU
- promoting reconciliation once more, so that Northern Ireland again becomes an exemplar of transition from conflict, again tapping substantial international goodwill, notably in Washington and Brussels.

Perceptions of London inevitably influence this debate, and a part of the pro-Union case to the wider Northern Ireland community might involve new arrangements that promise behaviour from London different from that which in recent years has led to such widespread distrust. If the next UK government is formed by the Labour Party, then the recommendations of the Brown Commission (officially, the Commission on the UK's Future) may bear on perceptions of London and Northern Ireland – though the Commission said very little specific about Northern Ireland.³⁴ It will be important that a new government makes strenuous efforts to show that it understands the needs of Northern Ireland, and that there is a commitment, enthusiastically supported from the top, to meet them.

There is also the perception of Northern Ireland in Great Britain to consider. Can unionism promote affinity and understanding among politicians and the wider public there? It is unlikely to do so through the staunchness and social conservatism, not to say transactionality, that often characterises it in British perceptions. Success in overcoming

³⁴ Commission on the UK's Future, [*A New Britain: Renewing Our Democracy and Rebuilding Our Economy*](#) (Labour Party, 2022), p.113.

conflict, ultimately contributing to the UK's international reputation, may be more effective.

Who should make these arguments?

Are unionist parties the worst people to make the case for maintaining the Union, when unionism no longer holds an overall majority? Perhaps – but, if so, who should make the case? Polling indicates that most, though not all, of the unionist political class are poorly regarded in the centre and among nationalists.³⁵ There may be a need to find figures outside politics whose ability to be heard goes wider, but few with substantial pulling power have so far come forward.

Conclusion

Political unionism has so far largely failed to convince people outside the shrinking traditional unionist electorate of the benefits of the Union. Polling and election results suggest that support for maintaining the Union may contract further, unless a more convincing pro-Union case can be carried to a wider audience. Such a case might be made, but it appears not to be political unionism's priority at present.

³⁵ For a limited range of individuals, see [this LucidTalk poll](#) of January 2023.

4. Prospects for unity

This chapter considers support for Irish unity, and the likely evolution of the unity debate – the questions to be asked, new options that may emerge; and whether we may see an early border poll.

Introduction

The 1998 Agreement, reflected in UK law,³⁶ sets out the principle that Irish unity should come about if there is consent (by a simple majority) in both parts of the island; and it requires the Secretary of State to trigger the process by calling a border poll if he or she thinks a majority in the North would vote for unity (that is a duty; as a matter of discretion, the Secretary of State may call one at any time).

Beyond that, the Agreement says very little about either the process, or the destination, however: how unity would come about, and what a united Ireland would look like.

These questions were not significantly explored in 1998: the Agreement negotiations barely touched on constitutional issues.³⁷ The Constitution Unit's Working Group (which took no position for or against the Union or unity) sought to flesh out some of the issues raised.³⁸

As chapter 2 of the present report brings out, support for unity in Northern Ireland has grown; but there is no evidence of a majority for it yet. Election results show a constant percentage of votes over the last 25 years or so for Sinn Féin and the SDLP, who in principle favour unity, of about 40% of voters. The growing centre ground is split on the issue, and many appear to be uncertain.

For almost 20 years after the Agreement, few saw unity as a realistic prospect in the foreseeable future. Sinn Féin always asserted it as a medium-term objective – the constitutional provisions in the Agreement had paved the way for the republican movement to give up its armed struggle – but did little to provoke serious discussion of the issue.

But since the Brexit vote in 2016, the constitutional debate has returned. Brexit was the first major change impacting on the Agreement settlement that came about without cross-community support, and it put the largest unionist party, the DUP, sharply at odds with

³⁶ The text of [section 1 of the Northern Ireland Act 1998](#) (which is to be read with [Schedule 1](#)) itself featured in the Constitutional Issues section of the Agreement.

³⁷ Rory Montgomery, '[The Good Friday Agreement and a united Ireland](#)', Royal Irish Academy, 7 January 2021.

³⁸ *Working Group*, pp.106–26.

nationalists and others. Debate has further intensified since the controversy over the Northern Ireland Protocol,³⁹ which led the DUP to collapse the Agreement institutions.

The last few years have seen a remarkable upsurge in activity around prospects for unity. Since the Unit's own report, there have been a number of books on the subject⁴⁰, as well as a significant number of studies by academics, notably under the aegis of the ARINS project.⁴¹ Groups have arisen to further the conversation about, or indeed advocate for, Irish unity. One such group is Ireland's Future, which has organised well attended meetings in both parts of Ireland, drawing in people beyond the traditional proponents of early unity.⁴²

Meanwhile Sinn Féin argues for intensive preparations for unity, and the setting of a date for referendums.⁴³ The SDLP has set up a New Ireland Commission aimed at generating consensus around 'an inclusive New Ireland'.⁴⁴

What audiences is the pro-unity argument reaching? The wave of activity around Irish unity has drawn in large numbers of people in both parts of the island, and it has often offered a platform to individuals from the unionist tradition. But it has attracted few prominent political or non-political unionists (and the Alliance Party has been chary of taking part).⁴⁵

Unionist reluctance to participate is understandable: defenders of the Union cannot reasonably be expected to devote a part of their efforts to planning its replacement. The consequence of this, however, is that the design of a new united state may begin without any involvement from a large segment of the population that would constitute it: which has implications (explored below) for the process by which unity might come about.

The questions of principle

What questions need to be asked about Irish unity, and are they being properly addressed? The current debate is highlighting aspects of these questions, but not so far in a systematic or an informed way. It proceeds, for the most part, at a high level of generality, and many issues are essentially unexplored.

It is widely acknowledged that it would be disastrous to launch into a border poll without serious analysis and discussion about all the key issues. But we are not in any sense yet on

³⁹ *NIPF*, chapter 6.

⁴⁰ For example, Brendan O'Leary, *Making Sense of a United Ireland* (Dublin: Sandycove, 2022); Malachi O'Doherty, *Can Ireland Be One?* (Newbridge: Merrion Press, 2022).

⁴¹ [Analysing and Researching Ireland North and South \(ARINS\)](#) (website, last accessed 3 April 2023).

⁴² [Ireland's Future](#) (website, last accessed 3 April 2023).

⁴³ Sinn Féin, '[A Decade of Opportunity – Towards The New Republic](#)' (webpage, last accessed 3 April 2023); Liam Tunney, '[Sinn Féin 'drumming up hundreds of thousands for divisive Irish border campaign' in US: Donaldson](#)', *Belfast Telegraph*, 15 March 2023.

⁴⁴ [New Ireland Commission](#) (website, last accessed 3 April 2023).

⁴⁵ John Manley, '[Alliance snubs Ireland's Future and calls Dublin event a "rally to endorse a united Ireland"](#)', *Irish News*, 28 September 2022.

course for comprehensive analysis and discussion. The following two sections outline, following the Working Group report, the key questions about the process and form of unification.

How would we get to a united Ireland?

The first set of issues to get right relates to the process of unification: political stability, in the short and longer terms, may turn critically on this being achieved.

Whether to move to a united Ireland is inescapably a simple majority decision (50% plus one in each part of the island) under the Agreement.⁴⁶ And, as the Agreement says, this decision must be made ‘without external impediment’: preferences elsewhere in the UK do not figure in the decision.

But many other parts of the Agreement, as Seamus Mallon pointed out, emphasise consensus among different political traditions.⁴⁷ The Agreement itself was reached by consensus. Stable government in Northern Ireland is probably still impossible without a large measure of consensus. And developing the form of a united Ireland – if ever that is the popular will – would need to pursue consensus principles as far as possible too.

The Working Group made suggestions for processes permitting pursuit of consensus. Such proposals are liable to be complicated: reconciling the majority principle about constitutional status and the desirability of consensus about what follows is a real conundrum.

In the abstract, the simplest arrangement would be for there to be full planning for a united Ireland, and engagement with all traditions on it, before any referendums, North and South. But mainstream unionism is unlikely to be willing to engage at that stage.

So the Working Group looked also at two configurations in which there would be an attempt, after the referendums to decide the principle of unity, to seek consensus among the traditions in Northern Ireland and in the South about the shape of the resulting unified state.

- Under one of these configurations, attempts to find a consensus about the future would take place in the years following the referendums, before the transfer of sovereignty.
- Under the other model, sovereignty would transfer and the negotiation would take place in the years following.⁴⁸

In both cases there would be further referendums on the resulting plan. But since these negotiations would only work if there was no chance of undoing the decision in favour of

⁴⁶ *Working Group*, paragraphs 4.33–35.

⁴⁷ *Working Group*, paragraph 3.14.

⁴⁸ *Working Group*, chapters 9 and 10.

unity, there would have to be a default unification plan that would take effect in the absence of consensus and referendum approval (that obviously would not be an agreed Ireland).

There is nothing like a perfect process for unification. The two-stage models make for a complex sequence, with much opportunity for the politics to go wrong. But in the past, political differences have at times been resolved through such painfully elaborate mechanisms.

What would a united Ireland look like?

It is also essential well before a border poll is called that there should be a clear idea of the potential shape of a united Ireland – even if, under the second and third models above, the final decisions on that would follow the vote.

The Working Group set out what the key questions might be in shaping a unified state.⁴⁹ These are the issues that public debate, and a process of engagement and negotiation around referendums, would have to encompass.

The starting question is where the design would lie on a range between the enlargement of the existing southern state, and a wholly new creation. At one extreme there would be adaptations to the 1937 Bunreacht na hÉireann (the Irish Constitution) and laws and institutions established under it only so far as strictly necessary to accommodate what was Northern Ireland. At the other, there would be the creation of a new constitution starting from a blank sheet, with the involvement of all interests in the island.

Some of the debate, especially in the south, has assumed (without argument) something like the first model. Hence (as noted above – p.12) there have been opinion poll questions about whether unity would be acceptable if, for example, the national anthem were changed – implying that life in the South might otherwise proceed much as at present. Others – for example the present Taoiseach, speaking in 2019 – have suggested something much more like the second model.⁵⁰

Securing unionist buy-in into unity would appear much likelier if the new state were established as a cooperative venture, rather than what might appear to unionists as a Dublin takeover. But it might seem a much greater upheaval to voters in the South – although unity may inevitably involve many shocks to the system, in both parts of the island, however it is brought about.

Another key question is **how to adapt the architecture of Irish government to the inclusion of Northern Ireland.** Two models of a united Ireland are most often discussed: a **unitary state** with a single set of governmental institutions; and a **state with devolved institutions in the North** – essentially as at present, but with sovereignty transferring from London to Dublin. On the surface, this second option may appear to offer

⁴⁹ *Working Group*, chapter 7.

⁵⁰ *Working Group*, paragraph 3.19.

considerably less upheaval in both parts of Ireland, but it would introduce significant complications into the government of the Irish state.

Other options considered by the New Ireland Forum in the 1980s included a federal or confederal Ireland, and joint sovereignty.⁵¹ These are barely discussed at all in the current debate. It is hard to square a confederation or joint sovereignty with the provisions of the Agreement.⁵² But if there were consensus between the governments and the parties, and referendums to endorse the change, that should not be an obstacle.

Michael McDowell, former Tánaiste and Justice Minister, recently raised confederation as a more practical option, given differing attitudes North and South.⁵³ That model gives rise to grave practical difficulties. But it is strange that less attention is being given to these issues now, when unity starts to appear a more real prospect, then it was 40 years ago. More work is needed here.

Beyond that, the Working Group identified some of the **key specific issues** that need to be addressed,⁵⁴ such as:

- **Identity issues and characteristics of the Irish state.** For example, would rules on language change? Would flags and symbols? Should a united Ireland join the Commonwealth and NATO (abandoning the neutrality that it has always adhered to)?
- **The central policy questions that would arise around the fusing of institutions and policies.** These would, for example, relate to policing; health and welfare provision; and the different systems of law and courts. They would loom much larger if a unitary model were chosen.

There are many difficult issues here, which need further analysis and discussion. A number of them are potentially minefields that could significantly influence the course of the unity debate. It should not be assumed that all could be resolved simply with sufficient political will. Many of them need a great deal of analysis before choices could intelligibly be put before the public.

And the question inevitably arises whether a united Ireland would be saddled with a heavy, perhaps unmanageable, financial burden.⁵⁵ UK official accounts identify the UK government contribution to Northern Ireland, calculated as the amount by which public expenditure there exceeds the amount raised there in taxes, as something exceeding £9 billion annually.⁵⁶ The Northern Ireland economy is overall indisputably weak. Some commentators have recently suggested that the costs would be lower than feared.⁵⁷ At

⁵¹ *Working Group*, paragraph 7.11.

⁵² *Working Group*, paragraphs 7.60–61.

⁵³ Michael McDowell, ‘[Confederacy is only model of Irish unity likely to garner wide support](#)’, *Irish Times*, 14 December 2022.

⁵⁴ *Working Group*, paragraphs 7.77–78.

⁵⁵ *Working Group*, paragraphs 7.18–29.

⁵⁶ *Working Group*, paragraph 7.19.

⁵⁷ Eoin Burke-Kennedy, ‘[Northern Ireland’s £9.4bn subvention and the cost of Irish unity](#)’, 2 May 2021.

times, however, there seems to be an assumption that the UK will make a significant contribution, for example to pensions. It may be unlikely that London would give any such promises at least at an early stage, and particularly while Scottish independence is a live issue.

In due course the improvements in economic performance that the South has seen in recent decades might transfer to the north of a unified state, but in the short term there would be a potentially significant financial burden on the new state, imposing difficult choices.

Is a united Ireland achieved on the basis of a bare majority practicable?

There is no doubt that, under the Agreement, 50% plus 1 majorities are sufficient to decide the question. There is no plausible way of reading the Agreement in any other sense. Indeed it would not have been reached if that had not been the understanding of nationalists.

But many may ask, as debate intensifies, about the practicability of bringing about an abrupt change of constitutional status without grave risks to stability. If Northern Ireland were already in political disarray at the point that a poll was called, fear of the implications may become serious. The all-Ireland state would potentially be taking in three quarters of a million reluctant citizens. It is one thing to regard Northern Ireland as a failed political entity; another to conclude that a successful entity could be constructed by incorporating it.

There is no prospect of consensus arising for changing the criteria for deciding the constitutional question. But fear of the disruptive effects of unity may potentially deter many voters, and perhaps particularly in the South, however well disposed towards it they may be in principle.

Are there other routes to closer relationships within the island of Ireland?

The preoccupation with a border poll and big-bang constitutional change has left little room for discussion on other routes to closer relationships within the island: indeed to the Agreed Ireland that John Hume saw as the path to Irish unity.

A border poll has a clear branding as a route to Irish unity. As we have seen, the clarity of the branding is illusory: the Agreement provides little more than a trigger for an otherwise largely undefined process, and says almost nothing about the united Ireland that may result.

The SDLP's New Ireland Commission, which has been meeting for several years but only recently offered any public thinking, emphasises reconciliation and inclusion in the Hume tradition. Its proposals so far are of a very general character, but it does appear to be aimed

towards a border poll: ‘this project is aimed at constitutional change, which will necessarily mean a referendum in the years to come with opposing propositions on a ballot paper’.⁵⁸

The current Irish coalition government has embarked on a Shared Island Initiative, which is altogether more nuanced in conception.⁵⁹ It aims to enhance cooperation and mutual understanding to build consensus across the island around a shared future, backed by a €1bn fund. Much work has been done under the initiative to bring about engagement, especially in border areas, and on infrastructure. The initiative has not been pitched as a gradualist approach to Irish unity, in part perhaps for fear of alienating unionists. But that thinking is implicitly no doubt there: the then Taoiseach, in launching the initiative, acknowledged that, for the next five years, a border poll was not on the agenda.⁶⁰ The result is that, in public perceptions, ‘shared island’ may be a rather vague concept, lacking a clear objective, and not widely seen as relevant to the Union versus unity debate.

Is there scope for developing a gradualist programme more overtly directed towards an ‘Agreed Ireland’ or ‘Community of Ireland’ – but without any necessary commitment to constitutional unification?

What might be the elements of the programme? Possibilities include:

- the existing Shared Island work, and more initiatives of the same sort
- rights for people in the North to contribute to the southern political process: an example would be the extension of voting rights in Irish presidential elections to citizens in the North, which has been the subject of recurrent proposals in recent years
- expansion of the benefits that southern authorities accord to people in Northern Ireland – analogously with the right to an Irish passport already accorded to those people born in Northern Ireland
- further measures to address the lack of understanding between North and South⁶¹
- more mutually-beneficial cross-border cooperation in areas like health – the establishment of cross-border bodies to conduct such cooperation has sometimes been sought by nationalists for symbolic reasons and arouses unionist suspicion; but cooperation itself where there is a clear benefit has often been welcomed

⁵⁸ SDLP/New Ireland Commission, ‘[How to Build an Inclusive New Ireland: Six Core Principles](#)’ (March 2023), p.10.

⁵⁹ [Shared Island Initiative](#) (website, last accessed 3 April 2023).

⁶⁰ *Working Group*, paragraph 3.32.

⁶¹ Recent research conducted under the auspices of ARINS shows the striking limitations in mutual interaction, and in mutual comprehension, between the two parts of the island: Pat Leahy, ‘[Little interaction between people living North and South, new polls show](#)’, *Irish Times*, 28 January 2023. The research was discussed in Emma DeSouza, ‘[Deep North–South dialogue needed for any chance of unity](#)’, *Irish Times*, 1 February 2023.

- amplification by Dublin of Northern Ireland's voice in Europe – though this may be delicate territory.

There is scope for much more reflexion around options of this sort, from which might emerge a clearer, gradualist, middle way, focusing on the practical benefits of closer relationships within the island, rather than emphasising constitutional forms. Those favouring unity might hope that from such a programme, greater consensus on constitutional change of some sort might develop – but there would be no need for commitment to that from those taking part.

There are political difficulties on both sides: some unionists will warn of slippery slopes, and it is hard for nationalist politicians to be seen putting off the day of Irish unification. But it may be the most satisfactory and successful route to making the different parts of the island work together.

How will the debate evolve?

Will we have an early border poll?

There is not yet anything like a majority for unity in most surveys, still less in election results, so for the moment the Secretary of State's duty to call a poll is not triggered.

The current Sinn Féin demand is that a date for a poll is fixed (though it does not say when).⁶² The party does not make reference to states of opinion, so this appears to be a demand for an exercise of the Secretary of State's discretion. But a UK government facing the prospect of Scottish independence may be unlikely to take any steps involving the potential breakup of the UK as a matter of discretion.

The UK government may also recognise that taking such a step would substantially change the nature of Northern Ireland politics: the focus would thereafter be very largely on unity vs Union (and away from other pressing policy issues). It may indeed be the intention of those who seek an early poll, even if they are not confident of winning on the first occasion, to place the unity issue in the political debate in Northern Ireland where independence is in Scotland, in the hope that opinion will then shift.

Thus, in present conditions, an early poll seems unlikely.

How should the Secretary of State assess the weight of opinion?

Any judgement of the Secretary of State about the likelihood of a vote for unity may be a very difficult one, with no further guidance in the Agreement as to how it is to be made.

⁶² Sinn Féin, '[A Decade of Opportunity – Towards The New Republic](#)' (webpage, last accessed 3 April 2023).

It is important at all points that the Secretary of State's assessment command trust. The constitutional status provisions are a cornerstone of the Agreement. There is now a head of steam behind the demand for a poll, with a significant number of people apparently believing a poll, and unity, are not far distant. The courts have underlined the need for honesty and propriety in the decision (and appear ready to ensure that these are shown).⁶³

But all the evidence the Secretary of State might look at is imperfect, whether election results, opinion polls, or other expressions of political opinion like Assembly votes. And as we come to have serious informed debate on many aspects of unity, opinion may be particularly volatile.

It is especially difficult to be confident about opinion polls, given the difference in results that different polling methods produce. Professor Jon Tonge addressed the issue in a submission to the Working Group,⁶⁴ as did the Group itself in its report.⁶⁵ So far, at any event, as the Group concluded, they offer no basis for belief that a majority for unity would be likely.

Election results are another key indicator. Clearly, 50% support for nationalist parties would change the political context markedly. As would an Assembly vote for unity (or for the holding of a border poll). The Secretary of State might have to conclude in those circumstances that he or she would best call a poll whatever the evidence on the likely outcome.⁶⁶

In these circumstances, the Working Group found it impossible to suggest any simple formula or any precise weighting of the different sorts of evidence the Secretary of State ought to draw on. They need to be assessed in context at the time. If opinion became more finely balanced, the Group suggested that a more detailed review process would be necessary, preferably involving independent, expert advice.⁶⁷

Perhaps reflecting the mistrust of London across the board in Northern Ireland at present, there have been increasing calls for the Secretary of State to set out the 'criteria' for calling a border poll, and the suggestion that a Labour government would do so.⁶⁸

There are difficulties here too, however: expectations may be unrealistically high. Legally, the Secretary of State must, in considering whether the duty to call a poll is met, take into account all the evidence available: which precludes ruling out particular kinds of evidence, unless it can reasonably be asserted that they are of no probative value. Any indications that might be given as to criteria might therefore be vague.

⁶³ *McCord* case, discussed in *Working Group*, paragraphs 8.9–11.

⁶⁴ Jon Tonge, '[Criteria for calling a border poll in Northern Ireland](#)', written submission to the Working Group on Unification Referendums on the Island of Ireland, January 2020.

⁶⁵ *Working Group*, paragraphs 8.58–83.

⁶⁶ *Working Group*, paragraphs 8.26–31.

⁶⁷ *Working Group*, paragraphs 8.99–103.

⁶⁸ Darran Marshall, '[Labour would set out border poll criteria - Peter Kyle](#)', BBC News, 25 September 2022.

How should the debate be taken forward and become better informed? Could a citizens' assembly contribute towards this?

Debate on, and planning for, unity clearly at present has a good deal of momentum behind it. Some unionists may suggest it is a distraction or destabilising; but the Agreement provides for unity, there are important questions about its outworkings so far unanswered, and the debate is legitimate.

For the present, however, the debate is somewhat chaotic, and it proceeds at a high level of generality. The risks of voters in an early poll being asked to decide on issues on the basis of rhetoric rather than informed analysis would be great.

Various suggestions are put forward for focusing the dialogue. Some suggest that a citizens' assembly offers the answer: it is Sinn Féin policy that the Irish government should establish such a body (though alongside work within Irish government, leading to a white paper, and in the Irish Parliament).⁶⁹

Such assemblies have a record in Ireland, and elsewhere, of helping to develop proposals, and to structure and inform debate.⁷⁰ But they have generally considered relatively narrow topics. There is a danger of loading too much onto such an assembly, given the plethora of issues that would arise both about the substance of unity, and the route to it. Many of these issues anyway clearly need expert elucidation before they could be presented to an assembly.

There are also dangers in regarding an assembly as the route to legitimacy, by opening it to wide representation. A token presence of people of Northern Ireland unionist origin on such a body would scarcely convince the unionist public that their voice had been properly heard. To less scrupulous proponents of unity, there may be a temptation to regard an assembly as a convenient expanse of long grass into which difficult questions could be cast, hoping to take them off the immediate agenda.

There may well be a role for citizens' assemblies in advancing the debate, but they are nothing like the whole answer.

Clearly the Irish government would at some stage take a role: much of the planning for unification would need input from people involved in government institutions. The British government (and perhaps the Northern Ireland Executive, if it was in being) would also need to be involved in decisions on the process and on transition.

But there has been a reluctance to start government work on these matters: doing so would itself be an intervention in the debate of some magnitude, suggesting the imminence of

⁶⁹ Sinn Féin, [‘Irish Government must establish Citizens’ Assembly on Constitutional Change – Declan Kearney MLA’](#), 8 February 2022; Sinn Féin, [‘A Decade of Opportunity – Towards The New Republic’](#) (webpage, last accessed 3 April 2023).

⁷⁰ *Working Group*, paragraphs 6.27–30.

decisions on unity. A Sinn Féin-led government in Dublin would presumably take steps in this direction. A British government might be unlikely to be willing to go along.

Given the governments' reluctance to get involved, it would be much preferable for the health of debate at present if there were civil society structures separate from government that could ensure that the right questions were identified for analysis and debate, and then commission work. There would be a role for academics in this, but importantly also for people who are or have been practically involved in the sorts of issues to be considered. This would, however, be a substantial and resource-intensive task.

Conclusion

The unity debate has tapped into a great deal of idealism and enthusiasm. But it is not so far addressing many of the difficult questions that an abrupt transition to unity might throw up. There may therefore be unrealistic expectations about. More gradualist approaches to developing close relationships within the island of Ireland (and beyond) have not so far commanded significant attention. We need a more comprehensive, questioning debate.

5. Has the Agreement a future?

Will constitutional change resolve Northern Ireland's problems?

Support for unity may well grow, as has been the trend. But we have not yet had any serious debate on many of the material implications, north or south; and when we do, the polling evidence is that many voters may hesitate. Leaders and voters in the South in particular may worry about the impact of unity on an essentially stable political system, and indeed on its finances.

It is possible, also, that new approaches in London, involving resolution of disputes with Brussels and partnership working with Dublin, may in time dilute some of the nationalist discontent with the Union, and ardour for early unity.

At minimum, we can say that a united Ireland in the medium term is not a prospect so likely that we can neglect more immediate issues in order to focus on it.

It appears unlikely either that any reinforcement of the Union, sought by some unionist parties, will come about – at least beyond the purely cosmetic. There appears little feeling in Great Britain that this is desirable, and the current and potential future British governments are probably unlikely to do anything that appears to cut across the Agreement settlement.

And in any event, constitutional change in either direction appears unlikely in the near term to address the current challenges for Northern Ireland in the economic, social and governmental spheres.

The crossroads

With the Agreement institutions suspended, progress on some of the Agreement's key objectives stalled, and the momentum and hope generated in 1998 largely dissipated, Northern Ireland may again be at a crossroads.

A malign scenario: If there is no resolution of current political issues blocking the formation of the Executive, or if once formed the Executive quickly descends into instability or effectiveness, Northern Ireland's social and economic fabric may continue to deteriorate. Attitudes in London may further alienate swing voters.

As in past times of political vacuum, the situation may increasingly tend towards extremism and instability, with polarisation potentially exacerbated by the role the Agreement accords

the Irish government when there are no institutions.⁷¹ We may see the best people leaving politics, and talented young people leaving Northern Ireland altogether.

In this context, support for Irish unity may in principle grow. But will it? Some in Northern Ireland may see in such moves the risk of exacerbating further the political fractures. And in the South, the dangers of seeking the early integration into the state of a chaotic Northern Ireland (already little enough understood there) may seem increasingly unattractive.

Such conditions are unlikely to increase empathy for Northern Ireland in Great Britain either. It risks becoming an increasingly failing political, social and economic unit, widely unloved.

The gains the Agreement brought are not guaranteed: work is needed to sustain them.

But we are not condemned to this. Potentially, Northern Ireland has much brighter prospects.

A benign scenario: Revived institutions may start at last to deal effectively with Northern Ireland's economic and social problems. London may begin to show greater understanding and sensitivity.

Resumed efforts to advance the Agreement's underlying objectives around reconciliation and respect for all identities may deliver greater social peace, and may bring Northern Ireland international recognition as, once again, a poster child for post-conflict transformation. The parties united in the Executive might be able to secure significant benefits (hard or soft) in the EU and beyond, to maximise the economic potential of Northern Ireland's unique position in the post-Brexit world.

The discussion about future change would go on: but we might find proponents both of the Union and of unity developing more widely appealing and outward-looking programmes. The dialogue would move again, as after the conclusion of the Agreement, away from talk of abstract constitutional forms, and more to improving conditions of life, and deepening relationships, within the island, and with Great Britain. And the hope and enthusiasm that the Agreement aroused 25 years ago might again be recreated.

Which course will Northern Ireland take?

Restoring the institutions is the essential starting point for progress. If they do not resume, belief in the Agreement as a way forward is liable to evaporate entirely – and there is nothing to take its place.

Yet achieving this is only a starting point: a necessary but not sufficient condition for political success, stability and prosperity.

⁷¹ *NIPF*, chapter 3.

It is essential that attention turn to areas that have been neglected. *Northern Ireland's Political Future* therefore proposed efforts to restore the crumbling underpinnings of the Agreement: to ensure that progress be made towards reconciliation, eliminating paramilitarism, sustaining policing by consent, and handling legacy issues sensitively.⁷² And it proposed ways in which the good government deficit might be plugged: a returning Executive must, unlike its predecessors, have a clear vision for the future, and from the start carry out necessary, perhaps painful reforms.⁷³ An Executive that delivers results is likelier to be stable.

Changing patterns of voting may at some point require adjustments to the institutional structure, though few of those would be straightforward, and it is essential in the short term not to become caught up in further conflict over institutional change.⁷⁴

What should happen in the coming months?

At the time of writing, the DUP appears disinclined to accept the Protocol as adjusted by the Windsor Framework, and lift its veto on the functioning of the institutions of government and of North–South cooperation – though this may change, especially after the local government elections in mid-May.

The consequences of a sustained boycott are potentially calamitous.⁷⁵ The present situation, where no one can govern for the long term, cannot continue: everything will slowly fall apart. The legitimacy of direct rule from London, for which there is no warrant in the Agreement, would be gravely challenged, however; and the role the Agreement accords to the Irish government would come into sharp focus in those circumstances (not joint authority, but significant nonetheless) and would risk being immensely controversial.

There are good arguments, made by the present author in the last section of written evidence to the Commons Northern Ireland Affairs Committee and in the subsequent oral evidence session, that if institutions cannot be resumed under the current rules, the two governments would be justified in substituting temporary rules enabling them to be constituted and to function, overcoming the boycott, while political negotiations went on to find a permanent solution.⁷⁶

Such a step would be full of political risk, but the risks of continued drift may be greater.

The dialogue about long-term change will and must go on. There are important roles for civic society, and ultimately for the governments and for friends of Northern Ireland elsewhere. Collectively, they must ensure that the discussion is balanced and

⁷² *NIPF*, chapter 7.

⁷³ *NIPF*, chapter 8.

⁷⁴ *NIPF*, chapter 9.

⁷⁵ *NIPF*, chapter 3.

⁷⁶ Alan Whysall, '[Written evidence submitted by Alan Whysall, relating to the effectiveness of the institutions of the Belfast/Good Friday Agreement inquiry \(GFA0035\)](#)', House of Commons Northern Ireland Affairs Committee, December 2022; Northern Ireland Affairs Committee, '[Oral evidence: The effectiveness of the institutions of the Belfast/Good Friday Agreement, HC 781, 1 March 2023](#)'.

comprehensive, exploring all the key issues about Northern Ireland's potential constitutional destiny, even if the current political system finds it hard to come to grips with them.

On the 25th anniversary of the Belfast/Good Friday Agreement, this report sets out the prospects for Northern Ireland's constitutional future. It concludes that early constitutional change is unlikely, and as such, that action is urgently needed to restore the institutions – and momentum – of the Agreement.

About the Constitution Unit

The Constitution Unit is a research centre based in the UCL Department of Political Science. We conduct timely, rigorous, independent research into constitutional change and the reform of political institutions. Since our foundation in 1995, the Unit's research has had significant real-world impact, informing policy-makers engaged in such changes – both in the United Kingdom and around the world.

About the Author

Alan Whysall is an Honorary Senior Research Associate at the Constitution Unit at University College London. Until he left British government in 2015, he had for most of the previous 20 years been involved with the Northern Ireland peace process as a senior British civil servant in the Northern Ireland Office. He was an adviser to British ministers throughout the negotiations that led to the 1998 Agreement.

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