

## Written evidence submitted by David McCann in a personal capacity.

### Personal Profile

I hold a doctorate in Relations between Northern Ireland and the Irish Republic from 1959-72 from Ulster University where I have also lectured in politics on a part time basis since 2015. I have also served as a commentator on the local Northern Ireland media and have been Deputy Editor of the Slugger O'Toole website since 2014. I am also for full disclosure a supporter of Irish unification and have signed letters organised by civic nationalists to promote the discussion around unity & was a speaker the Ireland's Future conference in January 2019.

### Points of the submission

- There are important lessons from the Scottish referendum and the European Union membership to be taken into account.
- There is a need for preparation before a referendum is held.
- This cannot simply be a debate for politicians alone. There must be avenues for others to engage with the process.
- The transition period needs to be flexible and keep in mind a creative approach.
- The franchise should be as diverse as possible with a 50% plus one threshold.

### Question One-How would any referendum be triggered?

The threshold for triggering a unity referendum is subjective one with power in the hands of the Secretary of State. How we determine the threshold for support is in my view the wrong premise to solely view this issue. We should also consider the desire to promote the conversation about the constitutional future and the desire to put the question before the public.

Often there is a view about measuring support via elections. However, there are key flaws in this approach for both trying to determine support for the union or Irish unification. Parties such as Alliance and the Greens for example don't have a uniform party view on the constitution. In the 2014 election cycle for example, the Alliance Party's European candidate, [Anna Lo expressed support for Irish unity](#), whereas other candidates in the local government election for that very same party supported the union. This doesn't take account of other parties like People Before Profit who poll well in Nationalist areas of Northern Ireland but sit in the "United Community" designation in the Assembly.

Many representatives from both parties deliberately shun the unionist and nationalist labels, but that does not mean that the support they garner from voters means an abandonment of a view on the constitution. I believe it would be useful for Northern Ireland to follow the Scottish precedent of 2011-2013. Where a majority of local members in the Northern Ireland Assembly requesting a poll be used as the appropriate threshold. To get at least 46 MLAs would require support from either a cross community vote or the backing of a majority of "united community" MLAs who sit outside the two main designations to allow a vote to be held. The ultimate pace and timing of this poll should be in the first instance decided by the locally elected representatives at Stormont.

If it did become apparent that a vote would be successful in the Assembly chamber, there would be a role for the two governments in terms of facilitating the vote. I [note that](#) following

the United Kingdom's departure from the European Union that a structure of yearly summits between the British and Irish governments will be created and that new forum would be an opportune place to create a dialogue about how a future referendum could proceed. It is worth noting that there was a more than three year gap in Scotland between the Scottish National Party majority and the referendum taking place. The role for the two governments in this would be working out the mechanics of the referendum in coordination with the Northern Ireland Executive.

### **Question Two-What issues would need to be addressed in the processes leading up to and following any referendum?**

Governance-There needs to be some sort of framework put forward for how the structures of government will look in a theoretical New Ireland system. In my view, we need to reconcile the future of the Good Friday Agreement structures with a post-unification setting. Unification should not see an end to the various power-sharing arrangements that we have in areas such as local government with civic and committee positions allocated on the basis of party strength and likewise any future local administration at Stormont should also be based upon the principle of power-sharing. A commitment to maintaining a basis of power-sharing in Northern Ireland will be part of any referendum.

All island reform-Since the 2013 referendum to keep the Seanad in place provides an opportunity to reform a second chamber to have it based on as a body to focus on the regions. This would also compliment the structure of Dail Eireann which is already elected by a PR-STV system and would see an enhanced role for [Northern Ireland's elected](#) representatives in a sovereign parliament.

### **Question Three-How would referendums North and South be structured?**

A referendum would take place on the same day to enable the reunification process to start. In Northern Ireland, this would be to enable that provision of the Good Friday Agreement that deals with the principle of consent. In Southern Ireland, a referendum would be held to accept Northern Ireland as part of the state, this would be required to give effect to some of the required constitutional amendments that would be needed to extend the reach of the constitution on a 32 county basis. These referenda should be won or lost on the 50% plus one basis. However, there would likely at some point in the future require a future referendum about the shape and structures of the new state as more reforms come into place.

In my view, negotiations would have to largely happen after a vote has taken place. This would involve primarily the two governments with a feed in role from the local parties in Northern Ireland. However, before that point it is important that the Irish government begin the process of developing structures such as a New Ireland forum to allow discussions to take place. Likewise, it would be helpful if the combined forces of unionism began their own vehicles to discuss the future of the United Kingdom. This is an important preparatory step that must be taken before a poll is held to identify key areas that need addressed and to give some much-needed structure to what is a disjointed debate.

The UK's withdrawal from the European Union demonstrates the importance of pre-planning before the vote is held but also that fundamentally an agreement can be reached. The process of how Northern Ireland would leave the UK and its future relationship with it, would all be part of a formal negotiating process. In the Scottish instance a time period of 18 months was set out before formal independence was to take place. However, in Northern

Ireland and our history of agreements we should not fear extensions of negotiations and be realistic about a necessary economic and political transition period.

**Question Four-What processes of discussion should surround any referendum(s), including before a referendum is called and before and after any referendum is held?**

There should be extensive discussion about the future and how it will take shape. As I noted above there needs to be serious planning work for all potential outcomes and this work should not be rushed and time should be taken to consider the outcomes both in the context of remaining in the UK or leaving it. This need not be about setting out every aspect of a New Ireland, but at least giving the structure and the framework for how it might look. Flexibility will need to be built in as within all negotiation's things will change and compromises will need to be made.

There is also a need for the public to have a level of engagement through this process too. This has been done in Southern Ireland through citizen's assemblies and we have also seen this model piloted in Northern Ireland. In my view, the key need for this type engagement should happen in the preparatory stage with different assemblies North and South outlining their respective views on reunification. Then if a referendum were successful, single assemblies could be held to tease out views on structures of governance, the pace of reunification and community relations.

**Question Five-Design features of the votes themselves**

*a. Which franchise should be used for a referendum in Northern Ireland?*

The referendum should be open to all citizens and residents of Northern Ireland. If you are from or currently live in Northern Ireland you have a stake in its future direction.

*b. What role should the Electoral Commission play in a referendum in Northern Ireland?*

The commission will probably play a role in deciding status for the official yes or no campaigns and facilitating the referendum process.

*c. Are there any specific campaign rules that need to be put in place?*

There needs to be rules around spending limits for each campaign.

*d. How long should the campaign run for?*

In my view, a campaign period of four to six months is enough time for parties to set out the issues and debate key points.

*e. What roles should the British and Irish governments play in these referendums?*

The governments should play a facilitation role in the main that a free & fair vote will be held, although it would be perfectly natural of the two governments to express a view on how people should vote.

*f. Are there any issues around who should lead the respective campaigns?*

In my view, the campaigns would be best led by a collective of spokespeople stretching from politicians, business figures, academics, sector leaders. This should not be confined to simply a debate between politicians.

*g. Are there any issues around the dissemination of public information, campaign finance and general regulation of campaign activity that we should consider?*

In the modern era, social media advertisements will have to be taken into account. What role social media companies play in the dissemination of information will be incredibly important in deciding the tone and direction of the campaign.

*h. What thresholds should be used?*

The referendum should be decided on a 50% plus one basis.