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# As British as Finchley? The Evolution of the Positions of the British Government and Irish Republicanism Regarding Sovereignty over Northern Ireland

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**Abstract.** This article examines the evolution of the British Government's position regarding the question of the sovereignty over Northern Ireland from the post-Partition era until the signing of the Good Friday Agreement, which celebrates its 20th anniversary this year, as well as the gradual adjustment of the strategy of the Irish republican movement on this question, which eventually led to the end of the IRA's armed campaign. The analysis of the evolution of British legislation in relation to the status of Northern Ireland, the commitments that the British Government acquired through the Anglo-Irish Agreement, the Sunningdale Agreement, and the Downing Street Declaration and the evolution of the strategy of the Republican movement in each of these moments show that the issue of Irish sovereignty, which has returned to the forefront of the political debate within the framework of the Brexit negotiations and the UK-Irish border, played a key role in the political settlement reached twenty years ago.

**Key Words.** Good Friday Agreement, Principle of Consent, Republicanism, Sovereignty, Troubles.

**Resumen.** Este artículo analiza la evolución de la posición del gobierno británico en relación a la cuestión de la soberanía sobre Irlanda del Norte desde la era posterior a la partición en 1921 hasta la firma del Acuerdo de Viernes Santo en 1998, que acaba de celebrar su vigésimo aniversario, así como la adecuación gradual de la estrategia del movimiento republicano irlandés sobre esta misma cuestión, que culminó con el final de la violencia armada del IRA. El análisis de la evolución de la legislación británica en relación con el status de Irlanda del Norte, los compromisos que el gobierno británico adquirió a través del Acuerdo Anglo-Irlandés, el Acuerdo de Sunningdale y la Declaración de Downing Street y la evolución de la estrategia del movimiento republicano en cada uno de estos momentos muestra que el tema de

la soberanía irlandesa jugó un papel clave en el acuerdo político alcanzado hace veinte años, en un momento en que esta cuestión ha vuelto al debate político en el marco de las negociaciones sobre el Brexit y la frontera entre el Reino Unido e Irlanda.

**Palabras clave.** Acuerdo de Viernes Santo, principio de consentimiento, republicanism, soberanía, conflicto de Irlanda del Norte.

Twenty years after the signing of the Belfast Agreement, better known as the Good Friday Agreement, the question of sovereignty over Northern Ireland is back at the forefront of the political debate. One of the biggest discrepancies in the Brexit negotiations is the nature of the post-Brexit UK-Irish border. A “hard border” could undermine the Good Friday Agreement’s achievements and make the prospect of Irish unification more attractive for the population already used to living with an invisible border. All this is happening two decades after the implementation of the Good Friday Agreement, which put an end to many years of political violence and provided for political mechanisms of collaboration between the two parts of the island that virtually made the frontier disappear. This article analyzes the evolution of the position of the British Government on the issue of the sovereignty over Northern Ireland from the moment of partition, and the gradual adjustment of the Republican movement’s thinking up to the signing of the Good Friday Agreement.

Irish Republicans’ narrative about the end of the Troubles relies on the idea that the peace process in general and the Good Friday Agreement in particular opened new avenues toward a united Ireland. Gerry Adams’s words were unequivocal:

We had dealt the union a severe blow. The inclusion of a clause limiting the life of the union to the will of a majority in the northern state was a bit like a partner in a relationship saying that the relationship is over, but that she or he had to wait until the children have grown up. There was now no absolute commitment, no raft of parliamentary acts to back up an absolute claim, only an agreement to stay until the majority decided otherwise. This was still not good enough for us, but it was a long way from being, as Thatcher had once remarked, ‘as British as Finchley’. (356)

According to the Republican logic, in the past the British status of Northern Ireland was legally unchangeable, and now there is a transitional situation open to change. They initiated armed struggle to achieve recognition of Irish self-determination and to end British rule because there was not any chance to obtain these goals through politics. Then, they abandoned armed strategy because conditions had changed and, as a consequence, their goals can be pursued through non-violent politics. When the leadership of the Provisional Irish Republican Army (IRA) announced in July 2005 the definitive end of its armed campaign, they stated that they decided to lay down arms for good because they believe that “there is now an alternative way to achieve this [the goal of a united Ireland] and to end British rule in our country”.<sup>1</sup>

The Good Friday Agreement certainly provides a mechanism to achieve a united Ireland through a combination of the right for self-determination and the principle of consent. It states, on the one hand, that it is for the people of the island of Ireland alone to exercise their right of self-determination to bring about a united Ireland without any external interference; on the other hand, it specifies that this decision needs to be made by agreement between the North and the South, “accepting that this right must be achieved and exercised with and subject to the agreement and consent of a majority of the people of Northern

Ireland”. Therefore, a united Ireland can be now achieved if the majority of the people of Northern Ireland want it. However, was this really new? When the leadership of the Provisional IRA declared that there is now “an alternative way to achieve” a united Ireland, were they referring to this legal mechanism agreed upon in the Good Friday Agreement and accordingly implemented in British and Irish legislation?

### **British Position and Unionists’ Distrust**

Up to the approval of the Northern Ireland Act 1998 as a consequence of the Good Friday Agreement, the Government of Ireland Act 1920 was in force. Section 75 of this act established that “the supreme authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters, and things in Ireland and every part thereof”. According to Bew, “the Government of Ireland Act has been seen as Britain making a one-sided claim to supremacy over Northern Ireland regardless of the views of the people living there” (40-41).

When the Free State ended all ties with the British monarchy and became a totally independent Republic through the Republic of Ireland Act 1948, Westminster’s response was the Ireland Act 1949. This act affirmed that “in no event will Northern Ireland or any part thereof cease to be part of His Majesty’s dominions and of the United Kingdom without the consent of the Parliament of Northern Ireland”. The Northern Ireland Constitutional Act 1973 ratified the status of the six counties in similar terms, but with a significant change. It declared that Northern Ireland would not cease to be part of the United Kingdom “without the consent of the majority of the people of Northern Ireland”, instead of the consent of the Parliament of Northern Ireland, which had been suspended in 1972 with the establishment of the Direct Rule. The provision did not state that the status of Northern Ireland should be changed if the majority of its people wanted so, but it implied that it could be changed in that event. In short, it guaranteed unionists that their will would be respected as long as they were the majority, but it did not guarantee nationalists that their wish would be implemented if they were the majority. Obviously, it was far from what the Good Friday Agreement eventually established.

When the British Prime Minister Margaret Thatcher said that Northern Ireland was as British as Finchley,<sup>2</sup> she affirmed that the British Government’s position regarding the status of Northern Ireland was based on the 1973 Constitutional Act, which she regarded as the guarantee for Northern Ireland permanent status as a part of the United Kingdom: “Northern Ireland is part of the United Kingdom” but considered the possibility of a majority wishing otherwise: “It will remain so unless they wish to the contrary”.<sup>3</sup> Thatcher was that day responding to Unionist MPs, who were, as usual, concerned about the British real commitment to the Britishness of Northern Ireland. It was certainly a longstanding concern. According to McKittrick and McVea, since Partition “it was clear that London was never as committed to the Union as they [Protestants] were” (4) and, thus, Protestants constantly feared that British policy might move to support a united Ireland. In 1940 the British Prime Minister, Winston Churchill, offered the Irish Taoiseach, Eamon de Valera, the possibility of a declaration in favor of Irish unity in return for Irish wartime support. The initiative did not work, but it reinforced Unionists’ awareness that Britain meant more to Irish unionists than Northern Ireland meant to British rulers. British ministers occasionally remarked that Britain needed Northern Ireland to remain British. In 1955 a conservative minister argued defense considerations: “It must be recognized that the possession of Northern Ireland is of capital importance in the defense of Great Britain” (McKittrick & McVea 25). It was not enough to reassure Unionists. As Dingley states, “most Unionists instinctively feel that their own nation-state does not want them and that they are an unwelcome embarrassment” (191). Sunningdale

Agreement, in the 1970s, and the Anglo-Irish Agreement, in the 1980s, reinforced this distrust.

### **From Sunningdale to Downing Street**

The Sunningdale Agreement was settled at the end of 1973 by the British and Irish governments, along with SDLP and a divided UUP, but it collapsed the next year because of strong Unionist opposition, clearly demonstrated through a powerful general strike in May (Hennessey), which was instigated and maintained through loyalist paramilitary power. The Republican movement was also against the agreement and the IRA continued its armed campaign. Through the Sunningdale Agreement the Irish Government accepted that “there could be no change in the status of Northern Ireland until a majority of the people of Northern Ireland desired a change in that status”. On the other hand, the British Government declared that “if in the future the majority of the people of Northern Ireland should indicate a wish to become part of a united Ireland, the British Government would support that wish”. Interestingly enough, the British Government declared in the agreement that “it was, and would remain” their policy to support the wishes of the majority of the people of Northern Ireland, meaning that there was no change in their position. Yet, at least there was an important change. They expressly declared that they would support the wish to become part of a united Ireland in the event that a majority wanted it. The Agreement did not work, but the content of the document clearly showed that the British government, as early as 1973, declared that it was prepared to accept the wish of the majority of Northern Ireland.

In 1985, more than a decade after the collapse of the Sunningdale Agreement, the two governments came to terms again with the Anglo-Irish Agreement. In this new settlement the Irish dimension of the conflict was acknowledged by London and, accordingly, it gave an advisory role to the Irish government in Northern Ireland governance. All Unionist parties and the Republican movement rejected the Agreement, while the SDLP and the Alliance supported it. Regarding the constitutional issue, the two governments confirmed the principles agreed upon in the Sunningdale Agreement, although they were more precise with their commitments in the event that a majority of Northern Ireland wished a united Ireland. They declared that, in that event, the two governments “will introduce and support in the respective Parliaments legislation to give effect to that wish”. As pointed out by Farren the British government took a big step with the Anglo-Irish Agreement because it meant that “for the first time the British government was able to formally accept the possibility of a united Ireland” (51).

In 1993, eight years after the signing of the Anglo-Irish Agreement, in a context of secret conversations also involving Sinn Féin and the SDLP, the two governments signed the Downing Street Declaration. Again, they ratified the principle that any change in the status of Northern Ireland could only come about with the consent of the majority of its people and that the two governments were committed to respect this will, whatever it was. However, there were significant novelties in the document signed by the British Prime Minister, John Major, and the Irish Taoiseach Albert Reynolds. For the first time, the British government officially stated that they had “no selfish strategic or economic interest in Northern Ireland”.

Previously, in 1990, the Northern Ireland Secretary, Peter Brooke, made the same clarification, saying that Britain had no selfish strategic interest in remaining in Northern Ireland and, therefore, they had no reason to override the consent principle (Mansergh 149). It was, as stressed by O’Brien, “a defining moment in Britain’s approach to Ireland”, which behind the scenes raised “the Republican Movement’s expectation to new heights” (209-211). However, no British Cabinet or Prime Minister had publicly backed Brooke’s endorsement.

The Downing Street Declaration made that position official. In this regard, there were significant advancements. Unlike in the Sunningdale and the Anglo-Irish agreements, in the Downing Street Declaration the British government expressly acknowledged that “the people of the island of Ireland alone” had the right to exercise self-determination, although it had to be exercised “by agreement between the two parts respectively”. They asserted that the people of Ireland would exercise that right “without external impediment”. Moreover, the two governments assured that there would be “a binding obligation” to introduce the necessary legislation to give effect to this. The principle of consent was ratified in the same terms as in the Anglo-Irish Agreement, but for the first time the right for self-determination of the Irish people was recognized in a document signed by the British Government, an important “symbolic shift” (O’Brien 297-299).

Not surprisingly, Sinn Féin and the IRA did not openly welcome the Downing Street Declaration. The recognition of the right for self-determination of the people of Ireland subject to the separate majorities in the north and the south was not satisfying for the Republican movement. Their historical claim was the recognition of the right to self-determination in the entirety of Ireland, without taking into account the two entities created by Partition, arguing that Northern Ireland was artificially created in order to assure a Unionist majority. The Republican prisoners in Maze Prison released a statement reiterating their traditional position. They stated that the Downing Street Declaration ignored “why partition has failed to bring peace, justice or stability” and that, instead, Republicans were asked to recognize “as some great concession to the principle of national self-determination” the British government’s position that should a majority in favor of Irish unity emerge in the North then London would not oppose it, “as if Britain could but do anything else!” They concluded that this would never happen because Northern Ireland had been “artificially created to perpetuate a unionist majority” (qtd. in English 272).

Nevertheless, that was not the actual position of the Republican movement regarding the Downing Street Declaration. Overall, the reaction of the Republican movement had nothing to do with those unequivocally negative responses to the Sunningdale and the Anglo-Irish agreements. Gerry Adams explained in his memoirs that the essence of the Anglo-Irish Agreement was that “Britain formally agreed to give the Dublin government a limited say in the six counties, which would remain part of the United Kingdom”. In addition, Adams believed that the agreement aimed to force “a realignment within unionism so that there could be a new internal arrangement in the north which would isolate republicans” (40). His narrative about his reaction to the Downing Street Declaration is more ambiguous. Adams suggests that the Downing Street Declaration was an advancement, echoing the remarks of his political opponents. He stresses that John Major said that Britain has no selfish or economic interest. He highlights that Albert Reynolds declared that “for the first time ever” the right to self-determination of the people of Ireland had been acknowledged “subject only to the question of consent” and that there was no longer a unionist veto. Adams also remarks that Ian Paisley stressed that the Declaration “rolled out the red carpet for the IRA”. With regard to his own reaction to the Declaration, Adams states that he asked for clarifications because they considered the document too ambiguous (143-146).

### **Peace Process and the Good Friday**

According to the Republican orthodoxy, the Downing Street Declaration was not acceptable because it reaffirmed the principle that the will of the majority of the people of “artificially” created Northern Ireland had to be respected. It was too early for Sinn Féin to support the declaration, but it would not be wise to oppose it. Their ambiguous reaction to the Declaration

was one of the first signs of the Republican movement's evolving position regarding the principles to exercise the right for self-determination.

According to O'Brien, the British government remained skeptical that the Downing Street Declaration would bring an end to the IRA armed campaign, but they saw it "weakening the IRA's justification for armed struggle by undermining the traditional republican view that Britain was in Ireland as a colonial power for her own interests" (300). In effect, the Republican movement and the IRA were divided, but the Army Council took the "early, and crucial, decision" to not reject the Declaration (303). Accordingly, they decided to give politics a chance. A ceasefire was the next critical step, which was a consequence of this evolving position and of the fruitful multilateral dialogue which was developing behind the scenes. The IRA announced a ceasefire on August 31, 1994, eight months after the Downing Street Declaration. The IRA expressly mentioned the Downing Street Declaration, only to say that it "is not a solution". However, the IRA recognized "the potential of the current situation", and argued that "an opportunity to secure a just and lasting settlement has been created".<sup>4</sup> Therefore, in the IRA's view, the Downing Street Declaration was not a solution but it was part of the new situation which could bring a solution. The IRA decided to end the ceasefire in February 1996 but they announced a new ceasefire in July 1997.

The peace process was reinvigorated by the second ceasefire. Multilateral talks advanced and, in April 1998, the main players involved in the conflict signed the Good Friday Agreement. This accord was a comprehensive and detailed document which established the principles for the exercise of the self-determination by the people of Ireland; the foundations for a new political system in Northern Ireland based on power-sharing; and a roadmap to address the issues linked to the violent conflict, such as the early release of prisoners and the decommissioning of arms of the paramilitary groups (Mitchell). The Good Friday Agreement, in short, assembled "all the creative and productive elements of many different initiatives over previous decades" by providing a constitutional accommodation and framework for agreed constitutional change, and the mechanism by which Irish unity by agreement could come about (Mansergh 150). Regarding the constitutional status of Northern Ireland and the possibility to change it, the Good Friday Agreement followed the criteria already agreed upon in the Downing Street Declaration. The novelty was that this agreement was a binding document for both governments and, therefore, they committed themselves to changing their respective legislations once the two referenda to ratify the agreement were held in the Republic and in Northern Ireland.

All parties in the Republic supported the Agreement and in the referendum 94% voted "yes". Consequently, the Republic changed articles 2 and 3 of its Constitution, in which it claimed that the whole island formed one national territory. In Northern Ireland all nationalist parties supported the Agreement, the leadership of UUP signed the Agreement but many members did not support it, and Ian Paisley's DUP opposed it. In the referendum 71% voted "yes", and 29% "no". Around half of Unionists voted "yes" and around half voted "no". Accordingly, British legislation had to be changed too. The 1920 Government of Ireland Act was repealed and the 1973 Northern Ireland Constitutional Act was amended according to the provisions of the Good Friday Agreement.

The IRA was involved in the peace process and Sinn Féin participated in the negotiations leading to the Good Friday Agreement. Accordingly, it was hardly a surprise that both supported the Agreement and the changes arising out of it. Nevertheless, it was not immediate and unequivocal support. The leadership of Sinn Féin signed the Agreement, but that approval had to be ratified by the highest decision-making body of the party, the Ard Fheis, the annual party conference. It was not an easy task, as the foundations of the Republican movement had to be substantially reviewed to adapt them to the new agreement. Ratifying the Agreement, Sinn Féin would accept that Partition was now a reality subject to

the will of the majority of Northern Ireland, and not a reality presently imposed by Britain; they would concede that the right to self-determination would be exercised separately in the North and in the South; and they would participate in the Northern Parliament, which was a major change in their traditional policy of not taking part in “partitionist” institutions. Like other parties in the conflict (O’Kane), the Republican movement ended up accepting a position that it appeared to be unwilling to adopt in earlier phases of the process. However, the Sinn Féin’s Ard Fheis ratified the Agreement on May 10 with the support of a great majority of the delegates who voted.

Ten days before Sinn Féin’s Ard Fheis, on April 30, 1998, the IRA made public their position on the Good Friday Agreement. On the one hand, they stated that the Agreement “clearly falls short of presenting a solid basis for a lasting settlement”. Their argument was simple: “A durable peace settlement demands the end of British rule in Ireland and the exercise of the right of the people of Ireland to national self-determination” and “the two imminent referenda do not constitute the exercise of national self-determination”.<sup>5</sup> However, it was not a “no”, because the IRA’s statement added that the Good Friday Agreement marked “a significant development”. Moreover, the IRA wished Sinn Féin “further success in the development of their peace strategy”. The message was clear. The Good Friday Agreement did not fulfill their claim for the recognition of the right for self-determination, but it was an important step in the right direction. Later on, in his political memoirs *A Farther Shore* Adams (2003) explained that in the Republicans’ view the agreement was “transitional”. The strength of the Agreement, according to Adams, was that it was “about creating a new political dispensation based on equality and parity of esteem”. After the Good Friday Agreement, “the days of second-class citizens” were over (355-378).

### “Sunningdale for Slow Learners”

Not all Republicans agreed with Sinn Féin’s and the IRA’s official position. Republican Sinn Féin and the Continuity IRA, both outcomes of an earlier split, regarded the approval of the Good Friday Agreement as treason. In addition, volunteers of the Provisional IRA, led by the Provisional Quartermaster General, left the discipline of the organization and created the Real IRA, arguing that the Provisionals betrayed the principles of the Republican movement (English 316-217). The 32 County Sovereignty Movement became their political wing. “If they were happy to settle for what 1998 offered, then why had the war been fought?” asked Marian Price, a well-known Republican dissident, in a conversation with the historian Richard English. She argued that “in 1974 the Sunningdale Agreement was a much stronger agreement, and offered much more to republicans and nationalists”. As a matter of fact, the SDLP leader Seamus Mallon famously declared that the Good Friday Agreement was just “Sunningdale for slow learners” (Tonge). There is no need to say who the slow learners were for Mallon. Marian Price went further: “It was Sunningdale for retards” (English 317, 433).

But was the Good Friday Agreement really a remake of the Sunningdale Agreement? Was the British position regarding the constitutional status of Northern Ireland the same in the 1970s as in the 1990s? Why, then, did the Republican movement reject the Sunningdale Agreement but supported an agreement that substantially offered them the same deal 24 years later?

The Sunningdale and the Good Friday agreements have obviously very significant similarities. From a Republican traditional point of view, both deny the exercise of the right to self-determination for the entirety of Ireland, as they require the agreement of the two parts of the island. According to both agreements, Partition is not presently a British imposition, but a consequence of the will of the majority of the people of Northern Ireland. Regarding the mechanism by which Irish unity by agreement could come about, the Good Friday Agreement

is much more specific in the binding character of the will of the majority of the people of Northern Ireland in the event that this majority wishes to join a united Ireland. Nevertheless, in the Sunningdale Agreement the British government clearly declared that it “would support that wish”. More importantly, there are significant differences in terms of the mechanism to enable a power-sharing system of governance.

O’Leary rightly argues that Mallon was wrong when he suggested that the Good Friday Agreement was a late-Sunningdale. The 1998 Agreement “has imaginative elements of co-sovereignty built-in”; it promises a novel model of “double protection of the minorities”; and has created “strong incentives for executive power sharing and power-division but without requiring parties to have a formal coalition agreement”, which was the case in Sunningdale. Unlike in the 1993 ill-fated agreement, the Good Friday Agreement envisages a representative police force in order to end “the RUC’s mononational culture”; it also provides measures to ensure “a proportional and nondiscriminatory civil service and judiciary”; it also makes “new provisions for the educational use, protection and public use of the Irish language”; and it makes Northern Ireland bi-national and “opens up the prospect of a fascinating jurisprudence, not least in the regulation of parades and marches”. In short, the Good Friday Agreement is “an immensely subtle construction, a very detailed bargain” (O’Leary, “The British-Irish” 1-17), while the Sunningdale Agreement was just “an agreement to reach an agreement” (McKittrick and McVea 99) subject to the evolving correlation of power in Northern Ireland and to the will of the parties in disposition to form majorities of sharing or not sharing power.

### **A Conflict about Sovereignty**

However, as Dingley points out, “the problem in Northern Ireland was never about power-sharing as such, but about national identity and state sovereignty” (194). Of course there was a problem of not sharing power, but the problem, the core of the Troubles, was not how to govern Northern Ireland. What was in question was the existence of Northern Ireland itself.

The IRA did not engage in armed struggle to reform the unfair governance system of Northern Ireland. An IRA spokesperson explained in August 1989 what the Republican army’s strategy was: “At some point in the future, due to the pressure of the continuing and sustained armed struggle, the will of the British government to remain in this country will be broken”. Five years before the ceasefire of 1994, the IRA spokesperson stated that there would be “no ceasefire and no truces until Britain declares its intent to withdraw and leave our people in peace” (English 263). Sinn Féin was also confident about the potentiality of the armed struggle. At the end of January 1991, Gerry Adams publicly declared that “where you have an occupation force ... people have the right to engage in armed resistance”. He suggested that the armed resistance would be able to create the conditions to end the conflict: “When you have the conditions for conflict, how you end the conflict is to change the conditions” (English 269). According the IRA’s and Sinn Féin’s repeated and consistent statements, the conditions mentioned by Adams were Partition and the denial of the right to self-determination in the terms understood by the Republican movement. Sinn Féin declared in 1993 that “the route to peace in Ireland is to be found in the exercise of the right to self-determination, without impediment of any kind, by the Irish people as a whole” (English 339-340). In December 1994, a year after the Downing Street Declaration and four months after the IRA ceasefire, the Sinn Féin leadership submitted a proposal to the British government, in which the Republican political leadership insisted that “British sovereignty over the six counties ... is self-evidently the inherent cause of political instability and conflict” (English 287-288). Therefore, the initial position of the Republican movement was that Partition and British sovereignty were at the core of the conflict, and that there was no alternative but guns

to overcome these issues and to resolve the conflict. Certainly, the Republican movement regarded the conflict as an anti-colonial struggle.

### **From War to Peace**

Obviously, a deep transformation occurred in the Republican movement to move from an anti-colonial approach, which regarded the armed struggle as the only alternative to the position that an unarmed struggle was a real possibility. Horgan talks about “a number of political pressures” which can explain the Republican movement’s evolution. “One relatively long-standing source of such pressure was the Anglo-Irish Agreement, because to a large extent it diminished the use of British intransigence as a justification for PIRA violence”. Then came the Downing Street Declaration, which “added to this political pressure”, because it was illustrative of the growing political alignment between the British and Irish Governments during that time, “pledging to facilitate a process of ‘national self-determination’ for Ireland with the consent of Northern Ireland” (Horgan 218). McKittrick and McVea also view the Anglo-Irish Agreement as the starting point of this evolution, as it led “to a gradual but important rethink in republican ranks”, because “suddenly the supposed imperialist power had made an important move which was difficult to portray in an imperialist light” (184).

Five years later, in 1990, when the Secretary for Northern Ireland Peter Brooke assured that Britain had no selfish strategic or economic interest in Northern Ireland, the argument that Britain was a colonial occupier became harder to sustain. According to McKittrick and McVea, Brooke made that statement at the private prompting of Hume, who had been arguing this point in his talks with Adams, and Brooke’s statement aroused intense interest within the Republican movement. Hume contended that Britain was essentially neutral and the conflict was more among the two opposing communities in Northern Ireland. According to Hume’s theory, “the border was maintained not because of British interests but at the insistence of the Unionists, and that Irish unity could only come about with Protestant consent” (167-187). Brooke’s statement and its ratification through the Downing Street Declaration was a strong argument in favor of Hume’s contention and, therefore, against the perspective that Britain presence was the core issue of the conflict.

O’Leary contends that one way the IRA’s constitutional self-transformation may go in the future can be to argue that since the Good Friday Agreement of 1998 “the partition of Ireland presently rests on a decision of the people of Ireland”. In fact, the Agreement recognizes “(present) partition as an Irish, not a British decision”, and recognizes “Ireland’s right to achieve (re-)unification through consent in both jurisdictions”. In this sense, “the Agreement is the necessary act of Irish national self-determination that repairs the constitutional wound of 1920” (O’Leary, “The IRA” 223). Nonetheless, this argument hardly resolves the contradiction between the Republicans’ traditional view of self-determination, which denied the legitimacy of the six counties as a decision-making entity, and the renewed view which supports the principle of the consent of the majority of Northern Ireland. The Republicans need a stronger argument to be able to consistently declare “mission accomplished”. O’Leary draws on the difference between “united Ireland” and “unitary Ireland” in his attempt to construct an argument which the IRA could use to justify the end of the war.

A united Ireland has been achieved through the Agreement, but not a unitary Ireland, rather an Ireland united by the institutions of the Agreement. The people of Ireland, North and South, have the right of national self-determination, but also the right to choose how to exercise national self-determination, and if that involves having one

territorial unit with revisable linkages to the United Kingdom, that need not to be a denial of the underlying principle.

He recognizes, however, that “this would probably be too much for most republicans to stomach”. As an alternative argument, he points out that it is possible to argue that a settlement has been agreed leading to a united Ireland (O’Leary, “The IRA” 224).

Martin Mansergh, a senior adviser of Albert Reynolds in the 1990s, stresses that the mechanism proposed by the Good Friday Agreement to exercise the right for self-determination is consistent with the international principles embodied in the United Nations Declaration of 1960. He argues that, based on the UN resolution, self-determination in countries partitioned in two separate entities must involve a free decision by both, rather than just a numerical majority in the whole area, “which in the case of Ireland or Germany or Cyprus would be very lopsided and would amount to annexation”. He states that it was hard to persuade Republicans to accept this argument, but “concurrent self-determination in the whole or Ireland – North and South – incorporating the principle of consent, in effect squared the circle” (Mansergh 149).

In the end, it was as simple and as complicated as “to construct a finely balanced double helix in which self-determination and consent were inseparable” (McKittrick and McVea 196). It might be argued that the Sunningdale and the Anglo-Irish Agreements established the principle of consent and that the Downing Street Declaration and the Good Friday Agreement incorporated the right for self-determination and defined a mechanism combining both. McKittrick and McVea state that this balanced double helix in which self-determination and consent were inseparable was first drafted by John Hume and Gerry Adams, after having spent “so much time” trying to intertwine both concepts in a way acceptable for all sides (196).

The evolution of the Republican mindset regarding the conflict and its resolution must be examined considering more factors than the one analyzed in this paper, namely the right to self-determination and its compatibility with the principle of consent. Richard English provides a comprehensive theory about the main factors which he believes led the Republican movement to lay down arms and embrace non-violent political means. He points out that the changing international context influenced, to some extent, the IRA’s shift from war to peace – the changing role of Washington, London and Dublin; a new framework for an Irish-British relationship within the European Union; the collapse of the Soviet Union and the end of the Cold War; and the changes in the political struggles with which the Republican movement had identified, such as the transition in South Africa. However, English states that internal factors were much more powerful than external ones in the deep change experienced by Sinn Féin and the IRA. He highlights three main internal factors. Firstly, the IRA recognized by the start of the 1990s that they reached a military stalemate with the British state. Secondly, the Republican movement concluded that the bargaining position that existed for 1990s republicans would hardly improve with the continuation of armed struggle and, in contrast, would significantly improve through engagement with a peace process. Finally, Republicans became aware of some political and economical realities which tended to be ignored in the first decades of the Troubles, such as the fact that Unionism was not a problem that was simply going to dissolve over time and the fact that Northern Ireland was an economic burden for Britain rather than a profitable business. When the Republican movement reached the conclusions mentioned above, in English’s view, “the war was effectively over” (303-315).

## Some Concluding Remarks

The British position regarding the constitutional status of Northern Ireland has evolved significantly over time. Before the eruption of the Troubles, the principle of consent was regarded as the sole guideline to make any decision about the constitutional status of Northern Ireland. As early as in 1949 Britain declared that the status of Northern Ireland could not be changed without the consent of, not the majority of Northern Ireland, but the Parliament of Stormont. After the abolishment of this parliament, British legislation changed the provision stating that the status of Northern Ireland could not be changed against the wish of the majority of its population. Therefore, even before the eruption of the Troubles, Britain was implying, but not expressly stating, that the status of the Northern Ireland could be changed in the event that the majority of the population of Northern Ireland wished it. This principle was a safeguard for the Unionist majority of the Six Counties, but it ignored the Irish perspective. Britain, at that time, was proposing a purely internal solution: it was the (Unionist) majority who should decide, and Britain would guarantee and protect the implementation of that wish to remain part of the United Kingdom.

The Sunningdale and the Anglo-Irish agreements were the beginning of the end of the internal solution perspective. The British government recognized that the Republic had a say in Northern Ireland affairs and expressly stated that, in the event that the majority of Northern Ireland wanted to become part of a united Ireland, it would support that. The Downing Street Declaration and the Good Friday Agreement went further. They proposed a formula which intertwines the principle of consent of the majority of the population of Northern Ireland and the right for self-determination for Ireland alone. In addition, Britain assured that it did not have any interest in Northern Ireland and, hence, it was neutral regarding its constitutional status.

The position of the British government had undoubtedly evolved, but it did not go as far as the Republican Movement wanted. Leaders of Sinn Féin and spokespersons of the IRA had declared once and again that the right to self-determination had to be exercised in the whole Ireland, not in the two parts separately. Republicans argue that Northern Ireland was artificially created in order to assure a Unionist majority, and, therefore, the principle of consent is equal to Unionist veto.

The war ended when the Republican movement perceived that there was a viable alternative to the armed struggle; on the one hand, because the evolution of the British position and many other external political factors changed the context of the conflict to the point that Sinn Féin and the IRA concluded that non-violent means could be more effective; but also because the position of the Republican movement changed deeply overtime. The tipping point of the Republican mindset's evolution was the acceptance of the principle of consent, and the crucial factor for this to happen could have been the British declaration of neutrality, first in Peter Brooke's words and then in the Downing Street Declaration. First it was the acceptance of the Irish dimension and the end of the internal solution perspective. They helped, but they were not enough to change the Republican view that the IRA was fighting a colonial war. Since the Downing Street Declaration formally established that the unique obstacle for a united Ireland was the wish of the majority of the population of the North, the Republican movement could hardly argue that it was fighting an imperialist occupier.

Seamus Mallon could have been right, to some extent, when he said that the Good Friday Agreement was a Sunningdale for slow learners. Sunningdale provided neither a comprehensive framework to implement a deep reform of the political system in Northern Ireland and of the rules for a potential change of its status, and nor did it provided a detailed road-map to develop a peace process. However, the principles developed in the Good Friday

Agreement were already there: principle of consent, Irish dimension, power-sharing. But Mallon could have been right if we only regard the texts of the agreements, not the contexts, because the big difference was not the text, but the context. In the 1970s and the 1980s, multiple factors made impossible the success of anything similar to the Good Friday Agreement. It was too early for Republicans, but not only for Republicans. London was only taking the first steps toward the recognition of the Irish dimension, Dublin was reluctant to abandon its formal claim of Northern Ireland territory, and Unionists were not prepared to agree upon either a power-sharing or the Irish dimension of the problem.

Carl von Clausewitz famously said that war is politics by other means. The Troubles in Northern Ireland were indeed politics by other means. The sides involved in the war continued to make war as long as they perceived that war was, given the context, politically effective. Inverting Clausewitz's quotation, we can add that negotiations are war by other means. The international context and the military stalemate were crucial and, as English rightly stresses, the Republican perception of their bargaining position for a potential peace was decisive. They perceived that they could sustain a long war, but they were afraid of weakening their bargaining position. British Government was not offering what the Republican movement was asking, namely the right for self-determination for all Ireland, but they were offering a compromising, inclusive and accommodating way out. Once you enter a negotiation process, you know that you will not achieve your ultimate goals. You try to get as much as you can, but you accept that you will not defeat your rival, that you will not achieve all your goals. By the time all sides sat down to negotiate, they all knew that the internal solution based solely on the principle of consent was not a solution, and that the right to self-determination for the whole Ireland was not a possibility. In the end, nobody was victorious. The endgame in Northern Ireland was not, as Yeats famously referred to the 1916 Easter Rising, a "terrible beauty" for anyone, but everybody won, because nobody lost.

## Notes

<sup>1</sup> IRA statement of July 28, 2005. 27 February 2019. <http://www.sinnfein.ie/contents/15517>

<sup>2</sup> Margaret Thatcher did not exactly said that "Northern Ireland is as British as Finchley," as she is often quoted. During a debate in the House of Commons on November 10, 1981, Thatcher said: "Northern Ireland is of the United Kingdom; as much as my constituency is". Thatcher's constituency was Finchley.

<sup>3</sup> Debate in the House of Commons on November 10, 1981. 27 February 2019. <http://www.margaretthatcher.org/document/104736>

<sup>4</sup> IRA statement of August 31, 1994. 27 February 2019. <http://www.sinnfein.ie/contents/15224>

<sup>5</sup> IRA statement of April 30, 1998. 27 February 2019. <http://cain.ulst.ac.uk/events/peace/docs/ira30498.htm>

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