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Brexit Negotiations- Ireland First! Irish Agenda-Setting in the EU

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Acknowledgements

Abstract

The UK's decision to leave the EU has been a salient event in Europe over the last three years, often dominating the headlines. Ireland has more to lose from the UK leaving the EU than other member states. This thesis examines Ireland's vulnerabilities with the implications of a possible return of a hard border in Northern Ireland. In particular, it examines how Ireland has managed to get the issue of the Irish border as a top priority on the EU agenda in the context of the Brexit negotiations. This is achieved using agenda-setting theory and examining the Irish Government use of framing the border issue to EU counterparts. The thesis finds that the Irish Government was extremely proactive, organized and consistent with discourse which resonated with the values of the EU. This discourse was used at a high politics level by Irish politicians in their engagement with officials of EU intuitions and member states. This persistent engagement and discourse with the EU was instrumental in turning the Irish border into a priority for the EU in the Brexit negotiations.

CHAPTER 1   INTRODUCTION

The UK's decision to leave the European Union sent shockwaves around the world. On the day, most experts and commentators were predicting a 'remain' vote.[1&2] There was zero contingency planning on the UK side for a 'leave' vote, as the Conservatives did not want to come across as preparing for something they were campaigning against. However, the Irish Government made direct efforts in the UK to boost the 'remain' campaign, and had a contingency plan in place for a 'leave' vote. The Irish Government had *twice* experienced EU referendum failure before and was well aware the predicted outcome of an EU referendum could not be taken for granted.

Following the vote result, the question of a 'soft' or 'hard' Brexit was widespread. It became apparent that combinations of leaving the single market and/or customs union would result in a hard border between the Republic of Ireland (ROI) and Northern Ireland (NI). This would mean a 500km meandering stretch of land would become the only UK land border with Europe. A Common Travel Area (CTA) agreement between the UK and Ireland and joint EU membership ensured the seamless travel of 30,000 citizens crossing the border every day. There were also numerous cross-border businesses with deep interwoven supply chains.[3] Restoring a hard border would cause major disruption to Irish trade and citizens. In addition, a critical international peace treaty [The Good Friday Agreement (GFA)] could be compromised. After a bloody conflict which killed thousands of people, NI remained in a fragile peace for the last 20 years. Military checkpoints, soldiers, watchtowers, and customs checks were long gone. Re-establishing infrastructure along the border would bring back painful memories of the past, and almost certainly pose a security threat from dissident republicans. These were all very salient issues for Ireland.

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[1] Khabaz, D. (2018). Framing Brexit: The role, and the impact, of the national newspapers on the EU Referendum. Newspaper Research Journal, 39(4), 496-508. Intro P1.
[2] Wincott, D. (2018). Brexit and the State of the United Kingdom. Editors: Diamond, P., Nedergaard, P., & Rosamond, B. (2018). The Routledge handbook of the politics of Brexit (Routledge international handbooks). P15.
[3] Birrell, D., & Gray, A. (2017). 'Devolution: The Social, Political and Policy Implications of Brexit for Scotland, Wales and Northern Ireland.' 46(4), 765-782.

Once the reality of the 'leave' vote was apparent, the Irish Government was quick to initiate a plan of action. No hard border in the North was of paramount importance. Ireland was determined to secure its interests and speak up. It was a small country, but critically it was still a member of the EU and needed support. It was essential that the border issue was included as a priority in the Brexit negotiations which were 'among the most important in the history of the State' (Irish Government 2017, 5).

Ireland has managed not only to secure the Irish border issue as one of the three priorities, but it has now become *the* first priority in EU negotiations with the UK. This raises a number of questions. How can a small state do this in the face of a much larger neighbour – the UK? Why has the EU not sacrificed Ireland in favour of a mutually beneficial trade agreement with the UK? How has Ireland managed to sustain the border issue on the EU agenda over an extended period of time? These questions characterize the below formulated research question:

Brexit: how has the Irish Government driven the Irish border issue onto the EU agenda?

This research question is significant in a number of ways. Firstly, Brexit is a contemporary issue which has been dominating headlines in Europe for the last three years. Secondly, little research has been done to understand exactly how the Irish border issue came to dictate the Brexit negotiations. An underlining assumption is that larger states should have a greater capacity to set the agenda. However, the Irish issues are prominent in the EU negotiation guidelines and the EU is unwavering in its support for Ireland. In addition, it is curious that Ireland, as a small state, has manged to maintain its issues on the EU agenda. Agenda-setting theory (which examines how issues make it to an agenda), may help to solve this puzzle. However, agenda-setting is a relatively new theory which has only recently been applied to the European context (Alexandrova & Carammina, 2018). Studies which have applied agenda-setting to Brexit have centred on the mass media leading up to the UK referendum (Green 2017, Michailidou 2017, Khabaz 2018). This thesis contributes to the literature gap in agenda-setting studies in a number of ways. Firstly, there is a lack of Brexit studies focusing on senior political actors and their efforts in EU institutions to set the agenda. Therefore, any application of EU agenda-setting in relation to Brexit adds to the literature deficit in this area. Secondly,

there is currently no agenda-setting academic work examining what Ireland has done to push its agenda into the EU arena making this study is unique. Thirdly, this thesis is a major contribution on how an item can be sustained on the agenda over a period of time, whereas agenda-setting tends to examine issues only up to the point where they are added to the agenda. Finally, this thesis also uses Brexit for the first time as a 'focusing event' (Kingdon 2011) which upset the EU agenda at the time and fills a gap where there is a lack of literature on internal (within the EU) focusing events of a political nature.

In order to answer the research question this thesis is ordered in chronological order. The literature review will explore Anglo/Irish relations to provide context to the Irish border issue. It is critical to understand the historical circumstances surrounding the Irish border so that the importance of the border to the ROI and its delicate nature can be understood. The value of the EU to Ireland and the EU's investment in helping secure peace in NI is also a significant part of the puzzle. The impact of the UK's referendum on Anglo/Irish relations and Ireland's position as a small state will also need to be understood. This thesis will then explore Ireland's preparation and coordinated plan of engagement with the EU to secure its priorities on the EU agenda. Finally, this study will investigate how Ireland has maintained the Irish border issue on the agenda with the backing of a formidable EU alliance.

CHAPTER 2   LITERATURE REVIEW: UNDERSTANDING ANGLO/IRISH RELATIONS AND THEIR

SIGNIFICANCE FOR THE EU

In order to help answer the research question, it is important to understand the deep historical tensions that have existed in Anglo/Irish relations for hundreds of year. Specifically, how these tensions developed into entrenched social divisions in NI leading to bloody violence and the establishment of a border - serving as a physical and ideological divide. The first three sections of this chapter will look at Anglo/Irish relations from a historical point of view including the EU dimension and recent developments in this lengthy and often-turbulent history. The fourth section will address the UK referendum and its implication to Anglo/Irish relations and the NI border. The last section will touch on Ireland and its role as a small member state and the limits it has in making an impact within the supranational EU system.

2.1 Anglo/Irish relations – Historical Tensions

The full history of Anglo/Irish relations will not be fully recited here. In summary Ireland was England's *first* colony which led to discrimination against local Irish community over hundreds of years. Periodic rebellions were often brutally suppressed sowing the seeds of resentment. Lack of representation, land ownership, suppressive laws restricting religion and the Irish language – would all lead to deep animosity within the native Irish community. Catholic resentment to British rule intensified during the Great Famine of 1845-1849, where ineffective governance of Ireland contributed to the death of one million people with a further two million emigrating abroad.[4] In Easter 1916, a significant rising against British rule took place eventually leading to wider calls for an independent Ireland. The establishment of the Irish border dates back to the Anglo-Irish Treaty of 1921, which separated six counties in the North of Ireland (mostly Protestants) to the South (mostly Catholic). NI remained part of the United Kingdom while southern Ireland eventually became the ROI – free of British rule. Despite the creation of the ROI and NI, entrenched societal divisions remained. This was particularly the case in NI where Catholics remained a minority and were discriminated against. In the 1960's, inspired by the civil rights movement in the USA, Catholics began protest marches seeking equal rights. This

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[4] Edwards, J. and Luckie, A (2014). 'British Prime Minister Tony Blair's Irish Potato Famine Apology', Journal for Conflictology. Retrieved from: https://dialnet.unirioja.es/descarga/articulo/5590355.pdf

campaign rapidly escalated into a violent conflict called 'The Troubles' (1968-1998). Some Irish republicans, who believed in a united Ireland, formed militant groups such as the Irish Republican Army (IRA). Some unionists, who preferred NI to remain tied to the UK, also formed militant groups. British troops were also sent to NI to restore order. Although NI Catholics initially welcomed British troops as a force that would protect them from unionists and keep the peace, they were soon perceived as biased and quickly became targets for the IRA. The Troubles would emerge as a dark period in NI history affecting deeply the daily lives of thousands of people and lead to the deaths of 3,600 people on both sides.[11] During this time, borderland roads became so dangerous for British Army vehicles that soldiers and equipment were flown in by helicopter. Security measures were put in place over many minor roads crossing the border in an attempt to stem the smuggling of arms. As a result many roads were made impassable by the British army with craters and concrete barriers. Vehicles crossing through the permanent checkpoints did so in the shadow of reinforced bunkers and watchtowers. The closure of border roads had a profound impact on border communities, some of which would go to great lengths to keep local roads open during The Troubles. For example, one community raised funds to buy a digger so they could periodically demolish concrete barriers blocking the road whenever they were erected by the British Army.[5]

2.2 Anglo-Irish relations: The EU Dimension and the Peace Process

Ireland and the UK joined the EU together in 1973. As Britain was Ireland's main training partner, Ireland felt obliged to join the EU to safeguard its economy. But also because of the issue of having a land border with one state adhering to EU regulations and the other not – a problem we face now with Brexit. Prior to EU membership, although economic and social ties were strong between the two countries, political contact had been 'practically non-existent' (Guelke, 2017). During the troubles relations between the UK and the ROI were often acrimonious, yet EU membership provided a key arena for dialogue and cooperation. Joint membership of the EU set the framework within which the NI peace process slowly but eventually evolved, and in particular a bridge that would improve British and Irish relations

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[5] RTE News. (14/02/2019).'*Border buster legacy highlights opposition to hard border.*' Retrieved:
https://www.rte.ie/news/newslens/2019/0214/1029542-b

greatly. Membership of the EU has also given the ROI, as a small state, a forum where it can voice its opinions within a powerful supranational organization and also served as a source of identity and sovereignty where it could differentiate itself from the UK.[6] Joining the EU also provided economic sovereignty where the ROI could diversify its trading partners and loosen its reliance on the UK. In essence, the EU served as a vehicle for Ireland to forge a path of its own after centuries of occupation and develop an identity outside the UKs shadow. Unfortunately this idea that the EU is of profound importance to Ireland has not been fully appreciated by the UK Government leading into the Brexit negotiations. Ireland's interests have not been 'traded away by the EU without a moment's hesitation when the negotiations started'[7], and to the UK's surprise Ireland has lined up on the EU's side. The UK's misunderstanding of the importance of the EU to Ireland was previously reflected in 1975 when the UK last had a referendum on EU membership. The UK assumed Ireland would leave the EU even if it meant jeopardizing the positive influence the EU had on the NI conflict: '…the Irish might well find that they had little choice but to leave with us.'[8]

In addition to the well-established customs union, the EU provided a single market to its members in in 1993, meaning goods did not require inspection. These developments, along with the GFA of 1998, meant customs posts and military checkpoints where no longer needed – a real positive transformation for border communities.

The GFA agreement is essentially a compromise between nationalists and unionists who have competing views about the legitimacy of the Irish border (Hayward, 2018). The agreement covers various contentious issues in NI, including the decommissioning of weapons and the removal of military infrastructure situated along the border. The GFA was negotiated on the assumption that the UK and Ireland would continue to remain in the EU. The Treaty makes clear that the UK and Ireland are 'wishing to develop still further the unique relationship between

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[6] Galpin, C. (2017). '*The Euro Crisis and European Identities'* (New Perspectives in German Political Studies). Cham: Springer International Publishing.

[7] Collins, S. (01/03/2018). *'Barnier has made the Border the central plank in his negotiation strategy'*. Irish Times. Retrieved: https://www.irishtimes.com/opinion/barnier-has-made-border-the-central-plank-in-his-negotiating-strategy-1.3409236

[8] Aqui, L (March 2019). *'Contingency Planning: The 1975 and 2016 Referendums'*. Bennett Institute for Public Policy, University of Cambridge. Retrieved:
https://www.bennettinstitute.cam.ac.uk/media/uploads/files/Contingency_Planning_1975_and_2016.pdf

their peoples and the close cooperation between their countries as friendly neighbours and partners in the European Union'.[9] Today, following demilitarization, there are few signs of a border crossing save for a change in pavement colour and a switch in speed signs from kph or mph. Vehicles cross the border unimpeded and farmers have cattle that graze on both sides. The border even crosses lakes – where some fish are British and others Irish. Many people cross the border several times a day; in fact, over two million trips are made across the frontier every month.[26] The important point is that the border which caused much pain and disruption is gone and the future has been brighter ever since for border communities.

From an economic point of view, the Irish and British supply chain remains very much integrated especially in the agricultural sector. 86% of truck freight at Irish ports arrives from the UK, and 45% of Irish animal exports go to the UK and NI.[11] For NI, the ROI is the largest trading partner with 14% of external goods and 39% of sales in services destined for the ROI.[10] The ROI border counties of Cavan and Monahan have one in five jobs that depend on food exports to the UK.[22] Important to NI is the fact that the UK and Ireland not only have a common tariff for imported goods, but a blanket of EU regulations governing food quality standards. The EU has set a high bar for agricultural products due to various crisis and scandals that have surfaced in the past. If the UK were to leave the EU and sign trade deals with other countries, these products may not conform to EU standards – blocking up the border as they wait to be inspected. The deeply interlinked supply chains would later form part of Ireland's argument to the EU that the Irish border was a 'unique' situation.

The GFA complements a Common Travel Area (CTA) that has been in place between Ireland and the UK since 1923 – 50 years prior to EU membership. This allows for the free movement of Irish and British citizens across the islands without the need for a passport and to access various services and benefits in each country. Many of the advantages of the CTA have since been overtaken by joint EU membership and rights conferred by EU law. However, while many

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[9] See Page 32 of GFA. Available: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/136652/agreement.pdf

[10] Central Statistics Office. (2016). Brexit: Ireland and the UK in numbers. Dublin: Central Statistics Office, Government of Ireland. https://www.cso.ie/en/media/csoie/releasespublications/documents/statisticalpublications/Brexit.pdf

European countries are members of the Schengen Area allowing people to cross multiple EU countries without the need for checks, Ireland and the UK are not members of this system. The CTA could be viewed as a 'mini-Schengen' where checks are required for movement between the rest of the EU and Ireland or the UK. Dublin-London is the busiest international flight route in Europe, a route that operates within the CTA.[11] The CTA is particularly important to those living in the borderlands that can crisscross the border as they wish for work, business, education, and health services.

NI has also benefited from EU membership in the form of significant 'PEACE' funds from the EU. The PEACE programme is a substantial cross-border cooperation programme that has injected 1.5 billion Euro (1995-2020 full budget) into the borderlands, with the aim of improving 'cohesion between communities involved in the conflict in Northern Ireland and the border counties of Ireland; and economic and social stability'.[12] As the program comes from the EU, the funds have been accepted as *neutral* by both the nationalist and unionist communities. The programme has provided 7,000 people with trauma counselling, 2,000 conflict resolution workshops, and a number of significant infrastructure projects (including the iconic 'Peace Bridge', which links nationalist and unionist areas in Derry).[13] The UK referendum has raised the prospect of this funding halting after 2020, threatening the positive momentum this program has fostered in cross-border cooperation.

2.3 Anglo-Irish relations: recent developments

Relations between the ROI and the UK have improved immensely during the peace process with the EU continuing to facilitate a forum for dialogue. From 1993 onwards, key relationships between Irish and UK leaders were instrumental in bringing about peace. Taoiseach (i.e. the Irish prime minister) Albert Reynolds and Prime Minister (PM) John Major developed a close

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[11] Irish Government Publication. 'Brexit: Ireland's Priorities'. Retrieved: https://dbei.gov.ie/en/What-We-Do/EU-Internal-Market/Brexit/Government-Brexit-Priorities/Brexit-Irelands-Priorities.pdf

[12] European Parliament. Northern Ireland PEACE programme. Fact Sheets on the European Union. Retrieved: http://www.europarl.europa.eu/factsheets/en/sheet/102/northern-ireland-peace-programme

[13] Special EU Programmes Body. *'The impact of EU Funding on the Region'*. Available: https://www.seupb.eu/sites/default/files/styles/file_entity_browser_thumbnail/public/PEACE%20Content%20Type/The_Impact_of_EU_Funding_in_The_Region.sflb.pdf

relationship leading to the 1993 Downing Street Declaration – an agreement affirming the right of the people in NI to self-determination. Taoiseach Bertie Ahern and PM Tony Blair also developed a friendship during negotiations of the GFA, with Blair becoming the first PM to address a joint sitting of the Irish parliament. In his first month in office, Blair also apologised for the Great Famine (now 150 years old), blaming 'those who governed in London' at the time for the catastrophe.[4] Bertie Ahern had requested the famine apology. It was a sign that historical events, which occurred long ago, continued to make many Irish people uncomfortable and still played a role in Irish politics. Interest in NI by US President Bill Clinton was also a major factor, with the US acting as a broker in enabling dialogue between all involved in the peace process. The Queen's successful state visit to ROI in 2011 was considered the pinnacle in the normalisation of Anglo-Irish relations. It was the first visit by a reigning British monarch since 1911. During a state dinner, she emphasised the improved relations between the UK and Ireland and the progress made in the NI peace process. Taoiseach Enda Kenny also fostered a good relationship with his counterpart PM David Cameron saying, 'we have worked closely together at a time of unprecedented warmth in relations between our two countries'.[14]

A good example which sums up the recent improvements in Anglo-Irish relations can be seen with a 2007 rugby match between Ireland and England which took place in Dublin. While a new rugby stadium was being built, permission was sought for rugby to be played in Ireland's largest and Europe's 3rd largest stadium – Croke Park. However, the Gaelic Athletic Association (GAA) owns Croke Park, whose rules ban 'foreign sports' being played on any of its pitches. Most significantly, on November 21, 1920 during the Irish war of independence, the IRA killed a number of undercover British intelligence agents. Enraged British forces burst onto the pitch of a GAA match-taking place in Croke Park. They opened fire indiscriminately, killing 14 people including two young boys. One of the stands in the stadium is named after the captain of the Tipperary team who was shot dead that day. There was, therefore, considerable concern and debate over whether the English national anthem 'God Save The Queen' should be played in

[14] Kenny, E. (24/06/2016). 'Statement by An Taoiseach, Enda Kenny TD, on the UK Vote to Leave the European Union'. Department of Taoiseach. Retrieved: https://www.taoiseach.gov.ie/eng/News/Taoiseach's_Speeches/Statement_by_An_Taoiseach_Enda_Kenny_TD_on_the_UK_Vote_to_Leave_the_European_Union.html

Croke Park. On the day of the rugby match, there was a heavy security presence and some sporadic protests outside the stadium. It remained uncertain how the crowd would react to the English national anthem. However, the English team was roundly welcomed when they took to the pitch and the anthem was respectfully observed and loudly applauded by both sets of supporters. Clearly, the great majority of Irish people simply wanted to move on and regulate any misgivings to the history books. Once the English anthem had been played, however, one commentator for the BBC asked 'what was all the fuss about?' This underlines a recurring sense of nonchalance at times when it comes to understanding the enormous steps that have occurred in Anglo-Irish relations and the ongoing peace process in the North. Throughout history there have been several examples of injustice and mismanagement of Ireland by those who controlled it. This indifference of the unresolved issues continues to prevail despite NI being under the UK's remit. For example, only five years prior to this rugby match were members of the Police Service of Northern Ireland (PSNI) even allowed to join GAA clubs. The last British watchtower on the border was dismantled in 2006 - only a year before the match.[15] Regardless of the recent cordial relations between the UK and Ireland, as Hayward (2018) points out, in the UK there remains a prevalent 'lack of understanding of the contested nature of the Irish border and its connection to the peace process'. This lack of appreciation would haunt the UK following the UK referendum, where the Irish border issue would become the most difficult issue in Brexit negotiations.

2.4 Brexit: a powerful focusing event impacting Northern Ireland

In order to understand how the Irish Government influenced the EU agenda when it came to Brexit negotiations, it is first important to justify why Brexit was on the EU agenda in the first place. Brexit became an EU agenda item because it was a major focusing event which disrupted the priorities at the time. Alexandrova (2014, p122) defines a focusing event as a 'striking sudden occurrence of a large scale disturbing the daily routine of individuals and the policy status quo, and carrying the potential of emotional appeal.'

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[15] McGreevy, R. (24/01/2019). The history of the Irish Border: From Plantation to Brexit. The Irish Times. Retrieved: https://www.irishtimes.com/news/ireland/irish-news/the-history-of-the-irish-border-from-plantation-to-brexit-1.3769423

Over the years becoming a member of the EU has been a primary incentive for many European countries with mixture of economic, political and security benefits all cited as reasons to join.[16] The idea of a member state leaving was not given much consideration and the EU continued to expand. Prior to the financial crisis of 2008, 'hard-line' Euroscepticism (support for the withdrawal from the EU) has never risen above 10% across the EU, the exception was the UK with levels above 20% (Nugent 2018, 16). However, after the financial crisis Eurosceptic parties made gains in local and EP elections. Focusing events rarely carry themselves and usually are accompanied by something else: 'they reinforce some pre-existing perception of a problem, focus attention on a problem that was already in the back of people's minds' (Kingdon 2011, 98). Euroscepticism was this problem which led to an increasingly constraining environment within the EU. Concerns were such that when Jean- Claude Juncker took over as EU Commissioner in 2014, he announced a 'programme of policy and legislative activities that was much reduced in volume compared to his predecessors'; by addressing only EU matters of most importance (Nugent 2018, 16). Brexit constitutes a focusing event - never has an EU member state opted to leave the union. This focusing event is compounded by the fact the UK has the third largest EU population and is the fourth largest contributor to the EU budget (McGowan 2018). In addition, Brexit represents a major blow to the EU's prestige and standing on the world stage, which negatively affects foreign policy and security issues among others (Nugent 2018, 12). Therefore, the UK referendum result was a focusing event causing major alarm in Brussels which 'few people in the Commission and the Council Secretariat had actually expected' (McGowan 2018, 68). Despite Ireland being better prepared than Britain for a 'leave' vote, the result was still a 'disorientating shock' in Dublin.[17]

Many in the UK (and the EU) see the issue of NI as largely resolved and not something to be overly concerned. This is an important point, as later Ireland would school the EU on the issues relating to NI and use this as leverage. Although more stable today than in 1998, NI remains in a state of fragile peace and many divisions continue. As McGowan (2018, p99) says, 'the idea of a

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[16] Nugent, N. (2018). 'Enlargement Policy'. Editors: Zahariadis, N., & Buonanno, L. (2018). The Routledge handbook of European public policy (Routledge international handbooks).

[17] Barker, A. & Besley, A. (30/10/2018). How the Irish border backstop became Brexit's defining issue. Financial Times. Retrieved: https://www.ft.com/content/73ac4a5c-d83f-11e8-a854-33d6f82e62f8

common and shared future end goal for the majority of the people is simply not there.' For example, over 90% of students in NI still go to all Catholic or all Protestant schools.[18] Protests erupted in 2012 when the number of days the Union Jack flies from Belfast City hall was limited – the issue *still* remains unresolved. These divisions are clearly reflected in the UK referendum results where the majority of nationalist voted to remain in the EU while the majority of unionists voted to leave. Dissident republican groups opposed to the terms of the GFA remain active. For example, in March 2009, two soldiers and a PSNI officer were shot dead by two separate dissident republican groups. The PSNI has maintained that the threat from dissidents in NI remains severe and any border infrastructure or people associated with it will likely become targets.[19] [20]

An open border has materialized on the island of Ireland because of the EU's single market and the GFA. In a relatively short period, the Irish border has changed from the most militarized in Europe, to one that has virtually disappeared. Crossing the border today is similar to crossing into another *county*, not another country. The Irish border as it stands is peculiar in that it symbolizes both an ideological divide, yet also a sign of the integration Ireland and the UK have within the overarching EU system. Only in the aftermath of the UK referendum was there 'murmurings of the Irish question' by Westminster politicians.[23] Unfortunately Anglo-Irish relations have deteriorated following the UK referendum. As current Taoiseach Leo Varadkar said, 'Brexit has undermined the GFA and it is fraying relationships between Britain and Ireland'.[21] In addition, the utility of the EU as a peaceful balancing mechanism in NI is being jeopardized by Brexit.

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[18] Stevenson, J. (2017). Does Brexit Threaten Peace in Northern Ireland? Survival, 59(3), 111-128.

[19] McCurry, C. (10/10/2018). 'Catholic PSNI officers not sent to own communities due to dissident threat'. Belfast Telegraph. Retrieved: https://www.belfasttelegraph.co.uk/news/northern-ireland/catholic-psni-officers-not-sent-to-own-communities-due-to-dissident-threat-37406396.html

[20] Larkin, L & McCurry, C. (27/01/2019). 'Former PSNI chief warns: 'Dissident republicans will exploit hard border... it would worry me greatly'. The Independent. Retrieved: https://www.independent.ie/business/brexit/former-psni-chief-warns-dissident-republicans-will-exploit-hard-border-it-would-worry-me-greatly-37753273.html

[21] Harris, K. (03/11/2018). 'Brexit is DESTROYING relationship between UK and Ireland, Leo Varadkar warns.' Daily Express. Retrieved: https://www.express.co.uk/news/politics/1040330/brexit-news-ireland-uk-relationship-good-friday-agreement-leo-varadkar

It is clear that the Irish border is invisible in many ways. The re-imposition of a hard border would be extremely disruptive to the integrated supply chains and would bring back painful memories of a violent past with the real risk of bloodshed returning. For these reasons, the ROI views the border as a clear priority with the aim of keeping the Irish border as it is - unchanged.

2.5 Ireland – a small state on the EU stage

It is important to understand the capabilities small states like Ireland have in order to get an issue heard within the EU. Small state theory is a subsection of international relations pioneered by David Vital (1971) which studies the limited capacity small states have in the international system and the tools and strategies they deploy to best achieve their goals. Small states have a limited capacity to deliver on the international stage where larger states can field greater financial and diplomatic resources in comparison. International organizations such as the EU are typical venues for small states to maximise their clout (Toje 2011), as they provide a 'level playing field by requiring all states to play by the same rules' (Wivel & Thorhallsson 2018, p268). However, Lamoreaux (2014) in reviewing small state theory since 2001 has found that many policy options which are often cited as characteristic tools for small states are equally deployable by large states. There is also little agreement on how to define a small state in the literature. In addition, although the EU provides a platform for small states to be heard, the way the EU is organised provides larger states with greater authority in the decision making process. Larger EU states are allocated more votes in the The Council (configurations of national ministers) and more seats in the EU Parliament, providing them with more power to make a difference concerning EU policy and legislation. For example, the current qualified majority voting (QMV) system in The Council requires legislation to pass by 55% of member states. Crucially though, this 55% must consist of at least 65% of the EU population, meaning in many cases the support of larger states is required to pass legislation regardless of how many small states band together.

Despite the criticism of small state theory, it plays a role in this thesis in two ways. Firstly there is a useful body of literature which infers that large states *should* have a greater capacity to set the agenda. Secondly, despite the discourse implying that ultimately Ireland's Brexit related

issues would be sacrificed in favour of a larger state (the UK) - this has not come to pass. It is curious that Ireland as a small state (by most definitions) has been able to do what it has – get and keep Ireland's Brexit related issues on top of the EU agenda. Perhaps through *agenda-setting*, an underutilized theory, we see the reasons how Ireland has done this more clearly.

CHAPTER 3   THEORY AND METHODOLOGY: AGENDA SETTING THEORY & FRAMING

This chapter sets out the theoretical and methodological basis for the thesis, arguing for application of agenda-setting theory and the closely connected framing analysis to those sources relevant to answering the research question. This method is particularly useful given a context of asymmetry of power between two states (the UK & NI and the ROI), where we might prima facie expect the more powerful state to prevail over the less powerful. The chapter begins by relating those aspects of theory most applicable to the research question before moving on to explaining what framing is and setting out the analytical framework that will be applied in later chapters.

3.1   Agenda- Setting Theory

Agenda-setting has its foundations in the USA as far back as 1960's (Schattschneider 1960) and slowly expanded in the US though the 70's and 80's (Cobb & Elder, 1971; Kingdon, 1984). However, it was not until the late 1990's that agenda-setting was applied to the EU context (Pollack, 1997), and even then studies around the theory were slow to materialize. Today agenda-setting still remains a relatively new area of study which has not yet attracted scholarly criticism (Alexandrova & Carammina, 2018), but there has been increasing interest in this field of study. Agenda-setting studies how some issues become items on an agenda that receive attention while other issues do not.

This thesis aims to fill a gap in the literature relating to Brexit, i.e. by delivering an up to date analysis of a case, Ireland, that has recently shown how a small state, with little history of diplomatic leadership, can exploit its position within the EU's institutions to best effect. To date, there has been a lack of Brexit studies focusing on government actors and their efforts in EU institutions. The thesis contributes additionally to the existing body of work on agenda-setting theory through the analysis of a most contemporary small state case. So far, there has been very little academic work on the theory of agenda-setting applied to a context of disintegration, i.e. Brexit. What work there is on this has concentrated on the mass media leading up to the referendum (Green 2017, Michailidou 2017, Khabaz 2018). Secondly, there is currently no agenda-setting academic work examining what Ireland has done to push its agenda

into the EU arena. So this study focusing on the Irish Government using EU agenda-setting theory is unique. In addition this thesis is a major contribution to how an item on the agenda can be sustained over a period of time. It is worth emphasising that the thesis is not focused on "testing" the theory per se, rather in applying the theory, it will draw inevitably conclusions about the limits of the theory and comment additionally on whether any gaps in that literature exist or whether certain aspects warrant greater attention. Finally, there is little academic work on internal focusing events in the EU and how they disrupt or 'upset' the EU agenda, so this study adds to the deficiency in studies relating to focusing events within the EU.

To begin with the latter point, much research on focusing events has been on natural disasters or events such as terrorist attacks. Outside of the EU context, Lelieveldt & Princen (2011) for example, use the 9/11 attacks as a focusing event, showing how the subsequent framing of weapons of mass destruction helped justify the US invasion of Iraq. With regard to focusing events relating to the EU, they are characterised in the literature as natural or human manufactured catastrophes with much attention on external events. For example, Alexandrova (2014 & 2015) examines the effect of external focusing events outside the EU on agenda-setting in the European Council. She found that external events which are close to the EU's border, caused by people, and affect countries that do a large trade exchange with the EU garner the most attention in the European Council. This suggests that the more potential an event has to affect the EU directly, i.e. proximate events, the more likely the EU is to pay attention. The UK's decision to leave the EU is self-inflicted, within the EU's territory, and the UK the second largest economy in the EU. However, even with regards to endogenous focusing events, the themes in the literature revolve around domestic catastrophes such as industrial accidents and natural disasters (example Birkland 1998). There is little research on internal political focusing events that affected the EU's political establishment. Using the UK referendum result as a focusing event is unique and contributes to filling the research gap of internal focusing events of a political nature.

In respect of agenda-setting, Kingdon (2011, p. 3) defines an 'agenda' as a list of problems government officials are paying serious attention to at any given time. Agenda-setting evaluates the process an issue has taken to get successfully placed on the EU agenda so it receives the

necessary attention to bring about desired changes; as Princen (2009, p1) says simply, 'if you want a policy to be adopted, you first have to get decision-makers to talk about it.' In the context of the EU, there is an endless list of possible issues which could be taken up by the institutions of the EU. 'Humans and organizations have only limited capacity to process information and consider issues' (Princen 2018, p544), it follows that everything cannot be equally prioritised: issues that are highlighted most effectively as relevant get the most attention. This narrowing down of topics results in an agenda where a set of issues receives attention and others do not (Lelievelt & Princen, 2011).

Agenda-setting literature has also tried to explain how issues pass through different stages before reaching the agenda. Typically, the placement of an issue on the agenda is the beginning of a process which can take the issue through stages of decision making, implementation, and final evaluation. However, these stages are not always followed in such neat order (Sabatier 2007, 6-7). For the purpose of this thesis, a '*high politics*' agenda setting route exists which can be initiated by political leaders (Princen and Rhinard 2006). In the high politics route at EU level, an issue goes through four phases: initiation, specification, expansion, entrance (see table 1).

Table 1. Sourced from Princen & Rhinard 2006

Stage in issue career	High Politics Route
Initiation	By political leaders due to politically salient event
Specification	Formulation of political consensus on an EU response in the European Council
Expansion	Towards lower levels of decision-making in the EU
Entrance	By creating political momentum

Issue 'initiation' is undertaken by state leaders at the EU Council after a salient event. Per the literature review, Brexit was the focusing event which rattled and forced the EU to respond. 'Specification' is where issues are further discussed and a response formulated via the EU Council and member states. The EU Council is often described as the most important EU

institution, or the 'engine' of the EU machine. It is also the main venue for agenda setting in the EU (Alexandrova, Carammia, Timmermans, 2014). It is the prime venue for leaders to make a case to the 27 heads of member states how their issue deserves attention, and therefore a place on the agenda. The EU Council 'engages in dramatic issue portrayal rather than addressing low-key matters' (Alexandrova, Carammia, Timmermans, 2014, p54). Bilateral high-level meetings between heads of state and the President of the EU Council represent actors in a 'specification' phase of agenda setting. Issues raised at the EU Council then move down the chain (called 'Expansion') to the EU Commission to take action. With regards to the 'expansion' phase, the EU Commission created a Brexit Taskforce to handle the negotiations with the UK. Therefore, although the EU Council plays an important role where leaders meet to discuss broad Brexit issues and a way forward, the Commission Taskforce acts as a clearing house for member states to voice their day to day concerns on political and technical aspects of the Brexit negotiations. The Taskforce would also draft the EU negotiating priorities (which The Council would have to approve). Therefore, both the EU Council and the Taskforce are the most important EU instruments to receive the concerns of member states in a 'high politics' agenda-setting route for Brexit related issues. Thus in this thesis, the Irish Government engagement with the EU Council, Taskforce and member states are areas which will be examined (see operationalization).

3.2 Framing

Frame analysis as a methodological tool is perhaps best known for being used widely in mass media research (Khabaz 2018). However, agenda-setting is also closely linked with framing. Agenda-setting takes into account that it can be difficult to consider all points of an issue at once (Jones and Baumgartner 2005). Therefore, as part of the framing process in agenda-setting, certain sides or 'attributes' of an issue can be highlighted to the detriment of others. Framing is defined as the 'process of selecting, emphasizing and organizing aspects of complex issues according to an overriding evaluative or analytical criterion' (Daviter 2007, 654). Agenda-setting emphasizes that capturing attention is critical to getting an issue on the agenda, what Princen (2011, 924) calls the 'mobilization of interest'. Core to this is how an issue is framed by closely linking the imagery of the issue to values (Baumgartner and Jones 1993). Relatedly, the

use of 'big words' in the framing process, is a tool which can help arouse interest in an issue (Princen 2011, 933). According to Princen, the use of big words works best for issues that have a 'significant moral component'. Big words are also more likely to arouse interest at high political levels when used by *senior* politicians. In summary, items which reach the EU agenda are all subject to framing, and these frames 'constitute fundamental factors in explanations of political choices' (Daviter 2011, 26). In short, framing helps determine how the issues are defined on the agenda.

3.3 <u>Operationalization</u>

Following the UK referendum, there were many issues Brussels and Westminster would need to negotiate, including but not limited to, trade, citizens' rights, aviation rights, EU funding, the divorce bill, and the Irish border. How then, did the Irish border issue become a priority on a 'crowded and complex [EU] agenda',[30] despite the issue barely being mentioned during the UK referendum debate? Agenda-setting theory and framing provide the route through which to understand this prioritisation.

Rochefort & Cobb (1994) have argued that actors play an important role in defining problems in the agenda-setting process. In this instance, senior Irish politicians were the key actors pushing the Irish issues onto the EU agenda. This thesis will therefore focus on how the Irish Government used a high politics route to emphasize the importance of the Irish border question in order to secure its place on the EU agenda, using framing as a tool to examine this. The later analysis will therefore look for correlation between the predictions of the academic literature and what the Irish Government actually did. Analysis will first be directed at looking at this high politics route as used by the Irish Government to influence the EU agenda. This high politics route can occur after a dramatic or powerful focusing event (Kingdon 1995). As previously mentioned, Brexit constitutes such an event which then forced senior Irish politicians to take action thrusting those issues they saw as relevant onto the political agenda (Lelievelt & Princen, 2011). Framing suggests a focus on discourse. Given the context, the thesis will focus particularly on the 'big words' they used to shape the frames they created around an issue. "Security" and "Peace" can easily be predicted as being important to the framing of the Irish Government, words which relate closely to EU values as well as Ireland's national interest.

In examining the discourse of Taoiseach Enda Kenny and Leo Varadkar we are able to see Ireland's high politics use of big words in the framing the Irish border issue. Reciprocally, we can see how senior actors from the EU institutions such as Donald Tusk (EU Council President) and Jean Claude Junker (EU Commission President) pick up the Irish message and use the same big words to describe the Irish border issue.

In summary, this thesis will use the high politics route of agenda-setting theory and framing to explore Irish Government moves in securing the border issue as a matter of prominence on the EU agenda as part of the Brexit negotiations. The use of the big words 'Peace/GFA', and 'Unique/Special' relating to the Irish border issue will be explored. The aim is to first uncover how the Irish Government framed issues it saw as relevant to the EU using big words. Secondly, uncover how these frames were absorbed at the EU level and how this mirrored what the Irish Government were saying. Primary sources will include official documents from the Irish Government and the EU, in addition to speeches and press conferences between the Irish PM and his counterparts (other EU heads of state, President of the EU Council, Commission and Taskforce Chief Negotiator). Secondary sources will include academic papers and media reports. The primary timeframe of investigation is from the day after the UK Referendum (June 24, 2016) up to the conclusion of the first phase of Brexit negotiations (Dec 15, 2017). However, it is also important to talk firstly, about how the Irish Government was better prepared for a 'leave' result than the British were, as this helped Ireland to quickly implement a coordinated plan of engagement at the EU level. In addition, it is also relevant to explore how Ireland's border issue has remained on the EU agenda since the first phase of negotiations have passed.

CHAPTER 4   IRISH GOVERNMENT PREPARATION PRIOR TO THE UK REFERENDUM

This chapter provides context to the preparation Ireland took leading up to the UK referendum. It shows that Ireland began to mobilize and prepare for a possible UK withdrawal from the EU. This is important as agenda-setting suggests preparation is important to be able to mobilize interest for an issue – personnel need to be organised and ready to engage at a 'high politics' level. This chapter shows that Ireland knew from an early stage the adverse repercussions a 'leave' result would have on the Irish border and was prepared in case of this scenario.

Prior to David Cameron announcing he would hold a referendum on EU membership, Ireland was already speaking up and raising concerns regarding the border. In 2014, Enda Kenny had already ordered a Brexit impact study followed by a further report produced in November 2015.[28] Three months prior to the announcement of the UK referendum, Kenny delivered a keynote speech to the Confederation of British Industry in London. He emphasised the important links between the Irish and UK economies and the impact a UK withdrawal would have on the peace process in the North.[22]

On 19 February 2016, the European Council met and agreed to a series of compromises which Cameron could sell to voters, Ireland was fully supportive of the UK in this regard. The next day Cameron announced that the UK referendum would take place in four months' time. The consequences to Ireland of a UK withdrawal from the EU would be quickly realised in Irish Government circles. Almost immediately, Ireland's ambassador to the UK, Dan Mulhall, suggested that the Irish Government should get involved.[22] Mulhall would go on to enthusiastically campaign for the 'remain' side by reaching out to Irish voters in the UK with speeches, writing opinion pieces in Irish papers, and appearing in numerous broadcasts.[22]

Irish concerns were amplified with the perception that London was becoming complacent in relying on the economic consequences of a UK withdrawal to carry a 'remain' vote and failing completely to mention the impact to the peace process in NI. The impact a 'leave' vote would

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[22] Connelly, Tony (2017) *'Brexit and Ireland: The Dangers, the Opportunities, and the Inside Story of the Irish Response'*. Penguin Ireland.

have on the Irish border received scant attention (Laffan, 2018).[23] For example, an 'EU referendum leaflet' sent to every household in the UK fails to mention anything about NI at all despite there being a section called 'What happens if we leave'.[24] Meanwhile the themes of 'taking back control' and 'securing our border' were being promoted by the 'leave' campaign. These themes resonated with those concerned with the European migration crisis which had become a major EU matter in 2015. However, debates leading up to the referendum were consistently failing to address what 'securing our border' would mean for NI. This is despite the fact that immigration figures in NI are relatively low and there is little concern of local jobs being lost due to immigration.[25] This is nothing new in British politics, as Ó Beacháin (2019, 286) remarks, 'too often in the past the 'Irish question', as British politicians liked to call it, was consigned to history, only to re-emerge with a vengeance, in large measure because of London's wilful indifference.' A powerful representation of this indifference was the Secretary of State for Northern Ireland's decision to side with the 'leave' side.[26] This is despite the dangers of a possible hard border and the fact the majority of people in NI would ultimately vote to remain in the EU by 56%.

In addition, Ireland had every reason to be concerned as it is the most experienced EU member state when it comes to EU referendums. In accordance with Irish law, the ROI has held eight EU referendums. Two referendums, Nice and Lisbon have both *failed* - despite Ireland being an overall beneficiary of EU funds and Eurobarometer data showing consistent strong support for EU membership. These failures have been a learning experience for the ROI who became well aware of the methods best used to win EU referendums, and importantly that referendums in favour of Europe could not be taken for granted.

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[23] See also EuroNews report 'Why is the Irish border issue so complex?'.
https://www.euronews.com/2018/09/25/why-is-the-irish-border-issue-so-complex-euronews-answers
[24] Leaflet is available here: https://www.gov.uk/government/publications/why-the-government-believes-that-voting-to-remain-in-the-european-union-is-the-best-decision-for-the-uk/why-the-government-believes-that-voting-to-remain-in-the-european-union-is-the-best-decision-for-the-uk
[25] Fenton, S. (05/04/2016). *'The EU debate must not ignore Northern Ireland'*. New Statesman America. Retrieved: https://www.newstatesman.com/politics/staggers/2016/04/eu-debate-must-not-ignore-northern-ireland
[26] Ó Beacháin, D. (2019). From partition to Brexit: The Irish government and Northern Ireland. Manchester University Press.

These concerns would spur on the Irish Government to try and create a positive message about the benefits of EU membership and the cost to NI if the UK were to leave. Enda Kenny would visit the UK himself on a number of occasions to help sway the Irish community to vote 'remain'. He would also write a piece in The Guardian UK paper to underline the importance the EU has been in terms of trade, travel and peace in NI. Six Irish Government ministers who would directly canvas the Irish community in the UK for a 'remain' vote complimented Kenny and Mulhall's efforts.[22] During this time, Kenny would stress the risk a UK exit could mean to NI with a possible return to a hard border. By the time of the UK referendum, Ireland had prepared a 130 page contingency plan in case of a 'leave' vote. Instead of this document being shelved, it would soon grow to form the bases of Ireland's Brexit negotiation and engagement strategy with the EU.[22]

Four days after the UK referendum, Kenny would announce that 'the Government will ensure that the EU approach to these negotiations takes account of Ireland's special concerns and interests – including in relation to Northern Ireland'.[27] Ireland would now switch to engaging heavily with the EU using big words. This will be analysed in the next chapter.

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[27] Enda Kenny, Brexit, Dail 27/06/2016. Retrieved from: https://www.youtube.com/watch?v=AdPw_FEoXzY

CHAPTER 5   'INITIATION', 'SPECIFICATION', 'EXPANSION', 'ENTRANCE' - IRISH EFFORTS IN THE
                EU FOLLOWING THE UK REFERENDUM

This chapter examines the ROI in its 'high politics' engagement campaign with the EU using 'big words' to frame the Irish border and the mirroring of this message being picked up on the EU side. The Irish Governments 'diplomatic initiative involving a major programme of engagements with EU counterparts'[46] would involve a number of high level meetings with EU member states and EU institutions. A selection of these meetings are examined in chronological order with the keywords (Peace/GFA, Unique/Special) highlighted in **bold.** The chapter also reveals Ireland's organization to prepare for this campaign and demonstrates the border issue moving through the four phases of an issues career.

The day after the UK referendum Kenny was quick to announce the importance the Irish border and NI would have in Ireland negotiation strategy; 'The implications of this vote for Northern Ireland and for relations between North and South on this island...will be a particular priority for the Irish Government'.[14] Symbolically Kenny stood on the stage with three EU flags clearly visible behind him. Visual framing studies (Seo and Ebrahim 2016) have shown how images like these can be used to promote unity – in this case Ireland's bond with the EU. The message was clear; Ireland remained committed to the EU: 'Ireland will, of course, remain a member of the European Union. That is profoundly in our national interest'.[14] It would not be for another nine months that the UK would formally serve its notice to leave the EU. This was a critical period for the ROI. Per the previous chapter, the ROI had already stolen a march by being much more prepared than the UK Government for the referendum outcome. UK politicians were uncomfortable answering press questions such as 'what is the plan now'? It was quite clear that there were no formal contingency plans as the Conservative Government did not want to appear to be planning for a referendum outcome they were campaigning against. These lack of preparations meant that the Conservatives never fully explored the issue of the Irish border and the impact on NI. This meant that Ireland had a head start over the UK and other EU countries in knowing what its priorities were in relation to Brexit, and could immediately start dispersing the message regarding the importance of the border. Even Boris Johnson when visiting Dublin

as the UK Foreign Secretary, would remark, 'I pay tribute to the Irish Government and Ireland the way that ... you know ... people in Dublin really saw the issues a long way out, much more clearly, perhaps than people in London did'.[28] The Irish Government would immediately embark on a high level engagement plan of action with other EU politicians/diplomats. It was important that the Irish issues which had already been largely ignored by one EU member state, were not ignored by the other EU member states ahead of the pending negotiations. The Irish Government would have to make a case that it deserved special consideration in the negotiations because of 'unique' elements such as the peace process and the free flowing border it had with NI.

Following the UK referendum, Kenny quickly assembled a team of 100 people to work on Brexit.[28] Within the Irish Government, a number of new departments and restructures took place to facilitate the Brexit challenge. For example, the Government created a new Brexit Cabinet Committee chaired by the Taoiseach. A new division within the department of Taoiseach was created to provide overall coordination of strategy. In addition, an EU division was created for co-ordination of Brexit EU policy within the Irish department of foreign affairs. These divisions would work closely with the Irish Permanent Representation to the EU in Brussels - Ireland's largest overseas diplomatic mission in the world, consisting of staff from almost all Irish Government departments.[29] In addition to the Taoiseach, the Irish foreign affairs minister, minister for EU affairs, MEPs and ambassadors across the EU would highlight Ireland's issues. In August 2016 senior Irish diplomats convened to prepare for Ireland's plan of action.[30] As mentioned, personnel are required to frame a message, this meeting could be seen as a mobilization of the troops who would undertake this task. Part of Ireland's strategy included Irish ministers inviting their EU counterparts to visit the Irish border and arranging talks with the border community (such former police officers) who briefed them about The Troubles.[28] This was about educating the EU institutions and member states about NI and the significance

[28] Carroll, R. & Carroll, L. (18/04/2019).'*How the Irish backstop emerged as May's Brexit nemesis'*. The Guardian. Retrieved: https://www.theguardian.com/politics/2019/apr/18/how-the-irish-backstop-emerged-as-mays-brexit-nemesis

[29] Department of Foreign Affairs. 'The Permanent Representation - Overview.' Retrieved from: https://www.dfa.ie/prep/brussels/the-perm-rep/the-permanent-representation/

[30] Laffan, B. (2018). "*Brexit: Re-opening Ireland's 'English Question'*". Political Quarterly, 89(4), 568-575.

of a hard border. Ireland's EU Commission Phil Hogan said, 'you never cease to be amazed at the lack of knowledge among some members of the European Parliament and member states who are far removed from this part of the world, who are not familiar with the nuances of what has happened in NI, the relationships between North and South and between Ireland and the UK'.[22] The ROI would describe its work relating to Brexit a 'one of the largest undertakings of the Irish Government over the last fifty years' (Irish Government 2017, 4). The ROI had clearly organized itself ahead of the Brexit negotiations. Importantly it had created a team of advisors and policy officers to help the Taoiseach launch his framing campaign at the EU institutions and member states - with 'big words' constantly written into his speeches and official statements.

As discussed in the method chapter, the use of 'big words' can help establish and define a frame. For Ireland, the words 'Peace', Good Friday Agreement' and 'Unique/Special' were all key words relating to the Irish border. The ROI needed to define the Irish problems in terms that appeal to the EU. The word 'peace' clearly relates to the GFA and the fragile peace which remains today. Importantly, the word 'peace' is an effect big word strongly linked with moral and value attributes (per Baumgartner, Jones, and Princen). The EU is one large peace project which developed following the horrors of two world wars. One of its primary functions, through economic integration, is to maintain peace among its member states. In fact, the number one listed goal for the EU (on the EU's office website) is to 'promote peace, its values and the well-being of its citizens',[31] and this is clearly stated in Article 3-1 of the Lisbon treaty as the 'unions aim'.[32] Therefore, threats to 'peace' due to a hard border in Northern Ireland, are issues which are of clear relevance to the EU as these themes are part of the very fabric of what the EU is all about. The 1.5Billion Euro the EU has pumped into the Irish borderlands as part of the 'PEACE' programme is testament to the EU's goal. Frames can also refer to historical experiences that are more specific to a political system (Princen 2018). The Irish border being 'unique' links to not just the economy and peace process, but the historical nature of the CTA which pre-dates EU membership by 50 years. Hayward (2018) has noted, 'the situation of the Irish border has

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[31] European Union (2019). *'Goals and Values of the EU'*. Retrieved: https://europa.eu/european-union/about-eu/eu-in-brief_en
[32] See Lisbon Treaty Article 3/1. Available: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12016ME/TXT&from=EN

been repeatedly framed in the process of Brexit as being 'unique'; this is primarily because of the central importance of the border not just for the movement of goods or people but for a peace process in which two states are closely tied.'

Less than a week after the UK referendum, a scheduled EU Council meeting went ahead. This was the issue 'initiation' phase, when the Brexit issue was first discussed at the EU Council, and Ireland's first chance to highlight the border as a profound issue for Ireland. According to senior EU Council official, Ireland would be one of the first member states to highlight their situation and needs, 'the Irish were the best prepared of all the member states'.[22] On arrival in Brussels Kenny would say he would 'make the case for Ireland's national interest…in terms of our economy, in terms of the CTA, and in terms of the **peace process** and local border with NI'.[33] Ireland's position on how the EU should proceed was matter of considerable interest by EU member states, as Ireland had been largely supportive of giving Cameron concessions prior to the referendum.[22] An informal meeting took place (minus the UK) to discuss Brexit. German Chancellor Merkel would request that a line on the four freedoms should be included in the joint statement. Kenny was supportive of this move as it had clear relevance to the CTA and avoidance of a hard border; 'it's a fundamental principle of the EU the free movement of people… that's always been a cornerstone and principle of the EU and we stand by that'.[33] The 'initiation' phase had quickly passed with the first EU Council meeting following the UK referendum. The Brexit issue would now move to the 'specification' phase where the EU Council and member states were trying to establish what its Brexit priorities would be.

On 12 July 2016, Kenny and German Chancellor Angela Merkel met in Berlin. Kenny would emphasise the concerns Ireland had relating to the peace process and CTA.

> We have had, over 30 years, 3,000 people blown up and shot and killed. We also have some people who are still missing from that time, and they are

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[33] European Council. (28/06/2019). *'Arrival and doorstep Kenny (IE)*'. Retrieved: https://tvnewsroom.consilium.europa.eu/events/european-council-june-2016/arrival-and-doorstep-kenny-ie-27

called 'the Disappeared'. I always remind people of the value of the EU, which is itself **a peace process**.[34]

However, at this early stage Merkel would decline twice to treat Ireland as a '**special case'** as all EU voices would need to be heard too. In time, her position would change.

On 21 July 2016, Just a week or two later, Kenny would have more luck at a meeting with French President Hollande in Dublin. Kenny would speak of how 'the **GFA** gives Ireland a **unique** perspective to the negotiations, and makes Ireland **unique** as both Ireland and the UK are "co-guarantors" of the agreement.[35] Unlike Merkel the week before, Hollande recognized that Ireland had a unique situation with the upcoming negotiations: 'I do recognise there is a **special** situation and has to find a place in the negotiations.[35]

A week later it was announced that Michele Barnier would be the chief negotiator for the EU Commission Taskforce. This was great news for Ireland as Barnier had previously served as EU Commissioner for Regional Policy from 1999-2004. During this time he oversaw money spent in NI under the PEACE program and developed an understanding of the complex and sensitive issues in NI. It is difficult to know (due to lack of official documents) if Ireland played role in this selection, but Ireland now had someone leading the negotiations on the EU side they could talk to and who would understand NI from personal experience.

On 7 Sept 2016 Kenny would meet EU Council President Donald Tusk in Dublin. Kenny would advise that he had 'discussed the question of NI and the border situation with President Tusk'.[36] Tusk, regarding Brexit for Ireland, would say: 'The consequences of this are serious, also for the

[34] O'Connor, N. Doyle, K. McQuinn, C. (13/07/2016). *'Kenny leaves Merkel talks empty-handed after 'special case' snub'*. Irish Times. Retrieved: https://www.independent.ie/business/brexit/kenny-leaves-merkel-talks-emptyhanded-after-special-case-snub-34879264.html

[35] Finn. C. (21/07/2016).*'President Hollande recognises Ireland is a "special" case in Brexit talks'*. The Journal.ie. Retreived: https://www.thejournal.ie/president-hollande-visit-2887207-Jul2016/

[36] RTE News. (12/09/2016). *'Tusk discusses Brexit with Taoiseach in Dublin'*. Retrieved from: https://www.rte.ie/news/2016/0907/814822-tusk-to-discuss-brexit-with-taoiseach/ng-kenny-ireland/

situation in Northern Ireland. The Taoiseach and I are working together closely to ensure that your country does not suffer from a decision that it did not make'.[37]

On 16 Sept 2016 an informal EU Council meeting would take place. Although this meeting was more about the future policy planning of the EU and Brexit was not an agenda item, Kenny would still press the Irish issues relating to Brexit with EU leaders. Kenny would say, 'In my discussions with other leaders, however, I reminded them again of Ireland's **specific** concerns arising from Brexit, particularly in relation to Northern Ireland, the **peace process,** North-South relations, citizenship issues, the Common Travel Area, the border, and bilateral trade'.[38] Kenny was being consistent in pressing Ireland's message to those who had the power to set the agenda. On Oct 1, 2016, the Commission Taskforce was formally launched. Less than two weeks later Barnier would visit Dublin. The creation of the Commission Taskforce marks the 'Expansion' phase of the high politics issue career, where the Taskforce was given a mandate from the EU Council to negotiate on its behalf. So now Ireland had not only the EU Council and member states to engage with, but also the Taskforce.

On 12 Oct 2016 Kenny would meet Barnier in Dublin. Although Barnier had already travelled to three major EU capitals, this was the first time he was hosted by a head of state. Kenny would emphasise, 'Ireland's **unique** set of priorities with regard to Brexit, and the many complex issues relating to Northern Ireland…'.[39] Barnier would not make a formal statement; however, he would say 'I have nothing to add, I totally agree'. Delegations led by senior Irish Government figures would frequently visit Barnier's Taskforce. According to a senior Irish official, compared to other countries, Ireland was the country with the most people 'knocking on the Taskforce

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[37] European Council. (07/09/2016). *'Remarks by President Donald Tusk after his meeting with Taoiseach Enda Kenny.'* Retrieved from: https://www.consilium.europa.eu/en/press/press-releases/2016/09/07/tusk-remarks-meeting-kenny-ireland/
[38] Kenny, E. (19/10/2016). *'Statement by the Taoiseach in advance of the October meeting of the European Council'*. Irish Government News Service.
https://merrionstreet.ie/en/News-Room/Speeches/Statement_by_the_Taoiseach_in_advance_of_the_October_meeting_of_the_European_Council1.html
[39] Irish Government News Service. (12/10/2016). *'Taoiseach meets Michel Barnier'*. Retrieved: https://merrionstreet.ie/en/News-Room/News/Taoiseach_meets_Michel_Barnier.html

door by a country mile'.[22] In addition, the Commission considered the Irish delegations 'impressively well prepared' and were given 'privileged access'.[22]

On 20/21st of October 2016 an EU Council meeting would take place. After the meeting Kenny would say, 'I had informal exchanges with a number of my EU counterparts, including Prime Minister May, as well as Commission President Juncker, in the margins of the meeting. During those exchanges, I emphasised – as I do at every opportunity - Ireland's very **particular concerns** arising from Brexit, specifically in relation to NI, the **peace process**,…. the CTA and border issues…'.[40] Behind-the-scenes the Irish Government would push to secure a senior Irish representative on the Taskforce team.[41] This is despite Barnier being already familiar with the sensitivities of NI. Evidence of this effort would come in November with the appointment of Tadhg O'Briain, a senior Irish Commission official who had joined the Commission back in 2008 from the NI department of finance.

On 23 Feb 2017 Kenny would meet Juncker and Barnier in Brussels. Kenny would say, 'The issues that concern us really: NI, the **peace process**, the **GFA,** Common Travel Area, border and citizenship issues and these are completely **unique** to Ireland and there's a very **special** set of circumstances exist here'.[42] Juncker would respond that, 'we do not have hard borders between NI and the Republic, we want to have the **GFA** not being put under risks…because the Irish challenges are European challenges'.

On January 17 2017, Theresa May had made a landmark speech where she set out her desire for the UK to leave both the single market and customs union – meaning a hard border would be required in NI. Yet she had also made assurances of avoiding a hard border. Ireland would

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[40] Kenny, E. (26/10/2016). '*Statement by the Taoiseach, Mr. Enda Kenny T.D. on the outcome of the European Council, Brussels, 20 and 21 October 2016*'. Irish Government News Service. Retrieved: https://merrionstreet.ie/en/News-Room/Speeches/Statement_by_the_Taoiseach_Mr_Enda_Kenny_T_D_on_the_outcome_of_the_European_Council_Brussels_20_and_21_October_2016.html

[41] Lynch, S. (02/11/2016). '*Irish official to join European Commission Brexit taskforce'*. Irish Times. Retrieved from: https://www.irishtimes.com/news/world/europe/irish-official-to-join-european-commission-brexit-taskforce-1.2851981

[42] European Commission. (23/02/2017).'*Visit of Enda Kenny, Irish Prime Minister (Taoiseach), to Jean-Claude Juncker, President of the EC: joint press conference.'* Retrieved from: https://audiovisual.ec.europa.eu/en/video/I-134166

release a statement following the speech where they were 'intensifying' their engagements with the EU in 2017 – Ireland was stepping up.[46] Kenny would challenge a Taskforce assumption that Ireland would have to find solutions to the border. The UK have decided to leave the EU not Ireland, therefore, the UK needs to but plans forward of how to avoid a hard border yet also leave the single market and customs union. According to a senior Irish negotiator, 'the Commission had been saying that Ireland needs to find a solution. Well, hang on, really? Why?'[22] Instead of Ireland wedged between London and Brussels, the Government would move completely to the EU side and stop looking for solutions for something that it did not think was a good idea in the first place. According to an Irish diplomat close to the negotiations, Ireland and the Commission would agree that the 'aim is that the EU position and Ireland's position are one and the same on as many areas as possible, so that the idea of an *Irish* position disappears'.[22] Ireland as a small state was leveraging its EU relationship to turn the tables and ask the UK to provide solutions to the border. In addition, Kenny would press for a political solution. While Irish officials and their counterparts were trying to address the technical challenges, these solutions would depend on the sort of border there would be in NI. Based on these political decisions, the technical issues would then cascade downwards.

It is also important to note that Ireland at this point would cease the momentum it had with engaging EU leaders and raise the question of what would be NI's status within the EU if it united with the ROI in the future. Ireland had argued that a similar situation occurred after the fall of the Berlin wall where East Germany quickly became part of the EU in a peaceful manner, the same should occur with NI.[43] Ireland was using the concept of this peaceful transition to its advantage. Kenny would say, 'In other words, that in such future time, whenever that might be, were it [reunification] to occur, that the north of Ireland would have ease of access to join as a member of the European Union again…We want that language inserted into the negotiated treaty…'.[44] Less than two weeks later, the outcome of elections in NI would see Unionist for the

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[43] The absorption of East Germany into the EU had taken place in April 1990, when Ireland was holding the presidency of the EU.
[44] Boffey, D. (23/02/2019).*'Irish leader calls for united Ireland provision in Brexit deal'*. The Guardian. Retrieved: https://www.theguardian.com/politics/2017/feb/23/irish-leader-enda-kenny-calls-for-united-ireland-provision-in-brexit-deal

first time fail to hold a majority of seats in the NI assembly. Immediately the nationalist party (Sinn Féin) would advocate for a referendum on Irish unity - making Kenny's unity clause all the more relevant.

On 2 March 2017 Kenny would meet Tusk, Barnier and President of the EU Parliament Antonio Tajani in Brussels. Prior to setting off on this trip Kenny would say: 'This engagement is part of our work to ensure that our concerns are properly understood by partners throughout the Union, and that we are, to the greatest extent possible, prepared for the Brexit negotiations once the British PM triggers Article 50, which is expected later this month'.[45] It is also important to note that the day before Kenny travelled to Brussels, the President of the EU Commission had published a white paper on the 'Future of Europe' where the word 'Peace' is mentioned 32 times. This EU value of peace mirrors nicely when Ireland is pushing to preserve peace in NI as part of the pending Brexit negotiations. Kenny would speak about 'our **specific** concerns in regard to the border, the **peace process**, NI and our relationship with the UK. 'Tajani following his meeting with Kenny would say that Ireland 'must ensure that the achievement of the **GFA** which gave us **peace** in NI is included in any future agreement between the UK and the EU'.

On 15 March 2017, the Irish Government published a 24 page document outlining Ireland's main priorities ahead of the Brexit negotiations. The first priority mentioned in the document is the potential damage to the peace process in NI and the importance of avoiding a hard border. The words 'peace' and 'Good Friday Agreement' show up 48 times in the document - showing a clear consistency of 'big words'.

On the 29th of March 2017, the UK served its notice to leave the EU with the Article 50 legal instrument. Importantly the UK acknowledged the 'importance of the **peace process** in Northern Ireland' and that 'nothing is done to jeopardize the **peace process**.' The Irish Government would cite the clear references to NI in the notification letter as proof that the

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[45] RTE News. (02/03/2017).'*Kenny in Brussels for Brexit meetings'.* Retrieved: https://www.rte.ie/news/2017/0302/856640-brussels-brexit/

work it had undertaken across the EU had paid off.[46] The UK seemed to be taking the problem of the border seriously and Irish efforts were having an effect. One month later EU leaders would meet to discuss and ratify the EU's Brexit negotiation guidelines at a special EU Council meeting. The month leading up to this meeting, Ireland would continue its engagement with the EU. At this point, draft negotiation guidelines prepared by the Taskforce already had some language relating to the peace process and NI – a win for Ireland.

On 6 April 2017 Kenny would meet Merkel in Berlin. Unlike the meeting that took place nine months before (where Merkel would refuse to confirm that Ireland deserved special consideration in the negotiations), this time she was supportive of Ireland's stance. Kenny would say that 'whatever happens in the Brexit negotiations…nothing should undermine the **peace** and the stability the Chancellor has referred to in Northern Ireland which has taken so long to achieve and in which the EU has played such an important part'.[47] Merkel would reply that 'we are all familiar with the situation of Ireland and with the very, very important issues of war and **peace**'.[48] This change in Merkel's stance showed again that Ireland's consistency of message was having an effect.

On 29 April 2017 the EU Council would endorse the EU's negotiating guidelines - the mandate that Barnier would use to negotiate a deal with the UK. This was D-day for Ireland. Leading up to this EU council meeting, Irish 'Ministers and senior officials' had undertaken over *400 engagements* with EU member states and EU institutions to highlight Ireland's priorities.**Error! Bookmark not defined.** Kenny would say, 'In all these meetings, I explained the background and context of the NI **peace process** and emphasised the need to avoid the re-imposition of a hard border on the island of Ireland'.[49] Ireland's education campaign had paid off, EU member states understood the implication of a hard border in Ireland. During the meeting Kenny would say

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[46] Irish Government (May 2017). '*Ireland and the negotiations on the UK's withdrawal from the European Union: the government's approach'*, Dublin: Irish Government.

[47] Enda Kenny. (06/04/2017). '*Germany: Merkel and Irish PM tout importance of peace and stability in N. Ireland'*. Retrieved from: https://www.youtube.com/watch?v=AdPw_FEoXzY

[48] Duffy, R. (06/04/2017).'*Come in, I missed you' - Merkel gives Kenny Brexit boost in Berlin meeting'*. TheJournal.ie. Retrieved: https://www.thejournal.ie/enda-kenny-angela-merkel-3-3328230-Apr2017/

[49] Kenny, E. (02/05/2017).'*An Taoiseach Enda Kenny TD Post-European - Council Statement, Dáil Éireann'.* Department of Taoiseach. Retrieved from: https://www.gov.ie/en/news/999379-an-taoiseach-enda-kenny-td-post-european-council-statement-dail-eire/

that a 'number of speakers at the EU council of 27, were very clear in their understanding of the particular difficulties and challenges that Ireland faces…the **peace process**, so well understood now by our EU colleagues'.[50] There were three priorities for the EU that would require 'sufficient progress' prior to moving onto a second phase in the negotiations dealing with the future relationship between the UK and the EU. Ireland's border issue had formally entered the EU agenda phase ('Entrance') and was listed as one of the key priorities along with citizenship rights and the UK divorce bill. Ireland's issues were clearly given weight in the document:

> The Union has consistently supported the goal of **peace** and reconciliation enshrined in the **GFA** in all its parts, and continuing to support and protect the achievements, benefits and commitments of the **Peace Process** will remain of paramount importance. In view of the **unique** circumstances on the island of Ireland, flexible and imaginative solutions will be required, including with the aim of avoiding a hard border…[51]

Kenny would hail the outcome of the EU council meeting as 'a huge endorsement of the Government's approach to the Brexit negotiations and a clear recognition of the **unique** and **specific** challenges facing Ireland'. [52] At a press conference following the meeting, Kenny would say that the outcome 'bares testament to the huge campaign that government have carried out here of strategic engagement with EU member states and the EU institutions over the past 10 months, together with the engagement of senior officials and at ambassador level and directly political connections with the UK.'[50]

In addition to the NI being one of the three main priorities for the Brexit negotiations, Ireland had also another important diplomatic victory. Kenny had pushed the 'unity' declaration to be written into the minutes of the EU Council meeting. The fact that the declaration is registered in the official minutes of the guidelines provides a legal basis in the event of a future united Ireland. This was despite immense pressure from the UK to block the move until the next EU

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[50] Kenny, E (29/04/2017). *'National briefing: Ireland - Part 1*.' European Council.
Retrieved: https://tvnewsroom.consilium.europa.eu/videos?keywords=Enda%20KENNY
[51] European Council. (29/04/2017). *'European Council (Art. 50) guidelines for Brexit negotiations'*. Retrieved from: https://www.consilium.europa.eu/en/press/press-releases/2017/04/29/euco-brexit-guidelines/
[52] RTE News. (30/04/2017). *Ireland's unique challenges recognized at EU summit, says Kenny'*. Retrieved: https://www.rte.ie/news/2017/0429/871309-eu-leaders-meet-for-an-extraordinary-summit-on-brexit/

Council meeting in June.[22] The reason being that Theresa May had called an election and wanted to avoid negative publicity. Kenny would decline a phone call from May seeking to change the timing and send a firm message that Ireland would proceed with the statement.[22] The text had been presented to fellow member state senior officials only three days prior to the council meeting. Shortly after the EU Council had unanimously agreed to the EU negotiation guidelines, Kenny would officially make his pitch on the unity declaration to the EU leaders. The clause was accepted by the EU leaders and reads:

> The European Council acknowledges that the **GFA** expressly provides for an agreed mechanism whereby a united Ireland may be brought about by **peaceful** and democratic means; and, in this regard, the European Council acknowledges that, in accordance with international law, the entire territory of such a united Ireland would thus be part of the European Union.[22]

The framing of the situation in NI relating to the border being *unique* in terms of the CTA, economy, and importantly the *peace process*, was key to ensuring the Irish issues were perceived as relevant for the EU to consider in the Brexit negotiations. So much so that Ireland's issues were now one of the EU key priorities. A priority which in time would become *the* key priority for the EU. According to a senior Taskforce official, although the Irish issues were not on 'people's mind' in July the year before, 'the scale of the [Irish] problem filtered through. The prominence of the Irish issue is not least due to the effective information campaign by the Irish Government'.[22] Ireland had managed to get its border issue onto the EU agenda. In May, shortly after the EU Council meeting, the Irish Government published an 88 page position paper on its approach to the Brexit negotiations where it reaffirmed its priorities. It was clear that Ireland was standing tall as a committed member of the EU within a formidable EU alliance:

> In these negotiations, Ireland will be negotiating from a position of strength as part of the EU…In recent months the Irish Government has undertaken an extensive programme of dialogue with our EU partners and with the EU institutions…The EU's chief negotiator, Michel Barnier, the institutions and our fellow Member States have shown great understanding and support for the significant challenges we face and for Ireland's **unique** position and concerns. Ireland's **specific** priorities are a central element of the EU's overall negotiating objectives…[46]

The document is a testament to the efforts Ireland had made to secure its priorities at the EU level. Big words are consistently repeated in the document: 'Peace' – 58 times; 'Good Friday Agreement' – 50 times; and 'Unique' - 51 times. The document reaffirms Kenny's earlier call for a political solution; 'Within the EU, Ireland will make clear its expectation that there will need to be a political and not just a technical solution and a recognition that this issue of the land border represents a **unique** and unprecedented set of circumstances'.[46]

In the next chapter we will look at how Ireland, despite pressure from the UK, managed to keep the issue of the border in NI on the agenda with the use of these big words in the framing process.

CHAPTER 6   BEYOND 'ENTRANCE' – CEMENTING AND ENHANCING THE IRISH POSITION

It is clear from the previous chapter that the Irish Government had secured the border issue as one of the EU's priorities. The border issue had formally entered the EU's agenda ('Entrance'). However, as explained previously in the theory and method chapter, agenda-setting says less about how an issue is sustained on the agenda. Princen & Rhinard (2006, p1122) do say that once an issue is on the agenda as a result of the 'high politics' route, 'the main risk…lies in the watering down or return to inertia that may occur when attention shifts to new issues and the political impetus fades'. This chapter contributes to this deficit in the literature by providing an example of a state, Ireland, sustaining it's issue on the EU agenda for an extended period of time and overcoming the risk of this issue losing attention. The method of examining the use of big words by the Irish Government continues in this chapter. This is done by identifying and examining what the ROI has done to maintain the border issue on the EU agenda and even raise its prominence.

Once the Irish Government had secured the issue of avoiding a hard border in NI as one of the EU negotiation priorities, the task now was to ensure this priority was not watered down and forgotten. The border issue had to remain relevant and not compromised in favour of the other priorities. After all, the EU Taskforce formally stated that it had an '*aim'* of avoiding a hard border in Ireland. This did not mean that no hard border was guaranteed, it was still just an aim. Therefore, the Irish Government would sustain its strategy of engagement with the EU by highlighting the dangers of having a hard border. The framing of the border would once again involve the use of big words such as 'Peace/GFA' and the 'Unique/Special' situation that Ireland finds itself in as a result of Brexit. Yet the 'question of peace on the island moved centre stage' (Laffan 2018, p3) and would become the dominant frame. In 2012, while the 'PEACE' programme was underway, the EU won the Nobel Peace Prize. In his acceptance speech EU council president Herman Van Rompuy said, 'So, where there was war, there is now peace. But

another historic task now lies ahead of us: *keeping* peace where there is peace'.[53] This statement aligns well with NI - where a fragile peace remains after the GFA which needs to be maintained. As mentioned in the previous chapter, the EU is the result of a peace project. With Ireland framing the consequences of a hard border as detriment to *keeping* peace in NI, this would naturally be of concern to the EU and its value of peace.

June 2017 was an important month for Ireland regarding political changes ahead of the Brexit negotiations some of which would have consequences for Ireland's border issue staying on the EU agenda. Firstly, Enda Kenny would step down as Taoiseach and be replaced by the young Leo Varadkar who was known for his logical and direct style of politics. Varadkar would increasingly adopt a hard-line approach by the Irish Government in response to perceived British ineptitude with regards to the Irish border (Murphy 2018). Secondly, on June 8th Theresa May lost her majority in the UK parliamentary elections which had been called to strengthen her hand in the Brexit negotiations. This resulted in the Conservatives forming an alliance with the unionist NI party the DUP. The DUP were the only party to advocate for a leave vote in NI during the UK referendum, and the only party not to have signed the GFA back in 1998. This meant that May was suddenly relying on a party which the ROI has an uneasy relationship with and one which could try and undercut ROI's framing of the importance of the GFA. Finally, the month of June was also the start of the Brexit negotiations. With the negotiations underway, the ROI knew that their issue was being talked about by the Taskforce with the UK negotiating party. This was a time where compromises could be made. It was important for Ireland to keep knocking on the EU's door and to ensure that the border issue was not traded in a compromise deal to gain agreement on one of the other two priority issues. This was all the more important now that the DUP were influencing May's decisions.

The Conservative alliance with the DUP was unsettling in Dublin who would immediately question whether this undermined the GFA where both the Irish and UK Governments are co-guarantors of the treaty and should remain impartial. Varadkar in his first meeting with Theresa

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[53] European Union (10/12/2012).*'From war to peace a European tale'*. Acceptance speech of the Nobel Peace Prize® Award to the European Union. Oslo. P6. Retrieved from: https://europa.eu/european-union/sites/europaeu/files/docs/body/npp2013_en.pdf

May would receive assurances of the UK's impartiality in the attempt to get the NI executive re-established. In addition, the prolonged absence of the NI executive meant that people in NI, bizarrely, did not have a representative voice on a priority issue in the Brexit negotiations. By speaking up and framing the lack of a visible border as key to peace in NI Varadkar was selling the importance of peace to the EU, defending a solution that he felt worked best for all the people on the whole Island of Ireland, and trying assert the ROI now that May had a sudden threatening reliance on the DUP.

During a joint press conference May would say that she wanted to ensure a 'frictionless and seamless' border in NI. The UK on a number of occasions would say that it wanted to leave the EU's single market and customs union – a move which would require border controls. Somehow they would achieve this goal while avoiding a hard border in NI. The lack of detail on how this could be achieved was compounded by a report released August by the UK that relied on technical solutions. These solutions were rejected by the Taskforce as 'magical thinking' and incompatible with EU law.[54] In addition, the UK was focusing mostly on aspirational trade aspects in its approach to avoiding a hard border. The issue of peace and the GFA was given little room. The EU response to the paper would emphasise the importance of the peace process and the GFA: 'Border issues are broader than economic questions…A thorough understanding of the other issues beyond customs arrangements which are relevant to the border is also required'.[55]

Varadkar would later say that the 'importance of protecting the Irish **peace process** and the need to avoid the hard border on the island of Ireland [is] something much more important than money and jobs'.[56] Irish foreign minister Simon Coveney when describing the peace in NI in the context of Brexit would say, 'There are some things that are more important than

[54] Rankin, J. (25/08/2017). *'UK accused of 'magical thinking' over Brexit plan for Irish border'*. The Guardian. Retrieved from: https://www.theguardian.com/uk-news/2017/aug/25/uk-accused-of-magical-thinking-over-brexit-plan-for-irish-border
[55] European Commission. (20/09/2017).'Guiding principles for the Dialogue on Ireland/Northern Ireland.' Commission to UK. Retrieved from: https://ec.europa.eu/commission/sites/beta-political/files/dialogue_ie-ni.pdf
[56] Brennan, J. (13/02/2019). *'Varadkar expects UK to leave EU with Brexit deal at end of March'.* The Irish Times. Retrieved from: https://www.irishtimes.com/business/economy/varadkar-expects-uk-to-leave-eu-with-brexit-deal-at-end-of-march-1.3792248

economic relationships, and this is one of them'.[57] There was a clear move towards 'peace' being the most important problem when it came to the Irish border issue ahead of the 'unique' economic situation of the integrated supply chains across the border. Per the previous chapter, a strategy the ROI employed was to invite EU officials to come see the border for themselves and listen to border communities who were affected by violence during the troubles. This strategy was really to help drive the message home regarding the importance of peace. For example, Michael Barnier and EU parliament ministers would visit the border in May. Barnier would say that 'nothing in this negotiation should put **peace** at risk, nothing'.[58] However, concerns in Dublin grew as aspirational language from the UK on avoiding a hard border was not followed by detailed plans on exactly how to do this. The ROI remained consistent during this time in pushing the peace discourse towards the EU. Coveney would describe the engagement with the EU as on a 'weekly if not daily basis now'.[59] In consequence, the Irish position continued to be the EU position – a hard border must be avoided to protect the peace process. The EU demonstrated this on Sept 6th, 2017 when it published 'Guiding principles transmitted to EU27 for the Dialogue on Ireland/Northern Ireland'.[60] The document would reaffirm the EU's commitment to the peace process, protecting the GFA and avoiding a hard border. 'Peace' and 'GFA' are mentioned 19 times in the short four page document. In addition, on Sept, 16th, 2017 Commission President Junker would say: 'I don't want to put in danger the **GFA** - which was a major achievement of European, and British and Irish policy making'.[61] A few days later, Guy Verhofstadt, the EU Parliament Brexit co-ordinator would travel to Ireland to

[57] Kelly, F. (30/01/2019).'Peace more important than economics, says Coveney'. Irish Times. Retrieved from: https://www.irishtimes.com/news/ireland/irish-news/peace-more-important-than-economics-says-coveney-1.3776080

[58] Big Taboo.(12 May 2017). 'Michel Barnier talks Brexit to Irish parliament'. Online video clip. *YouTube*. Retrieved from: https://www.youtube.com/watch?v=yHQOBSrdJAs [accessed 30/06/2019]

[59] European Commission. (04/09/2017).'*Visit by Simon Coveney, Irish Minister for Foreign Affairs and Trade, to the EC: joint press conference.*' Retrieved from: https://audiovisual.ec.europa.eu/en/video/I-142944

[60] European Commission. (06/09/2017).'Guiding principles transmitted to EU27 for the Dialogue on Ireland/Northern Ireland.' Commission to EU 27. Retrieved from: https://ec.europa.eu/commission/sites/beta-political/files/guiding-principles-dialogue-ei-ni_en.pdf

[61] Rae, S. (16/09/2017).'Exclusive audio: 'My European tax plans are not anti-Irish,' insists Juncker'. Irish Independent. Retrieved from: https://www.independent.ie/irish-news/politics/exclusive-audio-my-european-tax-plans-are-not-antiirish-insists-juncker-36137506.html

speak with Varadkar and visit the Irish border. On his return, he would pronounce in the EU

Parliament:

> I was never in NI, I was never in Belfast, but I went there and I thought: Ireland has not been on our television screens in 20 years, the problems are solved, it's a bit like Berlin, the Berlin Wall disappeared and everything's going well. Well, I can tell you, it was a shock, because the reality is that the problems are not over. And the worst thing that can happen it that we lose the **peace** that Europe has brought there…Ensuring that this violence doesn't return is, I think, an absolute priority for our house.[62]

In order for the UK to move on to phase two of the Brexit negotiations, 'sufficient progress' would have to be made on the three EU priorities. The EU would set a deadline for this to occur before an EU Council meeting on the 14th of Dec 2017. The scene was set for a major test of the EU's dedication to the Irish border issue and whether this would stay on the EU agenda. On Dec 1st, in advance of the EU summit, Tusk would visit Dublin in a show of support for the ROI, 'the EU is fully behind you [Ireland] and your request that there should be no hard border on the island of Ireland…the Irish request is the EU's request'.[63] Despite the deadline looming, the UK still had not tabled detailed plans on avoiding a hard border. Varadkar was clearly frustrated, 'It's 18 months since the referendum. It's 10 years since people who wanted a referendum started agitating for one. Sometimes it doesn't seem like they have thought all this through'.[64] This dissatisfaction coupled with Ireland's confidence of EU support was such that it would demand a written guarantee from the UK that there would be no hard border in Ireland. If not, Ireland had a veto which would block the negotiations progressing to phase two. After all Tusk had previously indicated that the EU would follow Ireland's lead when deciding if sufficient progress had been made relating to the border to warrant progression to phase two. Tusk said,

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[62] Desmet, L. & Stourton, F. (08/05/2019). *'Storyville - Brexit: behind closed doors [Episode 1]*'. BBC Four. Retrieved from: https://www.youtube.com/watch?v=7Of9MkMbc4w

[63] Tusk. D. (01/12/2017).'Remarks by President Donald Tusk after his meeting with Taoiseach Leo Varadkar'. European Council. Retrieved from: https://www.consilium.europa.eu/en/press/press-releases/2017/12/01/remarks-by-president-donald-tusk-after-his-meeting-with-taoiseach-leo-varadkar/

[64] Elgot, J. (17/11/2017).'*Ireland will block progress of Brexit talks without border guarantee*'. The Guardian. Retrieved from: https://www.theguardian.com/politics/2017/nov/17/tusk-tells-uk-no-trade-talks-without-progress-on-money-and-ireland

'if the UK offer is unacceptable for Ireland, it will also be unacceptable to Europe'.[65] This was the beginning of the 'backstop' – a guarantee that there would be no hard border in Ireland if alternative solutions cannot be found. The ROI as a small nation state, with EU backing, was asserting itself and making the border a red line for the EU that cannot be conceded in EU negotiations. Tusk would back up the ROI saying that the UK had to make 'much more progress on Ireland'.[64] The EU had committed to avoiding a hard border and would take its cue from Ireland on whether sufficient progress had been made, if not Ireland would halt negotiations with a veto in the European Council. This shows that once a small state has made an item an agenda priority for the EU, that state can wield much power with regards to keeping this item on the agenda. Despite pressure from the UK, Varadkar held firm and demanded that May provide a guarantee of no hard border in Ireland. A deal with May to shift the customs border to the Irish Sea seemed imminent. However, it would be rejected by the DUP which refused to have NI treated differently to the rest of the UK. This proved that the ROI was right to be concerned of May's reliance on the DUP and to not reduce its engagement with the EU on the Irish border issue. Eventually sufficient progress was reached when the UK committed to avoid a hard border as a requirement regardless of the continued negotiations. Despite immense pressure on the EU and ROI, the border issue remained locked on the EU agenda – even more prominent than before. Varadkar would say that Ireland had:

> achieved all that we set out to achieve in phase one of these negotiations...First of all the **GFA** in all its parts is protected...our guiding light - and our only ambition throughout - has been to ensure that the provisions of the **GFA** continue to operate in full after Brexit.[66]

Ireland has continued to maintain the issue of the border as important to the EU fundamental of peace and the EU has fully accepted this approach and adopted the Irish border as a top priority. The border issue has continued to remain firmly embedded in the EU's agenda not only since the issue was adopted as one of the EU's priorities, but during the first phase of the Brexit negotiations

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[65] Finn, C. (01/12/2017). *'If UK Brexit offer is unacceptable to Ireland it will be unacceptable to Europe - Donald Tusk'*. The Journal.ie. Retrieved: https://www.thejournal.ie/simon-coveney-brexit-3727159-Dec2017/
[66] Irish Government News Service. (08/12/2017). *'Statement on Brexit negotiations by Taoiseach Leo Varadkar'*. Retrieved from: https://merrionstreet.ie/en/News-Room/News/Statement_on_Brexit_negotiations_by_the_Taoiseach_Leo_Varadkar_T_D_.html

and beyond. Examples of EU support can be found with both Tusk and Junker. In March 2018 Tusk would say:

> If in London someone assumes that the negotiations will deal with other issues first, before moving to the Irish issue, my response would be: Ireland first… I have spoken to virtually every EU leader, and every one of them – without exception – declared…that among their priorities are: protecting the **peace process**, and avoiding a hard border.[67]

A full year later he would re-confirm the EU's commitment: 'The top priority for us, remains the issue of the border on the island of Ireland, and the guarantee to maintain the **peace process** in accordance with the **GFA**'.[68] Juncker also had the same message, 'When it comes to the Border between the ROI and NI, we are sticking to the point of view we have expressed so many times - Ireland first'.[69]

This chapter has shown that an issue can remain on the agenda or even promoted ahead of other issues over a period of time. This can be done if a country maintains pressure via senior political figures using big words and uses EU procedures to ensure an issue is not forgotten.

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[67] European Council. (08/03/2018). *'Remarks by President Donald Tusk after his meeting with Taoiseach Leo Varadkar'*. Retrieved from: https://www.consilium.europa.eu/en/press/press-releases/2018/03/08/remarks-by-president-donald-tusk-after-his-meeting-with-an-taoiseach-leo-varadkar/

[68] European Council. (06/02/2019). *'Remarks by President Donald Tusk after his meeting with Taoiseach Leo Varadkar'*. Retrieved from: https://www.consilium.europa.eu/en/press/press-releases/2019/02/06/remarks-by-president-donald-tusk-after-his-meeting-with-taoiseach-leo-varadkar/

[69] Irish Times. (02/10/2018).*'Brexit: EU is sticking to Ireland first stance on border, says Juncker'*. Irish Times. Retrieved from: https://www.irishtimes.com/news/world/europe/brexit-eu-is-sticking-to-ireland-first-stance-on-border-says-juncker-1.3648804

<u>CONCLUSION</u>

This thesis set out to answer the following question relating to Brexit: ***how has the Irish Government driven the Irish border issue onto the EU agenda?***

In order to answer the question the thesis used the theory of agenda-setting and frame analysis. It studied Ireland's role in pushing the border issue onto the EU agenda. Ireland did this by firstly being prepared for a UK 'leave' vote based on its experience with EU referendums. Secondly it organized itself with personnel and resources in preparation for a massive 'high politics' engagement campaign with the EU institutions and member states. This thesis has demonstrated that Ireland consistently used 'big words' which resonated with EU values to press its issues onto the EU agenda. These words were used consistently throughout its engagement with senior EU and member state officials over a period that has lasted over three years. Ireland was persistent and determined to convey its message to the EU. This thesis has demonstrated that there was significant correlation between the delivery of Ireland's messages and what was received on the EU side. EU leaders picked up Irelands messages and used similar discourse when describing the importance of the Irish border issue. Importantly, this thesis showed how Ireland secured its border issue as one of the three negotiating priorities on the EU agenda and how this issue became a top priority which has been sustained on the agenda. It also demonstrated that a small state can make a difference and achieve its priorities within the EU system by framing an issue with 'big words' in a way that resonates with EU values.

This thesis is a new theoretical and empirical contribution to agenda-setting using frame analysis. It is a theoretical contribution in its use of agenda-setting theory using the Irish border issue for the first time within the Princen & Rhinard 'high politics' route. This is demonstrated by uniquely using the UK referendum as a 'focusing event' which passed through the four stages of an issue 'career' (see below). It is also an empirical contribution in its use of frame analysis in studying the Irish Governments use of 'big words' to help the border issue pass through the 'high politics' agenda-setting route to becoming a top priority for the EU.

Stage in issue career	High Politics Route	Irish Input
Initiation	By political leaders due to politically salient event	Salient (focusing) event = UK referendum result. EU leaders meet to discuss Brexit at EU Council – Irish Taoiseach attends.
Specification	Formulation of political consensus on an EU response in the EU Council	EU Council discusses issues relating to Brexit – Ireland speaks up framing the 'unique' issue of the Irish border and 'peace' process to the EU council and member states.
Expansion	Towards lower levels of decision-making in the EU	Brexit Taskforce under the EU Commission is created - Ireland speaks up framing the 'unique' issue of the Irish border and 'peace' process.
Entrance	By creating political momentum	European Council adopts Irish border as one of its three priorities. Ireland continues the use of big words (especially 'peace') to keep the Irish border on the agenda.

However, it was also demonstrated that an issue does not necessarily pass through these four stages smoothly and in order. The 'specification' stage suggests a time limit before an issue is passed from the EU Council on to lower levels of the EU system (in this case the Taskforce). However, the Irish issue was spoken of repeatedly in the EU Council after the creation of the Taskforce. The EU Council had to approve the negotiation priorities and Kenny managed to pitch the Irish unity clause. The border issue was also the topic of discussion in bilateral meetings throughout such as when Varadkar confronted May at an EU summit demanding a written guarantee– not just via the Taskforce. The theory also needs to be further developed and tested to take into account what this thesis has demonstrated – how a state can sustain an item on the agenda. This raises an interesting question regarding creating and sustaining an issue beyond the EU's borders. For example, recently US House of Representatives speaker Nancy Pelosi warned the UK that if there was to be 'any weakening of the Good Friday accords

that there would be no chance whatsoever – a non-starter – for a US-UK trade agreement'.[70] It would be interesting to study Ireland's role in this statement via agenda-setting and connect the EU dimension to the USA. In addition, if a state is clearly being successful in their agenda-setting drive with a core issue, can they successfully add other smaller issues along the way via the 'high politics' route? Kenny demonstrated this by adding a legally binding Irish unification clause in the EU Council. Perhaps if there is broad consensus that and issue deserves attention, and the momentum it there, an opportunity opens to successfully add another issue to the agenda. These questions point towards areas where agenda-setting theory could be tested, explored and developed further.

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