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Padraig O'Malley

University of Massachusetts Boston, [padraig.omalley@umb.edu](mailto:padraig.omalley@umb.edu)

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## **Referendum Metrics: the numbers game** **Chapter Five from *Perils and Prospects of a United Ireland***

**Padraig O'Malley**

*University of Massachusetts Boston*

### **Abstract**

This article is an extract from *Perils and Prospects of a United Ireland*, published by Lilliput Press, Dublin, Ireland in March 2023. The book draws on extensive interviews with ninety-seven senior politicians across the ethno-national divide, a range of academics and political commentators, and religious leaders.

The context for the chapter is the Belfast/Good Friday Agreement (B/GFA), which ended thirty years of violent conflict between Irish republicans, mostly Catholic, who wanted Northern Ireland to become reunified with the rest of Ireland, and unionists, mostly Protestants supported by British security forces, who wanted to maintain the union of Northern Ireland and Great Britain.

The agreement (April 10, 1998) has three components. Strand I outlines a power sharing arrangement for the internal government of Northern Ireland; Strand II, a North South Ministerial Council to reflect relations between Northern Ireland and the Republic of Ireland (ROI); and Strand III, a British-Irish Intergovernmental Conference to mediate relations between the UK and ROI. The agreement also provides an electoral formula that will be used to determine whether Northern Ireland wishes to stay in the UK or become part of a reunified Ireland, should it appear that that is the wish of majority.

The article concludes that all the metrics that a Secretary of State for Northern Ireland might draw on to gauge support for a united Ireland have several shortcomings. At the present time none indicates a majority voting would choose to leave the UK and become part of an all-Ireland state.

*I have always been of the view that we need all of the parts of the Good Friday Agreement to be functioning and we need stable government in place, and that is part of the conditions set for a poll on a united Ireland. If we can do that for a sustained period of time successfully, then we are much more likely to be resilient enough to be able to sustain in a peaceful and lawful manner the run-up to any kind of border poll, which will in itself be divisive and contentious. If you layered that on an already volatile political situation, it could be very dangerous.<sup>1</sup>*

– Naomi Long, Minister of Justice, Alliance Party leader

*There's a good chance of a border poll within the next ten years and possibly quite a lot sooner than ten years, and there's a good possibility of a united Ireland, which raises all sorts of horrific problems. A Tory Secretary of State in a Johnson government would be inclined to refuse to hold one, but he has to be careful because he will be subject to judicial review on this. But if he was faced with a series of opinion polls that show on a sustained basis a majority for a united Ireland and a reasonably sized majority, not 2 per cent but 5 per cent or more, and if those were respectable polls, not those held by Sinn Féin, he'd find himself in a difficult situation.<sup>2</sup>*

– Jonathan Powell, Downing Street Chief of Staff under Prime Minister Tony Blair

*Certainly this side of a Scottish independence poll, the British government is unlikely to want to call a poll in Northern Ireland. The Secretary of State has to be convinced that there is a clear wish for unity. You would need to have support for Irish unity in the high fifties. Fifty per cent + 1 doesn't represent a wish for unity. That's opinion being evenly divided. I think Sinn Féin is a bit like the dog chasing the car and not sure it necessarily wants to catch it. Chasing the car probably helps to maximize their support and that's why they do it.<sup>3</sup>*

– Martin Mansergh, adviser to Taoisigh Charles Haughey and Bertie Ahern

*The Irish government has said it will not support a call for a border poll, and it is inconceivable that you would have one without the Irish government saying so ... The Tories [are] not going to accept this critique of Brexit. They're active persuaders for the union in a way that they were not in the 80s and 90s. That is the great asset from the unionist point of view. They are determined to show that all this talk about English nationalism is crap.<sup>4</sup>*

– Paul, Lord Bew, Professor of Irish Politics at Queen's University Belfast

*Regarding a border poll, there are two mechanisms that might apply that do not involve either opinion polls or surveys. One would be a resolution of the Northern Ireland Assembly passed by a majority that the Secretary of State should hold the*

*referendum in such-and-such a time. If a majority of the Assembly does that, I think a border poll would be very difficult to avoid.*

*Secondly, this hasn't happened yet, but it might happen. If you add up the votes cast in Westminster elections for the SDLP [Social Democratic and Labour Party] and Sinn Féin and pro-referendum Alliance and those were in a majority, that would be a clear signal ... that the change of opinion is present.<sup>5</sup>*

– Brendan O'Leary, visiting professor of Political Science and Mitchell Institute International Fellow at Queen's University Belfast

*On the process of handover, pension liabilities, the acceptance of other liabilities, debt liabilities, the British government is going to play hardball before a first referendum. You need to have that out of the way before you can get involved in the more detailed negotiations. It needs to be a process of several years.<sup>6</sup>*

– Paul Gosling, freelance journalist specializing in the economy, accountancy, co-operatives and government and the public sector

*Identifying the best path for the people who are in the Neither category [self-identifying as neither orange nor green, Catholic nor Protestant] is almost impossible to predict ... The nationalist groups who want the referendum need to win over the centre – the Greens, Alliance, Neithers, the Don't Know voters who have to be convinced that this is a necessary and rational next step.<sup>7</sup>*

– Duncan Morrow, Professor, University of Ulster; former Chief Executive of the Northern Ireland Community Relations Council

**T**he requirement in the Belfast/Good Friday Agreement (B/GFA) that the Secretary of State for Northern Ireland shall call a border poll 'if at any time it appears likely to him that a majority of those voting would express a wish that Northern Ireland should cease to be part of the United Kingdom and form part of a united Ireland' bristles with equivocations.<sup>8</sup>

What does 'appears likely' mean? A gut feeling on the part of the Secretary of State? What verifiable, empirical evidence would be required to back it up? With whom should he consult beforehand? What kind of notice will be given to parties that a poll is under consideration? 'One thing that is clear,' Katy Hayward points out,

*is that it's the Secretary of State for Northern Ireland who calls the poll. There's no requirement on [the Secretary of State] to consult with the Irish government in advance to allow the Irish government and Irish state to prepare. It's a peculiar situation in which the British government minister has that responsibility. He could completely upend the Irish Constitution by triggering that process.<sup>9</sup>*

The phrase in the B/GFA is that 'if at any time it appears likely to him that a majority of those voting would express a wish that Northern Ireland ...' suggests that a putative majority should

exist at the time the Secretary of State announces a border poll but may dissipate over the course of the referendum campaigns conducted on both sides and no longer exist on polling day. In Scotland's referendum on independence in 2014, the pro-independence vote had a secure lead until close to voting day; the Remain vote had a comfortable lead in all Brexit pre-referendum-day polls, raising questions about the utility of opinion polls as a metric that might inform the Secretary of State's decision. For sure, a binary referendum, with all the psychological baggage that would accompany one, is more than likely to rekindle and exacerbate the visceral sectarianism, always poised to take advantage of any opportunity to spread its toxic poison. In the run-up to the Brexit referendum, identities hardened – more voters identified as either British or Irish. A border poll would be far more polarizing, as voters hunkered down in their ethno-national silos. Such is the nature of binary choices.

The 50 per cent + 1 formulation has gained traction among republicans and some nationalists, dominating much of the political conversation in the wake of the Brexit poll. If the 52 per cent of the British public voting to leave the European Union (EU) was deemed sufficient to be stamped as the will of a democratic majority,<sup>10</sup> then a similarly small margin in favour of Irish reunification had an equal legitimacy.

A perceived small margin for unification in any poll to justify calling a referendum would likely see unionists challenge the Secretary of State in court, demanding to show that his decision to call a poll was evidence-based. There is both a legal and a political problem here. If there appears to be a small but solid majority for unity, it is the Secretary of State's duty to call a poll, though the agreement does not say that such a poll has to be held immediately. If the Secretary of State holds back, however, hoping that a more pronounced majority will emerge, republicans will cry foul, perhaps emboldening dissident republicans to renewed violence. If Sinn Féin leads the government in Dublin – an increasing likelihood after the 2025 elections – matters become more complicated, ensuring a more hard-line response, unless it is tempered by its coalition partners.<sup>11</sup> Once the prize – so ferociously fought over for so long – is within the republican party's sights, the impulse to try to fast-track it may be impossible to check.

On the question of consent, unionists are at sixes and sevens: 82 per cent grudgingly say they would accept an outcome of 51 per cent favouring unity, but with a caveat that, while they are after all democrats, one could not be sure whether a razor-thin margin might result in an eruption of violence – much the same response as they gave forty years ago.<sup>12</sup> Back in 1982, James Molyneux, leader of the then dominant Ulster Unionist Party (UUP), told me that:

if 51 per cent of the people of Northern Ireland in a free and open election opted for some form of then unification, my party would have to accept it democratically. But then you'd be leaving out of account people who wouldn't be under the influence of politicians – and there would be a growing number of them under these circumstances. If they felt they were being pushed into a united Ireland against their will, then I think you'd find the strength of the paramilitaries vastly increased. You'd have a reverse terrorist situation.<sup>13</sup>

The threat of violence cuts two ways, says Peter Shirlow:<sup>14</sup>

There will be loyalist violence. It might not be very sustained, but it will happen, and one would assume the target would be Dublin ... On the other hand, say we have a border poll and it's 65–35 – to stay in the union, dissidents will turn around and say that Sinn Féin's strategy is failing. Everybody keeps thinking about

violence from loyalism. If you have a lot of expectation built up that there's going to be a united Ireland and it doesn't happen, the probability of dissident republican violence is high.<sup>15</sup>

Polls suggest that voters have a more realistic response to the 50 per cent + 1 formulation. An *Independent/Kantar* poll (April 2021) on the centenary of the founding of Northern Ireland reported that 74 per cent in the North and 81 per cent in the South favoured a threshold of either two-thirds or 70 per cent for a border referendum outcome to be acceptable to both sides of the community.<sup>16</sup>

Would loyalists accept the legitimacy of a 50 per cent + 1 referendum outcome, having so stridently endorsed the legitimacy of the United Kingdom (UK) Brexit vote, despite the narrowness of the Leave victory and the fact that a majority in Northern Ireland voted to remain? Apples and oranges, some say. Why should loyalists accept the legitimacy of a border poll that would transfer them into an all-Ireland state when the republican minority in the North never accepted the legitimacy of being part of the UK and are violently opposed it? Unitarian Church Minister Rev. Chris Hudson, who maintains close ties with loyalists, says:

There are pockets within loyalism that are making angry noises, saying things like, 'Well, if there is a border poll and 51 per cent of the people vote for a united Ireland and 49 per cent vote against, we're not just going to accept it. They [republicans] never accepted Northern Ireland as part of the United Kingdom, so why should we accept a united Ireland? And we will make it unworkable.' These voices are not widespread, but you'd still be left with a rump of people who are going to make sure that it [a united Ireland] doesn't work.<sup>17</sup>

If one wants to game a scenario where a border poll results in a small majority emerging for unity, one should also game the opposite result – a small majority emerging to stay in the UK after a bitter and highly divisive campaign that saw what appeared to be a small majority in favour of unity dissipate in the course of such a campaign. Would dissident republicans cry foul? Or would they use the outcome to vindicate their belief that Ireland can be unified only by violence, since all the peaceful alternatives are shown not to work? Billy Hutchinson, leader of the small Progressive Unionist Party (PUP), says:

Do you think that [people in the Republic of Ireland] want a million Protestants being dragged into a united Ireland against their will? Through a border-poll vote? I don't think they would. No matter what happens, a large minority will be disaffected. It will be the same with disaffected republicans. They're fighting for the same thing as the Provisional IRA were fighting for before the ceasefires. But if there was a border poll and we decided to stay within the United Kingdom, does that not actually give those dissident republicans some sort of mandate to say, 'We're going back to war?' No matter what way it goes, there will be a large minority that will be angry and disaffected. I don't think the Irish or British government will want that.<sup>18</sup>

Complex factors must be taken into account when holding a border poll: the metrics a Secretary of State should use to determine whether there is enough evidence of a majority for unity to call it; when it should be called and how it should be worded; whether the decision would be made in

concert with the Irish government; when and how the type of new all-Ireland state on offer should be drawn up – after a border poll in negotiations with Northern Ireland’s political parties or before in some form of Citizens’ Assembly or other all-Ireland forum so that voters would know what type of Irish state they were voting themselves into; and for how long such a forum should sit before reaching their recommendations. If such a deliberative forum met before a referendum, how could it ensure the participation of a political unionism that was unwilling to engage because to participate would in effect mean they were conceding the outcome? Is this an argument for a negotiating forum after a pro-unity referendum when unionism would be compelled, if only to protect its interests, to come to the table? What kind of majority in the poll itself would produce a stable result? And what kind of transitional arrangements would be needed – and for how long – to consummate the new all-Ireland state?

Unionist interviewees are vague about the metrics: some because they believe that a referendum is not in the offing, or because they are convinced that if one were called they would win, or because they think that the metrics for calling a referendum should be overwhelming, or because they believe a border poll is so far into the future that it is not a ‘clear and present danger’. Former UUP leader Steve Aiken says: ‘There would have to be overwhelming evidence that showed there would be a considerable majority of people who’d be willing to vote for Irish unity in a border poll. I can’t envisage the circumstances where that’s going to happen anytime within ten, twenty years or maybe longer.’<sup>19</sup>

In contrast, the SDLP’s Colum Eastwood says whatever the metrics for a poll, post-Brexit there is an ‘an unstoppable momentum’ for reunification. ‘People see what’s happening in Scotland. It is pretty clear that there will be a referendum of one type or another there. I’m pretty sure ... that there will be a positive outcome for Scottish nationalism then.’<sup>20</sup>

Either way, he says:

if there’s a border poll tomorrow, I will vote one way, Arlene Foster [at the time of the interview first minister] will vote another. But in the middle [are] those who are young, liberal, outward-looking, internationalist, not defined necessarily by the old two blocks [nationalist and unionist]. To have the EU taken away from them, particularly when they didn’t vote for it, changes the dynamic ... plus the fact that because of Brexit and the resulting protocol, economically we’re reorganizing ourselves in terms of where we get many of our goods from ... The union is coming to an end. It’s now a case of how you manage that in such a way that that is not damaging, not divisive.<sup>21</sup>

While 50 per cent + 1 is a democratic majority, Alliance Party leader Naomi Long says that in real terms there should be a decisive majority in favour of unity, the three strands of the B/GFA should have been working harmoniously for a period and voters should know what a united Ireland entails. Otherwise, any united Ireland would be unstable. Election results, however, she is quick to add, do not necessarily reflect constitutional preferences. The Secretary of State,’ she elaborates:

needs to look much more broadly than simply at the likelihood of a 50 per cent + 1 vote for unity based on election results. He needs to look at the *conditions* in which elections are fought. We will have to weigh [election results] against other polling evidence. A Secretary of State would need to be reasonably confident that the polling would show us a majority in favour of change before he would go down that route. It would need fairly robust evidence. Some evidence of that would have

to come from direct polling, as opposed to simply taking the results of a general or an Assembly election.<sup>22</sup>

In many of the polls taken to gauge support for a border poll, assumptions are made about the nationalist vote. One is that a vote for Sinn Féin is a vote for Irish unity. That assumption is false. A University of Liverpool Northern Ireland Survey poll conducted in December 2019 found that 10 per cent of Sinn Féin supporters and 20 per cent of SDLP supporters said they would vote against a united Ireland in a border poll.<sup>23</sup> In other words, support for a nationalist or a republican party does not necessarily translate into support for a united Ireland.

Social researcher Paul Nolan, who tracks social and demographic trends in Northern Ireland, says should a border poll be called the lessons of Brexit tell us that it should be preceded by years of preparatory work.<sup>24</sup> The phrase ‘uniting the people on the island of Ireland’ in ‘harmony and friendship’ in Article 3 of the Irish Constitution surely precludes any notion that opinion polls indicating a small margin for unity would meet that constitutional requirement:

What seems to be evolving within Sinn Féin is the view that we need to have the discussion first and the vote afterwards. That process would take a period of years in itself. It may well be, for example, that people decide they want an Ireland with a fully comprehensive healthcare system. At some point, the Irish government has got to say, ‘Well, if we take on all of that, how much is it going to cost? And what about the North’s share of the UK national debt – are we expected to take that on too?’ All of those things will have to be costed in. The people have to decide what they want. The Irish government has to decide whether or not they can pay for it. The question then could still be framed in simple terms, ‘Do you want a united Ireland?’ but with a clear understanding of what it would involve.<sup>25</sup>

Jane Morrice, a founder of the now defunct Northern Ireland Women’s Coalition, says the B/GFA itself provides the mechanism for starting a conversation about Northern Ireland’s future. The agreement called for a civic forum – drawn from employers, trade-union and voluntary-sector organizations – which was established in 2000 but mothballed in 2002. ‘The Civic Forum should be reinstated to mirror the Citizens Assembly, which has operated down South before referendums on abortion and gay marriage,’ she says, adding:

The forum should sit for five years, followed by a referendum on whatever proposal emerges from its deliberations – and, in the event of a border poll favouring unity, another five-year transition period. Whatever proposals emerge would have to be fed to both governments: the Irish government, because it will be the responsible party for working out the details of a united Ireland, and the British government, because it and the Irish government will have to negotiate the future of the Treasury subvention and the National Health Service. Both would be matters of hard bargaining.<sup>26</sup>

Alex Attwood, part of the SDLP’s Good Friday Agreement negotiating team, outlines several variables in play in the path to a possible border poll. Some are external: the impact of the UK leaving the EU with a bare-bones free-trade agreement; the changing character of the union because of devolved government in Wales and Scotland; a possible Scottish referendum on independence; and generational shifts – with an incoming generation in both the North and South



for whom the conflict is ‘ancient history’. An overriding consideration will be making Northern Ireland work, a sustained period during which the Stormont government is not collapsed, and there is the substance of a genuine partnership between Sinn Féin and the Democratic Unionist Party (DUP).<sup>27</sup> He believes what is needed is a new, sustained dialogue between unionists, nationalists and others, which is what happened in the years leading up to the B/GFA. ‘You have to grow the process organically. The danger is that if it is too aggressive, elements of unionism will run into the hills. This is a conversation that has to be properly paced.’<sup>28</sup>

However, Sinn Féin, Attwood believes, is unlikely to adopt this approach: ‘I have a fear that there are people within Sinn Féin whose strategy is to again overwhelm unionism, demoralize them, and thus get Irish unity over the line. And then you’re going to have this hostile conversation, and God knows where hostile conversations go in this part of the world.’<sup>29</sup>

In the wake of Brexit, with Northern Ireland voting to remain in the EU despite the DUP campaign to leave, a few DUP voters, more ‘liberal’ unionist voters and younger people deciding that climate change and sexuality issues were more important to them than the ‘national question’ gravitated to Alliance for the 2019 European and Westminster elections, significantly increasing its electoral share from 7–8 per cent to 15–20 per cent.<sup>30</sup> Professor Duncan Morrow, former Alliance Party chair, cautions that the increase in support for a border poll among some Alliance voters signified a comfort level with an Ireland led by moderate leaders such as Leo Varadkar and Simon Coveney.<sup>31</sup> An Ireland led by Sinn Féin would be another matter. ‘They’re not convinced that a united Ireland, and certainly not a Sinn Féin-led united Ireland, is the answer to their problem,’ Morrow says:

They’re not responding to the union flag in the way they used to but they’re also not convinced by Sinn Féin ... If the Shinners [Sinn Féin] decide that a hard-line Sinn Féin-fronted united Ireland is the way they want to go, they would lose a referendum. If nationalism genuinely wants a united Ireland, then the question is, how do you appeal to that central group who absolutely doesn’t want a hard-line policy?<sup>32</sup>

According to Sam McBride, the key measure of readiness for a border poll lies with the Alliance Party – when and if that party signals it is prepared to bring the issue to a debate and vote in the Assembly. Other measures are flawed:

My sense is just how remarkably complex and ambiguous even the calling of a border poll would be, and the modalities and methodologies for how it would be held on both sides of the border. The fact that we’re only now starting to seriously consider this shows that [Sinn Féin are] not really serious about it.

They have never really addressed the issues surrounding a poll, let alone the far more substantive issue of what Irish unity would look like. There are various criteria. There could be a vote in the Assembly chamber. That’s one of the most convincing mechanisms because ... you would not just need nationalist parties to vote for it, you would need to persuade the Alliance Party to vote for it, possibly also the Greens, so it would be much more representative of where Northern Ireland is than simply saying nationalist parties want this.

Traditionally, the Alliance Party has been very hostile to the idea of a border poll. They see it as divisive, as tribal, as something that should only be called if it is going to be won. Therefore, if they were to move in that direction, I think that

would be quite significant. It would show that they believed that this was at least winnable by nationalism.<sup>33</sup>

However, Alliance deputy leader Stephen Farry MP does not foresee the party initiating a conversation in the Assembly on holding a referendum any time soon:

We [the Alliance Party] take a very deliberate decision not to define ourselves around the constitutional question. Some members will be pro-union, some pro-united Ireland. Many people will be open-minded on the issue. Our focus is on reconciliation, integration, making Northern Ireland work. Before 2016, if a border poll had been called, I would say that most supporters of the Alliance Party would have defaulted to the status quo, which often happens at referendums ... Since Brexit, it's a much more fluid situation. There is much more open-mindedness to consider the various options for the future.<sup>34</sup>

And what would convince Alliance that the time had arrived for a border referendum?

You would need to see a very consistent pattern [for unity] over a sustained period of time. Measuring possible support for unity through election results is also a possibility, but then you have the problem of how you count and interpret the votes for the Alliance Party and other non-aligned parties. Do you count them as people who don't want a border poll, or who do want a border poll, or who are not particularly keen on a border poll either way but may be open-minded if they were asked their opinion regardless? We would be very wary of voting for a border poll in a vacuum. Certainly, the bar for us doing so will be very high.<sup>35</sup>

In short, Alliance would have to know what kind of united Ireland is on offer before joining in a vote in the Assembly requesting the Secretary of State to call a referendum.

Alex Kane, the commentator who is regarded as having his finger on the pulse of unionist thinking, says:

If unionists were to take another massive hit in the 2022 Assembly election, and if Sinn Féin were to eclipse the DUP; if nationalism were to increase its vote again in the Assembly; if the Alliance Party were to increase on its base; if unionism were to go down from forty seats to, say, thirty-two or thirty-three, and a couple of years down the line, you have Sinn Féin not simply a junior partner in government in the South but the senior partner, then there would be a number of metrics in play that could result in unionism suddenly being confronted with a border poll. A referendum is not inevitable, but it's more likely than not.<sup>36</sup>

On these criteria, the 2022 Assembly elections were indecisive. A mixed bag at best for unionism. But unmistakably the trends are in the wrong direction. Since 1969, unionism has lost more than 40 per cent of its share of the vote.<sup>37</sup>

A border poll will be a major chicken-and-egg dilemma for the politicians. Which comes first: a straight question on unity *before* any details have been worked out, or having sufficient details in advance of such a poll? There is consensus among interviewees that under no circumstances should there be a simple Brexit-type up-or-down poll. In which case, is the onus on the Irish

government to jump-start that process? And if so, *when*? Especially since, as things stand, none of the metrics invoked as barometers of pro-unity dispositions point to a likely majority for unity, not now, and perhaps not for at least a decade to come.

Across the interviews there was no consensus about the route to a border poll. Nationalists retreated to the comfort zone of the 50 per cent + 1 mantra. Unionists treated the question dismissively, mostly pointing to the potential for violence such a small margin for unification would unleash, but were caught on the horns of a dilemma of their own making: if the UK Brexit vote (52 per cent to leave, 48 per cent to remain across the UK) constituted ‘the will of the people’ – legitimately imposed on Northern Ireland, which had voted to remain – why should a similar slender margin not legitimize a vote for unity in a border poll?

Age and immigration will also be issues. Would voting be extended to the 16–18 age cohort in a border poll, as happened in the Scottish independence referendum – a proposal that would be opposed vehemently by unionists because of younger people’s larger presence in the Catholic community, hence creating a perceived pro-unity propensity? Another quandary will be whether ‘a majority of the people of Northern Ireland voting in a poll’ includes domiciled EU citizens and immigrants.<sup>38</sup> Would the thousands of immigrants who have become British or Irish citizens, and who have made Northern Ireland their home, have a say in what jurisdiction they will live under?<sup>39</sup>

The B/GFA lays down that consent to unity should be ‘freely and concurrently given’, which is interpreted by some analysts as meaning a poll at the same time, North and South, as happened with the referendums on the 1998 Agreement. But such an interpretation means, on the face of it, that the British government would be dictating the time of the Irish referendum, regardless of whether the republic felt itself ready for one. Such a situation is hard to imagine, underscoring yet again why the process for holding a border poll will have to be agreed by the two governments working together.

Concurrent does not mean simultaneous. Simply as a matter of logic, a lag between the two polls is called for: before the South voted on the question it would want to see how the referendum turned out in the North, since the option of staying in the union would also be on the ballot. The lag could affect the outcome in the South. A divisive, highly polarized campaign in the North, with perhaps some instances of violence, might cause some emotionally pro-unity voters in the South to have second thoughts. Indeed, the 2021 *Independent*/Kantar poll found that over two-thirds of people in the republic feared a return to violence ‘at the prospect of a united Ireland’.<sup>40</sup>

Interviewees were inclined to think the consent provision in the B/GFA is a necessary but not a sufficient condition for a border poll. Unless the Irish government indicates that it is prepared to call a poll, no Secretary of State is going to call one in the North. The wording of the poll has to be worked out by both sovereign governments because it will fall to both to oversee the transition to unity if there is a vote in favour of unification, and to negotiate a plethora of complicated issues associated with the transfer of sovereignty.

The Irish government is highly unlikely to call a referendum in the South if it appears that the metrics used for gauging support for unity in the North may result in a tiny margin for unity, with the Catholic community overwhelmingly in favour and the Protestant community even more overwhelmingly against. In these circumstances, while both governments wait for a more substantial majority for unity to emerge, loyalist paramilitaries would, no doubt, do their utmost to reverse that sentiment, which would erode support for unity because of the perceived mayhem that might accompany it, aside from economic and other costs.

It can be argued that this scenario makes the case for pressing ahead even if the apparent majority emerging is small, because proponents of unity would cry foul. In the end, the call for a

referendum will be a political decision, arrived at after careful examination and risk assessment of different scenarios, with the Secretary of State weighing the pros and cons of each and ultimately making a judgment call.

The DUP's Peter Robinson says:

There is a deliberate vagueness about the terms used within the Belfast Agreement that gave the Secretary of State the role to call a border poll ... But I think the [consent provision] was deliberately left vague. Every sensible person recognizes that to have a border poll with a 50 or 51 or 52 per cent result, on a constitutional issue like the future of Northern Ireland, is certain to be violent. There is no other likely outcome in those circumstances, if the result is tight. By the time a Secretary of State might feel that they could just edge it, you're going to have a situation where Northern Ireland is on a knife edge, and one section of the community or the other will be aggrieved at the result. I suspect that you will not see a Secretary of State calling a border poll until there is overwhelming evidence that there would be a united Ireland as an outcome.<sup>41</sup>

The East Belfast loyalist community leader Sammy Douglas echoes Robinson's sentiments:

It certainly has to be more than 51 per cent. I know that's been agreed as part of the Good Friday Agreement. But it will be a disaster for us all. People here say you'll end up with violence. It's inevitable that will happen. It's clear if you look at the recent violence up around the northwest, in Portrush and Ballymoney; we had eighteen-gun attacks there by loyalists on their own people, feuding.<sup>42</sup> It wouldn't take much for those people to turn their guns on the nationalist community – and that's only one area. In parts of East Belfast, you see the paramilitaries still very much ruling those communities. Sinn Féin is the worst party to be pushing for an agreed Ireland. People here would listen more to the likes of the Taoiseach, or Leo [Varadkar] or some of those people. Certainly not Mary Lou [McDonald]. There's a mistrust there that I can't see it ever evaporating.<sup>43</sup>

On the Shankill Road, community leader Jackie Redpath takes a similar view:

There's only one other option and that is to die in the ditch when faced with the inevitability of this truck of a border referendum leading to unity coming down the road. What happens then is you either get out, suck it up, or fight ... It would be a recipe for disaster because such a fight, of course, will be bloody but it will be short. It would not be successful, and it would put a desperate shadow over the future in Ireland for another one hundred years.<sup>44</sup>

Harping on about 50 per cent + 1 as the defining metric for a Secretary of State's calling a border poll, no matter what the political circumstances prevailing in the two Irish jurisdictions at the time, is a policy of madness. SDLP leader Colum Eastwood says:

The two governments need to come together and create a high-level panel to advise them on this because otherwise it will become party political. There was a mistake made in the agreement: just leaving it up to the Secretary of State and a fairly flimsy

set of criteria there to make the decision. However, if the polls are consistent in terms of people wanting change, then it would be fairly divisive if the Secretary of State refused to act at that point.<sup>45</sup>

The Working Group of British and Irish academics, led by University College London's Constitution Unit, examined how a referendum might be worded and conducted. Titled 'Unification Referendums on the Island of Ireland', it looked at five possible configurations of a referendum, some including the details of the united Ireland on offer in the referendum question, and some including the process that would be followed to negotiate a future all-Ireland state in the event of a pro-unity vote.<sup>46</sup> The group also outlined the criteria that would ensure a referendum result all parties would accept as valid. These include 'procedural legitimacy, stability, clarity, informed choice and inclusivity'.<sup>47</sup> It emphasizes that '*all these criteria point towards the importance of advance planning of the referendum processes; and about the shape of a united Ireland, or a continued union [my italics]*'.<sup>48</sup>

A referendum presaging a 50 per cent + 1 outcome, taking place in circumstances of social turbulence, rampant sectarianism and sporadic bouts of low-level violence would undoubtedly not meet the conditions the working group enunciates. Nor would it be a precursor of the unification promised in the Irish Constitution that the people on the island will be unified 'in harmony and friendship'. In fairness, the group stresses that it is 'focused on technical and procedural questions'.<sup>49</sup> 'As a group,' the report states, 'we take no view on whether holding such referendums would be desirable or not, or on what the outcomes should be if referendums were to be held.'<sup>50</sup>

But the group's members were open to questions on a range of matters relating to the process that will lead up to a referendum. In this regard, I asked Brendan O'Leary, a co-author of the Working Group report, whether there is any requirement that the two governments should work together to safeguard against a Secretary of State from calling a Brexit-type binary poll. 'There's nothing in the Good Friday Agreement,' he says, that 'obligates' the two sovereign governments to work in that way:

It would, of course, be entirely sensible and rational for the two governments to co-operate both with regard to the timing of the referendum and on its implementation if it were to be in favour of unification; and then to ratify the result in their respective parliaments and give institutional effect to the result.

However, there is a worrisome set of scenarios that need to be considered. It is possible for the Secretary of State to trigger a referendum in the hope that it might be lost in the sense that it would be a vote for the union, but it could turn out to be a vote with a narrow majority in favour of Irish unification, with the South caught completely unprepared, and indeed the UK government also caught unprepared. That's one possibility.

The other possibility is for the South to signal that it doesn't want the Northern referendum to happen, but legally and politically the Secretary of State in Northern Ireland might reasonably feel obliged and perhaps required by a court to hold a referendum if sustained objective evidence had indicated a shift in Northern opinion on the union. It's precisely because of those scenarios that I think it's vital that the government of Ireland spend much of the next decade – after the recovery from the pandemic, of course – in preparing for these eventualities.<sup>51</sup>

Under the referendum scenarios the Working Group considers, voters will not know how the present UK subvention to Northern Ireland will be dealt with: how it will be apportioned into the part still owed by the British Treasury, such as pensions, and the part a united Ireland would have to pick up. To this extent, a yardstick the group stipulates for the conduct of a border poll is not met. ‘One of the criteria that we have for evaluating different referendum configurations,’ Alan Renwick, Chair of the Working Group says, ‘is that people are able to make an informed choice ... We heard lots of different views as to how big a part of the issue that [the subvention] really is.’<sup>52</sup>

The Working Group appears to believe that matters such as the subvention would be settled after a unification poll and before the transfer of sovereignty. ‘The British government,’ Renwick continues, ‘might calculate that by sowing uncertainty on this point [the subvention], they would discourage votes in favour of unification. It clearly diminishes the degree to which there’s informed choice. But people we spoke with ... were very clear that the subvention was not a major issue.’<sup>53</sup>

The Working Group’s finding that the subvention is not a matter of major concern is contrary to what unionist and loyalist interviewees told me. Many of these people simply dismissed the prospects of unification on the grounds that the South couldn’t afford it. Time and again the subvention is mentioned, a mantra for the superiority of the North’s economic wellbeing. It is sown into the fabric of the North’s economy, underpinning its standard of living.<sup>54</sup> Undoubtedly, the campaign to remain in the UK will invoke it. Uncertainty over who will pay will exacerbate one of the most contentious issues in a border poll, and influence that segment of voters who haven’t made up their minds about Northern Ireland’s constitutional future to opt for the status quo. In opinion polls a large majority of people, North and South, say they would not support unification if they had to pay higher taxes to subsidize it.<sup>55</sup>

‘The core subvention is now £15 billion,’ says Lord Bew, formerly one of David Trimble’s closest advisers:

The funding of it is very hard work and there’s the argument that it would require a very high level of taxation to support it. How do we get by without the British Treasury paying for it is a huge problem. If there is a border poll, they’ll be saying on every street corner, ‘You’re getting 15 billion a year<sup>56</sup> from us [the UK]. It’s keeping you in the first world. You’re not getting a penny after.’ They’ll be saying it in Scotland too. So, it is very heavily subsidized ... On every street corner, it’ll be a message.<sup>57</sup>

In highly contentious referendums, the winning side is frequently the one most successful at reducing complex issues to simple messages and then saturating the media with short, snappy sound bites. Certainly, this was the case with Brexit. The Vote Leave Campaign collapsed a host of extraordinarily hard-to-understand issues into the simple message: the UK was sending £350 million to the EU every week, which once the UK was out of the EU would be available to upgrade the National Health Service (NHS). Of course, the £350 million was a fabrication, but no matter to the spin masters. So successful was the messaging that more than 40 percent of the British public who had heard about the claim still believed it to be true two years after Brexit.<sup>58</sup> Dominic Cummings, the mastermind behind the Vote Leave campaign, admitted after the referendum that ‘all our research and the close result strongly suggests that Remain would have won without the advert. It was clearly the most effective argument, not only with the crucial swing [vote] but with almost every demographic.’<sup>59</sup> My point: Northern Ireland voters know what the subvention is.

What will happen to it if a united Ireland is tailor-made for a similar kind of messaging as what the Vote Leave Campaign deployed?

Could the B/GFA be amended to reflect a different consent formulation? Unlikely. It would require levels of trust, goodwill and reconciliation between republicans and unionists that would obviate the need for it. Article 7 of the Review Procedures for the Good Friday Agreement states:

If difficulties arise which require remedial action across the range of institutions, *or otherwise* [my italics] require amendment of the British-Irish Agreement or relevant legislation, the process of review will fall to the two Governments in consultation with the parties in the Assembly. Each Government will be responsible for action in its own jurisdiction.<sup>60</sup>

The agreement is not sacrosanct; it has been amended several times, most notably by the St Andrews Agreement with regard to governance.

It is argued that the constitutional provision regarding consent is immutable, the heart of the agreement, that only this provision allowed the Irish Republican Army (IRA) Council to signal its assent and for Sinn Féin to buy into the process, that any tampering with it will have violent consequences. Nevertheless, if the two governments and Northern Ireland's two nationalist parties listen to their respective publics, who have indicated in opinion polls that they want a threshold higher than 50 per cent + 1, they can move forward in lockstep to determine whether a sufficient margin for a referendum is reached to ensure minimum disruption in the North.<sup>61</sup> However, nationalists argue that requiring a super-majority in a referendum would mean that their votes were worth less than unionist votes. Moreover, such a scenario, the Working Group on Referendums concludes, is highly unlikely. 'It seems to us,' Alan Renwick says, 'that absent some extraordinary circumstances, it would not be possible to get the consensus on changing the agreement that was achieved in order to reach the agreement in the first place in 1998.'<sup>62</sup>

Undoubtedly, Sinn Féin in government in the South would reject out of hand any move in this direction. Indeed, if a UK government were persuaded by unionists, when a majority for unity appeared imminent, to toy with the idea of amending the consent formula, the pushback from an Irish government, most likely one with Sinn Féin in charge, would be fierce. It would consolidate support among nationalists/republicans for a 50 per cent + 1 threshold, rather than opening the possibility of raising it.

More likely, it would galvanize dissident republicans righteously claiming, 'We told you so! Perfidious Albion tricked us in 1921 and again in 1998 – only the armed struggle can finish the job of Irish unity.' As long as the gun lurks across the penumbra of Northern Ireland's political landscape, the threat of violence in response to what is perceived to be existential danger will hang like a dark cloud over Northern Ireland.

Interviewees across the political spectrum acknowledge that a sufficient number of unionists should be on board; opinion poll respondents North and South endorse a higher threshold in a border poll vote by significant margins.<sup>63</sup> Of course, for nationalists and republicans the 50 per cent + 1 formulation is now sacred dogma: if 50 per cent + 1 keeps Northern Ireland in the UK, 50 per cent + 1 is sufficient to take it out. This is what Sinn Féin signed up for. This is its default position. That said, the inherent drawback of relying on 50 per cent + 1 in favour of unity at the starting gate, when the poll is called, is that over the course of the race it can quickly be overtaken and 50 per cent + 1 against unity prevail in the home stretch as unionists who are traditionally non-

voters flock to the polls. In 2019, non-voters numbered around 500,000.<sup>64</sup> Unionism in particular has a problem getting its supporters to vote compared with nationalism and republicanism. The 2019 University of Liverpool general election survey revealed that the preferred choice of Northern Ireland's non-voters is to stay in the union by a three to one margin.<sup>65</sup> How successful unionists are in galvanizing their voter turnout will have a significant impact on a future referendum.

The 1998 Northern Ireland Act (incorporating the B/GFA into British law) allows for a referendum on the question of Irish unification to be called by ministerial order, subject to parliamentary approval. But the B/GFA has nothing to say on how a referendum poll should be worded. In a literal sense, it requires no more than a simple yes/no vote on whether voters want to remain part of the UK or become part of a united Ireland. The 2016 Brexit referendum exposed the folly of such simplistic formulations, and there is unanimous agreement among interviewees – and the wider publics North and South – that the electorates in both jurisdictions should know before the referendum in the North what kind of united Ireland is on offer.

This poses a dilemma: the calling of the referendum is the sole prerogative of the Secretary of State, but the delineation of what kind of new Ireland is on offer is the sole prerogative of the Irish government. How then is the kind of united Ireland on offer conveyed to the Northern electorate? Either it is embedded in the referendum question the Secretary of State proposes or it is widely promulgated by the Irish government before and during a referendum campaign.

The Secretary of State must consult the UK's Electoral Commission on the question's wording before laying the draft order before the Westminster Parliament. Parliament may amend the wording. Court action could follow if proponents of unity think it is in violation of the B/GFA. Court action, too, could also be pursued by pro-union advocates arguing that the Secretary of State has not met the threshold of a likely majority being in favour of unity. The Irish government has no veto over when the referendum might be called or how it might be worded. In both cases it is 'reliant on the good behaviour by HMG [His Majesty's Government]'.<sup>66</sup>

The Irish government has to decide whether it will follow the model route to unification or the process route. Under the model route, the shape and form of a united Ireland is worked out in some detail before the referendum in the North. Under the process route, the consultative steps the government will follow to lay the groundwork for a negotiated united Ireland are laid out.

Whichever course a government follows, its choice will have to be brought before Dáil Éireann, debated, subjected to amendments and consensus reached across all parties on the final package. The united Ireland on offer will not be on behalf of an Irish government; it will be on behalf of the Irish people.

All this must be known *before* a referendum. It is imperative, says Professor Brendan O'Leary, 'for the South to do long-run preparation for the possibility of unity after a border referendum. If we can see that this is an above-zero probability, then there is absolutely no harm and all good in preparing for such an eventuality'.<sup>67</sup> In the event that unionism refuses to engage prior to a referendum and the Irish state chooses the model route, 'the most difficult thing for any Irish government will be to try to estimate and evaluate unionist and loyalist opinion and their political and institutional preferences in the event that they might lose the vote'.<sup>68</sup> Under the most benevolent scenarios, the Working Group on Unification Referendums on the Island of Ireland, envisages 'discussion between the UK and Irish governments, consulting with the Northern Ireland Executive, political parties and civil society and with the UK Electoral Commission'.<sup>69</sup> It believes



the latter body ‘ought to be able to prevent differences in question wording that could lead to confusion for voters or difficulty for campaigners’.<sup>70</sup> This, however, presupposes that unionism is on board, which O’Leary himself believes will not be the case until after a referendum, when it will have to engage, even if reluctantly, to safeguard its interests in a future all-Ireland state. Now, he argues, is the time for planning, a ministry and multiple Citizens’ Assemblies, and building a cross-party consensus in the South:

I see no reason why over the next decade there couldn't be a series of fully funded Citizens’ Assemblies in the South, and with the consent of the North perhaps also in the North, looking at either modes of improved co-operation or at the institutional and policy design of a united Ireland. Citizens’ Assemblies do not have to be government-sponsored. Researchers, funded properly, could organize such assemblies in the North and the South. And if Unionists refuse to participate? So be it!<sup>71</sup>

The absence of precedents illustrates the perils of missteps in this process. Unless the Irish government has completed its preparations for a poll, no matter how far distant on the horizon it might appear, it could be wrongfooted by a Secretary of State calling a poll. Or, worse still, a border poll could take place with no clear understanding of what it entailed while the Republic of Ireland’s political parties squabbled over the timing, form and shape of a future Ireland.

But for an Irish government to start the process of developing models of a united Ireland now would undoubtedly draw the ire of unionism and feed its paranoia that the British and Irish governments are secretly working in cahoots, preparing to offload Northern Ireland into an all-Ireland state. Most of mainstream unionism has refused to engage with the Irish government’s low-key Shared Island Unit, dismissing it as a Trojan horse for Irish unity.<sup>72</sup>

Francis Campbell, the former private secretary to Tony Blair who understands how the inner sanctums of Whitehall work, says the UK will be preoccupied with the fallout from Brexit, and thus no Irish government should instigate any consultation of the options regarding some new constitutional dispensation in Northern Ireland. ‘Such an effort,’ he points out, ‘would come across as predatory, irresponsibly immature and dash any hope of mending fences and the trauma of Brexit.’ He adds:

If the Irish government were to begin to come up with proposals now, that would further inflame Unionism. It’s not that such proposals don't need to exist. The proposals and the talking and the ideas need to come from another space. Their absence creates a vacuum. The question is, who puts these proposals forward? My fear would be that if it is the Irish government that puts forward ideas and proposals on what this [united Ireland] might look like, it would backfire. It would not help politics on the ground, or community cohesion or relations in Northern Ireland. You’re trying to think what the reaction would be within Northern Ireland’s unionist community that feels the link with London is weakening.<sup>73</sup>

With no timetable as to when a Northern Ireland Secretary of State might call a poll, the Irish government needs to be prepared for any eventuality. Unless unionism comes on board at some point in this process, it is hard to envisage a scenario that would not elicit an angry and hostile unionist reaction once an Irish government takes up the cudgels of unification. There would certainly be very serious repercussions, very definitely damaging North-South relations. A border

poll called because the Secretary of State believes a narrow majority for unity appears to have materialized would only add to the disruption. All roads to the future are strewn with highly combustible, unknown obstacles.

Ideally, the two governments would be working together through the British-Irish Intergovernmental Conference and advancing slowly towards a border poll in close collaboration, working on proposals that are put into storage for use some time in the future. However, as co-guarantor of the B/GFA, the British government cannot be seen to overtly encourage the Irish government on any path to unity.

No matter how you envisage the different scenarios, their paths are littered with pitfalls. A Northern Ireland Secretary of State agreeing to insert an Irish government wording on unity into the referendum question would require the deftest of political finessing. But still there would still be nothing to preclude either the UK Electoral Commission or the UK Parliament from passing amendments that distorted the intent of the wording, another scenario that would invite court action.

*There are no criteria anyone can point to that suggests the Secretary of State should act upon the wording in the Good Friday Agreement that he or she should consider a border poll when a clear majority was in favour of unity, because that majority is not in sight. Whether you do it by election results, whether you do it by demography, or whether you do it by opinion poll, there is no sign of that majority taking shape. Which isn't to say it won't happen, because extraordinary things happen in politics.<sup>74</sup>*

– Dr Paul Nolan, Research Director, Northern Ireland Peace Monitoring Survey

The Working Group identifies six possible sources of evidence a Secretary of State might draw on to assess the state of public opinion in Northern Ireland: ‘votes cast in elections; the results of surveys and opinion polls; qualitative evidence; a vote within the Assembly; the seats won at elections; or demographic data’.<sup>75</sup> It states that the Secretary of State ‘*must [my italics] take all relevant evidence into account*’.<sup>76</sup> (There is no requirement in the B/GFA stipulating this. The Secretary of State can call a referendum at any time and is not obliged to provide any justification other than saying that it ‘appears likely’ a majority for unity exists.)

All of the suggested metrics the group identifies are wanting: opinion polls contradict each other; they are only snapshots at a point in time, and only a few since the B/GFA show a majority for unity. In Assembly elections, both nationalist/republican and unionist parties’ share of votes has levelled off, pegged at around 40 per cent each and those of centrist parties at 20 per cent.

After the 2022 Assembly election, both an aggregate of nationalist parties and unionist parties fell well short of having a majority of seats. ‘Assembly elections are hard to read because you have a wide spread of candidates,’ says Naomi Long:

not all of whom will have strong views when it comes to the constitutional position. It doesn't follow that if someone votes for Sinn Féin in a local or Assembly election, they automatically will vote for a united Ireland in a border poll. Local and Assembly elections are often driven by a member's constituency work and reputation, rather than by party political brand. There would have to be some independent polling measure to get a sense that we were at the point of a majority in favour of unity.<sup>77</sup>

In the December 2019 election for Westminster, parties representing the Catholic community won more seats than those representing the Protestant community for the first time in history, but not a majority of votes because the Alliance Party picked up a seat. ‘The danger of using a Westminster election,’ Long continues, ‘is that in a general election people’s votes are skewed by the fact that it’s a first-past-the-post contest. It doesn’t necessarily reflect the breadth of people’s opinions, and voters will often look for someone as the least-worst option rather than because they support them or their policies.’<sup>78</sup>

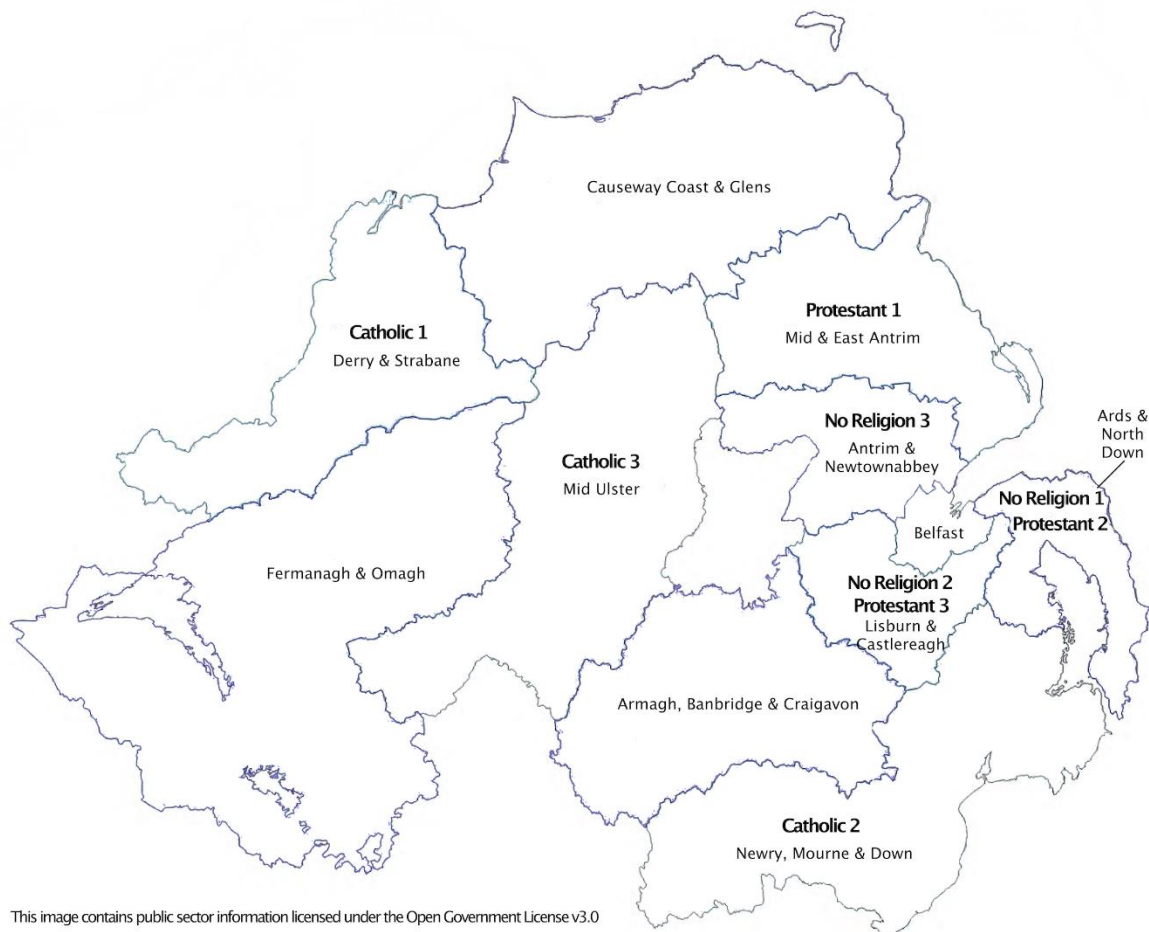
Most elections in Northern Ireland have relatively low turnouts. In 1998, the referendum on the B/GFA attracted an unprecedented turnout of 80.2 per cent, which fell dramatically to 64 per cent in the subsequent first election for the Northern Ireland Assembly.<sup>79</sup> Average voter turnout in five Assembly elections has not surpassed 64 per cent since.<sup>80</sup> The Assembly 2022 elections turnout was 63.52 per cent, down 0.48 per cent from the 2017 turnout.<sup>81</sup> The 2019 University of Liverpool survey concludes: ‘If a similar turnout was achieved [more than 80 per cent], and non-voters engaged, then the poll would be to remain within the union.’<sup>82</sup>

Other than a vote in the Assembly – supported by Sinn Féin, the SDLP, Alliance and the Greens – on instigating a conversation on constitutional futures, thus opening the way for a broader discussion on a referendum, the other metrics that have been cited fall short of indicating majority support for one. ‘At the moment,’ Alan Renwick says, ‘it’s very clear that there is not a majority in favour of unification on any criteria. We don’t take a view on what might happen in the future. All we can say is, there is not a majority at present, there might be in the future. Who knows how opinion might change?’<sup>83</sup>

According to the 2021 census, ‘46 per cent of Northern Ireland’s population were Catholic or brought up Catholic, 44 per cent were Protestant or brought up Protestant’.<sup>84</sup> For the first time since the founding of the statelet, those from a Catholic background outnumbered those from a Protestant background. The result was not unexpected, but for unionists it was another psychological blow, having to absorb the loss of both political and numerical ascendancy in one year, what had once been intended to be a permanent Protestant majority, hewn from the nine counties of Ulster 100 years back to ensure the link with the UK in perpetuity, now simply a footnote for the history books.

Of the eleven local government areas, only Mid and East Antrim, and Ards and North Down, represent a majority Protestant population. Four areas represent clear Catholic populations, with the rest having no religious majority population (see Table 5.1).<sup>85</sup>

**Table 5.1. Three highest rates for combined religion identity, by local government district (2021)**



<b>CATHOLIC</b>		<b>PROTESTANT</b>		<b>NO RELIGION</b>	
1. Derry City and Strabane	68%	1. Mid and East Antrim	58%	1. Ards and North Down	31%
2. Newry, Mourne and Down	68%	2. Ards and North Down	56%	2. Lisburn and Castlereagh	24%
3. Mid Ulster	62%	3. Lisburn and Castlereagh	49%	3. Antrim and Newtownabbey	23%

For the local government district council areas, Derry City and Strabane had the highest prevalence rate of those with a Catholic religious identity (68 per cent), followed by Newry, Mourne and Down (68 per cent) and Mid Ulster (62 per cent). The areas with the highest rates for a Protestant religious identity were Mid and East Antrim (58 per cent), followed by Ards and North Down (56 per cent) and Lisburn and Castlereagh (49 per cent). Those with the highest rates for no religious identity were Ards and North Down (31 per cent), Lisburn and Castlereagh (24 per cent), and Antrim and Newtownabbey (23 per cent).

In age cohorts over sixty-five, Protestants are in an increasing majority. In the 2020 Life and Times Survey, of those identifying as Protestant, 40 per cent are under thirty-five; of those identifying as Catholic 51 per cent are under thirty-five, and 54 per cent of those having no religious affiliation are under thirty-five.<sup>86</sup>

School attendance figures replicate these trends. There were 177,843 Catholics and 109,475 Protestants in Northern Ireland's schools in 2021/22; in addition, there were 66,500 children who classified as 'other Christian, non-Christian, or no religion' who will eventually make their way into the electorate and lean one way or the other on the union.<sup>87</sup> The numbers at Northern Irish universities are equally telling. In 2015, the student populations at Queen's University Belfast, the University of Ulster, Stranmillis, St Mary's Colleges and the Open University were 45.3 per cent Catholic and 29.5 per cent Protestant.<sup>88</sup> In 2021, these figures were 52.8 per cent and 32.0 per cent respectively.<sup>89</sup>

Although the Catholic community emerged as the largest of the three main population groups in the 2021 census, it still fell well short of a majority.<sup>90</sup> Close to one fifth of the population said they had no religion, almost doubling since the 2011 census. A more nuanced contextual framework has to take account of an emerging Catholic plurality as the largest religious designation and a growing propensity among Catholics and Protestants, in particular, to self-identify as 'other/no determination'.<sup>91</sup> Northern Ireland is increasingly becoming a secular society. Moreover, religious background and political identity are no longer automatic predictors of voting intentions. But the long-run forecast is that the increasing numbers of Catholics as the 16–24 cohort comes of voting age may produce an overall segment for unity. However, this process may not be as seamless as it appears.

Between 1998 and 2014 Northern Ireland Life and Times (NILT) surveys reported that on average 41 per cent of Catholics defined themselves as neither unionist nor nationalist; in 2020, this number was 37 per cent.<sup>92</sup> This cohort appears to decrease in number when Northern Ireland is perceived not to be working. These opposing trends – an increasing proportion of the population from cultural Catholic backgrounds and an increasing number of Catholics self-designating as neither orange nor green – can pull in opposite directions, making predictions of future voting behaviour speculative at best.

*The question is, what about those who are undecided? What would make them change their mind on these things? Depending on the different polls, around 10 to 25 per cent of people say that they would vote, but they don't know yet which way they would vote. That is quite a considerable proportion of the population.*<sup>93</sup>

– Professor Katy Hayward, Senator George J. Mitchell Institute for Global Peace, Security and Justice at Queen's University Belfast; Senior Fellow, UK in a Changing Europe

The defining characteristic of voting patterns in Northern Ireland since the founding of the state in 1920 is that Catholics invariably vote for nationalist or republican parties, Protestants for unionist parties.<sup>94</sup> This remains true, but with smaller majorities for nationalist and unionist parties, and more Protestants and Catholics voting for non-sectarian parties like Alliance and the Green Party.<sup>95</sup> Moreover, there has always been a significant minority of Catholics opting to stay in the UK, if they had to make a choice between staying or joining a united Ireland. Professor Richard Rose's 1968 Loyalty Survey, which predated the outbreak of the conflict, asked Catholics several questions about partition.<sup>96</sup> In response to whether they approved or disapproved of the controversy at the time about the constitutional position of Northern Ireland, just 33 per cent approved, 34 per cent disapproved and 32 per cent didn't know. In a further question, Catholics were asked how they would react if nationalists agreed to stop debating partition and accept the present borders as final: 46 per cent disapproved, 30 per cent approved and 24 per cent didn't know.<sup>97</sup> Hardly a bandwagon for a united Ireland.

In 1989, after another decade of horrific warfare, 32 per cent of Catholics wanted to stay in the UK.<sup>98</sup> This fell to 19 per cent at the time of the B/GFA in 1998 and thereafter began to rise, first to 39 per cent after restoration of the Stormont Assembly and executive in 2007, to 52 per cent in 2013, declining in subsequent years (particularly after Brexit) to 35 per cent in 2019, dramatically to 25 per cent in 2020 and continuing its descent to 21 per cent in 2021.<sup>99</sup>

There is a proliferation of polls in Northern Ireland competing for relevance and legitimacy. On the one hand, there are rigorous academic surveys: the NILT survey, conducted by Queen's University Belfast and the University of Ulster, the University of Liverpool Tracker surveys and the *Irish Times*/Ipsos. There are also the online polls – Red C, LucidTalk, Lord Ashcroft, BBC *Spotlight*/LucidTalk, *Belfast Telegraph*/Kantar, *Irish Times*/Ipsos and *Irish News*/University of Liverpool both in person and online.<sup>100</sup>

The university polls adhere to strict statistical sampling and both in-person and online interviews. The latter group use online sampling that lacks this rigour. Each has a built-in bias. The NILT survey is considered to be the gold standard for the depth and breadth of its questions and its time-series analysis. It is used by policy practitioners to help them analyse a wide range of socio-economic issues and is especially helpful in detecting trends in public opinion. But the gold is tarnished somewhat because the survey underestimates support for Sinn Féin – residents in republican areas are more suspicious of strangers knocking at their doors wanting to quiz them on a wide range of matters, including their constitutional preferences.

LucidTalk relies on computer-generated interviews and is more likely to attract interviewees who are more familiar with online interactions and how to manipulate responses – thus, its bias. Unlike the NILT surveys that are conducted in October with results posted the following June, LucidTalk polls are tracker polls that occur at regular intervals throughout the year and cover a much narrower range of questions. While the NILT and University of Liverpool polls put support for unity in the low thirties, LucidTalk puts it at the mid- to high forties. Across thirty-four polls conducted between 2013 and 2022, online polls averaged between 10 to 15 per cent more support for a united Ireland than in person polls. The former averaged 30 to 45 per cent in favour of one, the latter 20 to 30 per cent.<sup>101</sup> For the six years prior to Brexit, unionism support for staying in the UK averaged 61 per cent; post-Brexit between 2016 and 2020 it averaged 53 per cent.<sup>102</sup>

Because of differences in methodology and how the question is framed, there are huge disparities among polls. On occasion they contradict each other, in part because of how questions are framed, and the sample drawn. For example, a University of Liverpool/*Irish News* poll (February 2022) placed the protocol as a major concern of just 10 per cent of unionists; a LucidTalk opinion poll (March 2022) in the run up to the Assembly elections reported that constitutional issues and opposing the protocol were there top priority. But on the question of Irish reunification or staying in the UK, the trend is towards a 50-50 pro unity/pro-union convergence, (see Table. 5.2), or more accurately under 50 per cent opting to stay in the UK.

**Table 5.2: Aggregated results for a variety of polls (2019–22, rounded figures)**

POLL	METHOD	POLL DATE	FOR UNITY (%)	AGAINST UNITY (%)	UNDECIDED OR WOULDN'T VOTE (%)
Ipsos MRBI ( <i>Irish Times</i> ) <sup>103</sup>	Face-to-face	March 2019	32	45	23
Lord Ashcroft <sup>104</sup>	Online	September 2019	46	45	9
University of Liverpool <sup>105</sup>	Face-to-face	December 2019	28	54	15
LucidTalk (The Detail) <sup>106</sup>	Online	February 2020	45	47	8
NILT <sup>107</sup>	Multi-mode <sup>108</sup>	October–December 2020	30	53	16
LucidTalk ( <i>Sunday Times</i> ) <sup>109</sup>	Online	January 2021	42	47	11
LucidTalk (BBC <i>Spotlight</i> ) <sup>110</sup>	Online	April 2021	43	49	8
Kantar ( <i>Belfast Telegraph</i> ) <sup>111</sup>	Online	April 2021	35	44	21

LucidTalk ( <i>Observer/Belfast Telegraph</i> ) <sup>112</sup>	Online	August 2021	42	49	9
University of Liverpool <sup>113</sup>	Online	October 2021	30	58	12
NILT <sup>114</sup>	Multi-mode	October–December 2021	34	48	18
Lord Ashcroft <sup>115</sup>	Online	December 2021	41	49	10
University of Liverpool ( <i>Irish News</i> ) <sup>116</sup>	Online	March 2022	30	45	25
University of Liverpool ( <i>Irish News</i> ) <sup>117</sup>	Online	July 2022	43	40	13
LucidTalk ( <i>Sunday Life</i> ) <sup>118</sup>	Online	August 2022	41	48	11

Of the twenty-four-plus opinion surveys in Northern Ireland taken between 2017 and May 2022, only four have shown more respondents in favour of a united Ireland than against.<sup>119</sup> Averaging these poll results shows support for a united Ireland at 38 per cent, backing for the Union at 48 per cent and undecideds at 14 per cent. For the cross-section of polls presented in Table 5.2 (2019/22) the online polls averaged 9 per cent more support for a united Ireland (40 per cent) than in-person polls (31 per cent). In short, on the twenty-fifth anniversary of the B/GFA, support for a united Ireland – no matter how you manipulate data – falls short of 50 per cent.

**Table 5.3: Results of youngest-age cohorts surveyed in a variety of polls (rounded figures; all respondents’ results in parentheses)**

POLL	AGE	FOR UNITY	AGAINST UNITY	UNDECIDED OR WOULDN’T VOTE
Lord Ashcroft (Sept. 2019) <sup>120</sup>	18–24	60 (46)	40 (45)	—
	25–44	55 (46)	45 (45)	—



LucidTalk (The Detail) (Feb. 2020) <sup>121</sup>	18–24	41 (45)	55 (47)	4 (8)
	25–44	58 (45)	37 (47)	5 (8)
NILT (Dec. 2020) <sup>122</sup>	18–24	38 (30)	40 (53)	16 (16)
	25–34	34 (30)	50 (53)	13 (16)
LucidTalk ( <i>Sunday Times</i> ) (Jan. 2021) <sup>123</sup>	18–24	40 (42)	55 (47)	5 (11)
	25–44	50 (42)	40 (47)	10 (11)
LucidTalk (BBC <i>Spotlight</i> ) (Apr. 2021) <sup>124</sup>	18–24	50 (43)	44 (49)	6 (8)
	25–44	50 (43)	43 (49)	7 (8)
Kantar ( <i>Belfast Telegraph</i> ) (Apr. 2021) <sup>125</sup>	18–24	50 (35)	26 (44)	25 (21)
	25–34	42 (35)	34 (44)	24 (21)
University of Liverpool (Oct. 2021) <sup>126</sup>	‘Under 35’	54 (30)	35 (58)	11 (12)
NILT (Dec. 2021) <sup>127</sup>	18–24	35 (34)	37 (48)	28 (18)
	25–34	36 (34)	43 (48)	20 (18)
Lord Ashcroft (Dec. 2021) <sup>128</sup>	18–24	71 (41)	24 (49)	5 (10)
	25–44	46 (41)	45 (49)	9 (10)
LucidTalk ( <i>Sunday Life</i> ) (Aug. 2022) <sup>129</sup>	18–24	57 (41)	35 (48)	8 (11)
	25–44	48 (41)	42 (48)	10 (11)

For some polls for which disaggregation by age is available (see Table 5.3), results suggest that the support for reunification among 18–24 and 25–34 age cohorts is above average, some by significant margins, reflecting the increasing proportion of Catholics making their way into the

voting pool. Although here, too, the survey data varies significantly, and bearing in mind that being Catholic is not synonymous with being pro-unity, if these trends hold over time – and if younger voters don't change their minds as they age – a majority for unification will emerge as the trends in different age cohorts converge. It's a matter of when, not if.

The volatility of polling (see Table 5.2), the hugely differing outcomes and the incompatibility of their various methodologies makes relying on the results of polls to gauge support for unity or staying in the UK in a future border poll highly problematical.<sup>130</sup> This is especially true of the NILT surveys, which underestimate support for a united Ireland. SDLP leader Colum Eastwood says he is 'fairly unconvinced' by NILT, 'not just because it doesn't say what I want it to say, but because I've looked at some of their previous predictions on party percentages in terms of party strength; they've put Sinn Féin in the low teens and stuff like that. I'm not convinced that their weighting is right'.<sup>131</sup> Brendan O'Leary also cautions:

I wouldn't want to rely on either polls or surveys on their own, partly because there appear to be specific problems with both of them [the Life and Times surveys and the LucidTalk polls] for reasons that may not have anything to do with bias, it may be some kind of methodological problem. They underestimate the support for hardliners, and they appear to indicate a very significant section of the electorate that doesn't care at all about anything, but might actually turn out at a referendum. For a Secretary of State to work out how things are going to go on the basis of polls and surveys, to my mind is not easy.<sup>132</sup>

Volatility in polling results is not specific to Northern Ireland. A YouGov voter survey after polls closed in the Brexit referendum on 23 June 2016 showed 52 per cent for Remain and 48 per cent for Leave.<sup>133</sup> In the United States, polls taken before election day on 3 November 2020 consistently showed Joe Biden with comfortable leads over Donald Trump in key swing states that turned out to be extremely tight. The polling industry has yet to find ways to reach the less politically engaged in a mostly post-landline telephone era. In Northern Ireland, a lot of non-voters are not apathetic (although in some unionist areas they are); these people are Neithers – they repudiate orange/green political categorizations.<sup>134</sup>

Opinion polls on a border referendum are largely devoid of context. They ask vacuous questions. Are you in favour of staying in the UK – an option that is tangible, concrete, something voters experience living there every day, or are you in favour of a united Ireland, an option that is intangible, illusory, whatever the voter wants to believe? Respondents can fill in the blanks for themselves, meaning that no two respondents will have the same understanding of what a united Ireland might look like. Party spin doctors weave their interpretations into the results, driving the conversation in one direction or the other, with no acknowledgment of biases or margins of error, sometimes acknowledging a poll's shortcomings before blithely ignoring the caveats they themselves have cautioned against.

Polls are weaponized. Proponents and opponents choose survey results that buttress their positions. Sinn Féin looks at one set, declares itself well satisfied and calls for a unity poll; unionists look at another set and declare the union is safe, though with a trepidation that comes from what they see as decades of betrayal by UK governments.

The commentaries are repetitive, raising expectations in the nationalist/republican community and eliciting demands for a border poll from Sinn Féin, while reinforcing among the unionist

community the sense of denial that there is a need to engage with nationalists about the future. They give the impression that the two communities are preoccupied with the constitutional question when in fact what the ordinary people in those communities prioritize, according to most polls, are bread-and-butter issues such as the NHS, recovery from Covid, and the economy.<sup>135</sup>

Multiple series of polls show that support for unity is increasing, albeit more slowly than what many commentators believe, while support for staying in the union is slowly declining.<sup>136</sup> However, the 2019 University of Liverpool poll reported that 63 per cent of those who did not know what the long constitutional future should be (15.2 per cent of the sample) were Catholic.<sup>137</sup> How they shift would have a significant impact on the border poll.

The Working Group also surveyed polling data. Brendan O’Leary noticed ‘an upward tick in support for Irish reunification. That level of support I think will vary between now and 2030 depending on how well the protocol works or doesn’t, and how well the Assembly does its business, or it doesn’t’. He adds:

It is [not] something ... which will simply change at a steady rate per annum. Before 2001–2 the growth in the Northern nationalist vote amounted approximately to three-quarters of a percentage point a year since 1969. Of course, there’s lots of complexities behind that. In the early part of the twenty-first century through 2016 the Northern nationalist vote stabilized. That reflects partly a considerable degree of satisfaction with the institutional arrangements of the Good Friday Agreement. That is what has been put in jeopardy by all things Brexit.

We saw no further growth in the Northern nationalist vote, and we saw an overall decline in turnout, reflecting partly the trends that have occurred throughout European democracies: lower participation rates in elections. There was a certain degree of calm in both communities that votes for the Assembly were not existential votes. The unionist share of the vote has stabilized at about 40 per cent. It still continues on a very slight falling trajectory overall. That of course has magnified since 2016 with the growth of the Alliance Party, which is largely, in my view, a by-product of liberal Protestants who were pro-European and unhappy with the performance of both the major unionist parties.<sup>138</sup>

According to the University of Liverpool General Election Survey (December 2019), a majority in the 18–29 age cohort did not vote in the 2019 general election, yet they are the ones who are more socially progressive – more in favour of abortion, mixed relationships, same-sex marriages. Importantly, pro-union non-voters outnumbered pro-united Ireland non-voters by more than three to one.<sup>139</sup>

As Marcus Leroux, a London-based investigative journalist, points out in an opinion piece in the pro-union *News Letter*, ‘it is not hard to see’ why a swathe of younger Protestant non-voters who were ‘the cohort least keen on sending their children to an “own-religion school”’; the least bothered by the suggestion a close relative married someone of a different religion; and most in favour of gay marriage equality’ are ‘politically homeless’.<sup>140</sup> Young Catholics and Protestants share the same attitudes on social media. Leroux continues:

Taken in the round, a clear-eyed look at the numbers suggests that our template for understanding Northern Ireland is a generation out of date ... The saviours of unionism are no longer found in the garden centre – they are more likely to be found on Instagram and TikTok and they are increasingly unlikely to call themselves

unionists. On the other side, nationalism, too, needs new recruits to achieve a breakthrough: Northern Ireland's fate will not be determined by demography.<sup>141</sup>

According to his analysis: 'The better the pollsters were at seeking out the views of those who did not vote, the lower the support the poll showed for a united Ireland. The scale of the effect is dramatic: of polls that had at least half the proportion of non-voters as the wider electorate, none reported support for a united Ireland above 30 per cent.'<sup>142</sup> Unionist interviewees insisted that these pro-union non-voters would surface for a border referendum, which for unionism will be an existential election.

In the two decades since the B/GFA, there has been a significant realignment of identities in Northern Ireland. The proportion of the population self-identifying as neither unionist/Protestant nor nationalist/Catholic, especially the latter, has given rise to the 'Neithers'.<sup>143</sup> Consistently being reported at over 40 per cent, since 2006, Neither was the designation of choice for 49 per cent of the 18–45 age cohort in 2019, rising to 55.9 per cent among 18–29-year-olds.<sup>144</sup> If this sizeable section of the electorate is one key to how a border poll could turn out, it is also germane to a referendum being called by the Secretary of State in the first place.<sup>145</sup>

The Neithers are 'persuadables',<sup>146</sup> open to changing their minds on the question of the union. They are now one of the key demographics. In terms of voting patterns, the most significant movement has been to the Alliance Party, officially neutral on the constitutional question, whose voting share rose to 16 per cent across three elections in 2019.<sup>147</sup>

'In the December 2019 general election,' says Katy Hayward:

we saw Alliance take votes from both the DUP and Sinn Féin for the first time in a surge of the middle ground. That was connected to Brexit and the hope of many Remainers that there might be a second referendum. We need to put it in that context, but generally speaking, it's all too easy to imagine Neithers deciding just to opt out of the formal democratic process.<sup>148</sup>

It is not clear at this point whether this is a trend or a once-off occurrence.

So, who are the Neithers?

- They are much more likely to be female (62 per cent), to have 'no religion' (63 per cent), to be of both British and Irish identity (63 per cent), but are also most likely to identify as 'Northern Irish' (50 per cent).<sup>149</sup> They are also more concentrated in the 25–44 age cohort, although Neithers are spread fairly evenly across the generations, and it is not just a trend among the young.<sup>150</sup>
- They have gone to a religiously mixed school, are more likely to be highly qualified and have well-paying jobs and are more likely to have lived outside Northern Ireland.<sup>151</sup>
- By 2021, two-thirds of those with no religious affiliation described themselves as Neither.<sup>152</sup>
- According to the 2019 UL survey, only one in three of the Neithers voted in the 2019 UK general election that year. Two-thirds of those aged 18–44 who did not vote in that election self-identified as neither nationalist nor unionist.<sup>153</sup>

- 55.9 per cent of 18–29-year-olds identify as neither unionist nor nationalist. According to the UL 2019 survey, approximately 23 per cent of this 18–29-year-old cohort who do not state an identity preference are ‘Don’t know’ on the constitutional question.<sup>154</sup>
- Neithers are more likely to support Northern Ireland staying in the UK – almost twice more likely to favour devolution than Irish unification.<sup>155</sup>
- After 2012, Neithers began to swing towards supporting Alliance, at first slowly and then as a surge: in 2021, Alliance secured 34 per cent support of the Neither vote, doubling what it had in 1998.<sup>156</sup>

The Neithers are a malleable cohort, with a significantly higher proportion of Don’t Knows on Northern Ireland’s constitutional status than the overall electorate; the Neithers are susceptible to moving in either direction, but predominantly into Don’t know, depending on the prevailing political winds. Support for a devolved power-sharing government within the UK has been the constitutional preference of this group over a twenty-year stretch. Support for unity peaks among both Catholics and Neithers when the executive and Assembly are not working and it reverts to support for a devolved power-sharing government within the UK when these institutions are functioning. When their support for the union falls, they tend to become Don’t Knows, which was one in four Neither voters in 2017.<sup>157</sup>

Malleability cuts in both directions. The better the Stormont Executive functions, the more open people in the republic will be to a marriage of the two jurisdictions.<sup>158</sup> But the more the Neithers – and this includes a sizeable proportion of the Catholic community – are satisfied with the certainty and stability a smooth-functioning Stormont brings, the more reluctant they will be to trade their position in the UK for a new constitutional dispensation with all the uncertainty and disruptions that will entail. They will also be conscious that the transition to Irish unity will bring its own set of disruptions and uncertainties to their communities, with possibly a return to sectarian violence. Should the Stormont government continue to malfunction – which has been the pattern over the past decade and more – perhaps more Neithers will be open to moving towards some form of unity. Conversely, the existence of a badly malfunctioning Northern system will make Southerners less disposed to unifying with it.<sup>159</sup>

The argument that if Northern Ireland cannot work (‘a failed political entity’ to use Charles Haughey’s phrase) the alternative is a united Ireland, brings false equivalence to a new level. It is a form of magical thinking to believe that an entity, which fails in one political dispensation partly because one community (the nationalists) wants it to fail, can successfully be transferred into a new dispensation where another community (the unionists) works just as diligently to ensure it fails. ‘You need to remember that most of those people who say “Neither” or “Don’t know” are middle class. They’re not going to be like turkeys and vote for Christmas,’ says Billy Hutchinson, the former Ulster Volunteer Force (UVF) member who heads the PUP:

They see that they have a very good living in Northern Ireland, within the United Kingdom, and that they have a good level of salaries and public services and all the rest of it, and those people will always vote to stay. They’re not going to go into the republic and not have free education or free healthcare.

People like me will vote because it’s a political decision – I want to remain British. There’s no economics to it. But there will be others who are dithering in the middle, who are neither unionist or nationalist, and they will make an economic decision. And that economic decision will always drive them towards the UK,

because they're better off there. But we don't know what's going to happen in two generations' time. People won't remember the Troubles then. I hope, in another two generations, people will have their own brand of politics and they'll move forward.<sup>160</sup>

In a border poll campaign, both nationalists/republicans and unionists will target voters self-defined as Neither who are perceived as malleable on the constitutional issue. Their votes will be swayed by the prevailing political circumstances and the traffic on social media the opposing campaigns generate, one relentlessly and vociferously pro-unity, the other just as relentlessly and vociferously pro-remaining in the UK. Just as social media contributed to the bitter polarization of the Brexit referendum campaign, consider what social media would do with an impending border poll, spewing torrents of disinformation into an internet void with a capacious appetite for divisive content, feeding on itself and ultimately getting reflected in public opinion.

In this era, social media has emerged as a vehicle for hate, virulence, disinformation, conspiracy theories, spurious argumentation, turbulent alternative realities, the trashing of expert opinion and evidence-based facts. In a divisive border referendum campaign, what Hannah Arendt called 'the fabric of factuality'<sup>161</sup> will be largely absent. Social media will create a toxic campaign atmosphere that will probably exacerbate the propensity for low levels of loyalist and republican violence, sufficient to drive Neither voters into their ethno-national silos.

The social infrastructure in Northern Ireland is delicate. Both communities easily succumb to the sectarian social biases that define them, retreating to the refuge of their respective narratives.<sup>162</sup> The dynamics of group behaviour, especially in situations of great insecurity and uncertainty which a contentious border poll would foment, will invariably result in a retreat to particularistic identities, as was the case, for example, in the former Yugoslavia.<sup>163</sup> 'Group identity may become increasingly important,' political scientists J. Snyder and R. Jervis write, 'not only intrinsically but because the security of individuals becomes implicated with the fates of the contending groups. Group identity can then be a consequence of conflict as much as a cause of it and can be fuelled by security concerns.'<sup>164</sup> Perceptions of threat solidify in-group solidarity and out-group hostility. After the 2016 Brexit referendum, when uncertainty regarding the impact on Northern Ireland was high, there was significant retreat to their respective communal in-groups by Catholics and Protestants. A far more polarizing border poll campaign would almost certainly see a stampede to opposing ethno-nationalist silos.

'One of the most interesting aspects of the work of the Working Group on Referendums,' Katy Hayward, one of its members, says:

was to begin to think about the regulations regarding referendum campaigns. I found that really fascinating, not least because I had just read Peter Geoghegan's book *Democracy for Sale*,<sup>165</sup> which is about the huge challenges to the democratic processes that we see particularly through the use of dark money, online campaigning, use of social media and manipulation of public opinion through this. Both the UK and Ireland are completely unprepared in terms of regulating that area [referendum campaigns] in a way that will assure people about the outcomes of a referendum. The report is pretty good on this.<sup>166</sup>

Among the Working Group's recommendations were that:

- Public authorities should 'provide a certain amount of necessary information in order to enable voters [in a referendum] to arrive at an informed opinion ...'
- 'Voters should be able to know so far as possible what each option entails before choosing ...'
- 'There are *adequate measures to constrain misinformation and manipulation* [my italics].'
- 'People should be able to find information on how each of the options would affect their lives.'
- The 'processes [that will be followed to unify the island] are mapped out in advance'.
- The question in Northern Ireland is worded so as to maximize clarity, allow campaigners to project their messages effectively and avoid any bias.
- The issue of the languages on the ballot paper is taken into account. All of these considerations matter for the public legitimacy of the vote and voters' ability to make an informed choice.

The Irish border poll campaigns will be highly polarizing, particularly in a society like Northern Ireland, which is already deeply divided along ethnic and religious lines. (Over two-thirds of voters North and South believe a border poll will be accompanied by violence.)<sup>167</sup> Binary choice referendums are inherently divisive.<sup>168</sup> Differences of opinion morph into contagious, polarized groups; expose existing cleavages in society; allow latent grievances to reappear; and often bring to the forefront contentious issues once thought to have been settled. It is highly likely that the promulgation of falsehoods, distortion of positions, pillorying of one's opponents and smearing of reputations one step short of libel will characterize a referendum campaign. Such behaviours are not uncommon during referendums on divisive issues in societies far less divided than Northern Ireland.

To expect that somehow there is a set of codes of conduct that both protagonists will be required to abide by, as though they were boxers in the ring being instructed by the referee on the Marquess of Queensbury rules, is utopian. The British government trying to enforce standards, especially if the rules are set by that government, would be perceived by nationalists and republicans as being an intervention in favour of the pro-union side.

The Working Group on Referendums also suggested that there should be a period of three years at most between the Secretary of State announcing a border poll and the poll itself. This – and a substantial lag is absolutely necessary – sets the stage for its own mischief. One cannot even begin to fathom how matters might play out in the interregnum if the Secretary of State is proceeding on the basis of a stated belief that the likely majority for unity is 50 per cent + 1 or some similarly narrow margin. How would the tenuous power-sharing administration stay functioning during that period? How would loyalist paramilitaries respond? And dissident republicans?

The problem is that opinion polls can only give a measurement of how respondents are likely to make decisions at a point in time. Desired outcomes are of course rarely achieved, assumptions about the future course of events are invariably faulty, disinformation is rampant. A border poll that fails but will be repeated not sooner than seven years afterwards until one succeeds is a prescription for instability, and the Secretary of State would be better off now making it clear that opinion polls on unity will not be a criterion unless it emerges that they provide unequivocal

support for unity, including a significant element in the unionist community over a sustained period.

The key variables that will decide how a referendum will turn out are: how successful unionists are in motivating their traditionally non-voting pro-union voters to vote; how successful nationalist republicans are in shifting the approximately 9–10 per cent of Catholics who are Don't Knows on the constitutional question into the pro-unity column; how successful the pro-unity and pro-Union campaigns are at targeting the 31 per cent of non-voters who have no position on the constitutional issue; and how successful both campaigns are in targeting the Don't Know cohort on the issue among those who do not identify as either nationalist or unionists voters.

The great majority of interviewees for this book are emphatic that there should not be a Brexit-type referendum, with a simple, binary choice between Irish unity and staying in the United Kingdom. Voters should know what kind of united Ireland is on offer. There is no easy route to determining what criteria a Secretary of State should draw on to merit a referendum.

While interviewees across the board mention opinion polls, they recognize their shortcomings. Nevertheless, they turned to a series of consistent opinion poll results showing support for unity within a certain amount of time as the best barometer of public opinion. Peter Robinson, for example, would not accept LucidTalk polls as a fair indicator; Colum Eastwood would not accept NILT.

There are other takeaways. There is a huge disparity between when nationalists and republicans think a border referendum should be held.<sup>169</sup>

Across the board, political party interviewees accept 50 per cent + 1 as a democratic outcome in a referendum. But whereas nationalists and republicans believe the same metric should be used to convince the Secretary of State to call a poll, unionists argue for a much higher threshold. Voters, North and South, would also like to see a higher threshold. They fear that violence would accompany a referendum poll that passes with a narrow margin.<sup>170</sup> If a referendum resulted in a very slender pro-unity outcome, there would be loyalist violence; if a very slender pro-staying in the union, there would be dissident republican violence. Loyalists are most concerned about republican violence but suggest there might be an uptick in loyalist violence too.

The most cogent case for a super-majority in a unity referendum was put by the late Seamus Mallon of the SDLP. 'I do not believe in the kind of "democracy" that leads to conflict,' he wrote in 2019, shortly before his death:

If we have a 50 per cent + 1 vote for unity, that is when the real problems for the whole island will begin. I believe there is a real risk, based on the precedents of Irish history, that it could lead to a major resumption of violence, this time led by the loyalists. I believe Dublin and other Southern cities and towns would not escape that loyalist-led violence, which would be aimed at making the new all-Ireland solution unworkable, in the way loyalist bombings of Dublin and Monaghan in May 1974 were aimed at making the Sunningdale Agreement unworkable. Will a narrow vote for unity lead to harmony and friendship, as laid down by the new Article Three of the Irish Constitution, between unionists and nationalists? I very much doubt it.<sup>171</sup>

Most interviewees agree that 50 per cent + 1 pro-unity is a necessary but *not* a sufficient condition for a border referendum. At present and for the foreseeable future – unless there is an external



seismic shock to the Northern Ireland body politic like a successful Scottish independence referendum – none of the criteria a Secretary of State might draw on to signal a majority of voters in favour of unity are evident. The key requirement, as Naomi Long points out, before a peaceful border poll can even be contemplated, should be a B/GFA that is functioning through its three strands.

In short, all paths to a referendum run through Alliance.

## Notes

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<sup>1</sup> Interview with Naomi Long, 4 December 2020.

<sup>2</sup> Interview with Jonathan Powell, 8 December 2020.

<sup>3</sup> Interview with Martin Mansergh, 9 December 2020.

<sup>4</sup> Interview with Paul Bew, 6 January 2021.

<sup>5</sup> Interview with Brendan O’Leary, 3 May 2021.

<sup>6</sup> Interview with Paul Gosling, 16 March 2021.

<sup>7</sup> Interview with Duncan Morrow, 13 March 2020.

<sup>8</sup> Secretary of State for Northern Ireland by Command of H.M., *The Belfast Agreement: An Agreement Reached at the Multi-Party Talks on Northern Ireland* (London, 1998), p. 3; see also ‘Northern Ireland Act 1998’, Legislation.gov.uk (Statute Law Database, 19 November 1998), <https://www.legislation.gov.uk/ukpga/1998/47/contents>.

<sup>9</sup> Interview with Katy Hayward, 16 February 2021; The Shared Island Unit is an initiative of the Irish government that is housed in the department of a Taoiseach.

<sup>10</sup> Quoted in Mallon and Pollak, p. 152.

<sup>11</sup> P. Hosford, ‘Third of voters would support Sinn Féin in election, poll finds’, *Irish Examiner*, 24 October 2021.

<sup>12</sup> L. Clarke, ‘Survey: Most Northern Ireland Catholics want to remain in UK’, *Belfast Telegraph*, 17 June 2011.

<sup>13</sup> P. O’Malley, *The Uncivil Wars: Ireland Today* (Boston, MA, 1998) pp. 140–1.

<sup>14</sup> Professor Peter Shirlow is Director of the Institute of Irish Studies at the University of Liverpool and the author of a number of in-depth studies of loyalism.

<sup>15</sup> Interview with Peter Shirlow, 7 December 2020.

<sup>16</sup> J. Corcoran, ‘United Ireland poll: Two thirds say united Ireland vote risks return to violence’, *Independent.ie*, 2 May 2021.

<sup>17</sup> Interview with Chris Hudson, 12 March 2020.

<sup>18</sup> Interview with Billy Hutchinson, 9 March 2020.

<sup>19</sup> Interview with Steve Aiken, 11 December 2020.

<sup>20</sup> Interview with Colum Eastwood, 26 January 2021.

<sup>21</sup> *Ibid.*

<sup>22</sup> Interview with Naomi Long, 4 December 2020.

<sup>23</sup> P. Baker, ‘A 65% to 17% majority for Northern Ireland remaining in the UK suggests little room for doubt’, Sluggor O’Toole, 5 February 2013; ‘First major post-Brexit survey shows no surge in support for Irish unity’, *News Letter*, 17 June 2017; Northern Ireland General Election Survey 2019, (Faculty of Humanities and Social Sciences, University of Liverpool).

<sup>24</sup> Interview with Paul Nolan, 9 March 2020

<sup>25</sup> *Ibid.*

<sup>26</sup> Interview with Jane Morrice, 10 March 2020.

<sup>27</sup> Interview with Alex Attwood, 13 March 2020.

<sup>28</sup> *Ibid.*

<sup>29</sup> Ibid.

<sup>30</sup> ‘Northern Ireland General Election Survey’, 2019, op. cit.

<sup>31</sup> This interview (March 2019) took place before the DUP in particular demonized Simon Coveney over the Irish government’s stand on the Northern Ireland Protocol.

<sup>32</sup> Interview with Duncan Morrow, 13 March 2020.

<sup>33</sup> Interview with Sam McBride, 11 December 2020.

<sup>34</sup> Interview with Stephen Farry, 28 January 2021.

<sup>35</sup> Ibid.

<sup>36</sup> Interview with Alex Kane, January 5, 2021.

<sup>37</sup> CAIN Web Service. ‘Results of Elections Held in Northern Ireland since 1968’, 2022.

<sup>38</sup> It would restrict voting rights for EU citizens living in England and Northern Ireland who entered the UK after the end of the Implementation Period, 31 December 2020, to those from countries where a bilateral agreement has been agreed between the UK and individual member states. So far this covers Spain, Portugal, Poland and Luxembourg. EU citizens who were living in the UK prior to the end of the Implementation Period will maintain their local voting and candidacy rights in England and Northern Ireland, provided they retain lawful immigration status.

<sup>39</sup> A. Whysall, ‘A Northern Ireland Border Poll’, The Constitution Unit, University College London, 25 June 2019.

<sup>40</sup> Corcoran, op. cit.

<sup>41</sup> Interview with Peter Robinson, 11 March 2020.

<sup>42</sup> ‘Arrests follow probes into loyalist paramilitary activity in Belfast and north Antrim’, *The Irish News*, 20 August 2021.

<sup>43</sup> Interview with Sammy Douglas, 22 April 2021.

<sup>44</sup> Interview with Jackie Redpath, 19 March 2021.

<sup>45</sup> Interview with Colum Eastwood, 26 January 2021.

<sup>46</sup> The Working Group identified five possible configurations for referendums, which they narrowed to three as best meeting the circumstances of both Northern Ireland and the Republic of Ireland.

Under the second, the form of a united Ireland is worked out so far as possible before referendums. The Irish government takes the initiative, ‘but with the widest possible consultation throughout the island. If majorities in the referendums, north and south, opted for unification on the proposed model, the two governments would then work together on agreeing the terms of transfer of sovereignty.’

Under the fourth configuration, the referendums on the principle of unification (whether Northern Ireland should remain in the UK or become part of a united Ireland) ‘would be held before detailed proposals for a united Ireland had been established. But in advance, a process for working out detailed proposals for a united Ireland would be set out and known, and the ‘default arrangements for a united Ireland would be established’ in the event that the ‘arrangements for a united Ireland could not be agreed and approved’.

Under this configuration, referendums in Northern Ireland and the Republic of Ireland take place on the principle of unification and on the process for working out detailed proposals for a united Ireland. A second referendum follows after the final shape and form of a united Ireland, drafting constitutional amendments and the default arrangements in the event of the united Ireland on offer is rejected. Transfer of sovereignty is relatively slower. One default option would be for Northern Ireland ‘to be absorbed into the Republic under the existing Constitution’.

Under the fifth configuration, ‘In advance of the [original] referendums, three matters would be agreed [between the governments]: the process for agreeing those detailed future arrangements; the interim arrangements that would apply after transfer of sovereignty, until any replacement arrangements were agreed and approved; and the default arrangements that would apply in the event that detailed future arrangements were not agreed and approved. The interim and default arrangements might well be the same.’ The transfer of sovereignty is relatively quick. In the fourth and fifth configurations, once the final model of a united Ireland is agreed on, it would be put to a second referendum, again North and South. But even if they did not pass, default arrangements for incorporating the North into the Republic of Ireland would be known [before the original referendums] and in place. There would be no undoing of the

original referendum vote. ‘Working Group on Unification Referendums on the Island of Ireland’, The Constitution Unit, University College London, 1 November 2021.

<sup>47</sup> *Ibid.*, p. xvi.

<sup>48</sup> *Ibid.*

<sup>49</sup> *Ibid.*, p. xiii.

<sup>50</sup> *Ibid.*

<sup>51</sup> Interview with Brendan O’Leary, 3 May 2021.

<sup>52</sup> Interview with Alan Renwick, 9 July 2021.

<sup>53</sup> *Ibid.*

<sup>54</sup> Some studies deconstruct the subvention and find that Ireland’s share would be a lot less than the £10 billion frequently alluded to. For example, see: J. Doyle. ‘UK Subvention to North Irrelevant to Debate on Irish Unity’, *The Irish Times*, 9 June 2021.

<sup>55</sup> A. Rutherford, ‘Centenary poll: 44% in Northern Ireland want referendum but would not accept higher taxes to fund reunification’, *Belfast Telegraph*, 1 May 2021; F. Sheahan, ‘Majority favour a united Ireland, but just 22pc would pay for it’, *Independent.ie*, 1 May 2021; Professor John Doyle of Dublin City University suggests that the actual subvention figure would be less than £10 billion and closer to €2.8 billion once pensions, debt repayments, contributions to defence ‘out of UK expenditures’ and underestimated taxes are excluded.

<sup>56</sup> ‘Record £15 billion per year for Northern Ireland’, The Rt Hon. Brandon Lewis CBE MP, [www.gov.uk](https://www.gov.uk), 28 October 2021.

<https://www.gov.uk/government/news/record-15-billion-per-year-for-northern-ireland>

<sup>57</sup> Interview with Paul Bew, 6 January 2021.

<sup>58</sup> Jon Stone, ‘British public still believe Vote Leave “350 million per week to EU” myth from Brexit referendum,’ *Independent* 28 February 2018

<sup>59</sup> *Ibid.*

<sup>60</sup> Secretary of State for Northern Ireland by Command of H.M., *The Belfast Agreement: An Agreement Reached at the Multi-Party Talks on Northern Ireland* (London, 1998), p. 26.

<sup>61</sup> Corcoran, op. cit.

<sup>62</sup> Interview with Alan Renwick, 9 July 2021.

<sup>63</sup> ‘Cross Border Polls’, Kantar Public UK Polling Archive (Kantar, April 2021),

<https://www.kantar.com/expertise/policy-society/kantar-public-uk-polling-archive>.

<sup>64</sup> ‘Northern Ireland General Election Survey’, 2019

<sup>65</sup> *Ibid.*

<sup>66</sup> Email to author from Brendan O’Leary.

<sup>67</sup> Interview with Brendan O’Leary, 3 May 2021.

<sup>68</sup> *Ibid.*

<sup>69</sup> ‘Working Group on Unification Referendums on the Island of Ireland’, op. cit., p. xxiii.

<sup>70</sup> *Ibid.*

<sup>71</sup> Interview with Brendan O’Leary, 3 May 2021.

<sup>72</sup> Paul Hosford ‘Unionists’ lack of engagement with Shared Island projects “disappointing”, *Irish Examiner*, 10 December 2021.

<sup>73</sup> Interview with Francis Campbell, 15 March 2021.

<sup>74</sup> Interview with Paul Nolan, 9 March 2020.

<sup>75</sup> ‘Working Group on Unification Referendums on the Island of Ireland’, op. cit., p. xix.

<sup>76</sup> *Ibid.*

<sup>77</sup> Interview with Naomi Long, 4 December 2020.

<sup>78</sup> *Ibid.*

<sup>79</sup> International Foundation for Electoral Systems, Election Guide: country profile: Northern Ireland (part of the United Kingdom). <https://www.electionguide.org/countries/id/251>.

<sup>80</sup> *Ibid.*

<sup>81</sup> ‘Northern Ireland Assembly election turnout for 2022 confirmed,’ ITV News, 6 May 2022.

<sup>82</sup> University of Liverpool, 2019, op. cit., p. 12.

<sup>83</sup> Interview with Alan Renwick, 9 July 2021.

<sup>84</sup> Northern Ireland Statistics and Research Agency, Background to the Religion and ‘Religion Brought up in’ Questions in the Census, and their Analysis in 2001 and 2011, June 2017 (updated), p. 11.

<sup>85</sup> Table MS-B19, Census 2021 main statistics religion tables, Census 2021 main statistics for Northern Ireland (phase 1), Northern Ireland Statistics and Research Agency, 22 September 2022, <https://www.nisra.gov.uk/publications/census-2021-main-statistics-religion-tables>.

<sup>86</sup> ARK, Northern Ireland Life and Times Survey, 2020, ARK [www.ark.ac.uk/nilt](http://www.ark.ac.uk/nilt) [distributor], June 2021, Background Module, RAGECAT variable.

<sup>87</sup> ‘Northern Ireland Catholic School Population Surges to Record High’, *Belfast Telegraph*, 30 April 2019); see also Department of Education, *School enrolments – Northern Ireland summary*, <https://www.education-ni.gov.uk/publications/school-enrolments-northern-ireland-summary-data>.

<sup>88</sup> ‘About 50 per cent more Catholics than Protestants enter higher education’, *News Letter*, 20 January 2016, <https://www.newsletter.co.uk/news/about-50-per-cent-more-catholics-than-protestants-enter-higher-education-1276383>.

<sup>89</sup> Department for the Economy, ‘Enrolments at NI HEIs by equality categories – 2016/17 to 2020/21’, <https://www.economy-ni.gov.uk/articles/higher-education-statistical-fact-sheets>.

<sup>90</sup> Press Release, Census 2021 main statistics for Northern Ireland (phase 1), Northern Ireland Statistics and Research Agency, 22 September 2022, <https://www.nisra.gov.uk/publications/census-2021-main-statistics-for-northern-ireland-phase-1>.

<sup>91</sup> PFG Analytics, ‘Labour Force Survey Religion Report 2017’, The Executive Office, 31 January 2019, <https://www.executiveoffice-ni.gov.uk/publications/labour-force-survey-religion-report-2017>. Between 1990 and 2017 the proportion of the population aged sixteen and over who reported as Protestant decreased from 56 per cent to 42 per cent, while the proportion who reported as Catholic increased from 38 per cent to 41 per cent. The proportion reported as ‘other/non-determined’ has increased from 6 per cent to 17 per cent over the same period.

<sup>92</sup> ARK, Northern Ireland Life and Times Survey, 1998–2014, [www.ark.ac.uk/nilt](http://www.ark.ac.uk/nilt) [distributor], Political Attitudes module, UNINATID variable.

<sup>93</sup> Interview with Katy Hayward, 16 February 2021.

<sup>94</sup> In the December 2019 University of Liverpool poll, 51 per cent of Catholics voted Sinn Féin, 28 per cent for the SDLP and 13 per cent for the Alliance. No Protestants voted Sinn Féin and just 1 per cent SDLP. Among those who said they were of ‘no religion’, 28 per cent voted Alliance, 15 per cent SDLP, 10 per cent UU and 6 per cent Sinn Féin and 6 per cent DUP: 90 per cent of Protestants wanted to stay in the UK; 71 per cent of Catholics wanted unification.

<sup>95</sup> For example, in the 2001 UK general election, the NILT survey indicates 78 per cent of Protestants voted for unionist parties and 82 per cent of Catholics voted for nationalist parties. For the 2019 UK general election, the figures were 65 per cent and 70 per cent respectively; 23 per cent of Protestants and 23 per cent of Catholics voted for Alliance and the Green parties. ARK. Northern Ireland Life and Times Survey, 2001 (VOTED variable), 2020 (VOTEGE19 variable), <https://www.ark.ac.uk/nilt/results/polatt.html>

<sup>96</sup> R. Rose, *Governing Without Consensus; an Irish Perspective* (Boston, 1971).

<sup>97</sup> *Ibid.*

<sup>98</sup> ‘Northern Ireland Social Attitudes Survey: 1989, Surveys Online (ARK, 16 March 2004), Political Attitudes module, NIRELAND variable.

<sup>99</sup> ARK, Northern Ireland Life and Times Survey, 1998, 2007, 2019 and 2020. [www.ark.ac.uk/nilt](http://www.ark.ac.uk/nilt), June 1999, Political attitudes module, NIRELAND variable.

<sup>100</sup> Discrepancies have been observed between online versus in-person polling results. Face-to-Face polls include BBC/Ipsos MORI, NILT, University of Liverpool 2019, *Irish Times/Ipsos/MRBI*, and Social Market Research. Online polls include Red C, LucidTalk, Lord Ashcroft, BBC Spotlight/LucidTalk, *Belfast Telegraph/Kantar*, and University of Liverpool 2021 and 2022. See also P. Donaghy, ‘The

mystery of the shy nationalists – online and face-to-face polling on Irish unity’, *Sluggie O’Toole*, 19 February 2020.

<sup>101</sup> (<https://twitter.com/RachelLavin/status/1575535271335952384?t=LCWTGSzoDipY1T2TujVKLw&s=03>)

<sup>102</sup> (<https://twitter.com/RachelLavin/status/1575535271335952384?t=LCWTGSzoDipY1T2TujVKLw&s=03>)

<sup>103</sup> S. Abernethy, ‘Majority of Northern voters want minimal disruption to daily life’, *The Irish Times*, 8 March 2019.

<sup>104</sup> Lord Ashcroft, ‘My Northern Ireland survey finds the Union on a knife-edge’ [full data tables], 11 September 2019, <https://lordashcrofthpolls.com/2019/09/my-northern-ireland-survey-finds-the-union-on-a-knife-edge/>.

<sup>105</sup> ‘Northern Ireland General Election Survey 2019’, Faculty of Humanities & Social Sciences, University of Liverpool, 2019, p. 13.

<sup>106</sup> ‘TheDetail: NI and ROI Poll Projects’, LucidTalk, 26 February 2020, <https://www.lucidtalk.co.uk/single-post/2020/02/26/thedetail-ni-and-roi-poll-projects>.

<sup>107</sup> ARK. Northern Ireland Life and Times Survey, December 2020, Political attitudes module, REUNIFY variable, [https://www.ark.ac.uk/nilt/2020/Political\\_Attitudes/REFUNIFY.html](https://www.ark.ac.uk/nilt/2020/Political_Attitudes/REFUNIFY.html).

<sup>108</sup> Normally NILT is a face-to-face interview. However, due to Covid restrictions, the 2020 survey was done remotely through online surveys and phone and virtual calls. See technical notes in <https://www.ark.ac.uk/nilt/2020/tech20.pdf>.

<sup>109</sup> ‘LT NI SUNDAY TIMES January 2021 – NI-Wide Poll’, LucidTalk, 26 January 2021, <https://www.lucidtalk.co.uk/single-post/lt-ni-sunday-times-january-2021-state-of-the-uk-union-poll>.

<sup>110</sup> ‘LT BBC NI Spotlight poll-project – Northern Ireland (NI) and Republic of Ireland (ROI)’, LucidTalk, 23 April 2021, <https://www.lucidtalk.co.uk/single-post/lt-bbc-ni-spotlight-poll-project-northern-ireland-ni-and-republic-of-ireland-roi>.

<sup>111</sup> ‘Centenary poll: 44% in Northern Ireland want referendum but would not accept higher taxes to fund reunification’, *Belfast Telegraph*, 1 May 2021; ‘Cross-border poll (Northern Ireland)’, Kantar, April 2021, Polling tables, Table 12, p. 101.

<sup>112</sup> ‘LT NI ‘Tracker’ poll – Summer 2021’, LucidTalk, 1 September 2021, Northern Ireland (NI) Tracker Poll Results: August 2021, Poll Questions Results – Main Report, p. 21.

<sup>113</sup> ‘The Ireland/Northern Ireland Protocol: Consensus or Conflict?’, University of Liverpool, October 2021, p. 7.

<sup>114</sup> ARK. Northern Ireland Life and Times Survey, December 2021, Political attitudes module, REUNIFY variable, [https://www.ark.ac.uk/nilt/2021/Political\\_Attitudes/REFUNIFY.html](https://www.ark.ac.uk/nilt/2021/Political_Attitudes/REFUNIFY.html).

<sup>115</sup> Lord Ashcroft, ‘Northern Ireland: unification, or the union?’, Lord Ashcroft Polls, 13 December 2021.

<sup>116</sup> ‘Opinion Poll April 2022’, The Institute of Irish Studies, University of Liverpool/*The Irish News*, April 2022, p. 7.

<sup>117</sup> ‘4th Attitudinal Survey’, The Institute of Irish Studies, University of Liverpool/*The Irish News*, July 2022, p. 36.

<sup>118</sup> C. Woodhouse, ‘Support for Northern Ireland to remain part of UK still strong, new poll reveals’, *Sunday Life*, 21 August 2022.

<sup>119</sup> ‘United Ireland’, Wikipedia, [https://en.wikipedia.org/wiki/United\\_Ireland](https://en.wikipedia.org/wiki/United_Ireland); see also Professor Jon Tonge’s survey described in P. Bradfield. ‘Prof. Jon Tonge’s survey of all polls [since Brexit] show only 39% support for a united Ireland and over 50% support for the Union’, *News Letter*, 5 November 2021.

<sup>120</sup> These polling numbers exclude ‘Don’t Knows’ in their calculations for unity or against. Lord Ashcroft, ‘My Northern Ireland survey finds the Union on a knife-edge’ [full data tables], 11 September 2019, <https://lordashcrofthpolls.com/2019/09/my-northern-ireland-survey-finds-the-union-on-a-knife-edge/>.

<sup>121</sup> ‘TheDetail: NI and ROI Poll Projects’, LucidTalk, 26 February 2020, Full Results Data Tables, <https://www.lucidtalk.co.uk/single-post/2020/02/26/thedetail-ni-and-roi-poll-projects>.

<sup>122</sup> ARK. Northern Ireland Life and Times Survey, December 2020, Political attitudes module, REUNIFY variable, [https://www.ark.ac.uk/nilt/2020/Political\\_Attitudes/REFUNIFY.html](https://www.ark.ac.uk/nilt/2020/Political_Attitudes/REFUNIFY.html).

<sup>123</sup> ‘LT NI SUNDAY TIMES January 2021 – NI-Wide Poll’, LucidTalk, 26 January 2021, Poll Project Data Tables, <https://www.lucidtalk.co.uk/single-post/lt-ni-sunday-times-january-2021-state-of-the-uk-union-poll>.

<sup>124</sup> ‘LT BBC NI Spotlight poll-project – Northern Ireland (NI) and Republic of Ireland (ROI)’, LucidTalk, 23 April 2021, Northern Ireland (NI) Data – Table Results, <https://www.lucidtalk.co.uk/single-post/lt-bbc-ni-spotlight-poll-project-northern-ireland-ni-and-republic-of-ireland-roi>.

<sup>125</sup> ‘Cross-border poll (Northern Ireland)’, Kantar, April 2021, Polling tables, Table 12, p. 101.

<sup>126</sup> ‘The Ireland/Northern Ireland Protocol: Consensus or Conflict?’, University of Liverpool, October 2021, p. 7.

<sup>127</sup> ARK Northern Ireland Life and Times Survey, December 2021, Political attitudes module, REUNIFY variable, [https://www.ark.ac.uk/nilt/2021/Political\\_Attributes/REFUNIFY.html](https://www.ark.ac.uk/nilt/2021/Political_Attributes/REFUNIFY.html).

<sup>128</sup> Lord Ashcroft, ‘My Northern Ireland survey finds the Union on a knife-edge’ [full data tables], 11 September 2019, <https://lordashcroftpolls.com/2019/09/my-northern-ireland-survey-finds-the-union-on-a-knife-edge/>.

<sup>129</sup> C. Woodhouse, ‘Support for Northern Ireland to remain part of UK still strong, new poll reveals’, *Sunday Life*, 21 August 2022.

<sup>130</sup> M. Leroux, ‘Should we believe the Opinion Polls on unification’, *Fortnight*, no. 480 (Belfast, January 2021), pp. 2–5.

<sup>131</sup> Interview with Colum Eastwood, 26 January 2021; For example, the NILT (2010) survey found that DUP support was 18 per cent, well below the 38 per cent the party secured in the 2011 Assembly elections. By contrast the UUP scored 16 per cent in both the poll and the actual election. On the nationalist side, the SDLP on 17 per cent was comfortably ahead of Sinn Féin’s 11 per cent. In the election the roles were reversed, with Sinn Féin scoring 29 per cent and the SDLP 14 per cent; Clarke, 2012, *op. cit.*

<sup>132</sup> Interview with Brendan O’Leary, 3 May 2021.

<sup>133</sup> Referendum intention in 2016: EU referendum voting intention in 2016, ‘YouGov on the day poll: Remain 52%, Leave 48%’, *YouGov*, 23 June 2016.

<sup>134</sup> M. Leroux, ‘Analysis: The Union seems to be more popular in Northern Ireland than unionist parties’, *News Letter*, 14 January 2021.

<sup>135</sup> ‘The Ireland/Northern Ireland Protocol: Consensus or conflict?’, *op. cit.*; J. Manley. ‘Protocol matters most to little more than one in 10 unionists – poll’, *The Irish News*, 14 February 2022. Only 2.1 per cent of all voters in the February 2022 University of Liverpool/*Irish News* opinion poll named constitutional issues as their highest priority. Broken down further, 3.6 per cent of unionists and 2.1 per cent of nationalists chose this as their first priority.

<sup>136</sup> Trends calculated from NISA 1989–95, NILT 1998–2020.

<sup>137</sup> University of Liverpool, 2019, *op. cit.*, p. 11.

<sup>138</sup> Interview with Brendan O’Leary, 3 May 2021.

<sup>139</sup> University of Liverpool General Election Survey December 2019 <https://www.liverpool.ac.uk/humanities-and-social-sciences/research/research-themes/transforming-conflict/ni-election-survey-19/>.

<sup>140</sup> Leroux, *Ibid.*

<sup>141</sup> *Ibid.*

<sup>142</sup> *Ibid.*

<sup>143</sup> K. Hayward and C. McManus, ‘Neither/nor: the rejection of unionist and nationalist identities in post-agreement Northern Ireland’, *Capital & Class*, vol. 43, no. 1 (2019), pp. 139–55.

<sup>144</sup> Northern Ireland General Election Survey, 2019, *op. cit.*; Northern Ireland Life and Times Survey, 2020, *op. cit.*

<sup>145</sup> Some 39.6 per cent of voters in the 2019 University of Liverpool poll identified as ‘neither unionist nor nationalist’. Concomitantly, recent NILT Surveys suggest this dropped from a high of 50 per cent in 2018 to 37 per cent in 2021, reflecting a hardening of identities as the impacts of Brexit, including the

protocol, are being experienced differently in the two communities; ‘NI survey suggests 50% neither unionist nor nationalist’, BBC News, 20 June 2019; NILT Survey, op. cit., 2020, 2021.

<sup>146</sup> P. Smith, ‘New research shows that for “neithers”, the problem with the Union is unionists’, *News Letter*, 25 January 2021.

<sup>147</sup> J. Tonge, ‘Beyond unionism versus nationalism: The rise of the Alliance Party of Northern Ireland’, *The Political Quarterly* 91, no. 2 (2020), pp. 461–6.

<sup>148</sup> Interview with Katy Hayward, 16 February 2021.

<sup>149</sup> Cross-tabulation by Allyson M. Bachta using 2021 NILT survey data.

<sup>150</sup> K. Hayward and C. McManus, op. cit., pp. 139–55.

<sup>151</sup> Ibid.

<sup>152</sup> NILT 2021: ARK. Northern Ireland Life and Times Survey, 2021 [computer file]. ARK [www.ark.ac.uk/nilt](http://www.ark.ac.uk/nilt) [distributor], June 2021, Political Attitudes module, UNINATID variable.

<sup>153</sup> C. Coulter et al., *Northern Ireland A Generation After Good Friday: Lost Futures and New Horizons in the ‘Long Peace’* (Manchester, 2021), p. 193.

<sup>154</sup> Northern Ireland General Election Survey, 2019, op. cit.

<sup>155</sup> Hayward and McManus, 2019, op. cit.; Northern Ireland Border Poll 2021, op. cit.

<sup>156</sup> In 1998, of the Neither vote, UUP secured 10 per cent, SDLP 21 per cent and Alliance 16 per cent. By 2013 UUP had lost most of this support and SDLP was shedding support too: UUP at 3 per cent, SDLP at 13 per cent and Alliance 13 per cent, with None (i.e. support no parties listed) or Don’t Knows accounting for 51 per cent. By 2021, while the UUP (4 per cent) and SDLP (12 per cent) was relatively unchanged, the None/Don’t Knows almost halved (to 27 per cent) and the support to Alliance more than doubled (to 34 per cent). Cross-tabulation of NILT 1998–2021 surveys by Allyson M. Bachta.

<sup>157</sup> Hayward and McManus, 2019.

<sup>158</sup> Northern Ireland Border Poll 2016, Ipsos, 9 September 2016. <https://www.ipsos.com/ipsos-mori/en-uk/northern-ireland-border-poll-2016>.

<sup>159</sup> Ibid.

<sup>160</sup> Interview with Billy Hutchinson, 9 March 2020.

<sup>161</sup> H. Arendt. ‘Truth and politics’, *The New Yorker*, 25 February 1967.

<sup>162</sup> Ibid.

<sup>163</sup> Quoted in David Mitchell, *Politics and Peace in Northern Ireland* (Manchester, 2015), p. 19.

<sup>164</sup> Ibid., p. 19.

<sup>165</sup> P. Geoghegan, *Democracy for Sale: Dark Money and Dirty Politics* (London, 2020).

<sup>166</sup> Interview with Katy Hayward, 16 February 2021; Hayward is referring to the Working Group Report’s coverage of this as an issue of concern.

<sup>167</sup> ‘Cross Border Polls’, op. cit.

<sup>168</sup> L. Blake, ‘Beyond the binary: What might a multiple-choice EU referendum have looked like?’ *Democratic Audit*, 11 November 2016.

<sup>169</sup> ‘Is the UK heading for a break-up?’ *Financial Times*, 4 April 2021.

<sup>170</sup> Corcoran, 2021.

<sup>171</sup> Mallon and Pollak, p. 152.