**The border backstop before Brexit - conveniently buried**

**William Matchett**

‘Nothing to do with us,’ Dublin’s disclaimer. Indemnity against violence traded across the border in a Northern Ireland crisis characterised by extensive terrorism.

In a smoke-filled room in the Republic in 1969 the unelected self-righteous assaulted democracy when they formed the Provisional IRA (PIRA). With violent insurgency they would crash out Northern Ireland from the UK, delivering on a secret border poll where only they got to vote.

No compromise. No negotiations. No deal. Just a simple ‘Brits out’ red line. A few bigoted extremists, all it took.

Violent insurgency invoked ancient prejudices in Irish nationalism. Slogans stigmatised another nation and other peoples. Planter immigrants. West Brits do not belong. Éire for true Gaels. London aimed to defeat the PIRA to end the Troubles, as loyalist violence is reactionary. Take the PIRA threat off the table and deals can be done.

Having identified violent insurgency as the big problem and main cause of instability, to help them and Dublin solve it together, London presented a border backstop, so to speak. Flat rejection, the response. Dublin favoured alternative arrangements shrouded in abstract jargon to mask practical shortcomings and dishonesty.

Whilst security was a crucial clause in the British backstop, in the Irish alternative arrangements it was a footnote.

PIRA leaders talked-up quick victory to attract support rather than any genuine belief that this was feasible. Before long, they settled into a long war where the bulk of terrorism fell to cross-border brigades. Gadhafi gifted an arsenal that rivalled Collins Barracks. Semtex explosive. AK47s. Heavy machine guns. Surface-to-air missiles. Modern munitions imported into the 26-counties were hard goods to liberate the 6-counties. In contrast to security forces on the border, the presence of their Irish counterparts was miserable.

Even before Libya’s largesse, South Armagh/North Louth PIRA up to 1975 had murdered 57 security forces to one insurgent, killed by his own side. An invisible line caused the disproportionate casualty rate. Dublin strictly prohibited ‘hot pursuit,’ even for a few yards. It insisted the border could not be crossed and in any event was not the issue. No Schengen-style Brussels bonhomie here or at any time. Indeed, Dublin claimed the security forces should be able to contain the situation regardless of the border, and not doing so showed incompetence.

Cross-border insurgents were responsible for 73% of terrorist incidents from the late 1970s onwards. Yet, Taoiseach Garret Fitzgerald estimated this at 3%. To be fair to him, he was alert to this and the hand he inherited was weakened by awful blunders by London and Stormont, like army primacy and internment. Some redemption of British blunders is that they were short-lived. Whereas, Dublin’s dire clanger persisted.

Distilling Dublin dictate, a PIRA attack in 1979 at Narrow Water that left 18 soldiers dead. At the Smithwick Tribunal, the investigating officer testified: “Mr McLaughlin [Garda Deputy Commissioner] decreed the killings were a political crime and no assistance would be given to the RUC.” Further: “no assistance was given because the Taoiseach directed such.” On the same day in County Sligo the same cross-border brigade murdered Lord Mountbatten, two young boys and an elderly female relation.

Charles Haughey, acquitted in a trial of arming embryonic Provos when Finance minister, was belligerent of the British. The Dr Frankenstein who gave life to the monster that stalked across the border to murder and maim. When he became Taoiseach in 1979, the investigations into Narrow Water and Mountbatten hit a formidable obstacle. In power, on and off until 1992, he was a sneaking admirer of the insurgency. No Garda careers would be advanced by helping the RUC under Haughey.

Besides its territory being used as an arms dump and training ground, Dublin’s backstop benefited the insurgency in two other areas: on-the-runs and extradition. The PIRA was a tiny outfit. Around half, fugitives from justice. As prosecutions increased in the North so did insurgent residency in the Republic. Security was not alone in regulatory divergence. Of 113 extradition requests 105 were refused.

Dublin courts routinely rated murder a political product exempt from legal tariff. It was a huge factor in a pitifully low murder clearance rate for Protestants murdered by insurgents. In Fermanagh where the PIRA are accused of ethnic cleansing, this was 5%. The highest rate - loyalists who murdered Catholics - was ten-times that. Loyalist terrorists had no porous land border to escape across. No neighbouring state sympathetic of their cause.

Some insurgent brigades are credited with as many as 500 murders. Atrocities played out in mini-Bloody Sundays, Mondays, and every other day of the week. Cross-border insurgents wreaked havoc. Stopping them was crucial to creating the circumstances for peace. Almost exclusively, the task fell to those north of the line.

At the scene of where four of his officers were murdered by cross-border insurgents, chief constable Sir John Hermon implored Dublin to do more. His comment provoked ‘nothing to do with us’ rebuke from nationalism’s broad church. The stoic Ulsterman’s criticism was as loud as it got. British diplomacy tiptoed around Dublin’s difficulty.

Had loyalists in the north raided in the south. The horrors of the Dublin and Monaghan bombings repeated year after year for three decades. Had Belfast courts copied Dublin courts on extradition, capped with, ‘nothing to do with us’ from London and, in fact, it is down to thick Irish. Dublin would have been loudly livid, and rightly so.

The Belfast Agreement created a political process that prorogued morality, truth and justice and ultimately, Stormont. Insurgents who perpetrated some 1,700 murders given sanctuary in a ‘nothing to do with us’ narrative that fools many into believing this of them. The mutually supportive flip side, ‘blame bad Brits.’ The political process conceals what is inconvenient to reveal. But for many, the Haughey monster was real.

Let me be clear. The issue here is distrust, not Brexit. Distrust of Dublin because of impractical border policy and insincerity hidden in political fudge. Distrust of Dublin because to side with the British against the PIRA - despite it clearly being the right thing to do - was made impossible by concern of antagonising Irish nationalism’s anti-British fringe. Distrust of Dublin because, since 1998 it did not take responsibility for its border blunder, giving cover to ex-PIRA through Sinn Féin to do likewise for violent insurgency. Distrust of Dublin because Sinn Féin is now the anti-British fringe waxing lyrical of a Taoiseach and Tánaiste on the Irish backstop.

On all sides, debate on whether the UK leaves or remains in the EU is held hostage by extremes. It drips duplicity that drives distrust, with Dublin’s commitment to a border backstop to protect trade against previous indifference of a border backstop to protect life, right up there.

In a study of violent insurgency, Forest in *The Terrorism Lectures* writes: “At times, the greatest contribution the state can make to a terrorist cause is not policing a border.”

He goes on, “Terrorists kill, maim and destroy and it would be difficult to find a court anywhere in the civilised world that does not see these as crimes.”

Actually, it was everything to do with you. And there’s the rub.

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