5

Pro-state armed groups in Northern Ireland: rethinking the position of 'loyalist' armed groups in Northern Ireland

John Doyle

The international debates on political power, criminality and conflict tend to reflect the most common cases, which also tend to be insurgent groups (or criminal enterprises) in contestation with a state. These debates have explored the complexity of these cases from different points of view, including motivation and the nature of power. There is a discrete sub-set of cases, however, that have been relatively underexplored, and that is the cases of pro-state armed militias. This chapter examines one such long-running case – that of 'loyalist' armed groups in Northern Ireland (Bruce, 1992).

The challenge of positioning 'loyalist', armed groups in Northern Ireland is not a new problem. They have always represented a conceptual problem for the international literature on conflict analysis. Even using the term 'illegal' armed groups to describe what are commonly referred to in Ireland as 'paramilitaries' is not accurate. Some, such as the Ulster Volunteer Force, were illegal, but the largest loyalist armed group, the Ulster Defence Association (UDA), remained legal in the United Kingdom from its formation in 1971 until 1992, just two years before the ceasefires, on the basis that they used fictional cover names to claim killings. In British-centric writing, loyalist armed groups are placed as the 'other' to the Irish Republican Army (IRA), in a binary conflict between local 'communities', with Britain identifying itself as the 'piggy in the middle', the classic colonial 'honest broker', trying to separate two 'warring' tribes (Hamill, 1985). Yet evidence is increasing with every investigation, that there were very significant links between the British security forces and all loyalist groups – widely described as 'collusion' in the Irish context (Urwin, 2016). Nonetheless, it would also be inaccurate to deny that such groups had their own agency and social base – separate from, if overlapping with, their role as sub-contractors for the state. In this context, in which the nature of the relationship between the state and a pro-state (but non-state) militia is unclear and contested, how do we analyse the sources of their power, the power relationship between them and the state and the balance between their involvement in criminality and their ultimate political goals and role?

This chapter will explore the role of Northern Ireland's loyalist armed groups in three time periods, during the period of conflict (1966–1994), during the peace process, up to Brexit (1994–2016) and during the post-Brexit period of heightened discussion on moves to a united Ireland. It is set firmly within the conceptual framework outlined by Gutiérrez-Sanín and Gutiérrez (2022), adding to its empirical richness, but also pushing out the conceptual framework to more explicitly include pro-state armed groups and, in that regard, is a good comparison with Colombia, as discussed by Gutiérrez-Sanín in this volume.

The starting points

The conceptual starting point for this chapter follows the reasoning of Gutiérrez-Sanín and Gutiérrez (2022) that 'politics and criminality are substantially different domains of human activity', yet the assumption 'that insurgency, criminality and statehood are three neatly separated categories, without connecting points, which exclude each other' is simply a-historical. As Kelsey (2000) reminds us, pro-state groups – engaged in criminality that was, in some manner, regulated by 'states', but separated from them – have a long historical tradition – from mercenaries to privateers at sea. Others, at least back to Machiavelli, have pointed to the dangers of a state seeking to increase its 'power' by buying power from mercenaries, as such power can be turned or bought by others, as the Wagner case in Russia highlighted in 2023. The power perspective of the state has been considered in this manner, but less attention has been paid to analysing the nature of power held (and possibly lost) by the pro-state militia. What is the nature of their political power? Are they just a creature of the state (or some other state)? Is their criminality just under state 'licence' or more autonomous? Can they shift, to draw on other indigenous sources of social and political power to act (somewhat) separately from the state or even in opposition to it? If a state is using partly criminal groups to provide some plausible deniability from their armed actions to avoid being labelled a 'rouge' state, do they, at times, act against the group, and how is that compatible with their strategic interests in collaboration?

The case of Northern Ireland also expands the range of cases that are not part of the economic periphery, which tends to dominate hegemonic assumptions about this relationship, highlighted by Gutiérrez-Sanín and Gutiérrez (2022). Northern Ireland is certainly peripheral to the 'imagined community' of the UK state and geographically peripheral from an England-centred polity in some ways. However, the UK can hardly be seen as a peripheral example, as commonly understood in the international debates on conflict.

It is a permanent member of the United Nations Security Council, the G7 economic powers, the Council of Europe (and its human rights provisions) and, for most of the period under consideration, the European Union (EU). The Northern Ireland case certainly confirms that the relationships between political power, criminality and conflict are not missing in wealthy democracies, but it also raises ideas of relative peripherality. Many of the features of British state security in Northern Ireland were never utilised outside of Northern Ireland, and it is unlikely that the ongoing relationship between the state and illegal armed groups would have been possible in England itself.

In exploring what Haugaard calls 'power resources' (2022: 16), in the case of Northern Ireland, his categorisation of coercion and legitimacy is useful. All armed groups, state and non-state, used coercion in this sense. They all also had (contested) legitimacy of different sorts. The British state had formal and social legitimacy conferred willingly by those who supported it, or who at least recognised its authority. That legitimacy was, however, highly contested within the communities from which the IRA drew its strongest support, partly for ideological reasons and partly due to human rights breaches by state security forces. The IRA used coercion not only against the British state but also locally to control territory and deter cooperation with state forces. They received some social legitimacy from within the Irish nationalist population and, from the 1980s onward, some political legitimacy reflecting the electoral support secured by Sinn Féin. The dynamic and the relationships were very different for loyalist armed groups.

In the conceptual challenge at the heart of this book, no one disputes that the IRA was illegal, that they killed people, or that they raised funds through illegal activity such as smuggling and bank robberies as well as with apparently 'legitimate' businesses. However, the questions around power politics and criminality can be more clearly answered for the IRA and the political party that came out of the IRA: Sinn Féin. During the armed conflict 1966–1994, the IRA clearly used armed force to project political power. The IRA spoke of using armed force to bring British governments to the negotiating table and projected a 'long-war' strategy – a 'war of the flea' designed to defeat a more powerful but perhaps less committed foe by attrition (English, 2008). The IRA, in addition, took on an often brutal policing role in their communities. Irish nationalists had little confidence in the local police force, the Royal Ulster Constabulary (RUC), or in the British Army. Both agencies absolutely prioritised counter-insurgency over policing. Low-level criminals were often used as informers in return for the police ignoring their activity. The IRA also had a military requirement to restrict the access of the police and army to their community and sought to deal, in particular, with anti-social behaviour and low-level crime through banishments and 'punishment shootings'.

As the conflict evolved and Sinn Féin gained greater electoral support, the IRA's activity, both the armed actions themselves and consequential actions such as fundraising, limited the parties appeal, reducing the capacity to increase their political power in that way. While the conflict continued, those aspects remained in tension, with the obvious power of armed action often given priority. In the immediate aftermath of the 1994 ceasefires, this dynamic changed. Not only could the IRA no longer engage in armed action against the British state, but the political cost of other activity, such as bank robberies or 'punishment' shootings, became too high and were wound down and abandoned. Despite these tensions, when the IRA decided to call a ceasefire, they maintained the loyalty of the overwhelming majority of their members and support base, even most of those who had opposed the move (Doyle, 1998; Connolly and Doyle, 2015).

The loss of armed power was replaced by much greater electoral success, and this maintained the dynamic of the peace process. When, after much political contestation, the army were withdrawn to barracks (and overwhelmingly moved outside Northern Ireland) and the police force was replaced and transformed, Sinn Féin took a decision to support the new police service (Doyle, 2010). While a small number of Sinn Féin members left the party, the decision by the party was politically popular and the party's support grew again. Sinn Féin, therefore, has moved to a place where it does not reply on the threat of armed action by the IRA for political power. It is, at time of writing, the most popular political party in both Northern Ireland and the Republic of Ireland, and it does not contest the police for social control of its heartlands. Many people clearly still resent and oppose the IRAs campaign, but the party itself has made a full transition to seeking political power through elections in a typically European social democratic framework. While a tiny minority of their previous supporters argue that they have lost power by the ending of the IRA's armed campaign, most analysis, even that of their opponents, sees the past twenty-five years as one of political success for the party, boosting their capacity to achieve their political goals (Maillot, 2022; de Bréadún, 2015). Sinn Féin remains committed to a united Ireland and a left-of-centre political programme and has a real possibility of leading the next Irish government as the largest party in a left-leaning coalition.

The existence of illegal criminal activity for the IRA, morally disputed by many, does not constitute evidence to deny their political role and the fundamentally political basis of their activity, as evidenced by the historical trajectory. Loyalist groups raise more complex questions conceptually as well as empirically. They certainly sought to use coercive power – mainly against the civilian nationalist population, rather than directly against the IRA – seeking to create a state of terror in the nationalist community, to

coerce them into pressurising the IRA, or simply to oppose political reform, including political reform proposed by the British state. How do we both conceptualise and empirically 'judge', the nature of their power resources and even the target of their power. Unlike Sinn Féin, loyalist groups never gained any significant electoral support. Legitimacy was conferred by other political parties through cooperation, but those parties also (at least publicly) disowned the use of 'violence'. The British state secretly cooperated in supporting their capacity to launch attacks through provision of arms, intelligence and by allowing them to operate. While loyalists did not directly attack the British state forces, they did at, key moments, oppose British government political strategy in the failed experiments of 1972 and 1985 and (by unarmed means) during post-Brexit EU–UK negotiations. Unpicking these interrelationships is both a conceptual and empirical challenge.

Loyalist groups during the armed conflict 1966–1994

Loyalist armed groups were and are sizeable organisations responsible for the deaths of nearly 1,000 people since the late 1960s, and despite their declared goals of attacking the IRA, most of their victims were nationalist civilians. Loyalist armed groups are often framed as simply a response to the larger and more militarily effective IRA, with such analysis using terms such as 'tit for tat' killings (Bell, 1976). However, this is neither historically accurate nor a good analysis of their tactics. The Ulster Volunteer Force (UVF) killed the first person in the modern conflict period, and loyalist deaths are more strongly correlated with attempts at political reform than with IRA activity. Killings by loyalists were most intense in the year the old Northern Ireland parliament was shut down (1972), in 1973–1974, following the largest scale protests in opposition to the attempted 'Sunningdale' power-sharing agreement; in 1986–1989, during the protests against the 1985 Anglo-Irish Agreement; and again, in the period of talks that led up to the 1994 ceasefires (Sutton, 2001). By contrast during periods of intense IRA attacks, without any political talks process, there was no increase in loyalist killings. This pattern emphasises their fundamentally political role, with violence used to prevent political reform rather than to militarily attack the IRA. Steve Bruce (1992) argues that 'pro-state terrorism' rather than 'counter-terrorism' is a more accurate reflection of their position.

Loyalist armed groups never managed to launch successful political parties with electoral appeal, despite many attempts, other than partially and very briefly immediately following their 1994 ceasefires. This both removed electoral support as a source of legitimacy and power and influenced their engagement in criminal activity. Both the IRA and the various

loyalist armed groups clearly engaged in 'illegal' acts during the Northern Ireland conflict from the late 1960s to the mid 1990s. This was manifested in direct illegal killings and in supportive fundraising. In the IRAs case, this was mostly through bank robberies, smuggling, occasional kidnapping and later through the running of apparently legitimate businesses. Loyalists were more associated with extortion rackets and drug-dealing (Silke, 1998). The different styles reflect different opportunity structures rather than moral frames. The IRA had to manage their fundraising needs in the context of seeking popular support in elections (though there was also a history of relatively puritanical attitudes to drugs and alcohol in the movement). Selling drugs would have been completely at odds with their political aims. Loyalist groups, despite various attempts to build political parties, never managed to do so successfully to any degree, and, therefore, they did not face the same internal pressure to avoid criminal fundraising, which was unpopular in their own communities and that has left an ongoing legacy twenty-five years after the ceasefire.

During the conflict, there was very little coverage of official police and army collusion with loyalist groups. Inquests and inquiries into such killings were frequently postponed for decades (Cadwallader, 2013). Information was difficult to secure. Media coverage was limited, and criticism of the police and army was often portrayed as lending de-facto support to the IRA campaign (Miller, 1995). There were, of course, many official and non-governmental organisations (NGOs) who criticised British actions, but they were mostly focused on those cases that were obviously and directly carried out by the police and army. There were few human rights investigations of the 'dirty war' carried out in collusion with loyalist groups. No credible analyst now denies such use of loyalist groups, but its scale is impossible to measure. British sources will acknowledge a few 'bad apples' but deny a pattern of behaviour. The UK passed new legislation (the *Northern Ireland Troubles (Legacy and Reconciliation) Act 2023*), which seeks to prevent historical inquiries and even inquests, which would allow evidence of the scale of such collusion to be collected. It is clear, however, that collusion was much more widespread that acknowledged during the conflict (McGovern, 2023; Urwin, 2016). Loyalist groups' power was, therefore, in some very significant measure, directly provided by the state itself.

Loyalist groups' relationship with their own community and the scale of popular legitimacy and associated power resources is complex. At one level, they have never had any significant degree of electoral support. Their projected public self-identity, as the groups willing to 'take the fight to the IRA', to do what the UK refuses to do, or as the line of last defence has had some resonance in the wider unionist community (Hutchinson, 2022). This can be seen in the statements of loyalist groups and elected unionist

politicians throughout the conflict period. In 1973, during protests against the Sunningdale power-sharing agreement between moderate nationalists and unionists (then representing, at least briefly a majority), elected unionist politicians opposing reform openly sat on a coordination committee with representatives of the loyalist armed groups, without any attempt to deny it, despite loyalists killing thirty-nine civilians in just a few weeks at the height of the protests (Fisk, 1975). The armed groups, therefore, received conferred legitimacy and were widely credited with providing the political muscle – via road blockades, power-cuts and protests, which forced the collapse of the power-sharing government and the emergence of a unionist majority in elections that opposed reform. This apparent success greatly enhanced their political and social power through the 1970s and early 1980s.

A similar pattern of unionist elected politicians cooperating with loyalists was seen in 1985, when the Irish and British governments signed the Anglo-Irish Agreement, which offered the Irish state a formal consultative role in the governance of Northern Ireland in return for greater security cooperation. The unionist community strongly opposed the Agreement and while cooperation with loyalist groups was not as high profile as in 1973, it was still widespread (Aughey, 1989; Bruce, 2001).

Loyalists, despite their lack of any electoral support, have operated in a wider Ulster unionist community that has always seen Britain as an unreliable ally. The British government's position was classically 'asymmetric', in the sense that, for unionists, it was seen as an all or nothing conflict, while Britain may have options (Mack, 1975). The US could pull out of Vietnam with very little threat to their domestic position. The South Vietnamese government had no such luxury. If they lost, their position was terminal. Unionism has, quite consciously, analysed their position in this context. For example, the Orange Order, which is the largest mass movement of unionism, in comparing Northern Ireland to Israel, said: 'Having been betrayed before they [the Ulster people] are very alert now, for as Louis Gardner wrote, "Ulster, like Israel, can only lose once"' (Smyth, 1982). In a very similar vein, a leading unionist politician and historian Clifford Smyth quotes Admiral Hugo Hendrik Bierman of the then South African Navy in an article written for the *Protestant Telegraph* on 15 June 1974: 'In the nature of this protracted war our enemies have the opportunity to attack time and again and to lose, whereas we shall have but one opportunity to lose' (cited in Doyle, 2010: 184). Apart from the idea of being under siege, the international comparisons to what they saw as similar societies in Apartheid South Africa and Israel gives a sense of their self-image at that time.

Mainstream unionists feared that successive British governments were capable of negotiating a United Ireland without any significant threat to their own position or to the rest of the British state, and, in this regard, they

shared a common perspective with loyalist armed groups.[1] Unionists regularly drew attention to the record of the British government in 'abandoning' its supporters in settler colonies when it decided to withdraw. Unionist MP Jim Kilfedder said in the UK House of Commons, 'all over the world where Britain has been kicked in the teeth by violence she has surrendered to the terrorists. Northern Ireland … is no exception', and 'Northern Ireland will not be treated as the Khyber Pass and the North West Frontier of the 1970s, providing reminiscences for Ministers and for military mess dinners'. In response to guarantees from British ministers about unionists' position he retorted: 'Were not such assurances given from these Dispatch Boxes to the unfortunate people of Kenya who were humiliated by the Mau-Mau? But subsequently those evil men were welcomed by politicians here who had earlier condemned them' (Kilfedder, 1972, 1977, 1978).

By far the most common analysis of the British government position from unionist political elites during the conflict was that the British government had no will to win, that they either secretly wanted a united Ireland to rid themselves of an embarrassment (Robinson, 1986), that they have a 'guilt complex' (Maginnis, 1988) about their treatment of Ireland through the ages, or, at the very least, they see no compelling reason to stay in the face of continuous international criticism (Molyneaux, 1974). Ivan Foster (1983) argued that: 'British security policy … was intended to be a failure … They never intended to defeat the IRA; rather what they have been seeking to do through this corrupt and criminal policy is to substantiate the claim by British Government lackeys that the IRA cannot be defeated'.

This view of the British government, as an unreliable ally, leads mainstream unionist elites to define their loyalty to the British state in qualified terms. This has been most famously discussed by David Miller (1978) in *Queens Rebels* and is reflected in Robert Bradford's (1979a) famous speech in the House of Commons in which he argued that 'if we [unionists] are to survive at all [we] will have to say that we will become Queens rebels'. There is no difficulty, therefore, within unionist and loyalist ideology in refusing to be bound by British government decisions on Northern Ireland (e.g., Maginnis, 1986: UUP–DUP Joint Manifesto, 1987). The common policy response by unionists to this situation of perceived asymmetric conflict is to demand the return of security to 'Ulster' hands. The majority preference was generally to seek control of security in a new unionist government, but failing this, most saw the effective primacy of locally recruited security forces commanded by local officers as a good second best (Bradford, 1979b, Unionist Task Force, 1987). David Trimble (1987), later to become leader of the Ulster Unionist Party (UUP) and a supporter of the 1998 Good Friday Agreement (GFA), for example, says 'the IRA will only be defeated when they see that their ultimate goal is unattainable. That day will only

come when the IRA see the control of security in the hands of Ulstermen, because the Provos know Ulstermen cannot afford to run away from the situation'. This idea, at the heart of loyalist armed groups self-definition, is one that is widely supported across the unionist political spectrum. It is often 'balanced' by condemnations of 'all violence', but it provides a conceptual framing that has resonance within the unionist community and that offers political legitimacy and political power.

This leaves the key puzzle: why would the British state support or facilitate loyalist groups who actively opposed key political reforms signed by the UK government? The British security forces prioritised fighting the IRA over loyalists. At times, they explicitly spoke about not wanting to fight on 'two fronts'. On other occasions, they saw loyalists as 'wrong-headed' but as groups who were fundamentally on the 'same side'. For locally recruited members of the security forces, they were also at times neighbours, living in the same communities. For others they were groups who could be used to undertake killings that the state did not wish to be associated with. There were, of course, occasional crackdowns and arrests, but never with the same intensity as against the IRA. Loyalist groups could, therefore, both project a public discourse that they were doing things that the state could not do, or would not do while also, at other times, complaining about the police and army curtailing their efforts. Both things happened.

The conflict period, therefore, provided an ideological home for loyalist armed groups – occasionally encouraged and supported by mainstream unionist politicians, at other times condemned by them – leading to deep resentment, especially by loyalist ex-prisoners. They had both coercive power and some, disputed, legitimacy. They were, on occasion, used and supported by the British state, and their criminality was ignored but could also be arrested when that was politically necessary. Loyalists, therefore, managed to maintain a public position, with a section of their own communities, of being a counter to the IRA. The fact that their victims were overwhelmingly civilians did not disrupt this positioning in their own community and, even in hindsight, this approach of 'terrorising' the wider community was justified (Hutchinson, 2022). It was a dangerous positioning, however, relying on the British government and unionist allies who could and would abandon them as sources of power – both coercive (as sources of weapons and intelligence) and legitimacy – once they no longer served a purpose.

Loyalists and the peace process

Initially, the decision to call a loyalist ceasefire in October 1994 was, at least, partly a pragmatic response to the IRA ceasefire. Their self-image

was one of counter-terrorism, and an extended IRA cessation removed this crucial definitional prop. The circumstances of the post-ceasefire period also, at least briefly, altered the political experience of the loyalist political parties. Since the mid-1980s, both major loyalist paramilitaries have been trying, without success, to follow Sinn Féin in building a strong political base in the context of an ongoing paramilitary campaign. By the mid-1990s, the Progressive Unionist Party (PUP), aligned with the paramilitary UVF, and the Ulster Democratic Party (UDP), aligned with the UDA, still remained tiny organisations, but post-ceasefire, the profile of the PUP and UDP increased, as they acted as conduits to the loyalist armed groups, so they became more optimistic that they could grow electoral support. The Conservative British government also had a tactical need for the parties, as contacts with and concessions to Sinn Féin were easier to justify if they were seen as being mirrored by contacts with the PUP and UDP. The first public contact by British government officials with Sinn Féin was preceded by a meeting with the UDP and PUP, and the first British ministerial meeting followed a similar pattern. This new profile and the conditions created by the ceasefires seemed to offer the parties an opportunity to do what they had failed to do in the past – build political bases independent of mainstream (and middle class) unionism. As the peace process and ceasefire provided the opportunity for growth, seeking to attract support by adopting more hard line, anti-compromise rhetoric was unlikely to succeed, and, therefore, a shift to more moderate and reformist policies offered a line of development.

The loyalist parties, in spite of their attempts to create an independent base for themselves, remained ideologically linked to mainstream unionism. Right through the negotiations, the PUP and UDP stuck firmly to the negotiation tactics adopted by the UUP. Neither the PUP nor UDP ever publicly met Sinn Féin or broke with any of the policy positions adopted by the UUP other than on issues such as decommissioning and prisoners in which they clearly had a strong agenda of their own. While tactically astute, their strategy placed strains on organisations with little experience of open political activity. The UVF lost some of its members to a breakaway anti-peace process Loyalist Volunteer Force (LVF), and the UDA was surprised that, in spite of being the larger paramilitary group, they won more limited electoral support than the PUP. Nonetheless, despite the release of their prisoners and their formal support for the 1998 Agreement, an estimated 43 per cent of UDP/PUP voters voted no in the May 1998 referendum on the GFA (RTE Exit Poll, May 1998). In the elections the following month, the PUP won only two seats out of 108, with 2.2 per cent support, while the UDP, with only 1.1 per cent, failed to win a seat. From the beginning, therefore, there was a solid base of opposition within their support base to the logic of the peace process.

The low level of electoral support, gained after their ceasefires, meant that unlike the IRA, there was not the same political cost to their continued involvement in criminal activity such as drug-dealing, extortion and prostitution. Without this constrain and in the absence of any increase in their electoral support, the groups gradually became more marginal to the developing political process. Even when the IRA destroyed all their weapons under international supervision, loyalists did not reciprocate for some years. The death of PUP leader David Ervine, in 2007, marked, in hindsight, the end of the road for these parties. Ervine was a former UVF leader who made a significant public contribution to building support for the peace process and for the PUP. The party was, however, unable to manage its internal tensions after his death and never again had members elected to the Northern Ireland Assembly.

Political power for loyalist armed groups was, therefore, unlikely to come through electoral support. They no longer served a useful function for the British state, and their active promotion by British governments was reduced. Faced with a loss of key sources of power, loyalist groups re-armed, continued criminal activity and became more politically marginal. As much of the criminal activity was inside their own communities, it also further weakened their social base. There was ongoing speculation as to why their criminal operations were never the target of significant police efforts to shut them down. For some, this was a policing challenge, no more suspicious that organised crime in any European context. Nationalists voiced their suspicions that senior loyalists had too much information that would severely embarrass the British state and that this served to protect them. As the peace process solidified, loyalist groups retained some grassroots support, but their power was evaporating. They had less support from the British state, their coercive power was increasingly restricted to the criminal zone and their political legitimacy and power and, indeed, political future was uncertain.

Post-Brexit

Prior to the 1998 peace agreement, the Northern Ireland conflict was most frequently analysed as a zero-sum territorial dispute along national identity lines. Other political cleavages existed in Northern Ireland on economic and social issues and on religious identity, but for the majority of the population, these factors re-enforced the political divide rather than creating cross-cutting dimensions. As a result, the main political division was along nationalistic lines for which the key cause of conflict was seen as either the result of an incomplete state secession or a question of the failure to grant minority rights. From this perspective of territorial state sovereignty,

Northern Ireland could only be Irish, British or re-partitioned. The Good Friday Agreement moved beyond this zero-sum approach to territorial sovereignty, as it created a set of institutions and a process of reform that recognised the two conflicting political identities while leaving open the possibility of change in the constitutional status of the region (Doyle, 1998). It also reduced the immediacy of the demand for a united Ireland, as it expanded the public space available for nationalists, opened up the border between the two parts of Ireland and, in doing so, enhanced the quality of life and increased the perception that peaceful progress was possible on both sides of the border.

Irish nationalists recognised that the fluidity of the Agreement on the ultimate end point is central to its success, as it has allowed both unionists and nationalists to work within its framework (Todd, 2018). The process was facilitated by the integration of the Irish state and the UK within the EU, including the open borders and cross-border co-operation that is part of that wider EU integration process. As an institution, the EU had not played any substantial role during the conflict and had not been involved in the peace negotiations, but it did recognise and financially support the peace agreement and the peace process that followed (Guelke, 1988; Doyle, 2015). Brexit was a very significant and unexpected disruption to the peace process (Connolly and Doyle, 2020, 2019b). Attitudes to EU membership closely reflected the underlying political divide. More crucially, Brexit threatened to create a hard customs and regulatory border on the island of Ireland, in direct contradiction to the post ceasefire opening of the border and removal of its security infrastructure.

In the 2016 UK referendum on Brexit, Northern Ireland voted to remain in the EU with 56 per cent voting against Brexit. The division on Brexit reflected the political division between Unionist and Nationalists, while voters from the 'middle ground' also voted for continued membership of the EU. A large-scale academic exit poll asked respondents to 'self-define' either as Irish nationalist, as unionist or as 'neither' and analysed their voting behaviour on Brexit. Of self-defined Irish nationalists, 88 per cent voted to remain in the EU, while 66 per cent of self-defined unionists voted to leave. Of those who self-defined as neither Irish nationalist or Ulster Unionist, 70 per cent, said they had voted to stay in the EU (Garry, 2016: 2).

It was clear during the Brexit referendum campaign that no serious thought had been given at the UK government level to the implications for Ireland. It, therefore, came as a surprise to the British government that the EU took this issue seriously, and that they were not willing to abandon a (small) member state to sign a trade agreement with a larger non-member. The Good Friday Agreement, as an international agreement, had changed how the relationship between Northern Ireland and Ireland and

the potential resumption of conflict in Northern Ireland was viewed, both domestically, within the island of Ireland, and internationally. It was also clear that this changed perception was not shared by the British government or the majority of Unionist political elites. As a result of the international recognition accorded to the Good Friday Agreement, there were limitations on what the EU would accept as part of the withdrawal negotiations, and the question of a border on the island of Ireland became a major stumbling block to reaching an EU–UK agreement. British sovereignty in Northern Ireland was no longer recognised as absolute by the EU, and the rights of Irish nationalists in Northern Ireland and of the Irish government had also gained international recognition (Connolly and Doyle, 2019a).

Four years of negotiations between the EU and the UK were required before an agreement was reached. The process saw the British Prime Minister, Theresa May, deposed by her own party as part of this process. The UK refused to stay within the EU customs union or Single Market, requiring a border somewhere between the UK and EU. It was clear the unionists wanted that border to be on the Irish land border, reinforcing Northern Ireland's place in the UK, even if it meant the effective end of the Good Friday Agreement. The EU ultimately refused to accept this position, mainly due to its impact on the peace process. The UK, therefore, had to choose between leaving the EU with no agreement, reverting to World Trade Organization (WTO) trade terms or agreeing to introduce a de-facto customs border in the Irish Sea between Northern Ireland and Britain. Due to the likely high costs of leaving with no deal, they choose the latter. There was also a practical issue – the 500 km land border had approximately three hundred crossing points that even thirty thousand troops had never sealed during the conflict. There were, by contrast, only three ports and one airport to manage a 'sea border', all of which already had infrastructure in place.

Unionists had refused to support an earlier UK proposal, whereby all of the UK would stay within the EU Single Market until a resolution was found to the Northern Ireland related issues. The EU had very reluctantly agreed to this, as the scale of the entire UK economy having this favourable access was a much bigger deal than the tiny Northern Ireland economy. However, the Democratic Unionist Party (DUP), along with the right wing of the British Conservative Party, mobilised to prevent that deal. Unionists were, therefore, both surprised and angry when the new British PM, Boris Johnson, signed an agreement to go back to the concept of Northern Ireland remaining within the EU Single Market, keeping the land border open but requiring checks on goods coming from Britain into Northern Ireland on the basis that they could then enter the EU Single Market without any additional checks.

The so called 'Sea Border' saw a re-mobilisation of loyalist armed groups as part of wider unionist mobilisation. Protests never reached the scale of unionist opposition to the 1985 Agreement between the Irish and British governments, but they did include street riots, protests and a threatened bomb attack on the Irish Foreign Minister (RTE, 25 March 2022; O'Carroll, 2021). Loyalist armed groups were widely believed to be organising the rioting (BBC, 14 April 2021). There were also two significant political developments that increased the political profile of loyalist armed groups.

In September 2021, the unionist parties issued a joint statement opposing the UK–EU deal on Ireland: 'The Protocol'. What was striking is that, in addition to the DUP, UUP and Traditional Unionist Voice (TUV), who represent almost 100 per cent of the unionist vote, they chose to include Billy Hutchinson, leader of the PUP, linked to the UVF. The main unionist daily newspaper *The Newsletter*, even referred to the 'four' main unionist parties, despite the near zero support for the PUP, dramatically elevating their political importance. As they had done historically, unionist parties sought to utilise the potential coercive power of loyalist armed groups – with an explicit message – give in to our political demands or you will face violence (which we will disown but say is 'understandable'). In return, loyalist armed groups, received a boost to their political legitimacy by being associated with the parties who commanded the support of almost all unionist voters.

A second boost in the political power and legitimacy of loyalist armed groups came from the credibility given to a new platform called the Loyalist Communities Council (LCC), which was formed in 2015 in an attempt to provide some vehicle for the leadership of loyalist armed groups to interact with the political system in the absence of electoral support. Jonathan Powell, the Chief of Staff of former British Prime Minister Tony Blair, attended the launch. DUP leader Jeffrey Donaldson said it was a 'positive statement of intent' by the groups, and a former chairperson of the UUP became its chair. While the launch itself was widely mentioned in the media, the group itself had a very low profile before Brexit.

After Brexit, this group was used as a platform for statements from loyalist armed groups, which became increasingly hostile in tone, and it was also used as a vehicle to meet with other parties, the British government, the Irish government and the UK parliament. The LCC, in various statements, suggested that if the UK–EU deal was not ended, there would be unease in loyalist armed groups and 'a difficult summer' (Newsletter 18 Feb 2021); they withdrew support for the GFA (*Irish News*, 4 March 2021) and said Irish government Minsters are 'not welcome' in Northern Ireland (*Belfast Telegraph*, 18 June 2021). A statement referring to 'credible threats

of violence' (*Belfast Telegraph*, 3 March 2023) due to the UK–EU deal had a high level of significance when jointly released by the organisations that would carry out such attacks.

The Irish government meeting with the LCC acknowledged loyalists' role in reaching the 1998 Agreement but focused mainly on their unrealised commitment to end criminality (Coveney, 2019). British government and unionist meetings, on the other hand, positioned the group as political representatives. Then DUP leader, Arlene Foster (2021), stated that 'We listened to the views expressed and the need for political and constitutional methods to safeguard the UK single market and ensure there is unfettered flow of trade between Great Britain and Northern Ireland'. British Brexit Minister David Frost and Northern Ireland Secretary Brandon Lewis met the LCC in 2021 as part of engaging widely with 'communities' (*The Guardian*, 12 May 2021) and that was also the tone when they gave evidence to the House of Commons (*Irish Times*, 19 May 2021). There was substantial anger in the nationalist community and the centrist Alliance Party, the platform provided to the LCC by the British government and unionist parties, given their lack of electoral support without any linkage to moves away from high profile criminal activity or to any re-engagement with the peace process.

Loyalist groups continue to be involved in large scale criminal activity, in particular drug-dealing, prostitution and extortion rackets. Relations between the different armed groups are very poor, leading to occasional armed attacks on each other. Some maintain a political profile, via the LCC, but others, such as the 'South East Antrim UDA', have moved much closer to being a fairly typical organised crime gang, but even the least 'political' have chosen to keep their names, with some pretence of a political agenda. Despite this context and lack of support, the LCC has provided a political platform for these groups to makes threats, and unionist political parties have sought to utilise this coercive power.

The post-Brexit position of loyalist armed groups remains, in some ways, fluid, but some options have closed down. They did not see any increased electoral support, and the 2022 Northern Ireland Assembly election result was their worst ever, with very few candidates and a support base well below 1 per cent. It is now highly unlikely that they will follow Sinn Féin in successfully building a political party with wide political support. It is also clear that they will not voluntarily withdraw from their criminal enterprises, as this form of armed coercion is their main source of power, in the absence of electoral support. They have an ability to organise street protests and riots, which may not rival previous unionist protests in scale, but do show some degree of capacity in their communities. This capacity, and their potential threat-value, is what brings unionist political parties to give them

platforms, enhancing their political legitimacy, when they have few other sources of political power.

The debate on Irish unity and the threat of violent opposition

The question of violent opposition to a united Ireland in the aftermath of positive votes to create a united Ireland, as provided for in the 1998 Good Friday Agreement, is a real fear that cannot be ruled out. Opinion polls suggest that the great majority of those who intend to vote against Irish unity would accept the outcome of a referendum. However, given the history of the use of violence in Northern Ireland and the violent reaction by loyalist paramilitaries to the 1973 Sunningdale Agreement and the 1985 Anglo-Irish Agreement, it is likely that some, at least, would seek to do so. The question is how many would get involved in such violence, and to what effect?

In assessing the likely scale of violence, the analysis on political power provides some insight to assist prediction, which suggests that the scale of such threats of violence would not be at a high level and would not endure if the transition was planned and guarantees to those who opposed unity were clear and public. There has been no significant electoral support for political parties associated with paramilitary groups within the unionist community, even at times of high political tension. This does not provide a basis for a return to widespread armed conflict.

There would be no clear political objective for such violence. Having called a referendum in accordance with the Good Friday Agreement and UK law, it is impossible to see any circumstances in which a British government would change their mind in response to threats or actual violence. Historically, loyalist violence was directed at Irish nationalists (usually civilians), even when their dispute was directly with the UK government, such as in the aftermath of the 1985 Anglo-Irish Agreement. In the context of a move to Irish unity, it is very unlikely the British government would be moved by attacks on Irish nationalists. Conversely, a shift in loyalist tactics to attack the British security forces or British politicians would have no historical resonance or support in their communities.

The increasing evidence of very significant support given to loyalist paramilitaries by the security forces and intelligence services during the conflict in Northern Ireland also suggest violence would not endure. While there may be motivation, without such state support, their capacity, if not their ambition, would be much reduced. While there are many international and UK examples of rouge members of security forces acting against government policy, once a decision to create a united Ireland was made under UK

law, the motivation for such anti-government conspiracy by security forces or intelligence agencies would be very limited. The threat of such violence is mostly likely to be used *before* referenda, as a means of trying to persuade uncertain voters that they should vote against Irish unity due to the risk of violence. In the aftermath of legal votes to create a united Ireland, such threats lose their efficacy.

Even with this context, it is inevitable that many loyalists would have campaigned strongly against a united Ireland and would feel alienated by a vote to create a united Ireland. Planning for a referendum and a united Ireland, therefore, needs to both respect unionists' opposition but also, in dialogue with those willing to take part, including civil society, seek to put in place firm guarantees that would minimise genuine fears and insecurity.

Conclusion

Loyalist armed groups in Northern Ireland provide an interesting case that can add to our understanding of political power, criminality and conflict. Drawing on Gutiérrez-Sanín and Gutiérrez (2022) and on Haugaard (2022), it is possible to tease out the complex relationships between the British state and such groups and try to understand its trajectory. In the context of a prolonged IRA ceasefire, and high levels of electoral support for Sinn Féin, the dynamic between the British state and loyalists has significantly changed. They offer limited utility to the British state, but they do offer coercive power to political unionism, who have been willing to provide them with some political legitimacy (and, hence, power) in order to utilise that coercion.

Whether a united Ireland emerges in the next decade or so, or Northern Ireland returns to a slow path of internal political reform, the changing balance of community size and political power means that loyalist groups will be faced by political changes that they will not be able to stop but that they have opposed violently in the past. That will require them to make strategic decisions about their place in society or face increasing political irrelevancy.

Beyond political unionism, which has sought to threaten the coercive power of loyalists, other political forces are now divided on how to respond to this context. Some parties and community leaders now see them exclusively in negative terms, as a blight on their own communities, who have no social or political legitimacy. They demand an end to public political meetings with such groups and want a robust policing response in order to end both coercive power and legitimacy (*Newsletter*, 8 March 2023; *Irish*

News, 1 November 2022). Such critiques tend to characterise street rioting as linked to drug debts or designed to use up police resources that might be used against them (*Irish Times* 1 February 2023). Some others still argue for engagement, trying to utilise whatever remains of their past as a basis for dialogue (Bryan and Sturgeon, 2023). Loyalists, in this context, still retain some social legitimacy and capacity, and a strategy is needed to deal with the social maginalisation in their communities in a manner that diminishes rather than strengthens their involvement in criminality and their political power to resist progressive reform.

Note

1 British Conservative supporters of the unionist position do see a threat to the union more generally if Northern Ireland leaves. It is presumed that this would encourage moves toward Scottish and possibly Welsh independence, leaving Westminster to rule only a rump English state with its own North-South divide. Alcock (1994: 106) also raises this issue.

Bibliography

Alcock, Antony, *Understanding Ulster* (Lurgan: Ulster Society, 1994).

Aughey, Arthur, *Under Siege: Ulster Unionism and the Anglo-Irish Agreement* (Belfast: Blackstaff, 1989).

BBC, 'NI Riots: What Is Behind the Violence in Northern Ireland', *BBC*, 14 April 2021. https://www.bbc.com/news/uk-northern-ireland-56664378 (acccessed 14 July 2025).

Bell, J. Bowyer, 'The Chroniclers of Violence in Northern Ireland: A Tragedy in Endless Acts', *The Review of Politics* 38:4 (1976), 510–533.

Bradford, Robert, *House of Commons*, 2 July 1979 (1979a), vol. 969, col. 1035.

Bradford, Robert, *House of Commons*, 21 March 1979 (1979b), vol. 964, col. 1612.

Bruce, Steve, *The Red Hand: Protestant Paramilitaries in Northern Ireland* (Oxford: Oxford University Press, 1992).

Bruce, Steve, 'Fundamentalism and Political Violence: The Case of Paisley and Ulster Evangelicals', *Religion* 31:4 (2001), 387–405.

Bryan, Dominic and Brendan Sturgeon, 'Twenty-Five Years After the Agreement: Loyalist Groups and Organised Crime', *Slugger O'Toole website*, 2023. https://sluggerotoole.com/2023/04/20/twenty-five-years-after-the-agreement-loyalist-groups-and-organised-crime (accessed 14 July 2025).

Cadwallader, Anne, *Lethal Allies: British Collusion in Ireland* (Cork: Mercier Press, 2013).

Connolly, Eileen and John Doyle, 'Ripe Moments for Exiting Political Violence: An Analysis of the Northern Ireland Case', *Irish Studies in International Affairs* 26 (2015), 147–162.

Connolly, Eileen and John Doyle, 'Brexit and the Changing International and Domestic Perspectives of Sovereignty over Northern Ireland', *Irish Studies in International Affairs* 30 (2019a), 217–233.

Connolly, Eileen and John Doyle, 'Brexit and the Irish Border', *European Journal of Legal Studies* 11 (2019b), 153–186.

Connolly, Eileen and John Doyle, 'Brexit and the Question of Irish Unity' in Gëzim Visoka, John Doyle and Edward Newman (eds), *Routledge Handbook of State Recognition* (Abingdon: Routledge, 2020).

Coveney, Simon, 'Press Release from Irish Minister for Foreign Affairs', 30 October 2019. https://www.dfa.ie/news-and-media/press-releases/press-release-archive/2019/june/statement-by-tanaiste-following-meeting-with-loyalist-communities-council-.php

Crawford, Colin, *Inside the UDA: Volunteers and Violence* (London: Pluto Press, 2003).

de Bréadún, Deaglán, *Power Play: The Rise of Modern Sinn Féin* (Dublin: Merrion Books, 2015).

Doyle, John, '"Towards a Lasting Peace"?: The Northern Ireland Multi-party Agreement, Referendum and Assembly Elections of 1998', *Scottish Affairs* 25 (1998), 1–20.

Doyle, John (ed.), *Policing the Narrow Ground: Lessons from the Transformation of Policing in Northern Ireland* (Dublin: Royal Irish Academy, 2010).

Doyle, John, 'The European Union and Conflict Resolution', in Rajendra K. Jain, ed., *India, Europe and Conflict Resolution in South Asia* (New Delhi: KW Publishers, 2015).

English, Richard, *Armed Struggle: The History of the IRA* (London: Pan Macmillan, 2008).

Fisk, Robert, *The Point of No Return: The Strike Which Broke the British in Ulster* (London: Times Books, 1975).

Foster, Arlene, 'NI Protocol: DUP meets Loyalist Communities Council', *BBC*, 26 February 2021 https://www.bbc.com/news/uk-northern-ireland-56201532 (accessed 14 July 2025).

Foster, Ivan, *Northern Ireland Assembly*, 10 November 1983, vol. 7, p. 872.

Garry, John, 'The EU Referendum Vote in Northern Ireland: Implications for Our Understanding of Citizens' Political Views and Behaviour', *Northern Ireland Assembly Knowledge Exchange Seminar Series, 2016–17* (Belfast: Northern Ireland Assembly).

The Good Friday Agreement/Northern Ireland Peace Agreement/Belfast. '*The Agreement Reached in the Multi-party Negotiations 10 April 1998*'.

Guelke, Adrian, *Northern Ireland: The International Perspective* (Dublin: Gill and Macmillan, 1988).

Gutiérrez-Sanín, Francisco and José A. Gutiérrez, 'State, Political Power and Criminality in Civil War: An Editorial Revisiting Old Debates from Different Angles', *Journal of Political Power* 15:1 (2022), 1–13.

Hamill, Desmond, *Pig in the Middle: The Army in Northern Ireland, 1969–1984* (London: Methuen Press, 1985).

Haugaard, Mark, 'Power and Crime: A Theoretical Sketch', *Journal of Political Power* 15 (2022) 1–15.

Hutchinson, Billy with Gareth Mulvenna, *My Life in Loyalism* (Dublin: Merrion Press, 2022).

Kelsey, Harry, *Sir Francis Drake: The Queen's Pirate* (New Haven, CT: Yale University Press, 2000).

Kilfedder, Jim, *House of Commons*, speeches, 28 March 1972 vol. 834, col. 283; 7 April 1977, vol. 929, col. 1390; 6 March 1978, vol. 945, col. 1003.

McGovern, Mark, 'See no Evil': Collusion in Northern Ireland', *Race and Class*, 58:3 (2017), 46–63.

McGovern, Mark, *Counterinsurgency and Collusion in Northern Ireland* (London: Pluto Press, 2019).

McGovern, Mark, 'Legacy, Truth and Collusion in the North of Ireland', *Race and Class* 64:3 (2023), 59–89.

Mack, Andrew, 'Why Big Nations Lose Small Wars: The Politics of Asymmetric Conflict', *World Politics* 27:2 (1975), 175–200.

Maginnis, Ken, *Newsletter*, 13 February 1986.

Maginnis, Ken, Independent (London), 17 September 1988.

Maillot, Agnès, *Rebels in Government: Is Sinn Féin Ready for Power* (Manchester: Manchester University Press, 2022).

Miller, David, *The Media and Northern Ireland: Censorship, Information Management and the Broadcasting Ban* (Abingdon: Routledge, 1995).

Miller, David W., *Queens Rebels: Ulster Loyalism in Historical Perspective* (Dublin: Gill and Macmillan, 1978).

Molyneaux, James, *House of Commons*, 5 December 1974, vol. 882, col. 1975.

O'Carroll, Rory, 'Irish Sea border protest posters reflect loyalist anxiety in Northern Ireland', *The Guardian*, 18 February 2021. https://www.theguardian.com/uk-news/2021/feb/18/irish-sea-border-protest-posters-reflect-loyalist-anxiety-in-northern-ireland (accessed 14 July 2025).

Robinson, Peter, *Northern Ireland Assembly*, 30 April 1986, vol. 19, p. 295.

RTE, UVF thought to be behind Belfast security alert – PSNI, 25 March 2022. https://www.rte.ie/news/ireland/2022/0325/1288408-coveney-event-belfast (accessed 14 July 2025).

RTE, *Exit Poll*, May 1998.

Silke, Andrew, 'In Defense of the Realm: Financing Loyalist Terrorism in Northern Ireland – Part One: Extortion and Blackmail', *Studies in Conflict and Terrorism* 21:4 (1998), 331–361.

Smyth, Martin, 'Introduction', *The Twelfth* (Belfast: The Orange Order, 1982).

Sutton, Malcolm, 'An Index of Deaths from the Conflict in Ireland', *CAIN conflict archive*, 2001. https://cain.ulster.ac.uk/sutton/ (accessed 14 July 2025).

Todd, Jennifer, *Identity Change after Conflict Ethnicity, Boundaries and Belonging in the Two Irelands* (London: Palgrave, 2018).

Trimble, David, *Newsletter*, 17 August 1987.

Unionist Task Force, *Report,* from *The Irish Times*, 3 July 1987.

Urwin, Margaret, *A State in Denial: British Collaboration with Loyalist Paramilitaries* (Cork: Mercier Press, 2016).

UUP–DUP (1987) *UUP-DUP Joint Manifesto 1987*, printed in the *Newsletter*, 22 May 1987.

IN HIGH PLACES

CLASS, HIERARCHY, OH.
COLOMBIA'S DEADLY JOKE,
HIDE AND SEEK, THEY PLAY

Figure 6.1