

# 'Brawling publicly': The evolution of Anglo-Irish relations

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**Abstract:**

*In an interview with Andrew Marr on 6 April 2014, Enda Kenny [remarked](#) that President Higgins' visit to Britain this week, the first time an Irish head of state has been formally invited by a British monarch, was of 'enormous importance' and would bring 'the relationship between the two countries and the two peoples to an unprecedented level'. The visit, no doubt, will concentrate on the close cultural ties between the two countries, with a strong emphasis on the Irish communities in Britain, and will further cement the burgeoning relationship in the aftermath of Queen Elizabeth II's visit in May 2011. But the visit comes at a critical point for the Northern Ireland peace process. The last fifteen months have been frustrating and disheartening for Northern Irish politics, and for the atmosphere more generally. The ongoing Flags protests, the failure of the Haass talks, and more crucially, the 'on the runs' debacle, has seriously undermined the stability of the power-sharing assembly. The Northern Ireland issue will most likely be downplayed during the visit, but it remains the linchpin in the relationship between Britain and Ireland. While the relationship has undoubtedly progressed since the 1970s, a closer examination of the early period of the 'troubles' highlights the extent to which Northern Ireland, and the legacies of the conflict, have the potential to cause dangerous diplomatic rifts in Anglo-Irish relations.*

**Introduction**

Between 12 and 14 August 1969, the Irish and British governments were confronted with history and with their respective policies on Northern Ireland since 1920. The civil unrest in Northern Ireland that had begun in 1968 reached a peak in the summer of 1969. The 'marching season' sparked riots in Derry in July but the worst rioting occurred in August 1969 following the annual Apprentice Boys march in Derry. After three days of rioting, which became known as the 'Battle of the Bogside', the British Government agreed that British troops could be deployed on the streets of Northern Ireland in a peace-keeping capacity. When Ireland was divided in 1920, the Parliament of Westminster, by the various provisions of 'The Government of Ireland Act', retained supreme authority over the northern government in Belfast. All power vested in this latter government was delegated to it from Westminster, which retained the power to

intervene at any time on any matter. In practice, however, London all but ignored events in the North. In the five years leading up to the Battle of the Bogside in 1969, the House of Commons devoted less than one sixth of one per cent of its available time to discussing Northern Ireland. Although James Callaghan, as Prime Minister, had, until that point, avoided getting 'sucked into the Irish bog', the decision to deploy British troops meant that the British government would inevitably take a more active role in Northern Irish affairs.

The Irish government was no better prepared for the eruption of violence in August 1969. In 1937, Éamon de Valera, then Taoiseach, included two articles in the Irish constitution which claimed jurisdiction over the six counties of Northern Ireland. But ideas of Irish reunification did not move beyond that rhetoric. In 1969, the Irish government was faced with the limits of its own republicanism. Following Jack Lynch's provocative speech on 13 August 1969 in response to the riots in Derry, and in which he stated that the Irish government could no longer 'stand by and see innocent people injured and perhaps worse',<sup>1</sup> relations between London and Dublin reached its lowest ebb since the Second World War. Lynch's reaction to the northern crisis was at first aggressive and he called for the ending of partition, the mobilising of reserves and UN intervention.<sup>2</sup> Britain made it explicit that responsibility for Northern Ireland rested with the Stormont and London governments and not the Irish government.<sup>3</sup>

Thomas Hennessey comments that the 'state of mind' that constituted the collective entity called the government of Ireland in post-August 1969 could best be described as 'schizophrenic'. At one level Jack Lynch's Fianna Fáil government in Dublin sought to build bridges between North and South and to develop a working relationship between Ireland and Britain. But at another level the Irish government prepared for military intervention in Northern Ireland.<sup>4</sup> Lynch was effectively being pulled in two different directions by his cabinet. In May 1970, Jack Lynch sacked Finance Minister Charles Haughey and Agriculture Minister Neil Blaney following revelations of a plot to smuggle

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<sup>1</sup> National Archives Ireland (hereafter NAI), 2000/6/659, Lynch's television address, 13 August 1969.

<sup>2</sup> *Ibid*, For text see Dermot Keogh, *Jack Lynch: A Biography* (Dublin, 2008), p.170-172.

<sup>3</sup> NAI, Taois/2000/6/657, Note of discussion between Michael Stewart (Secretary of State for Foreign and Commonwealth affairs) and Patrick Hillery, 1 August 1969.

<sup>4</sup> Thomas Hennessey, *Northern Ireland: The Origins of the Troubles* (Dublin, 2005), pp. 337-338.

arms into the Republic of Ireland and send them on to Northern Ireland. Haughey and Blaney were accused of conspiring to import £100,000 worth of weapons, which allegedly were destined for the newly emerged Provisional IRA. They were both eventually acquitted of the charges but the Arms Trial was a controversy that undermined political consensus in the Republic and saw the emergence of the Provisional IRA.

The relationship between the two countries deteriorated with the election of the Conservative party to government in 1970. Although there was a bi-partisan approach to Northern Ireland policy in Westminster, the Conservative government initially indicated that they supported a military approach as a solution to the situation in Northern Ireland.

The relationship between the British and Irish governments reached its lowest point during this decade in the period between 1971 and 1973 and it is these years that this paper will concentrate on. While the deterioration of the relationship was framed and compounded by Provisional IRA and loyalist violence, three events ultimately shaped the animosity that existed between the two governments – the introduction of internment without trial in August 1971, subsequent revelations of torture which prompted the Irish government to seek redress on behalf of the Catholic minority in Northern Ireland at the International Court of Human Rights in Strasbourg, and Bloody Sunday in January 1972.

### **Internment**

The Ministry of Defence in London claimed in 2006 that

... Both the introduction of internment and the use of deep interrogation techniques had a major impact on popular opinion across Ireland, in Europe and the U.S. Put simply, on balance and with the benefit of hindsight, it was a major mistake.<sup>5</sup>

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<sup>5</sup> Great Britain, Ministry of Defence, *Operation Banner: An Analysis of Military Operations in Northern Ireland*, (Ministry of Defence, 2006), para. 20, quoted in Gordon Gillespie, *Years of Darkness: the troubles remembered* (Dublin, 2008), p. 36-37.

Operation Demetrius launched the introduction of internment without trial in Northern Ireland on 9 August 1971. In an early morning operation the British Army arrested 342 Republicans, mainly from the Official IRA, from a list of 452 persons sought.<sup>6</sup> No Loyalists were arrested. It soon became clear that security information on republican activists was hopelessly out of date. Of those who were arrested, 105 were released within two days. A week after internment was introduced, the Provisional IRA's Chief of Staff claimed that only thirty of its members had been interned.<sup>7</sup> In 1971, a total of 83 people died in the Northern Ireland conflict, 55 of them following the introduction of internment. In 1969, the total death toll was 13. In 1970, it was 19.<sup>8</sup> Internment in 1971 was one of the gravest errors the British government ever made in Northern Ireland.

The decision to introduce internment was given serious consideration in London. Edward Heath wrote that as the violence intensified, they, that is to say Whitehall, were put under 'immense' pressure by Brian Faulkner (then Prime Minister of Northern Ireland) to introduce internment.<sup>9</sup> He admitted that internment had always been 'a controversial measure and would completely alienate moderate Catholic opinion in both the North and South of Ireland, and damage Britain's relations with both America and Europe'.<sup>10</sup> At the time, Britain was in delicate negotiations with the six members of the EEC and he had 'no wish to upset [its] putative partners on the continent'.<sup>11</sup>

John Peck, British ambassador to Ireland (1970-1973), wrote in his memoirs that 'the Ulster Cabinet had agreed that if the internment [sic] were to be effective, it had to be introduced in the Republic at the same time'.<sup>12</sup> Consequently, on 6 August, London instructed Peck to find out where Lynch was likely to be at the weekend. As it was Horse Show week, the Taoiseach was remaining in Dublin. Peck called on him to enquire whether, if internment without trial were introduced in the North, the government would introduce it in the South. Lynch gave Peck the 'most solemn warning that the consequences in the North would be catastrophic; for every man put behind the wire a

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<sup>6</sup> Gordon Gillespie, *Years of Darkness*, p. 33.

<sup>7</sup> *Ibid.*

<sup>8</sup> *Derry Journal*, 5 October 1971.

<sup>9</sup> Edward Heath, *The Course of My Life* (London, 1998), p. 427.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*

<sup>12</sup> John Peck, *Dublin From Downing Street* (Dublin, 1978), pp.127.

hundred would volunteer'.<sup>13</sup> Peck reported Lynch's gloomy warning to his superiors. In his memoirs he commented that those who thought internment 'an appalling error in August 1971 were absolutely right'.<sup>14</sup>

On 12 August 1971, Lynch issued a statement on internment in which he called for the abolition of the Stormont regime and its replacement with an administration that had equal representation from the two communities. This would take precedence over the achievement of a united Ireland. He also commented that he was not contemplating introducing internment at present and he implied that his government had been under pressure from the British to do so.<sup>15</sup>

The incident led to a war of words between the British and Irish governments. Lynch sent Heath a telegram informing him that, 'In the event of the continuation of existing policies of attempting military solutions I intend to support the policy of passive resistance now being pursued by the non-Unionist population'.<sup>16</sup> The text of the telegram was made public. Heath's reaction was predictable. He returned a message through the British ambassador, Peck, stating, 'Your telegram of today is unjustifiable in its contents, unacceptable in its attempt to interfere in the affairs of the United Kingdom and can in no way contribute to the solution of the problems of Northern Ireland...I deeply regret the fact...you should have publicly taken up a position so calculated not only to increase the tension in Northern Ireland but also to impair our effort to maintain good relations between the United Kingdom and the Irish Republic'<sup>17</sup> He likewise released the text of the message to the press. Lynch followed up with a public statement saying:

It is regrettable that the British Prime Minister should have interpreted my message in the way he did. I had hoped that he would have accepted my offer to participate in discussions among all those concerned to find an amicable solution to the problems of Northern Ireland.... Mr. Heath's assertion that what is happening in Northern Ireland is no concern of mine is not acceptable. The division of Ireland has never been, and is not now, acceptable to the great majority of the Irish people... No generation of Irishmen has ever willingly

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<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*, pp. 127-128.

<sup>15</sup> *Irish Times*, 13 August 1971.

<sup>16</sup> John Peck, *Dublin From Downing Street*, p. 130.

<sup>17</sup> *Ibid.*, p. 131.

acquiesced in that division – nor can this problem remain for ever [sic] in its present situation...<sup>18</sup>

Peck stated in his memoirs that it is hard to imagine the heads of government of any two other states brawling publicly in this fashion.<sup>19</sup> In a private memo by the Department of Foreign Affairs in Dublin on the Northern Ireland situation, circa October 1971, it was noted that ‘whatever hopes [Heath] might have had of tacit cooperation from Dublin on this matter have evaporated. In addition, he had managed, so far as the foreign press is concerned, to affront what they frequently describe as the man of peace and moderation – the Taoiseach – to no good purpose.’

However, when it emerged that the internees were ill-treated while they were detained the issue became more emotive. They were beaten, subjected to a high-pitch white noise, made to stand with their finger-tips touching the wall for hours on end, hooded and thrown from helicopters (the helicopters were only a few feet from the ground but the mental and psychological torture was enormous) and consumed a diet of bread and water.<sup>20</sup> The *Sunday Times* Insight team reported on the abuses<sup>21</sup> which substantiated a case for torture.

In response to the torture claims, the British government set up the Compton Inquiry in August 1971. The report, published in November of the same year, confirmed the existence of ‘interrogation in depth’, whereby selected individuals were subjected to psychological disorientation in order to gain information. The report also confirmed the systematic ‘ill-treatment’ meted out to others detained in the initial military swoop. However, it stopped short of confirming brutality on the part of the British Army.<sup>22</sup>

The Irish government response was muted at first. Hugh McCann, Secretary in the Department of External Affairs, warned that a move to bring Britain before the bar of European opinion would inevitably be strongly resented by the British government and

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<sup>18</sup> *Ibid*, pp. 132-134.

<sup>19</sup> *Ibid*, p. 134.

<sup>20</sup> PJ McClean’s experiences of the torture while he was interned can be found in Linen Hall Library, Northern Ireland Political Collection, NICRA boxes. See also, Paddy Devlin, *Straight Left*, p. 160-161.

<sup>21</sup> *Sunday Times*, 17 October 1971.

<sup>22</sup> *Report of the enquiry into allegations against the Security Forces of physical brutality in Northern Ireland arising out of events on the 9th August, 1971* (Compton Report), Cmnd. 4823, paragraph 14.

lead to a considerable deterioration in Anglo-Irish relations: 'If Mr. Heath's previous outbursts are any guide he would probably be furious – at least in the short run. One might expect that Britain would get "really dirty" in handling our affairs'.<sup>23</sup> Despite this, Lynch was coming under increasing pressure by the Northern minority to take action. In a discussion with Heath on 6 December 1971, Lynch stressed that the influence of the Dublin government on the Northern situation was waning and mentioned the pressure to which he had been subjected, following publication of the Compton Report and the receipt of other information to seek recourse to the Commission on Human Rights in Strasbourg.<sup>24</sup>

Contrary to advice from Hugh McCann, the Cabinet instructed the Minister of External Affairs, Patrick Hillery, to refer Britain to the Commission for breaches of the European Court of Human Rights on 30 November.<sup>25</sup> Edward Heath's only comment on this was 'you [Lynch] resisted as long as you could'.<sup>26</sup> Citing internment, torture and community harassment, the Irish government alleged that British policy towards the north had degenerated into a military assault on the minority in violation of the European Convention of Human Rights.<sup>27</sup> The Strasbourg case was a source of huge embarrassment to the British government, and its reputation in America and Europe suffered as a result. It also led to a deterioration in relations between the Irish and British governments that would last a number of years.

Garret FitzGerald, who was Minister for Foreign Affairs during Sunningdale negotiations pointed to several sources of serious tension between the British and Irish governments, of which the Strasbourg case featured prominently. A consistent theme running through British documents during this period was the British government's displeasure at the Irish pursuit of the Strasbourg case. In 1972, a note to Denis Trevelyan, Undersecretary at the Northern Ireland Office, responded to his question on whether the British government could 'drag the Government of the Republic of Ireland through the International Court or any other international court – partly to blacken

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<sup>23</sup> NAI, Taois/2002/8/495, McCann note, 18 October 1971.

<sup>24</sup> NAI, Taois/2002/8/489, Note of Discussion between the Taoiseach and Heath on 6 December 1971.

<sup>25</sup> NAI, Taois/2002/8/495, Cabinet minutes, 30 November 1971.

<sup>26</sup> NAI, Taois/2002/8/489, Note of Discussion between the Taoiseach and Heath on 6 December 1971.

<sup>27</sup> NAI Taois/2002/8/494, Ill-treatment of Northern Ireland Internees, etc., 1971: Proposal to refer cases to Commission of Human Rights.

their international reputation and partly in retaliation for Strasbourg'.<sup>28</sup> The grounds for the complaint would have been that the Republic had given sanctuary to terrorists. The Foreign Office Legal Advisors apparently considered the point thoroughly and could find no good grounds for taking the Republic to the International Court.<sup>29</sup> In their meetings with the Irish government throughout 1972 and 1973, the British highlighted the damaging effect the case would have on political progress in Northern Ireland, and pressured them against pursuing the case to 'its bitter end'.<sup>30</sup>

### **Bloody Sunday**

What later became known as Bloody Sunday was the final blow to the Catholic population in Northern Ireland. As a civil rights anti-internment march made its way through Derry, soldiers of the Parachute Regiment, an elite regiment of the British Army, moved into the Bogside in an arrest operation. During the next 30 minutes these soldiers shot dead 13 men (and shot and injured a further 13 people) mainly by single shots to the head and trunk. Peck commented that Bloody Sunday had 'unleashed a wave of fury and exasperation the like of which I had never encountered in my life... Hatred for the British was intense... Someone had summed it up: "We are all IRA now"'.<sup>31</sup>

Initial disbelief turned to anger as details of the massacre in Derry reached southern homes by the evening of 30 January. That night around 50 people picketed the British embassy in Dublin. By 1 February, the Irish government had withdrawn the Irish Ambassador from London and announced that Wednesday 2 February, when the funerals of eleven of the victims were to take place in Derry, would be a national day of mourning. On the day of the funerals, the British embassy, which had been under sustained attack by protesters since the Sunday, was burned to the ground. It was noted that 'The south is in the mood for violence...there is a growing feeling that the only language Britain understands is through the gun barrel'. After the destruction of the embassy, however, the tone began to change. There was widespread condemnation of

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<sup>28</sup> Public Records Office, Kew (hereafter PRO), CJ4/389 – Note to Mr. Trevelyan entitled 'Possibility of taking Irish Government to an International Court', 20 October 1972.

<sup>29</sup> PRO, CJ4/389 – Note to Mr. Trevelyan entitled 'Possibility of taking Irish Government to an International Court', 20 October 1972.

<sup>30</sup> PRO, CJ4/468, Record of conversations between Prime Minister and Taoiseach, 17 September 1973.

<sup>31</sup> John Peck, *Dublin From Downing Street*, pp. 3-4.

arson attacks on British property and of threats against both British citizens living in Ireland and against Irish Protestants.

The most far-reaching consequence of Bloody Sunday was the prorogation of Stormont in March of that year. Heath, preoccupied with the Common Market and EEC membership application, finally returned his attention to the North. He called a meeting with Faulkner in London on 22 March and told him of proposals to transfer responsibility for security from Stormont to Westminster. Removing security from Stormont left the Northern administration without any real influence or power, a proposal that Faulkner and his Cabinet could not agree to, which Heath must have realised. Faulkner and his cabinet resigned and Stormont was prorogued.

### **Political direction**

Heath had made his position clear in August 1971 by asserting that Northern Ireland was a British problem, that there would be no discussion on it with Dublin and internment was needed to reduce the violence in the North.<sup>32</sup> However, by September, he had considerably shifted position. The war of words between Heath and Lynch subsided speedily. Behind the scenes, both Dublin and London sought to repair the relationship. Despite the fact that the SDLP was still maintaining that the party would not enter talks until internment ended, Heath was adamant that he could find a political solution to the problem. He arranged a meeting between himself and Lynch at Chequers, which was brought forward from the end of October to September in light of the deteriorating situation since 9 August, implying a moderation of his earlier views and an acknowledgement, for the first time, that Dublin had a stake in the affairs of the north.<sup>33</sup> The talks were a success. According to Garret FitzGerald, 'the meeting marked a significant advance on the British side since it recognised the Irish Government's legitimate interest in a situation threatening the security of both parts of the island'.<sup>34</sup> The talks cleared the way for tripartite talks between Heath, Lynch and Faulkner later in the month, on 27 and 28 September, and further meetings between the Taoiseach and

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<sup>32</sup> NAI, DFA/2001/43/1286, Speeches, Statements, Interviews, etc by the Prime Minister of Britain, Mr. Edward Heath, on Northern Ireland, July 1970-December 1973, Extract from House of Commons Debate, 2 July 1970. See also: *Irish Times*, 19 August 1971.

<sup>33</sup> NAI, Taois/2002/8/488 – Discussions between Lynch and Heath, 6-7 September 1971. See also: *Irish Times*, 2 September 1971.

<sup>34</sup> Garret FitzGerald, *All in a Life: An Autobiography* (Dublin, 1991), p.99.

the Prime Minister, in an attempt to prepare the ground for a political solution to the Northern Ireland problem.

In September 1972, after a round of talks with three of the Northern Ireland parties, the Secretary of State for Northern Ireland, William Whitelaw, drew up the Green Paper for proposals on a political solution in Northern Ireland. The paper was a forward movement in the Anglo-Irish relationship as it formally conceded that Dublin had a legitimate interest in Northern Ireland affairs, declaring: 'A settlement must recognise Northern Ireland's position within Ireland as a whole. It is therefore clearly desirable that any new arrangements should, whilst meeting the wishes of Northern Ireland and Great Britain, be so far as possible acceptable to and accepted by the Republic of Ireland.'<sup>35</sup> The document introduced into the political lexicon the phrase 'Irish dimension' in acknowledgement of the south's interest.<sup>36</sup>

The change of government in Ireland from the traditionally republican Fianna Fáil to the more conciliatory coalition of Fine Gael and Labour was quietly welcomed in Britain. It was noted that, 'The new government may discourage open co-operation with HMG [Her Majesty's Government] at first but it is unlikely that they will be more ready to do so in private than their predecessors'.<sup>37</sup>

The far-reaching Sunningdale Agreement of December 1973 highlighted the more cordial relationship between Britain and Ireland as far as Northern Ireland was concerned. It established a power-sharing executive there, and recognised Ireland's right to a say in Northern Ireland affairs through a Council of Ireland and the undefined 'Irish dimension'. But the hope that Sunningdale marked the start of a close and productive Anglo-Irish co-operation turned out to be short-lived. The Dublin government's role in Northern Ireland was once again relegated and remained so until 1985. Provisional IRA bombings throughout the 1970s and 1980s, and Britain's apportioning of blame on the Republic for the security crisis, caused a dangerous diplomatic rift in Anglo-Irish relations, which was further exacerbated by Fianna Fáil's increasingly irredentist claims in the latter part of the 1970s.

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<sup>35</sup> The Green Paper, *Northern Ireland: A paper for discussion* (HMSO, 1972), paragraph 76.

<sup>36</sup> *Ibid*, paragraphs 76-78.

<sup>37</sup> *Ibid*.

The Sunningdale experiment failed for a myriad of reasons, of which the Irish government's failure to act on extradition and the irredentist claim of Articles 2 and 3 were just two. But it was enough for London to withdraw from integrating itself too much with the Irish problem. In the years after Sunningdale, British policy concerned itself mostly with security – and bipartisanship on the issue remained. Anglo-Irish relations have been described as entering a 'black hole' between 1974 and 1979.<sup>38</sup> The Irish government noted that the difference between Labour and Tory policy on Northern Ireland in these years was one of emphasis rather than of any substance. While Labour was considered more naturally sympathetic to Irish unity, in practical terms, particularly in the 1970s, there was little difference in the Labour and Tory approach to the issue. The relationship between the two countries was controlled by a desire by both governments to 'contain' the problem to Northern Ireland. The British government encouraged Dublin to refrain from mentioning unity or power-sharing and the main bone of contention between the two governments was about security, and the ongoing, and increasingly savage, Provisional IRA and loyalist violence.

Anglo-Irish relations on the eve of the hunger strikes of 1980 and 1981 was strained but cordial. The murder of Airey Neave, Lord Mountbatten and the ambush and killing of eighteen soldiers at Warrenpoint in 1979 and the hunger strikes undoubtedly put further pressure on the relationship and it wasn't until the Anglo-Irish Agreement of 1985 that a real *détente* occurred. This was born out of a necessity by both to shore up the middle ground in the north, and both came under pressure from the different communities there who they purported to represent. The 1970s was undoubtedly the most turbulent decade of the 'troubles' and it is important to see how the relationship between the two governments evolved in order to fully comprehend the evolution of the peace process during the late 1980s and 1990s and to put both the Queen's and President Higgins' visits in context.

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<sup>38</sup> Paul Arthur, *Special Relationships: Britain, Ireland and the Northern Ireland problem* (Belfast, 2000), p. 116.

## Conclusion

Enda Kenny is right in saying that the visit by President Higgins to Britain would have been unthinkable twenty years ago, and this certainly represents an 'all-time high' in Anglo-Irish relations. It further concentrates minds on persevering with the stagnating peace process. Despite the significant leaps forward in the past two decades, the Anglo-Irish relationship is complex and mired by its history. This relationship cannot be divorced from the violence that set the backdrop to it for over thirty years. While these state visits represent a positive progression, particularly of Strand Three of the Good Friday Agreement, progress (or lack thereof) in Northern Ireland will continue to determine how cordial and friendly this relationship will be. If Scotland votes for independence in September, this could well have profound consequences for Northern Ireland in a newly conceived United Kingdom, as the devolution question in the 1970s threatened to do. By examining the Anglo-Irish relationship at the beginning of the 1970s, we can see the extent to which this relationship has evolved. But it should also act as a warning. While internment and the 'on-the-run' issue are not comparable, both show that Northern Ireland is still at the centre of this embryonic congenial relationship, and how the legacies of the conflict are dealt with by both governments will be a determining factor in its growth. As new evidence and papers emerge, particularly on both British state and Irish [Garda](#) collusion during the conflict, this relationship will be seriously tested. President Higgins' visit fits neatly into the well-worn narrative of a 'successful' Northern Ireland peace process, but grand gestures of bi-lateral relations will always have the potential to be undermined by conditions on the ground in Northern Ireland.