



# 10 Things to Watch for on Brexit

By Ken Gude | December 7, 2018

On December 11, British Parliament will vote on Prime Minister Theresa May's deal to leave the European Union (EU)—commonly known as Brexit. As of now, it seems clear that she is nowhere close to having the votes to pass it.<sup>1</sup>

The vote comes after a contentious referendum campaign in the United Kingdom and two years of difficult negotiations with the EU, which saw Prime Minister May and Jean-Claude Juncker, the president of the European Commission, formally agree on a Brexit withdrawal agreement on November 25.<sup>2</sup> The deal would establish a transition period at least through the end of 2020, during which the United Kingdom would be formally outside the EU but still abiding by its rules and regulations.<sup>3</sup> During this transition period, U.K. and EU leadership will negotiate the final terms of the future economic and trading relationship that will see the United Kingdom leave the EU single market and formal customs union yet likely remain in close alignment with the EU on many customs rules.<sup>4</sup> If the United Kingdom does remain close to EU customs rules, it would limit the scope of any free trade deals the nation wants with non-EU countries that diverge from EU customs requirements.<sup>5</sup> Furthermore, it would allow the United Kingdom to place new limits on the previously free movement of EU nationals into the nation.<sup>6</sup>

May's Conservative Party is in the unenviable position of not having enough members of Parliament (MPs) to form an overall majority and, in order to form a government, it relies on an agreement with 10 MPs from the Democratic Unionist Party (DUP) to vote with them on important legislation.<sup>7</sup> Yet the DUP opposes the withdrawal deal, as do many of May's own Tory MPs.<sup>8</sup> And then there is Britain's main opposition, the Labour Party, which is against the deal, as is the third-largest party in Parliament, the Scottish National Party (SNP).<sup>9</sup> The reality is that there still is no political consensus in the United Kingdom between the mutually exclusive positions of those who want a hard Brexit and a sharp break from the EU, a soft Brexit that maintains close alignment with the EU, and no Brexit at all.

Regardless of the vote's outcome, current U.K. law requires Brexit to occur on March 29, 2019.<sup>10</sup> If May's deal fails, it will require new legislation in Parliament and the EU's acceptance to pause or cancel Brexit.<sup>11</sup> And if Parliament does not pass the withdrawal

agreement, there are four possible next steps: 1) a second vote is held in Parliament on May's deal; 2) May's government falls, and a new general election is held; 3) a second referendum, or "people's vote," is held; 4) the United Kingdom crashes out of the EU with no deal, an eventuality that the Bank of England says would cause the U.K. economy to shrink by nearly 10 percent next year.<sup>12</sup> Each of the four steps and other relevant issues related to Brexit are explored in more detail below.

With the increasingly long odds of Prime Minister May's withdrawal plan winning approval, here are 10 questions to consider in the run-up to the December 11 vote and in its aftermath:

### 1. Can May persuade enough MPs to back her deal?

Theresa May must convince 320 MPs in a deeply skeptical British Parliament to back her Brexit deal.<sup>13</sup> There are 315 Tory MPs and 10 DUP MPs, meaning that May has very little margin for error if she cannot persuade any opposition MPs to back the deal.<sup>14</sup> Unfortunately for May, not many opposition MPs look likely to do that, and a large number of Tories and the DUP are already opposed.<sup>15</sup> That is why it looks like such a long shot for May to get her deal through.

May will base her appeal on the claim that it is either this deal, no deal to leave the EU, or no Brexit at all.<sup>16</sup> European leaders are helping her a bit by claiming that there will be no renegotiation of the terms of the deal, with Juncker saying, "This is the best deal ... the only deal possible."<sup>17</sup>

The Bank of England's dire no-deal forecast has certainly focused minds on the consequences of the United Kingdom crashing out of the EU.<sup>18</sup> During the referendum, the campaign to stay in the EU was heavily criticized for using negative economic forecasts of what would happen if the United Kingdom left the EU, dubbed "Project Fear," to try scare voters into staying in the EU.<sup>19</sup> However, May will now turn the tables and use Project Fear on steroids in a bid to scare her MPs into backing her deal to leave.

### 2. Will May's Cabinet unite or dissolve?

When the withdrawal agreement was brought to May's Cabinet, two senior cabinet ministers resigned rather than support the deal—including then-Brexit Secretary Dominic Raab.<sup>20</sup> Raab was the second Brexit secretary to quit over the terms of the deal, following David Davis' departure in July.<sup>21</sup> Several other senior ministers expressed significant reservations about the deal but agreed to stay on.<sup>22</sup> Pressure is not only coming from hard Brexit supporters; Science and Universities Minister Sam Gyimah just days ago quit the government and called for a people's vote.<sup>23</sup> A total of 10 ministers have resigned from May's cabinet over Brexit.<sup>24</sup> Further cabinet resignations may occur from both sides of the Brexit debate if it becomes clear the vote will fail.

### 3. Will rank-and-file MPs follow through on their promises to oppose the deal?

According to BuzzFeed News, there are currently 104 Tory MPs who have publicly committed to voting against the deal.<sup>25</sup> That would obviously be far more than is necessary to doom the deal to failure in Parliament. However, there is the likelihood that after intense lobbying by May and her team, not all of these 104 MPs will follow through on their statements and vote no when it counts. Two weeks ago, many of these same rank-and-file Tories claimed to have the strength to topple May, but there were far fewer who actually followed through on their threat, and their attempted coup eventually fizzled.<sup>26</sup> There may be more strength in these numbers this time around; however, the Tories are well past the number necessary to scupper the deal so that no individual MP rebel would bear the responsibility of defeating the government.

### 4. Will the DUP bring down the deal and possibly the government?

The DUP is crucial because, in 2017, it agreed to provide the necessary votes to keep in power May's Conservative Party, which does not have an overall majority in Parliament.<sup>27</sup> More importantly, however, the DUP represents Northern Ireland's Protestant unionist population, and the Brexit deal includes specific provisions that would prevent a hard border from being erected between Ireland and Northern Ireland.<sup>28</sup> Currently, there is no border because both countries are EU members, which has been a critical element of the 1998 Good Friday peace agreement that ended the violence over Northern Ireland.<sup>29</sup> In order to prevent the border between Ireland and Northern Ireland from returning, May's withdrawal agreement contains a special backstop establishing rules and regulations in Northern Ireland that are more aligned with the EU than will be the case for the rest of the United Kingdom.<sup>30</sup>

The DUP strongly opposes any Brexit deal in which Northern Ireland is treated differently than the rest of the United Kingdom, as it fears that this would signal the beginning of a process that ends with Northern Ireland leaving the United Kingdom and reuniting with Ireland.<sup>31</sup> The DUP has abstained on a number of key votes in Parliament and shows no sign of backing off its opposition, which could, in turn, bring down both May's Brexit deal and her government.<sup>32</sup> The DUP is simply not going to change its mind on this issue, as preserving Northern Ireland's position in the United Kingdom is its primary reason for existence as a political party.<sup>33</sup>

### 5. Can the Labour Party unite around one position?

The opposition Labour Party has its own divisions over Brexit. The party membership and most Labour MPs are overwhelmingly in favor of a second referendum and staying in the EU.<sup>34</sup> Yet Labour leader Jeremy Corbyn is at best a weak supporter of staying in the EU and likely wants the United Kingdom out.<sup>35</sup> Labour's official position establishes six tests for the Brexit deal; chief among them is that any deal provides the United Kingdom with the exact same benefits that the nation currently enjoys as a member of the single market and customs union.<sup>36</sup> However, May's deal clearly does not do this, and Corbyn has indicated that his party will oppose it.<sup>37</sup> Labour leadership hopes that if the deal is voted down, they can force a new general election—one that would bring them to power.<sup>38</sup>

Many prominent Labour MPs are leading the campaign for a people's vote—a second referendum on the actual terms of the deal.<sup>39</sup> Corbyn and others in Labour leadership have resisted calls for a second referendum, but Corbyn's right-hand man, John McDonnell, is warming to the people's vote option.<sup>40</sup> If May's deal is defeated in Parliament, this jockeying within the Labour Party between those who want to push for a general election and those who want to instead call for a second referendum will be crucial in determining which option prevails.

## 6. Will EU leaders help or hurt May?

Now that EU leaders have agreed upon the terms of the United Kingdom's withdrawal from the EU, the remaining 27 states in the EU are mostly doing what they can to help Prime Minister May sell her deal.<sup>41</sup> Juncker, German Chancellor Angela Merkel, and the EU's chief Brexit negotiator, Michel Barnier, are all trying to support May in getting the withdrawal agreement passed.<sup>42</sup> But winning approval in Parliament is only part of the battle, as the deal crafted by May only sets the terms of the United Kingdom's separation from the EU. The future relationship on trade, security, and issues such as fishing rights in U.K. territorial waters still need to be negotiated.<sup>43</sup> Critically, French President Emmanuel Macron issued an early warning on those negotiations when he suggested that the remaining EU states would demand fishing access to U.K. waters and would use the Irish backstop as leverage to get what they want.<sup>44</sup> This stated position hurts May's standing with hard Brexit supporters and the DUP, both of whom strongly oppose the backstop.

## 7. What will U.S. President Donald Trump do?

Any other U.S. presidential administration would provide leadership in the Brexit negotiations, playing a supportive and guiding role in order to help key allies in the EU and the United Kingdom navigate this extremely difficult situation with minimal harm. For example, the Clinton administration played this role during the peace talks between the United Kingdom and Ireland, which led to the 1998 Good Friday Agreement.<sup>45</sup> And virtually every other U.S. president since Franklin D. Roosevelt has played this role during global crises.<sup>46</sup> The Trump administration, however, has abandoned its global leadership role, and America and its allies are paying the price.

The Trump administration has vacillated between ignoring Brexit and preparing to take advantage of a weakened United Kingdom after it leaves the EU—not long ago considered America's strongest ally. The United States played no mediating role in the negotiations between the United Kingdom and the EU but did pressure the United Kingdom to push for a clean break from the EU that would leave it in desperate need of a trade deal with the United States on favorable terms.<sup>47</sup> Moreover, Trump helped the deal's opponents when he said that because of May's withdrawal agreement, the United Kingdom “may not be able to trade with the US.”<sup>48</sup> President Trump appears oblivious to the real risks that a no-deal Brexit would have on the global economy.

## 8. Will the prospect of a disastrous no-deal Brexit move votes in favor of May's deal?

The parliamentary arithmetic looks dire for May. As noted above, perhaps her only option is to strike fear in MPs by stressing what it would mean if the United Kingdom were to crash out of the EU on March 29, 2019, with no deal in place. As the Bank of England's forecast shows, the consequences would be catastrophic: In 2019, the U.K. economy would plunge by 8 percent; unemployment would double; inflation and interest rates would shoot up; and home prices could fall by nearly one-third.<sup>49</sup> If the U.K. government were to choose the path of no deal, it would be a near-suicidal choice. May is counting on this reality being a decisive determinant.

## 9. How will markets react?

The concerns about the turmoil of no deal come against the backdrop of broader economic concerns. Even if the United Kingdom passes this deal, new analysis indicates that by 2030, its economy will be 100 billion pounds smaller—4 percent of U.K. gross domestic product—than if it had stayed in the EU.<sup>50</sup> Germany's economy, long the engine of Europe, actually contracted during the third quarter of 2018.<sup>51</sup> The EU is currently locked in a battle with Italy's new populist government over its budget, which could once again plunge the eurozone into crisis.<sup>52</sup> Meanwhile, Trump's trade wars are dampening future growth projections around the world, and U.S. markets have been flat or declined in 2018.<sup>53</sup> There is already a great deal of anxiety in global markets, and the uncertainty of what will happen with Brexit is not helping to calm those jitters. A rejection of the withdrawal agreement by the U.K. Parliament would likely spark a market sell-off in the United Kingdom and in continental Europe with a genuine possibility of spreading to the United States and Asia.<sup>54</sup>

## 10. Will there be a second parliamentary vote, a general election, or a second referendum?

It is unclear what will happen if Parliament rejects the deal. The prospect of a no-deal Brexit remains an all-too-real possibility despite the obvious disastrous consequences. But there are other options. May's team is preparing a plan to bring the current withdrawal agreement back before Parliament if it fails the first time.<sup>55</sup> This would be similar to what happened in U.S. Congress during the 2008 financial crisis when the House of Representatives initially rejected the Troubled Asset Relief Program (TARP) package, before returning to pass it a few days later on a second vote after the financial markets tanked.<sup>56</sup> However, while the situation is analogous, the withdrawal agreement would fall apart if it were rejected by a big margin.

There is also Labour leadership's hope for a new general election. This is certainly a possibility, but the path to getting there would be difficult. Corbyn is despised by all Tories—and even some of his own MPs.<sup>57</sup> Regardless of their views on Brexit, it is hard to see how Tory MPs would back a vote to dissolve Parliament and call for a new general election that could lead to a Corbyn-led, hard-left Labour government. The DUP is the wild card in all of this, but it has similar—if not worse—views of

Corbyn.<sup>58</sup> In any event, there is no guarantee that a general election would actually resolve the political divisions over Brexit or produce a new government capable of passing this or any withdrawal agreement.

That leaves a second referendum, or a people's vote, as its backers are calling it. This path, too, has real drawbacks, as there are legitimate concerns it could further enflame the divisions over Brexit and other issues, thereby deepening the erosion of public trust in the government.<sup>59</sup> However, as explained in *The National Interest*, those problems are political and likely fixable—or at least ameliorable—while the harms of Brexit are irrevocable.<sup>60</sup> In the absence of any political consensus on Brexit, the least worst option is a people's vote. But the obstacles in its path are just as significant as those of any other choice.

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## Conclusion

The Trump administration should have served as a helpful third-party: working to assist in the negotiations and—while making clear that this was a choice for them to make—helping the United Kingdom and the EU to ensure that a no-deal Brexit did not occur. Now that this worst-case scenario is an all-too-real possibility, in order to protect against negative economic consequences spreading beyond Europe, it is incumbent on the Trump administration to begin planning how it will respond in the event that the United Kingdom crashes out of the EU next March.

For once, however, President Trump will not be the center of attention as all eyes turn to Parliament. In just days, it will vote on the formal withdrawal agreement, and the United Kingdom is no closer to achieving a consensus on its future than it was the day after the Brexit referendum 2 1/2 years ago. It does not appear possible that in such a short time span consensus will magically emerge in Parliament. When the people's elected representatives cannot craft a resolution, the only option left is to put the question directly to the people. To paraphrase Winston Churchill: A second referendum may be the worst option, except for all the others.<sup>61</sup>

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## Endnotes

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