EUROPEAN POLICY BRIEF

The 2019 UK General Election: Towards a Brexit Catharsis?

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On 12 December 2019, UK voters confront another choice whether to advance Brexit or not. More than three years after the referendum, all issues have been scrutinized and the collective effort that Brexit requires has become clear. Apart from involving the public in the most momentous choice in the orientation of UK foreign policy in decades, the general election provides a useful opportunity for the UK and the EU to take stock of the shortfalls of their negotiating strategies and to contemplate future scenarios. The UK and the EU have a common interest in maintaining a cooperative relationship whilst they search for ways to address the democratic demands they both face.

In classical Greek tragedy, excessive self-confidence (hubris) is usually followed by catharsis: the dawning awareness of past errors and the emotional purification this entails. One may wonder whether the UK general election on 12 December 2019 will provide such a moment. Regarding Brexit, there has been plenty of hubris to go around in the UK as well as in the EU. Early

British dreams about the Brexit negotiations being a walk in the park have come to naught. Similarly, while the EU has remained remarkably coherent on Brexit, that same cohesion has been in short supply when approaching other debates relating to the EU's own future. Yet there is a chance that the UK general election will offer an opportunity to turn the page.

With respect to the question of EU membership the UK general election promises to offer a fairly binary choice. Notwithstanding other salient topics such as the future of the National Health Service, UK voters confront a choice on advancing Brexit – or not. A clear win for the Conservative Party will deliver the revised deal that Boris Johnson has negotiated. In contrast, a hung parliament or an outright victory for Labour or for the Liberal Democrats is likely to continue the political deadlock and may eventually lead to the outcome of the 2016 referendum being reversed. Regardless of where every UK citizen stands on Brexit, the ballot paper will have offered everyone a say in the outcome. In addition, the public debate leading up to this election has been long and intense. In contrast to the 2016 referendum, the issues have been scrutinized at length, the electorate has been widely informed about what EU membership

actually entails, and also what effort 'leaving the EU' will demand. Critics will point out that this debate has been contaminated by deception and demagoguery. That is true, but when has democracy ever been devoid of attempts to win the battle of competing narratives? Also, this general election can fail to produce a definite outcome. Even so, it will have the merit of involving the public in the shaping of a momentous choice in the orientation of British foreign policy.

This European Policy Brief highlights the challenges and opportunities the UK and the EU-27 face in dealing with the Brexit conundrum before and after the election. It does not provide voting advice to UK citizens, nor does it advocate specific EU positions. Rather it seeks to highlight in what ways the UK and the EU have been caught up in overestimating their own negotiating position. Given that this has produced stalemate – on Brexit and on other matters – the election provides a window through which the EU and the UK can contemplate different futures. Whatever outlook one may prefer, a broadly cooperative relationship in terms of trade, security and foreign policy remains a core interest for the UK as well as for the EU.

A GLOBAL BRITAIN DEVOID OF GLORIOUS DREAMS

One striking feature of the Brexit negotiations is the extent to which different UK negotiation teams, boisterous at first, have been worn down by the technocratic grit of the European Commission's Task Force 50. Most assessments of the Withdrawal Agreement suggest that the European Commission has been particularly successful in protecting the EU's core interests vis-à-vis the UK.[1] Apart from the revisions relating to the customs status of Northern Ireland, which are much more significant from a domestic UK than from an EU perspective, the changes brought about by Boris Johnson's

leadership have been minimal. In addition, the Political Declaration left much of the future relationship open for subsequent clarification or review. If the UK has been humbled by the Commission's negotiating prowess, this has been largely due to a dangerous overconfidence about how easy it would be to leave the legal order that the UK had become so enmeshed in for over forty years.[2]

The UK has traditionally maintained a foreign policy outlook that ranged far beyond the European continent. Correspondingly, its relationship to European integration has been qualitatively different from that of the founding member states, its interests wider and its diplomatic approach more transactional. The UK's global outlook is both a source of inspiration for the EU and a handicap for negotiating the future relationship. After all, this requires reconciling the UK's perspective with the EU's more inward-looking approach, which cannot help but being curtailed by 27 different national agendas. Yet the challenge for the UK resides not simply in articulating a grand vision of a novel, post-Brexit foreign policy. The UK's departure from the EU itself requires a legal and administrative effort of colossal scale. When it comes to trade negotiations, this is precisely the sort of governmental bureaucracy that EU member states have successfully outsourced to the European Commission. Unsurprisingly, the European Commission has mastered the technical detail that Brexit requires much better and earlier than any UK government could ever have – even if it would dramatically boost the capacity of the UK's own civil service.

Yet the reality of any British foreign policy post-Brexit cannot escape the tyranny of geography. The trading relationship the UK enjoys with the EU is far more significant than any other relationship. In 2018, the UK trade in goods and services with the EU-27 accounted for 45% of exports and 53% of imports.[3] Through NATO

and other forms of security cooperation, UK national security is deeply intertwined with that of most EU member states. These realities cannot be ignored without damaging the core material interests of both the UK and the EU. Ensuring the UK's political well-being may well require recalibrating its relationship with the EU along a different trajectory than full EU membership. Yet this requires a spirit of cooperation that is all too often hidden from view by the popular desire to return to the days of former glory. As the vexing Irish question has shown, the EU will throw its full weight behind its individual member states when one of these has a vital interest at stake.

The UK's confidence in its ability to navigate the emerging international system better alone may be warranted or not. Either way, the UK will need to grow the administrative means to do so, or risk being outflanked by larger and more capable actors overseas. By its very consociational nature, the EU will not be the most formidable counterpart the UK will encounter. Furthermore, a novel and cooperative relationship remains a shared interest between the UK and the EU – unlike the designs that more distant actors may have for the European continent as a whole.

MIRROR, MIRROR ON THE EUROPEAN WALL

The EU's own form of hubris has been a mirror image of the UK's. Instead of drawing strength from a clear-eyed foreign policy outlook, the EU has relied on the formidable negotiating strengths of the European Commission. In turn, the latter relied on its technocratic mastery of legal and administrative detail. Like the UK, the EU has been initially tempted to believe that this approach would deliver the desirable outcomes – i.e. preventing Brexit or at least mitigating its negative consequences for the EU to the minimum. The Commission and, by extension, the Union have been successful in doing so, albeit

at the risk of ignoring broader trends affecting the European political architecture. As the post-Maastricht period in which the EU could expand hand in hand with economic globalization has arguable come to a close, the key challenge for the EU is to strike a new balance between its institutions and its member states for pursuing integration in an environment that is intrinsically more hostile to multilateralism than most Europeans would prefer. This will be easier to accomplish with the UK as a cooperative partner than as a resentful ex-member.

Even if the EU has not consciously sought to 'punish the UK' for Brexit and invoking Article 50, its technocratic mastery of the negotiations implied that the brutal face of reality was all too often that of the EU negotiators. Protecting the integrity of the single market constituted a common interest that provided the Council with a much-needed sense of cohesion. Indeed, the Brexit negotiations have been an educational experience about what it precisely means to be an EU member state, both for the UK and for the EU itself. All other EU member states calculated that being inside the EU-27 was much preferable to being an exiting member state. If the UK with its much-vaunted civil service was struggling like this with implementing Article 50, even seasoned EU watchers came to the conclusion that leaving the EU amounts to mission impossible.[4] Last but not least, the eventual outcome of the negotiations on the Withdrawal Agreement strengthened a sense that the approach chosen by the EU had been the right one. The narrow financial and legal interests of the EU and its citizens were thereby adequately provided and accounted for.

In a wider sense, however, the negotiating success of the EU shrouds fundamental challenges of a political nature. The cohesion that the Council and the Commission put forward in the Article 50 negotiations has proven to be the exception to the rule. This display of unity cannot

shroud the fact that the EU has not put forward much vision on the future EU-UK relationship either. Even with a zero tariff, zero quota and zero dumping free trade agreement in place, Brexit remains a lose-lose proposition. Has the considerable ingenuity of the European institutions already been exhausted? Beyond Brexit, the debate on the common future of the EU-27 has not advanced much either. The discussion on future EU enlargement has dissolved into acrimony. The negotiations on the next Multiannual Financial Framework are becoming more painful than ever – not the least as a result of the continued uncertainty on the size of any potential future UK contribution. Last but not least, President Macron's derogatory comments about NATO being 'brain-dead' have fuelled growing distrust about French designs for strengthening European defence – and perhaps more broadly so.[5] Overall, the trend is clear. Member states are engaging actively in European policy debates, yet often end up disagreeing with one another on key principles and the application thereof. Moreover, the intergovernmental aspect of European integration has become much more pronounced again, even if a sizeable part of the EU bureaucracy refuses to acknowledge this reality.[6]

At heart, the challenge for the EU is to come to terms with a political environment in which the relationship between member states and the Union is being redefined. The changing balance of power in the international system, the associated rise in geopolitical competition and the growing backlash against economic globalization are fueling a debate within all European societies about the role of the state and the role of the EU in dealing with these issues. In that sense, the British unease about EU membership may be no more than a particularly British manifestation of a wider trend that can be seen elsewhere in the EU as well. The stronger emphasis on the intergovernmental dimension is then also to be understood as a manifestation of the growing

politicization of European policies. The backlash against technocracy that is on full display in the UK today is manifesting itself elsewhere too. Correspondingly the remaining EU-27 member states need to identify adequate safety valves for dealing with the pressure this generates. Maintaining a cooperative relationship with the UK can help Member States come to terms with democratic pressures they experience in their own domestic arena. Having plunged into democratic chaos first, the UK may also be the first to discover a new equilibrium and offer a source of inspiration to others.

WHAT DEMOCRATIC CATHARSIS?

Free and fair elections constitute an elementary component of any democratic system of government. By themselves they do not suffice for keeping democracy alive: this also requires the rule of law, the separation of powers, the presence of free media and the right of free speech. Yet elections are of critical importance in releasing societal tensions because they allow for regime change or regime empowerment by peaceful means. This may be well be what is called for in the context of Brexit. The outcome of the non-binding 2016 referendum on EU membership pointed towards such a profound change to the UK's international orientation that validation by consecutive elections constitutes a democratic imperative. As the 2017 general election did not provide neither a clear-cut choice, nor a determinate outcome, another election was now overdue.

The 12 December 2019 general election provides a first opportunity for the UK electorate to review the referendum outcome head-on. By now, it is reasonably well-understood what leaving the EU really means – even if the future relationship remains largely to be determined. Will the magnitude of the Brexit challenge deter voters from voting for Boris Johnson – and thereby for the agreement he has struck? What

will be the long-term outcome and political costs if neither of the political parties achieves a majority on the basis of which it could aspire to govern? Whilst one can only speculate about such futures, one thing is beyond doubt, namely that democracy is very much alive in the UK – with all the messy politics that entails. Even if the 2019 general election does not settle the debate on Brexit, another election will eventually follow.

For the EU-27 it may be frustrating to have to wait for political developments in the UK to materialize. At the same time, the time this generates can be put to good use in other ways. After all, the incoming president of the European Commission has promised 'a new push for European democracy'. If the proposed conference on the future of Europe is to lead anywhere, considerable experience may be drawn from the UK example. It is difficult to dispute that the Brexit debate in the UK has drawn in civil society and young people and engaged voters in both civilized and raucous debates – in short, everything that can be democratically aspired to. Having substantial change in terms of policy outcomes at stake is actually a good thing for mobilizing public interest. At the same time, the relative procrastination with respect to delivering progress implementing Article 50 offers a sharp reminder that technical details have to go hand in hand with a convincing political vision for the future. If the UK has fallen short on one side of the equation – ignoring much of the technical detail – the EU may well have erred on the other side by paying insufficient attention to the overall political and strategic picture.

At the end of any convincing performance of Greek tragedy, the leading characters – if still alive – experience catharsis and come to newfound wisdom. But they are not alone: the audience is an active participant in this process of theatrical purification too. In much larger numbers than before, citizens across the EU are starting to see what European integration actually means. The benefits that EU membership generates, as well as the price it entails, are coming under much greater scrutiny than before. These citizens are likely to want a vote and a democratic voice too. As such, the exact relationship between different levels of governance in the European political architecture is becoming the subject of debate in a way that has not been the case since the Maastricht Treaty established the EU itself. In the widest sense, the escalation of democracy in the UK matters to the EU as a whole because, irrespective of the outcome, it establishes a precedent that carries meaning across the continent. Paradoxically, is this not what bringing 'ever closer union' amongst the peoples of Europe was all about?

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Endnotes

[1] For discussion see e.g. Andrew Duff, 'Brexit: How was it for you?', Brussels: European Policy Centre, 17 September 2019, available from https://www.epc.eu/en/Publications/Brexit-How-was-it-for-you~26e6fc .

[2] This point is made more eloquently and at greater length by Sir Ivan Rogers, *9 Lessons in Brexit*, London: Short Books Ltd, 2019.

[3] See Matthew Wars, 'Statistics on UK-EU trade', London: House of Commons Briefing Paper Number 7851, 1 November 2019, available from http://researchbriefings.files.parliament.uk/documents/CBP-7851/CBP-7851.pdf .

[4] Cf. Jean De Ruyt, 'Is there an escape from Ever Closer Union?', Brussels: Egmont Institute (European Policy Brief No. 49), February 2018, available from http://www.egmontinstitute.be/content/uploads/2018/02/EPB49.pdf .

[5] See e.g. Jan Techau, 'Don't lead Europe by triggering its fears', *EUobserver*, 20 November 2019, available from: https://euobserver.com/opinion/146651 .

[6] For discussion, see e.g. Alexander Mattelaer, 'The Resurgence of Bilateral Diplomacy in Europe', Brussels: Egmont Institute (Egmont Paper 104), January 2019, available from: http://www.egmontinstitute.be/the-resurgence-of-bilateral-diplomacy-in-europe/ . Further historical background is provided by Beatrice Heuser, *Brexit in History: Sovereignty or a European Union?* London: Hurst, 2019.