

Britain's EU membership will now be the subject of several years of negotiation and debate

ISE blogs.lse.ac.uk/politicsandpolicy/britains-eu-membership-will-now-be-the-subject-of-several-years-of-negotiation-and-debate/

5/15/2015

Last week's election of a Conservative majority government paves the way for a referendum on Britain's future in the European Union. [Anthony Salamone](#) outlines some of the challenges ahead for the upcoming renegotiation and referendum.



In a surprise to nearly everyone, the Conservatives have won the UK's 2015 general election with a (small) overall majority. Following his audience with the Queen after the election, David Cameron [reiterated his commitment](#) to holding an in/out referendum on Britain's EU membership. It seems therefore that we can now expect several years of negotiation, campaigning and debate on the UK's future in the EU.

Renegotiation

Central to the prime minister's pledge is the promised renegotiation of Britain's terms of membership in the Union. He has stated previously that he wants to be able to recommend [a vote to stay in the EU](#). However, to date we've had only hints of what the government hopes to achieve from a renegotiation.

Opting the UK out of the aim of 'ever closer union' and increasing the length of transitional controls for new member states (such as temporarily limiting free movement with those states) have come up as [possible demands](#). We'll need the details of what the prime minister aims to accomplish from these negotiations in order to judge whether they are a success. The absence of clarity of course brings with it greater room for manoeuvre should talks with EU partners prove more difficult than hoped.

Referendum

The proposed timeline is as yet unclear, but negotiations would have to start soon. It is now mid-2015 and the prime minister has pledged that the referendum will take place by the end of 2017, leaving at most two and a half years to successfully complete a renegotiation and hold a campaign and vote. David Cameron might also hold [the referendum early](#) to capitalise on his electoral success and to head off any demands from within his party, further limiting the window to negotiate with other member states and the EU institutions.

The specific details of the referendum will also have to be decided. An EU referendum bill will need to go through parliament and, while the PM has a thin majority in the Commons, he has no majority in the Lords, potentially making agreement on the bill more difficult. Parliamentary process aside, this EU plebiscite will be only the third [nationwide referendum](#) to take place in the UK (the others being the EC membership referendum in 1975 and the Alternative Vote referendum in 2011).

The Scotland independence referendum can undoubtedly provide insights into the mechanics of holding such a vote. However, in some key respects, an EU referendum will be completely different. In the Scotland debate, many organisations and individuals remained neutral on the vote – this would not be the case here. The vast majority of the political establishment, the business community and civil society is very likely to come out strongly in support of continued EU membership. In this sense, the official landscape will be very lopsided. At the same time, UK public opinion on the EU is [mixed, but it's also consistently higher](#) under the hypothetical that the government is successful in its renegotiation (a seemingly rare moment of trust in political leaders).

If Britain votes to leave

Should the UK electorate choose to leave the EU, a process of negotiation will have to begin with the EU institutions on behalf of the remaining member states to agree Britain's future relationship with the rest of the EU. The EU treaties ([Article 50 TEU](#)) now set out a procedure for a member state to withdraw from the Union, giving some clarity in this respect. Negotiations can last up to two years and must be approved by a qualified majority of EU members and by the European parliament. Unless talks are extended, after time elapses the UK would leave automatically, even if no deal is reached.

A plethora of matters would have to be discussed, including the UK's future participation in the single market, which of course incorporates the free movement of goods, services, capital and people. In the current political context, free movement of persons would likely be a particularly challenging issue, affecting the rights both of EU citizens in the UK and of UK citizens in the EU. Britain's role in every other EU programme, such as Erasmus, would all need to be agreed.

Such negotiations would be time-consuming, difficult and costly and require a great deal of expertise. Interestingly, the UK is scheduled to hold the [rotating presidency](#) of the Council of the EU during the second half of 2017. Britain may find itself at the same time chairing part of an organisation it is debating or has decided to leave.

In these circumstances, the question arises of whether a second referendum would be held to approve the UK's new relationship with the EU. Alternatively, a vote might be held in parliament to endorse the negotiated terms for the UK's EU exit and whatever relationship might replace it. A second referendum would provide an opportunity for the electorate to confirm their support for the proposed alternative to membership.

If Britain votes to stay

If UK voters decide to stay in the EU, Britain's membership would apparently continue much as before. Any provisions secured as part of the renegotiation would presumably take effect, giving Britain additional opt-outs or other special arrangements or indeed changing how the EU itself works.

A renegotiation could range from modest to radical, depending on the appetite of the rest of the EU to compromise. If the result falls short of dramatic change, it is unlikely to be from a lack of desire on the part of the UK government. It would be extremely ambitious to expect full treaty change under the above timescale. A more likely scenario is an agreement on principles and a commitment to include them in future treaty reform where necessary (some points might be achievable within the current treaties).

Britain is not unused to confrontation on Europe. Nevertheless, this chapter in its relationship with the EU could prove particularly high stakes. Possible outcomes include a more sustainable EU membership, a more distanced relationship with the EU or a situation not dissimilar to the status quo. The EU referendum result could have constitutional implications as well, at a time when the UK's constitutional future is the subject of [ongoing debate](#).

The shape of Britain's future relationship with the EU will have a profound impact on its economy and its place in the world. The consequences of this debate will be numerous, and many will only become apparent over time.

Note: This article gives the views of the author, and not the position of the British Politics and Policy blog, nor of the London School of Economics. Please read our [comments policy](#) before posting.

About the Author

[Anthony Salamone](#) is PhD Candidate in Politics at the University of Edinburgh. His research focuses on the politics of Britain's EU membership. He tweets [@AMSalamone](#).

