

On the HMS Britannia: Hopelessly Adrift

By Professor Alex de Ruyter, Director, Centre for Brexit Studies, Birmingham City University.

The UK is geographically part of Europe, of that there can be no doubt. Yet far from a new era of “Global Britain” casting anchor and escaping to the “open seas” in true Elizabethan buccaneer style, the HMS Britannia remains hopelessly adrift.

Captain May remains tied to the mast for now, rather than thrown overboard just yet (more on this later), as the mutinous crew of MPs (which might be one’s perspective, but not necessarily mine) struggle to set an alternative course for the ship.

As the April 12th storm-clouds gather in the shape of the approaching EU deadline for passing May’s agreement or setting a clear alternative course of travel for the Brexit ship, we saw last night how MPs could not agree to any alternative to May’s agreement.

MPs, having seized control of the Parliamentary timetable against Government opposition, voted last night on eight “indicative” options as an alternative to the Government’s negotiated withdrawal agreement. It is instructive to look at the vote breakdown here.

Of the eight approved by the Speaker, John Bercow, none could command a majority. Only the options of a “permanent customs union with the EU” and the amendment put forward by Labour MPS Robert Kyle and Peter Wilson to put May’s agreement to a public vote in a referendum coming close. The vote breakdowns were:

	FOR	AGAINST
<i>Leave the EU with no Withdrawal Agreement (“No Deal”)</i>	160	400
<i>Common Market 2.0</i>	188	283

<i>Permanent Customs Union with the EU</i>	264	272
<i>Revoke Article 50 and stay in EU</i>	184	293
<i>Kyle-Wilson amendment for a public vote on Deal</i>	268	295
<i>Labour official motion for a softer Brexit</i>	237	307
<i>George Eustace amendment for EFTA/EEa membership, but no customs union</i>	65	377
<i>Preferential trade agreement with EU</i>	139	422

At first glance, one might view this as a victory for Captain May's "dead parrot" withdrawal agreement.

Notably, 27 Labour MPs defied their Parliamentary "whip" and voted against the Kyle-Wilson amendment, including three members of Jeremy Corbyn's Shadow Cabinet (one of these, Melanie Onn, resigning her role to do so).

However, as Hilary Benn, Chairman of the Commons Foreign Affairs Select Committee has pointed out, the Permanent Customs Union and Kyle-Wilson amendments received more votes of support than May's own already twice-defeated agreement has.

The PM, of course, announced yesterday that she was prepared to stand down "before the next phase of Brexit negotiations begin" in order to get new life breathed back into her Agreement and hence get it passed by Parliament.

Leading Brexiters such as Boris Johnson and Iain Duncan Smith have already come forward and state that they would be prepared to vote for the PM's agreement now.

Johnson of course, is widely regarded to throw his hat into the ring to replace the Prime Minister when she does eventually stand down (as is another lead Brexiter, Dominic Raab).

This of course, assumes that the Government *can* bring the Withdrawal Bill (“Meaningful Vote 3” or MV3 for short) back to Parliament in such a way that the Speaker will allow it to be returned to the Commons for a vote – which it appears that the Government hope will be for tomorrow.

John Bercow has already indicated that he will not allow the Bill to be put in front of the Commons again for MV3 unless it has substantive changes in it.

Reports suggest that the Government is considering presenting a first reading of the withdrawal agreement bill to allow MPs to vote on implementing the deal as a means of getting around the Speaker’s edict^[1].

However, further clouds on the horizon for Captain May loom in the shape of the DUP, who have reiterated that they still will not support her withdrawal agreement in its current form (that is, without further changes to the Northern Ireland “backstop” provisions).

So we are left with a “Schroedinger’s Parrot” withdrawal agreement then – half-alive and half-dead – as it is still by no means clear that she has the numbers to effect resuscitation.

If the PM fails to get her agreement passed by Parliament then it is likely that she would have to go back to EU leaders and ask for a longer extension to Article 50, which of course, would mean the UK participating in the EU Parliament elections due in May.

What would this be for? With the Speaker approving the prospect that MPs could hold further indicative votes next Monday if Captain May’s parrot is still dead in the water, could the Kyle-Wilson amendment or the proposal for a permanent customs union get enough votes to provide a majority view in Parliament?

Certainly this is possible, and the prospect of a long delay to Brexit beyond this year, and another referendum potentially overturning Brexit, if current polls are to be believed, might yet cajole enough Brexiters to vote for May’s agreement if MV3 occurs in time.

What then if May's agreement is approved? We would then face the prospect of a Tory leadership ballot in the summer, with a new leader in the autumn to take on the prospect of negotiating a new economic agreement with the EU.

Given that the Conservative Party membership have the final say on who that person would be, it is more than likely that a Brexiter such as Johnson or Raab (or less likely, Michael Gove) would end up as Prime Minister.

Would such an individual be able to carry the confidence of Parliament if they were to pursue their stated aim of a limited Canada-style free trade agreement with the EU? The indicative votes above reveal little support for such a preferential trade arrangement, or else leaving the EU with no deal.

Michel Barnier has stated that the Northern Ireland backstop provisions would hold regardless of the nature of a future agreement so that would pose further conundrums for a Brexiter-led Government.

We could well find ourselves then with Parliament voting "no confidence" in such a Government, and the country returning to an election within a year.

Topping all this is the prospect that a new economic agreement would take years to negotiate and that the current Withdrawal Agreement requires the UK to give six months' notice to extend the "transition period", which is due to end in December next year.

Far from clarifying matters, Captain May's offer to voluntarily walk the plank might only see the HMS Britannia adrift for years to come..

[1] <https://www.theguardian.com/politics/2019/mar/27/theresa-may-to-resign-before-next-phase-of-brexite>