

# Flogging a dead horse – how can Brexit ever be resolved?

***By Dr Steven McCabe, Associate Professor, Institute of Design and Economic Acceleration (IDEA) and Fellow, Centre for Brexit Studies, Birmingham City University***

The ongoing and, it increasingly feels, ever-worsening Brexit crisis engulfing Theresa May reminds me of two fictional film characters; Phil Connors in *Groundhog Day* and Gollum in *The Lord of the Rings* trilogy.

In *Groundhog Day* actor Bill Murray plays TV weatherman Connors who has been sent to Punxsutawney in Pennsylvania to cover festivities that take place on 2<sup>nd</sup> February based on a superstition that if 'Punxsutawney Phil', a groundhog, emerges from its burrow on this date and sees its shadow it will believe winter is going to last another six months and retreat to continue its hibernation. Should 'Punxsutawney Phil' stay out winter is over.

The comedy of *Groundhog Day* is created by Connors experiencing the same day over and over again. As Connors initially realises, he can do anything he wishes with no consequences. However, the enjoyment of this eventually wears off and he yearns to escape this time loop. Having taken his life several times and, of course, reawakening to relive the day again, and in utter desperation, Connors kidnaps 'Punxsutawney Phil', the local groundhog and drives a car over a cliff in the hope that killing it will bring an end to the curse he is afflicted by.

Since the referendum result some 33 months ago, and particularly since the so called 'Chequers plan' of 12<sup>th</sup> July last year, resulting in a Government white paper concerning Brexit was published, there's been relentless debate as to what is best for the UK and what will attract widespread support. Theresa May could be forgiven for believing that she has been cursed in a way that has resonance with Phil Connors in that every day she is confronted with finding a solution to the intractable problem of respecting the wishes of the result of the June 2016 referendum.

Theresa May's resemblance to the *Lord of the Rings* character Gollum comes from the latter's love and hate of a ring he acquired by murdering a fellow hobbit. Gollum, whose name as a hobbit was Sméagol, has been corrupted by his coveting of the 'One Ring' the that has incredible power and though extending his life has altered his body and mind. Gollum refers to the ring as "my precious" but recognises it as something he must relinquish in order to enjoy peace but which he cannot bring himself to do.

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As those who've seen the film or read the final book in *Lord of the Rings* trilogy, the 'one ring' eventually leads to his demise by falling into the fire of the Cracks of Doom in Orodruin in Mordor clutching it which destroys its malevolent power. It can be speculated whether Theresa May who, apparently, cried when Margaret Thatcher won the 1979 election because she would not be the UK's first female Prime Minister, knows that her ambition of leading the Conservatives and becoming PM will be destroyed by clinging on to the 'precious' withdrawal deal agreed with the other 27 EU leaders?

Whatever might be said of Theresa May, achieving an effective way to disengage from the EU through an agreement that satisfies a majority of the population was always going to be extremely difficult. It's no wonder her predecessor, David Cameron, whistled to himself in such a chipper way as he walked away from the podium after having resigned in the aftermath of the referendum result. Having taken the decision to call the referendum, to deal with the threat that UKIP (UK Independence Party led by Nigel Farage) posed, and including it in the 2015 Conservative election manifesto, Cameron would have been well aware of the impossibility of achieving success in terms of withdrawal that satisfied the majority.

As leader of the Conservative party David Cameron would have directly experienced the toxicity of Euroscepticism. Not for the first time, and, it seems, not for the last either, Cameron found his premiership brought to a premature end by the issue of Europe. European council president Donald Tusk, when he asked Cameron why he'd decided on such a "dangerous [...] even stupid" way to deal with Eurosceptic elements within his own party, was informed that he believed that a referendum would never happen because he expected

that the 2015 election would result in another coalition with the Liberal Democrats who, he assumed, would veto it.

With the incredulity that has characterised Brexit, Tusk stated in a BBC interview that, having surprisingly won the 2015 election and no longer requiring a coalition partner, "...paradoxically David Cameron became the real victim of his own victory."

Theresa May looks an increasingly isolated and tragic character in the fiasco that Brexit has become. History will not judge her stewardship well in that she is the architect of her own misfortune. Having replaced Cameron as leader of the Conservatives and, of course, PM, May has behaved in a way that gave the impression of, having fulfilled what she believed to be her rightful destiny, she was imperious.

Perhaps because, like Cameron, she appreciated the overwhelming complexity of what she would be required to achieve, Theresa May thought she should by-pass Parliament. Let's not forget that the only reason that Parliament has been able to have any say in Brexit is due to the case taken to the Supreme Court by Gina Miller who has made herself a hate figure for Brexiteers.

Leaving Europe was, by common agreement, one of the greatest challenges facing this country since the second world war. Defeating Hitler, an objective that, at least, had universal public support, was made possible by achieving consensus in Parliament as well as the oratorical skills of 'Old Winston'. Theresa May with her 'red lines' and unwillingness to reach out to other parties apart from, notably, the Democratic Unionist Party (DUP), has entrenched division.

May's isolationist stance has been especially unpopular in parts of the UK where the result of the referendum was to remain. As many commentators assert, maintaining her belief in the deal she negotiated with the EU and which has been comprehensively defeated twice so far, raises the prospect of leaving the EU with no agreement; a so called 'hard Brexit'. Though this would delight hardcore Eurosceptic supporters in her party, i.e. members of the European Research Group (ERG) led by Jacob Rees Mogg, it could potentially lead to Scotland and Northern Ireland breaking away from the union.

Ironically, Brexit has demonstrated that Parliament is willing to assert itself when there is crisis. Though it's fairly certain that Theresa May does not welcome it, MPs have demonstrably shown their willingness to cooperate and seek precisely the sort of consensus she appears to eschew. Last night's vote in the House of Commons, by a winning margin of 27, to support of Sir Oliver Letwin's motion to set aside business on Wednesday and allow a series of indicative votes in pursuit of a Brexit solution offers a beacon of hope in the current impasse.

Support for the Letwin amendment means that MPs now have more control as to the outcome of Brexit though, as May has stated, she may choose to ignore the outcome of any of the indicative votes that take place. The choices that might be offered include consideration of alternatives to the current withdrawal deal such as membership of a customs union, membership of the single market as well as holding a second referendum and, though it is extremely unlikely to be supported by a majority of MPs, leaving with no deal.

The line from Theresa May and those who are closest to her in government is to state, Thatcher-like, that there is no alternative to the withdrawal agreement. Provided this deal can attract sufficient support by MPs, UK would leave the EU by date of 22<sup>nd</sup> May following ratification of the decision through legislation. It is to be noted that this date was decided last week by, without the UK government's involvement, the other 27 members of the EU.

It should also be noted that until what is known as a Statutory Instrument (SI) is enacted by Parliament, the UK is still scheduled to leave by 11.00pm GMT this Friday. Unless this happens, a strange conflict could arise in which even though the UK could legally have left, as far as the EU is concerned, it would still be a member. Until this contradiction is resolved, this would have the potential effect that UK passport holders could travel freely within the EU but citizens from the other 27 members could not enter the UK.

There is evidence that the possibility of a much 'softer' Brexit being supported by Parliament on Wednesday has spooked members of the ERG. On Tuesday the leader of the ERG, Jacob Rees-Mogg, through his regular 'Mogcast' to the Conservative Home website, declared

that he'd be willing to support Theresa May's withdrawal deal rather than risk Brexit being either delayed or abandoned.

Until support for the withdrawal deal firms up, the government will probably not risk the ignominy it being defeated for, effectively, a third time. This assumes that the House of Commons Speaker John Bercow even allows such a vote given his proclamation last week that so doing would be against the conventions of Erskine May.

Theresa May's stance represents a strategy that, should it succeed, will underline her willingness to endure the flak directed towards her in recent weeks and months. Her rationale is based on a firm belief that her deal was the only realistic way of withdrawing from the EU. However, last Saturday's march in London proved there is widespread support for a second (it can be argued third if 1975 is included), referendum on UK membership of the UK.

Significantly, veteran political pollster Sir John Curtice has pointed out that, based on evidence of data collected from a selection of respondents concerning their beliefs as to the EU, 55% wish to remain. This, Curtice contends, strongly indicates that "room for debate about whether leaving the EU is still the 'will' of a majority of voters in the UK". Curtice argues that such data should be borne in mind by of MPs in their search for an outcome to Brexit sufficient to attract widespread support.

In the meantime, Theresa May as well many other politicians and commentators, continues to argue that to do anything but leave would be to disobey the will of the decision taken by voters some 33 months ago. As such, supporters of withdrawal from the EU assert, Parliament would be contemptuous of democracy.

Mays's support for her withdrawal deal engenders grudging admiration in showing her willingness to ceaselessly fight for it. However, it might also be seen as 'flogging a dead horse' and, if it is rejected, again, she will, similar to Gollum, disappear forever. A more dignified strategy, it might be suggested, is that Theresa May follows Phil Connors example by simply throwing Brexit over a cliff by killing it through revoking Article 50.

This would create fury among the ERG but ensure she becomes a folklore hero among those who wish to remain in the EU. Though May adopting such an approach is extremely unlikely, Brexit has shown that almost anything is possible. What we know for certain is that the next few days will determine the future of Brexit and Theresa May's legacy.