

# **BREXIT: A DECISIVE VOTE WITH AN INDECISIVE OUTCOME**

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**2017: Europe's Bumper Year of Elections**

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## ALTERNATIVE SOURCES OF LEGITIMACY

EU: LEGAL-RATIONAL (Absolute)

Supremacy of EU treaties and acquis

Collective Elites, not We the People interpret manoeuvrability within laws

### NATIONAL DEMOCRATIC INSTITUTIONS

20th century Party Government with Parliamentary Majority

Today: Direct Democracy referendums

(For detailed exposition see, Rose, Richard (2018) 'Referendum challenges to the EU's policy legitimacy – and how the EU responds', *Journal of European Public Policy*, <https://doi.org/10.1080/13501763.2018.1426034>).

## **REFERENDUMS: A DIRECT DEMOCRACY INPUT TO POLICY**

About a single policy, not a package of issues in a party programme

Gives will of popular majority without intervention of untrusted representatives

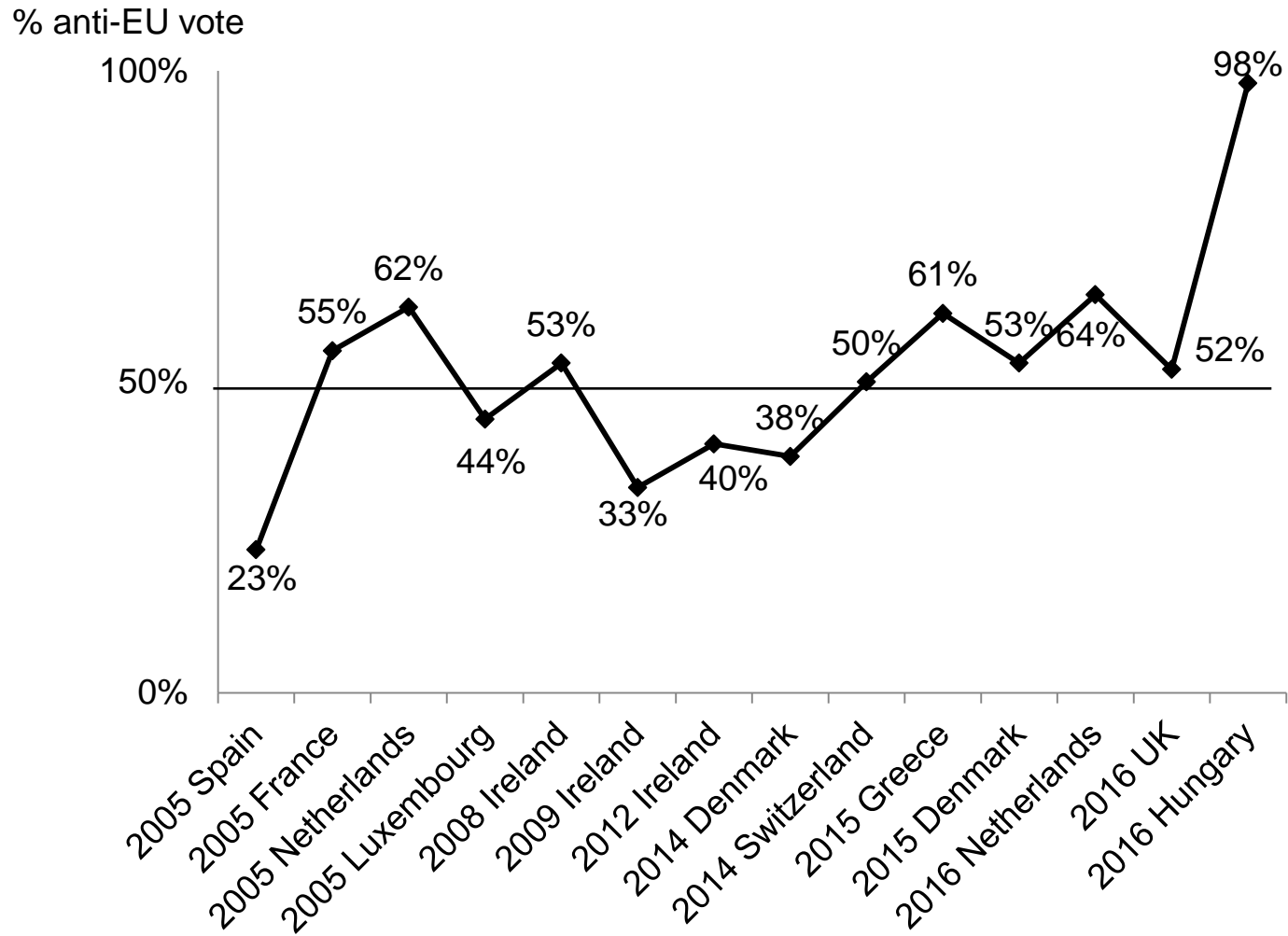
Binary choices divisive not consensual

Brexit: Absolute value: Britannia takes back control, rules waves

Remain: Instrumental calculation of single market benefits

## REFERENDUMS SHOW NO NATIONAL CONSENSUS ON EU

## NATIONAL REFERENDUMS ON EU ISSUES SINCE 2005



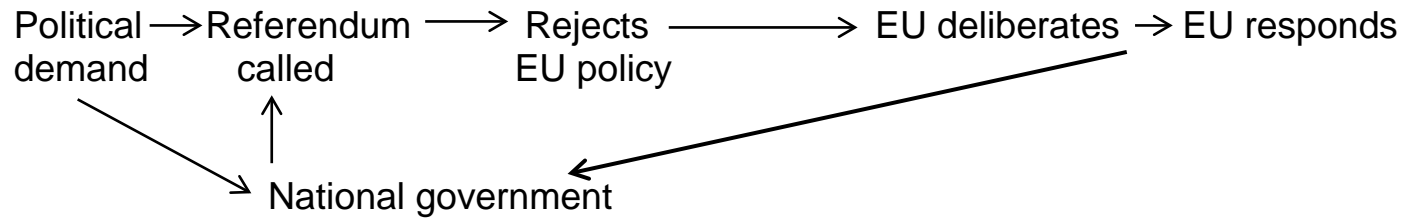
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NATIONAL REFERENDUMS: INPUTS TO A MULTI-LATERAL PROCESS

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National political system

EU institutions



## EUROPEAN UNION HAS LEGAL LEGITIMACY

International treaties an iron cage of powers and procedures

No member state can negotiate a derogation from Treaty

Article 50 gives legal authority to member to withdraw—and EU to set terms

Departing state must bear costs of its choice

Member states have agreed EU's red line conditions

EU priorities:

Maintain treaty, acquis rules for 27 member states

Avoid more national referendums on EU policies

Cope with migration, eurozone, enforcing values

Imperative of calendar: 2019 New Parliament. New Commission.

2020: Agree seven-year budget

## UK GOVERNMENT LACKS

\*Authority of parliamentary majority

\*Agreement on Brexit policy

\*Deliverable alternatives:

Unilateral withdrawal March, 2019

Accept an Off-the-Shelf EU Option

\*Unicorn Alternatives:

EU negotiators accept breaking acquis to suit UK government

Parliament votes for 2<sup>nd</sup> Referendum, Nov 2018-Feb 2019 and  
Remain wins

British government withdraws Article 50 withdrawal and EU  
accepts withdrawal of withdrawal

## **UK GOVERNMENT LACKS PARLIAMENTARY MAJORITY, POLICY CONSENSUS**

### **IMMEDIATE UK UNCERTAINTIES**

When, how Government's Unicorn compromises come unstuck

Whether 15% of Tory MPs trigger a No Confidence vote in PM

Whether a parliamentary majority rejects government policy in favour of an alternative that may be half deliverable and half unicorn