

Plenty of mood music but little of substance

Prime Minister Theresa May delivered her long-awaited Brexit speech in Florence last Friday. By now, many of our readers will have had ample opportunity to read both the text of the speech itself and the verdict of all and sundry.

In summary, Mrs May gave a speech which attempted to reassert her leadership of the Brexit process. In the recent negotiations, David Davis has received far more coverage than the Prime Minister, while Boris Johnson's article in the Sunday Telegraph a week ago was interpreted by some as a leadership bid and an attempt to upstage her. Reports of splits within the Cabinet over the shape of Brexit also made it imperative for the PM to stamp her authority and show to the world that she was not a lame duck presiding over a fractious, chaotic government.

So what did she say? That dreadful phrase "deep and special" which regrettably permeates so many government position papers, appeared twice. Was the speech written by the same person who devised the equally awful "strong and stable" mantra which proved so unconvincing to the UK electorate last June? Of course, particularly in a speech like this, a certain amount of diplomacy is necessary, but we are going through a divorce with the EU and the idea that divorcees are likely to want a "deep and special" relationship after ending an uncomfortable relationship stretching back more than forty years is, quite frankly, ludicrous.

This irritating phrase apart, the mood music was pretty good. Although Mrs May campaigned for the remain side, albeit with little enthusiasm, she articulated the reasons why we voted to leave very clearly and succinctly. *"The strength of feeling that the British people have about this need for control and*

the direct accountability of their politicians is one reason why, throughout its membership, the United Kingdom has never totally felt at home being in the European Union.

And perhaps because of our history and geography, the European Union never felt to us like an integral part of our national story in the way it does to so many elsewhere in Europe....So the British electorate made a choice. They chose the power of domestic democratic control over pooling that control, strengthening the role of the UK Parliament and the devolved Scottish Parliament, Welsh and Northern Ireland Assemblies in deciding our laws. That is our choice."

Absolutely. All the same, even those – including some within Mrs May's own Parliamentary party – whose loathing for the EU goes so deep that they hope it will collapse, cannot escape the fact that we cannot and should not cut ourselves off from our neighbours on the continent. "But what we do want – and what we hope that you, our European friends, want too – is to stay as partners who carry on working together for our mutual benefit."

All well and good, but when it came to the details of how this partnership is to work, detail was very sketchy. Mrs May acknowledged the need for a two-year transition period, but didn't say what sort of transitional arrangement she was seeking, except to rule out EEA membership:- "European Economic Area membership would mean the UK having to adopt at home – automatically and in their entirety – new EU rules. Rules over which, in future, we will have little influence and no vote. Such a loss of democratic control could not work for the British people."

Not that accurate although at least consistent with earlier statements. This does pose the question as to what Mrs May is proposing instead. Richard North is quite correct to point out that whether you are talking about an interim deal or a permanent arrangement, there are only three options:- the "no

agreement" (or WTO) route, EEA membership or a bespoke bilateral trade deal. The last appears to be the preferred choice for a long-term arrangement, even if Mrs May has ruled out using the EU-Canada deal as a model, but if it can't be concluded before March 2019, it doesn't leave us with many options for the transitional deal. The only insight we have gained from this speech is that Mrs May seems to have recognised that any free trade agreement with the EU would require some sort of umpire or mutually acceptable superior authority – rather like the EFTA court.

The time factor is crucial in all this, especially as our team has agreed to the EU's negotiating schedule, which insists that satisfactory progress must be made on the rights of EU citizens in the UK, the Irish border issue and the "Divorce bill" before trading arrangements can be discussed. Mrs May had hinted earlier in the week that an offer of at least €20 billion was likely to be on the table. In her speech on Friday, she emphasized her commitment to securing a deal which will allow EU citizens currently residing in the UK to remain and added that as far as the Irish border issue was concerned, *"We and the EU have committed to protecting the Belfast Agreement and the Common Travel Area and, looking ahead, we have both stated explicitly that we will not accept any physical infrastructure at the border. We owe it to the people of Northern Ireland – and indeed to everyone on the island of Ireland – to see through these commitments."*

The conciliatory tone of the speech elicited some positive comment from senior EU figures, with Michel Barnier describing it as "a step forward" but highlighted the lack of detail. France's President Macron welcomed the UK's willingness to move forward, but he and other European figures joined Barnier in bemoaning the absence of clarity. Leo Varadkar, the Irish Taoiseach, sounded more positive after threatening to block the next stage of the Brexit talks a few days earlier.

Reaction from the UK has been varied. "Leave will effectively

mean stay” said an unenthusiastic Dr Peter Mullen. Richard North called the speech “Empty rhetoric” and poured scorn on her claim that “we can do better than this” following references to the EU/Canada deal and the EEA agreement. Richard Tice of Leave.eu said “I fear Theresa May has now given the EU no incentive to agree to anything”. Brian Monteith of Global Britain was somewhat more positive, insisting that “it is not the sellout that so many of her critics who are rushing to judge allege.”

The most telling comment, though, comes from Michel Barnier in a speech which anticipated Mrs May’s. Just one short sentence:- **“At midnight on 29 March 2019, the United Kingdom will leave the European Union and will become a third country.”** That’s the rules. No special treatment. The treaties cease to apply and a new relationship of some kind or other will replace our membership of the EU. He went on to say *“I would like to be very clear: if we are to extend for a limited period the acquis of the EU, with all its benefits, then logically “this would require existing Union regulatory, budgetary, supervisory, judiciary and enforcement instruments and structures to apply” – as recalled in the mandate I received from the European Council, under the authority of President Donald Tusk.”* In other words, the only sort of transition he could imagine taking Mrs May’s words at face value would, in effect, be a postponement of Brexit, which would clearly be unacceptable to many MPs in Mrs May’s own party, let alone the wider Brexit-supporting community.

In conclusion, while Mrs May’s speech was peppered with good intentions, its most disturbing feature is that it could easily have been made a year ago. What has been going on behind the scenes in the last few months? As M. Barnier has pointed out, the clock is ticking and Brexit day draws ever closer. There is a great deal of detail to clarify and precious little time in which to do it. We must not stay in, we cannot crash out and all the obvious alternatives have been

rejected. What exactly, then, is the route which Mrs May, David Davis and their colleagues suggest we take in order to arrive safely on Brexit day still able fully to function as a country? We would all love to know.