



Open Research Online

Citation

Usherwood, Simon (2023). The EU after Brexit: EU-UK Relations and the latent crisis of withdrawal. In: Roos, Mechthild and Schade, Daniel eds. The EU under strain? Current crises shaping European Union politics. De Gruyter, pp. 173–190.

URL

<https://oro.open.ac.uk/87856/>

License

(CC-BY-NC-ND 4.0) Creative Commons: Attribution-Noncommercial-No Derivative Works 4.0

<https://creativecommons.org/licenses/by-nc-nd/4.0/>

Policy

This document has been downloaded from Open Research Online, The Open University's repository of research publications. This version is being made available in accordance with Open Research Online policies available from [Open Research Online \(ORO\) Policies](#)

Versions

If this document is identified as the Author Accepted Manuscript it is the version after peer review but before type setting, copy editing or publisher branding

“The EU after Brexit: EU-UK Relations and the latent crisis of withdrawal”

Simon Usherwood

Accepted manuscript version

Abstract:

The UK represents an ambiguous object in the EU’s near neighbourhood: simultaneously a major partner, closely aligned on many matters of policy and knowledgeable in how the EU works, and a persistent source of significant difficulties, railing against any stabilisation of a new relationship post-withdrawal. As much as the EU was able to rapidly produce a strong and coherent response to the UK’s decision, and so turn a crisis into something much more manageable, this does not mean that the crisis aspects have been banished for good. Instead, the UK has carved out a new path for other member states, lowering the barriers to future withdrawals and establishing precedents of process and preference that might come to be used against the EU down the line. Moreover, the operationalisation of withdrawal also creates a moral hazard insofar as current member states will recognise that the EU cannot afford to lose another member this way, so increasing the leverage of any state seeking renegotiations of the terms of that membership. In this way, Brexit seems to provide two perspectives on crisis: the lived experience of a seemingly successful defence of core values with its containment and management of the UK, but also a pathway to a future crisis where such success cannot be guaranteed.

Introduction

In comparison to most of the other chapters in this volume, the issue of Brexit would appear to stand apart. While undoubtedly an unprecedented and highly significant event, the decision of a (large) member state to withdraw from the European Union (EU) was undertaken within a legal framework previously established by the foundational treaties, in line with relevant national and international obligations and has resulted in a new set of formal relations between the parties. Certainly, the process was longer, more difficult, and more acrimonious than might have been predicted, and equally, we have to note the range of outstanding questions on and around the EU-United Kingdom (UK) relationship. However, difficult politics and antagonistic relations are hardly the monopolies of this particular pairing, so why consider it here?

The answer to this is two-fold. Firstly, the opening phases of the process – from the 2015 British general election to late 2018 – saw a number of crisis-like features in play for the EU. By announcing and then following through on a referendum on continuing membership, the British government challenged one of the core teleological norms of the system, namely that convergence and normalisation of membership grow over time: it was a crystallisation of the hitherto nebulous fears about the persistent democratic deficit in the EU's structures. The need to simultaneously handle the UK's withdrawal and to avoid any other state making the same decision placed the Union's central institutions in a critical and existential situation. As much as this initial crisis was closed off by a mixture of a positive reaffirmation of the value of membership by the remaining 27 members (hereafter EU27) and the self-sabotaging behaviour of the departing British, it is worth considering how this played out.

Secondly, and more significantly, Brexit matters because it has refigured the political landscape of European integration. However painfully and imperfectly it did it, and however many ongoing obligations it still faces, the UK still managed to navigate a way out of formal membership, turning the Article 50 TEU provision from a nominal right to withdraw into a substantive one, with process, procedure and benchmarked expectations. In so doing, the precedent has been set and so lowers the bar for it to happen again. Should that occur, the EU will find itself in even more of a crisis than it ever was over Brexit in 2016: as Oscar Wilde almost certainly would have put it, to lose one member state is a misfortune but to lose another is an unravelling of the system. As such, the greater significance of Brexit-as-crisis is in its potential, rather than its actuality.

With these points in mind, this chapter will briefly review how the UK came to leave the EU, before describing in more depth the contemporary relationship between the two, identifying those elements that will be most salient for the future development of this crisis space. It concludes with a discussion

of the ways in which Brexit has and hasn't fitted into the language and action of crisis, both to make more sense of what is happening and to cast light on the wider questions raised by this volume.

Brief timeline of Brexit

Detailed histories of how the UK came to withdraw from the EU are plentiful, covering every aspect from the long run of the relationship (Wall 2020, Gowland 2016, MacShane 2016, Geddes 2013), to the strategy and tactics of eurosceptics, to engineer a referendum (Vasilopoulou 2016), to the comparative performance of the two campaigns (Glynn & Menon 2018, Evans & Menon 2017, Farrell & Goldsmith 2017) and the role of assorted individuals (Shipman 2016, Banks 2016). Rather than rehash all of this, the intention here is to draw out a number of important aspects that speak to the more general question of how and why a member state might come to decide, revisit – and then reject – membership. In this, three elements stand out: entanglement, self-image, and contingency.

Membership of the EU differs from any other international organisation in the breadth of its effects. The European Union is both wide and deep in penetration of member states' polities, politics, and policies; reaching into almost every aspect of the public sphere and – exceptionally – into significant parts of the private realm too. This is a function of its incremental expansion over time, as members decide that the multi-purpose constitutional and institutional frameworks are useful mechanisms for further collaborations, even if this has not been the automatic process of spillover that neo-functionalism once proclaimed, whereby integration in one area would create incentives to integrate into related areas (Niemann 2021, Rosamond 2005). The legal innovations of primacy (EU law coming before national provisions) and direct effect (citizens, rather than just member states, being able to use EU law) also created a channel of popular involvement and individual rights-holding. Scharpf's notion of entanglement (1988, 2006) was initially conceived as a way of explaining blockages to policy development, but it rested on the prior interconnection of national and European systems. In Laffan *et al.*'s (2013) phrase, nation states become member states, recasting their territory, function and identity along the way.

Much eurosceptic campaigning in the UK from the 1990s onwards was about the ways in which 'Brussels' was stealthily shaping domestic decisions and options, creeping beyond the 'Common Market' that those campaigners argued had been originally signed up to (Vasilopoulou 2013). The frequent trope of being 'shackled to the EU' not only presented the latter as a deadweight, holding the UK back but also captured the sense of being held firmly by the bonds of membership (Daddow 2019). In the absence of a strong governmental education (or even promotion) of the nature of

membership, such narratives were able to take hold and frame the long-term debate about the UK's position within the EU system, notably through the persistent print media criticism both of 'Europe' and of successive British governments' efforts. More generically, feelings of disconnection and disenfranchisement in a remote system are found across the Union (e.g, Kratochvil & Svchara 2019, Hooghe & Marks 2009, Kohler-Koch & Rittberger 2007).

Paradoxically, it has been in Brexit that the depth of that entanglement has been fully exposed, albeit not in the way that the previous debate had proposed. The latent benefits of regulatory alignment for traders, policymakers and citizens only really came to the fore as that alignment was lost: the diffuse gains that came from no border controls with other EU member states, or from stable regulatory requirements for public procurement, or from no roaming charges on mobile telephony, all only gained public traction and support after 2016 (Curtice 2018, but also note Sorace & Hobolt 2021). This is relevant more broadly because it shows the potentially structural imbalance facing all member states in trying to convince citizens that the changes that come with membership are worth paying for the political and economic efficiencies that they create.

This brings us to the second key element of self-image. Undoubtedly, the UK was the archetype of an 'othered' member state, seeing itself as apart from the EU even as it participated (and also sought to lead (George 1998)). Even if the objective foundations of that otherness are highly debatable – all member states have some form of uniqueness about their histories or geographies or cultures – where the UK did stand apart was in the extent to which such narratives formed a central part of political and public discourse: Young's (1999) excellent history sets out this Arthurian-Shakespearean-Churchillian complex in ways that still feel very familiar, despite being written long before Brexit was a glint in most campaigners' eyes.

Otherness matters here because it lays the foundations for a political discussion about being outside the EU: the logic is no more complex than that the UK was once great, but hasn't been great while it's been inside the EU, so leaving is the pathway to regaining greatness (e.g. Hannan 2016). This is a classic populist refrain – paradise regained – but no less evocative for it: the role of the Second World War and how Britain won it [sic] plays a key part in the political imaginarium (Stratton 2019, Beaumont 2017). It also helps to explain the strong/weak paradox of much Brexit rhetoric; the way in which the UK was under the thumb of the EU, made to do whatever the faceless 'eurocrats' wanted, but by leaving the organisation those same oppressors would suddenly be forced to accept the will of the British, who would now be able to get whatever concessions they liked from an EU that would be only too glad to comply. This political equivalent of the internet's 'one weird trick' obviously failed to account for the power that the UK always held to exercise its right to withdraw, but such logical inconsistencies counted for little in this creation of a vision of a viable alternative outside of the EU.

But such visions count for little without opportunity and contingent events. To make the obvious point, as much as the UK was the home of euroscepticism in the 1990s and 2000s, the notion of a project to secure British withdrawal from the EU was a marginal one, as attention focused primarily on avoiding membership of the single currency and on reform to limit political integration (Tournier-Sol 2016, Spiering 2004). The shift in the mid-2000s to calling for a referendum on membership was a function of the Constitutional Treaty ratification process and a recognition of the rhetorical value of democracy as a way to overcome the weight of the status quo (Usherwood 2005). Likewise, David Cameron's commitment to hold a vote, made in 2013, was done at a point when it looked unlikely to be followed through, hedged as it was with various conditions (Daddow 2015). As for the role of political opportunists, who saw the 2016 referendum as a means to advance their own agendas and careers, much has been written elsewhere (Shipman 2016, Ryan 2016).

In summary, membership in the EU is not the one-way trip that it is typically seen as. As Neunreither (1998) puts it, European integration is a system of governance without opposition: while it is very good at building a broad and flexible consensus, it is not very good at allowing those outside the consensus a way back inside. Over time, that means that there is an accumulation of individuals and groups who feel not only poorly served on particular points but also excluded from the process as a whole, turning their critiques and criticisms into something more structural. The entanglement that membership produces is therefore consequential, especially in terms of national and European political management of popular engagement: the case has to be made actively, particularly if other narratives about alternative paths exist. As the British case has demonstrated, there is not a straight path to withdrawal, but rather a continuous set of decision points that might produce – more accidentally than intentionally – a situation where withdrawal is both possible and desirable. Consequently, it is critical here to note that Brexit was at least as much about the nature of the EU as it was about the nature of the UK.

The key features of the contemporary EU-UK relationship:

In many ways, Brexit is a salutary tale for the EU. From being a generally engaged member state (albeit with regular noises off) in 2015, the UK became an antagonistic third country five years later, unwilling to even confirm its willingness to stand by its international treaty obligations. Such a rapid decline in relations is made all the more remarkable by the nominal maintenance of liberal democracy in the UK: the corrosion of standards in political life over the post-referendum period has not been nearly so marked as in any number of other EU neighbours (or even some of its current member states, for that matter).

This poor state of affairs has much of its source in the UK. More particularly, it is a manifestation of the persistent British failure to identify or action a comprehensive and constructive European policy: arguably no post-war British government has been able to devise an approach towards its continental neighbours that goes beyond crisis management (Usherwood 2015). Just as Cameron's offer of a referendum on membership was driven by the needs of party-political management, so too has the leitmotif of the negotiations of both the Withdrawal Agreement (WA) and the Trade & Cooperation Agreement (TCA) been one of the ways the UK tries to avoid problems (Usherwood 2021, Gifford 2020). Theresa May's decision ahead of the WA negotiations to not seek participation in either the EU's single market or its customs union made sense in reaffirming her credentials with backbench MPs worried about her ideological commitment, but it closed down a wide range of options that might have made other questions – such as Northern Ireland's status, or maintenance of trading access – less problematic (Figueira & Martill 2021, Schnapper 2021). Indeed, the belated recognition of Northern Ireland's particular problems and the unwillingness to accept the logic required by the assorted legal obligations of the Belfast/Good Friday Agreement, the EU's constitutional treaties, the World Trade Organisation and others should only further highlight the absence of either planning or flexibility in Whitehall (Hayward 2021, Phinnemore 2020).

The negative definition of British objectives has also tended to privilege a mode of interaction that focuses on the non-resolution of problems rather than practical and equitable solutions. Since there is an understanding within the British government of the consequences of any particular form of resolution and there is also a political calculation that it is politically more expedient to continue blaming the EU as the source of difficulties than it is to try to win over public opinion to any settled model, it, therefore, makes (internal) sense to keep the points of conflict alive rather than close them down. This high-tension model of semi-permanent instability is seen in the various pushes to enact domestic legislation – the Internal Market Bill, the Northern Ireland Protocol Bill – to disapply parts of the Protocol and in the non-implementation of in-coming border checks on goods from the EU (Fabbrini 2022), as well as in the persistent and inflammatory rhetoric for senior government figures from (successive) Prime Ministers downwards. While the instability never raises to the level of a flat-out crisis – mainly because the British government always serves at the last minute – this does not mean future conflicts will be actively avoided. That this model is intrinsically unstable and liable to produce bigger problems over time is beside the point: the intention is simply not to be the one to have to be responsible for shouldering the various costs of the situation.

Understandably, this chaotic British approach has strongly shaped the EU's policy. This latter has been highly defensive, focused on protecting essential interests, ensuring effective enforcement mechanisms and leaving the door open for future cooperation, but only on strict terms. The rapid formation of a formal EU position on the UK's withdrawal – underpinned by a declaration from the

Union's presidents the day after the 2016 vote (European Council 2016) – stands in stark contrast to the British uncertainty about the purpose of it all. This partly reflects the much better preparation that the EU had undertaken, but even more, it was a function of the existential threat that withdrawal created: as outlined above if one member state could decide to leave, then so could others (Jacobs 2018).

The chopping-up of the process into withdrawal issues – those areas that needed to be resolved before the UK left – and future relationship issues – what might be done after it had departed – was an early and key EU demand; one that appears increasingly justified with time, albeit not entirely to the EU's satisfaction. The questions of citizens' rights, financial liabilities and the Irish/Northern Irish border stood apart from whether the UK might want to continue economic or political cooperation and so they formed the heart of the very limited agenda in the Article 50 process, even if that also exposed Theresa May to a ratification process for the WA that ultimately brought her down (Schnapper 2021). Similarly, while the British went for a very minimal line in requests for the TCA negotiations, the EU still sought to create an institutional framework that could accommodate further work together, as well as an enhanced set of dispute settlement mechanisms that crosslinked with the WA (Usherwood 2021). More informally, the EU has also blocked the UK's full participation in the Horizon Europe programme of research funding, as a sign of its concerns over the challenges to the Northern Ireland Protocol, reflecting its interconnected view of the WA and TCA treaties (see Gibney 2020 for wider implications for UK researchers).

Crucially, the EU has also devoted much attention to trying to manage the internal effects of Brexit. Recognising that the pressures within the UK that contributed to the Leave vote were not unique to that country, the EU27 Bratislava summit in September 2016 focused on ways in which popular engagement and trust could be enhanced (Jacobs 2018). While this led to the Conference on the Future of Europe, the unwillingness in 2022 to translate its findings into a concrete plan of reforms (including treaty amendments) rather weakened the effect (see Kinski's chapter). Likewise, the renewed focus on the Rule of Law can also be understood as a way of reaffirming the value of membership, albeit with question marks about how far it is willing to push sanctions under Article 7 TEU (see Bogdanowicz's chapter). Part of the explanation for the non-follow-through on these initiatives lies in the highly visible knots that the UK tied itself into from 2017 onwards: eurosceptics in other member states who had held up the referendum result as a model for their own country's exit rapidly disowned an option that even the most generous observer would struggle to describe as easy or beneficial to the UK. In that sense, the critique that the EU's negotiators sought to 'punish' the UK for leaving – both as a penalty on the British themselves and as a warning to other potential withdrawers – is wide of the mark: the punishment was first and foremost one that was self-inflicted (Beaumont 2019).

The upshot of these two stances is that trust either way is very low. With the significant contraction of points of contact between the two sides, now that the UK is no longer structurally participating in EU business and the WA/TCA institutions are only operating at a minimal frequency (Foster 2022), the opportunities to rebuild that trust look few and far between. Indeed, even if there was a desire to actively build trust, that would require the UK to unambiguously step back from its efforts to disapply the Protocol and then to unambiguously implement all provisions of the WA and TCA in a persistent and durable way that would make the EU confident about British willingness to accept obligations under international law: this seems unlikely under any Conservative government at present, regardless of leader. Even where circumstance has generated opportunities for cooperation – notably over Ukraine (Blockmans 2022) – neither side has been willing to build on that positive experience, especially on the British side. As such, the prognosis for future relations looks relatively bleak, especially if there is no change of party in government. Even if a Labour government were to be returned in a general election in 2023/4, it is not clear that things would be significantly better in material terms, given the unwillingness of the Labour leadership under Kier Starmer to seek closer ties, for fear of being accused of trying to ‘undo’ Brexit (Hayton 2022).

Brexit as a crisis?

The picture painted above is not a positive one: there are significant and persistent problems at play that do not appear to be readily resolvable. However, this is not the same as saying this is a crisis. As outlined above, it is perhaps more useful to think of Brexit as a two-fold case of how crises can emerge for the EU: one contingently, the other more structural.

The argument set out above is that Brexit was not inevitable, but rather a product of particular circumstances. Those circumstances were more readily realised in the British case, but neither necessarily so nor only possibly in the UK. The second step of this is that the outcome – withdrawal – contains key features of crisis within it. The rest of this section will explore these elements.

The EU exists as a function of its members. As much as integration theory has argued over this question for decades, the effect of interlinking national and European organisational structures and of switching from the Monnet method to a more regulatory model has been that the EU level still necessarily requires the presence of member states to provide a key source of legitimacy, to make and implement key decisions and to supply resources (Moravcsik 2013 is a starting point).¹ Put

¹ The Monnet method – named for Jean Monnet, one of the key figures in post-war moves to integrate – aimed to produce deep, but narrow integration, moving competences from national to European bodies (the

differently, the removal of member states from the EU would leave a non-existent organisation, legally or politically.

Throughout its history, the Union has been in a position where European states have overwhelmingly wanted to become members. This was true in its initial Cold War phase where it rapidly became the logical destination for those Western European states not bound by their relations with the Soviet Union; it was also true after 1989 when it gained status as a symbol of modernity and democracy for post-Communist societies (Mattli & Plümpner 2002). Those that did join almost universally took their membership as a permanent choice: the compromises and concessions made to achieve accession were to be managed away as members of the club, with all the new benefits that membership conferred, economic and political. Even the case of Greenland, exiting the then-European Economic Community in 1983, was an extreme outlier, given the very limited participation it had in joint policies (Harhoff 1983). Much more typical is the situation in 2022, with Ukraine, Moldova, and Georgia pushing hard to join the queue to accede by simultaneously affirming their liberal democratic and free-market credentials and securing protection against (very active) Russian aggression.

In this sense, losing members was never a real concern of the EU, despite the obvious existential crisis that such an event would create. As discussed above when considering entanglement, a key reason for this was that for most politicians the weight of the status quo was enough to ensure that the question of withdrawal was never that viable: the implications of trying to unpick all of the ways in which membership reshaped national structures, processes, and preferences were seen as evident enough that they required no real justification. Moreover, with time the expansion of EU competences meant that leaving the organisation would simply result in a state finding itself subject to the ‘Brussels effect’: in order to access the highly desirable EU market, non-member states would align their regulation and practices to the EU’s, thus making any notion of ‘taking back control’ (to use an obvious phrase) illusory (Bradford 2020).

Brexit has changed that, permanently. The introduction of Article 50 TEU in the Lisbon Treaty was intended to underline the non-coercive nature of membership, rather than to be an invitation to leave that anyone would genuinely take up (see Anthanassiou 2016). Its provisions turned out to be less than completely clear to all involved speaking to the rhetorical function for which it was intended (Frantziou & Eeckhout 2017). However, those lacunae have now been swept away by the

Common Agricultural Policy is the main contemporary example). While producing deep connections, it was also rather unwieldy and inflexible, hence the move towards focusing on creating broad frameworks of sharing rules and regulations, within which member states could find approaches that met their needs.

operationalisation required to complete the UK's withdrawal. Leaving is no longer a notional right that member states have, but a concretised process (Usherwood *et al.* 2017).

Importantly, the realisation of withdrawal-in-practice has meant two key things. Firstly, it has established the precedent. No matter how difficult and painful Brexit might have been, the UK ultimately was able to secure its policy of withdrawal. In so doing, it swept away a lot of the uncertainty about how this would work in practice, which in turn lowers the barriers to other states making the same decision in the future, all things being equal. The model of the process and the roles of the various parties is now established, and member states can better evaluate how that might work in their individual cases: that the UK did not try to do (and was clearly not that interested in even trying to do so) is irrelevant in this context, since it is the creation of a template of action that matters.

Similarly, the case of Brexit has also established the baseline expectations of the European Union and its member states. This marking out of preferences and red lines is necessarily case-specific (no other member state would have an equivalent situation like Northern Ireland), but in terms of much of the content, there is an obvious carry-over. As with the precedent over process, the establishment of preferences also lowers the barriers for future cases, since it makes it harder for the EU to introduce new requirements either in the withdrawal negotiations or the negotiations for a future relationship, especially if the departing state has developed a more coherent plan for post-membership relations than existed (and exists) in the UK, which is both logically and politically highly likely.

The reduction in barriers to future withdrawals means that this sets up the potential for a future crisis. Despite the firm efforts of the EU to not portray the UK's withdrawal as being a reflection of the particular British relationship with 'Europe', it is possible to place that country in a separate category, not least by virtue of its numerous opt-outs from various common policies while inside. Its geographical location at the edge of the continent and its extensive global presence also gives some objective weight to the exceptionalist rhetoric that drove the campaigning in 2016. But it is precisely because of those particularities that if another member state were to leave then the existential challenge would be that much greater. None of the EU27 has that same combination of opt-outs, location, and global ambition: consider how Sweden, often held up as the next most likely member to leave, has sought to pull itself closer into international organisations with its move to join NATO (Alberque & Schreer 2022).

Others have considered the matter of who else might be in line to leave next (Gastinger 2019): more importantly, it is worth underlining how another withdrawal might be much more problematic for the EU. The next to go might well be a participant in the Schengen area or the Eurozone or both. In the former case, this will complicate post-membership economic arrangements if the state does not want

to be maintaining full single-market access. In the latter, removing a state from the Euro would be both hugely complex and would establish a precedent and a mechanism for others to follow: any re-run of the Eurozone crisis might play out very differently in those circumstances, as the pressures to eject members would now have a pathway to being achieved.

This structural crisis may be latent, but it still has practical effects now. The analysis of EU leaders in 2016 – that this was significantly about the way member states react to being members – is reflected in much of the analysis of the challenges of legitimacy, accountability, and democracy (see Kinski's chapter). The highly problematic efforts to address those issues are equally clear, hindered as they are by the difficult balancing act of interests that characterises the EU's governance (Tsebelis & Garrett 2001). The easing of withdrawal outlined above reinforces the need to make further, reinforced attempts to draw citizens into the process and move beyond a simple output legitimacy model.

To make the obvious point, this is a crisis-to-be with a ticking clock. In the run-up to the 2016 referendum and its immediate aftermath, it was evident that the withdrawalist strand of Eurosceptic rhetoric had taken some root beyond the UK. This was a notable departure from earlier points, where even the most ardent critics of European integration in other member states had spoken of the need for structural reform of the EU rather than of leaving if that were impossible (Brack & Startin 2015). The political advance of the UK Independence Party (UKIP) as a force in British politics from the late 2000s, with its central anti-membership message, probably played a contributory factor in encouraging others such as Marine Le Pen and the Sweden Democrats to adopt a more overt framing of withdrawal in campaign messages (Persson *et al.* 2019, Ivaldi 2018). That encouragement ended abruptly in late 2016, as the scale of the task, the rapid emergence of British confusion about next the steps, and the strength of pro-membership reaction across the UK and the EU27 made it seem a much less attractive option.

However, the collapse of withdrawalist rhetoric does not mean that it will not return. With the UK now out of the EU and with no clarity about the extent of the economic costs, it is simple to imagine a point in the relatively near future where campaigners in the EU27 return to withdrawal as an option. The UK might have been damaged economically and politically by its choice, but it has not collapsed, and it is easy enough to paint a picture of various relative successes for the country (much as British politicians have been doing). The Covid pandemic of 2020-21 provided a much bigger economic shock to all economies and made it very hard to identify any clear signals about the effects of Brexit on its own: the very selective use of data on the speed of securing access to vaccines or on relative levels of Covid infections by British politicians also was tied into claims about the beneficial flexibilities produced by withdrawal. More generally, any negative news (either absolute or merely relative to the UK) about the EU or its member states has been seized upon as evidence of why the

country was right to vote to leave: witness how a British trade deal with Australia was pushed through rapidly to allow a comparison to much slower EU-Australian talks, even if the terms of the latter are likely to be much less favourable to Australian preferences (House of Commons Library 2022). The inference that such successes were only possible because of Brexit will be made, even where this is evidently not the case, even as the costs and inconveniences of membership remain. Those pushing once more for their state's withdrawal will make the argument that they can navigate Article 50 TEU much more smoothly and with far fewer costs than the UK: partly because of the lower barriers mentioned above and also that these campaigners will claim to have a clear vision of what they seek, unlike the British. Moreover, they will count on the support of the British themselves, who will welcome the affirmation of their choice.

Such a scenario should not stretch the imagination too much. In a context of continuing low popular knowledge about the nature and operation of the EU, and little active work by national politicians to sell the advantages of membership, the weight of the status quo is probably less than most imagine. In this, Brexit reflects the more general weaknesses of the EU's system, in that the entanglement of many parties in joint policy-making and dense interaction also creates an impression that breaking out of such ties is neither desirable nor possible and so there is no great need to make an active case for why integration is a worthwhile activity. With most citizens much more deeply attached to their national political orders, the disconnection of elites and the public grows wider – especially when populist critics use the gap to stoke resentment - setting up the conditions for future tensions and crises (see Taylor 2007 and Mair 2013 for less-optimistic views on how this plays out). Paradoxically, the actual Brexit crisis of 2016 might have contributed to this situation.

23 June 2016 was undoubtedly a crisis for the EU: it went against the dominant logic of integration, namely that being in a club is better than being out. It also required strong, rapid, and coherent action from the collective institutions of the organisation, both European and national. As already mentioned, it got exactly that, from the morning after the vote through to the present. The level of cooperation and cohesion among institutions and member states in both the WA and TCA negotiations has been exceptional, by any measure (Chopin & Lequesne 2021, Schuette 2021, Jensen & Kelstrup 2019): with the sole (and very brief) exception of Spain raising Gibraltar's status in 2018, there has been no occasion where a member state has worked against the central line adopted in late June 2016 (Fabbrini 2020). Even critical members such as Hungary and Poland have used the matter as an opportunity to say nice things about the EU and the way it works (Brusenbauch Meislová 2021, Csehi & Kaniok 2021). The strong consensus around the value of membership and the need to protect it has endured even into the post-withdrawal phase, where national interests might have been expected to pull in different directions: none of the EU27 have ever questioned the need to make exceptional

efforts to protect Irish interests in Northern Ireland nor tried to bypass the Commission in making bilateral deals with London.

Such a strong and unified response was undoubtedly a factor in turning the crisis into a problem, albeit not as big a factor as British aimlessness. But it also raises a form of moral hazard for the future. If protecting membership is such a strong norm, and avoiding another withdrawal is imperative, then it might also be expected that member states will be more willing to make concessions to stop a member state from heading for the door. A much-overlooked part of the Brexit story was Cameron's effort to secure commitments from other member states that would head off the need for withdrawal (Vasilopoulou & Keith 2019, Smith 2016). Poor expectation management on his part meant that this renegotiation was always likely to fail, but Cameron was right to see that the EU was more likely to bend for a member trying to stay in than it would be for one already on its way out. Other member states might take the lesson of this to be that a more careful selection of demands and/or threats to initiate moves to withdrawal might be effective in gaining what they want.

Conclusions

In the context of this present volume, Brexit is an instructive case for conceptualising crisis. It is simultaneously a model of how to handle and contain a crisis situation, an example of how crises can emerge unexpectedly, and a harbinger of troubles to come. Importantly, it highlights the role of contingent factors in crisis formation and resolution: structural issues might point in a general direction, but they do not automatically produce situations, which instead result from much more localised and unpredictable actions. As a result, a necessary corollary is that the EU needs to be proactive in managing and forestalling those situations which might potentially produce future crises; and this is more than is the case for other political systems, because of the underlying weaknesses in its legitimacy.

In a sense, the EU was fortunate to have the UK be the first member state to withdraw. The lack of strategic intent, the chaos of its politics, and the apparent desire of some British politicians to distance themselves from anything involving the word 'Europe' all made it easier to place the UK as an 'other' in the long and difficult negotiations between 2017 and 2020. The egregious attempts to break with the basic precepts of international law in order to wriggle out of commitments made only raised more general questions about the UK as a good faith actor. Such behaviour facilitated internal EU cohesion and burnished its image with the public as a responsible and valuable body. But such distancing will not be nearly so simple with another withdrawal, especially if that country's leadership plays a more subtle game of talking up commonalities rather than differences.

Part of what makes a crisis is how it is understood and received. The strength and depth of response by the EU in 2016 were central in managing it down into something less critical: the contrast with the UK's response should only magnify this point. But that EU response was not a given and it is likely that should withdrawal raise itself as an option in the future it will not take the same form as it did with the UK. Many lessons were drawn from this experience, but there is little evidence that lasting ways of addressing root causes have taken hold, much less had an effect. Brexit overturned some of the basic assumptions about integration, which should invite the EU's leaders and stakeholders to consider what else they take for granted, the better that they might be able to protect what they value.

Bibliography:

- Alberque, William & Benjamin Schreer (2022): 'Finland, Sweden and NATO Membership', *Survival*, 64:3, 67-72.
- Athanassiou, Phoebus L. (2016): 'Reflections on the interpretation, scope and practical application of Article 50 TEU.', in Allen Franklin, Elena Carletti, Joanna Gray & Mitu Gulati (eds.): *Filling the Gaps in Governance*, European University Institute, 89-106.
- Banks, Arron (2016): *The bad boys of Brexit: tales of Mischief, Mayhem & Guerrilla Warfare in the EU referendum campaign*, Biteback Publishing.
- Beaumont, Paul (2019): 'Brexit and EU Legitimation: Unwitting Martyr for the cause?', *New Perspectives*, 27:3, 15-36.
- Beaumont, Paul (2017): 'Brexit, Retrotopia and the perils of post-colonial delusions', *Global Affairs*, 3:4/5, 379-390.
- Blockmans, Steven (2022): 'Why the Ukraine crisis should push the UK and EU into a tighter embrace on security policy', CEPS Policy Contribution, February 2022, available at: http://aei.pitt.edu/103818/1/CEPS-PB2022-03_Why-the-Ukraine-crisis-should-push-the-UK-and-EU-into-a-tighter-embrace-on-security-policy.pdf, accessed 24 August 2022.
- Brack, Nathalie & Nicholas Startin (2015): 'Introduction: Euroskepticism, from the margins to the mainstream', *International political science review*, 36:3, 239-249.
- Bradford, Anu (2020): *The Brussels effect: How the European Union rules the world*, Oxford University Press.
- Brusenbauch Meislová, Monika & Balázs Szent-Iványi (2021): 'Exploitation opportunities for distant crises: Political framings of Brexit in the Czech Republic and Hungary', *Problems of Post-Communism*, early access.
- Chopin, Thierry & Christian Lequesne (2021): 'Disintegration reversed: Brexit and the cohesiveness of the EU27', *Journal of Contemporary European Studies*, 29-3, 419-431.
- Csehi, Robert I. & Petr Kaniok (2021): 'Does politicization matter? Small states in East-Central Europe and the Brexit negotiations', *East European Politics and Societies*, 35:1, 136-155.
- Curtice, John (2018): 'Buyer's Remorse: Has Britain Changed Its Mind on Brexit?', *Political Insight* 9:1, 12-15.
- Daddow, Oliver (2019): 'GlobalBritain™: the discursive construction of Britain's post-Brexit world role', *Global Affairs*, 5:1, 5-22.
- Daddow, Oliver (2015): 'Strategising European Policy: David Cameron's Referendum Gamble', *The RUSI Journal*, 160:5, 4-10.
- European Council (2016): 'Statement by the EU leaders and the Netherlands Presidency on the outcome of the UK referendum', press release, 24 June 2016, available at: <https://www.consilium.europa.eu/en/press/press-releases/2016/06/24/joint-statement-uk-referendum/>, accessed 24 August 2022.
- Evans, Geoffrey & Anand Menon (2017): *Brexit and British politics*, John Wiley & Sons.
- Fabbrini, Federico, ed. (2022): *The Law and Politics of Brexit Volume IV: The Protocol on Ireland/Northern Ireland*, Oxford University Press.
- Fabbrini, Federico, ed. (2020): *The Law & Politics of Brexit: Volume II: The Withdrawal Agreement*, Oxford University Press.
- Farrell, Jason & Goldsmith, Paul (2017): *How to lose a referendum: The definitive story of why the UK voted for Brexit*, Biteback Publishing.
- Figueira, Filipa & Benjamin Martill (2021): 'Bounded rationality and the Brexit negotiations: why Britain failed to understand the EU', *Journal of European Public Policy*, 28:12, 1871-1889.
- Foster, Peter (2022): 'Business groups frustrated at UK-EU gridlock on post-Brexit trade', *Financial Times*, 17 July 2022.
- Frantziou, Eleni & Piet Eeckhout (2017): 'Brexit and Article 50 TEU: A constitutionalist reading', *Common Market Law Review*, 54:3, 695-733.
- Gastinger, Markus (2019): 'Brexit! Grexit? Frenxit? Considerations on how to explain and measure the propensities of member states to leave the European Union', Robert Schuman Centre for Advanced Studies Research Paper No. RSCAS 2019/85, available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3489132, accessed 24 August 2022.
- Geddes, Andrew (2013): *Britain and the European Union*, Bloomsbury Publishing.

- George, Stephen (1998): *An awkward partner: Britain in the European Community*, Oxford University Press.
- Gibney, Elizabeth (2020): ‘Brexit is happening: what does it mean for science?’, *Nature*, 577:7792: 608-609.
- Gifford, Chris (2020): *The making of Eurosceptic Britain: Identity and economy in a post-imperial state*, Routledge.
- Glynn, Jack & Anand Menon (2018): ‘Brexit’, in Philip Cowley & Dennis Kavanagh (eds.) (2018): *The British General Election of 2017*, Palgrave Macmillan, 21-40.
- Gowland, David (2016): *Britain and the European Union*, Routledge.
- Hannan, Daniel (2016): *What Next: How to get the best from Brexit*, Head of Zeus.
- Harhoff, Frederik (1983): ‘Greenland’s withdrawal from the European Communities’, *Common Market L. Rev.* 20:13-33.
- Hayward, Katy (2021): ‘The new trading ‘relationship’ between Great Britain and Northern Ireland: Why, what and how’, *The Political Quarterly*, 92:2, 360-364.
- Hayton, Richard (2022): ‘Brexit and party change: The Conservatives and Labour at Westminster’, *International Political Science Review*, 43:3, 345-358.
- Hooghe, Liesbet & Gary Marks (2009): ‘A postfunctionalist theory of European integration: From permissive consensus to constraining dissensus’, *British journal of political science*, 39:1, 1-23.
- House of Commons Library (2022): ‘UK-Australia Free Trade Agreement’, Research Briefing, 15 July 2022, available at: <https://commonslibrary.parliament.uk/research-briefings/cbp-9484/>, accessed 24 August 2022.
- Ivaldi, Gilles (2018): ‘Contesting the EU in times of crisis: The Front National and politics of Euroscepticism in France’, *Politics*, 38:3, 278-294.
- Jacobs, Francis B. (2018): *The EU after Brexit: Institutional and policy implications*. Springer.
- Jensen, Mads Dagnis & Jesper Dahl Kelstrup (2019): ‘House united, house divided: explaining the EU’s unity in the Brexit negotiations’, *Journal of Common Market Studies*, 57:S1, 28-39.
- Kohler-Koch, Beate & Berthold Rittberger (eds.) (2007): *Debating the democratic legitimacy of the European Union*, Rowman & Littlefield.
- Kratochvíl, Petr & Zdeněk Sychra (2019): ‘The end of democracy in the EU? The Eurozone crisis and the EU’s democratic deficit’, *Journal of European Integration*, 41:2, 169-185.
- Laffan, Brigid, O’Donnell, Rory & Smith, Michael (2013): *Europe’s experimental union: Rethinking integration*, Routledge.
- MacShane, Denis, (2016): *Brexit: How Britain Left Europe*, Bloomsbury Publishing.
- Mair, Peter (2013): *Ruling the void: The hollowing of Western democracy*, Verso books.
- Mattli, Walter & Thomas Plümpert (2002): ‘The demand-side politics of EU enlargement: democracy and the application for EU membership’, *Journal of European Public Policy*, 9:4, 550-574.
- Moravcsik, Andrew (2013): *The choice for Europe: Social purpose and state power from Messina to Maastricht*, Routledge.
- Neunreither, Karlheinz (1998): ‘Governance without opposition: the case of the European Union’, *Government and Opposition*, 33:4, 419-441.
- Niemann, Arne (2021): ‘Neofunctionalism’, in Marianne Riddervold, Jarle Trondal & Akasemi (eds.) Newsome (2021): *The Palgrave Handbook of EU Crises*, Palgrave Macmillan, 115-133.
- Persson, Thomas, Mårtensson, Moa & Karlsson, Christer (2019): ‘Eurosceptic Challenger Parties and Political Opposition in European Union Politics: Part of the Problem or Part of the Solution?’, *Scandinavian Political Studies*, 42:3-4, 245-269.
- Phinnemore, David (2020): ‘Northern Ireland: A ‘Place Between’ in UK–EU Relations?’. *European Foreign Affairs Review*, 25:4, 631-650.
- Rosamond, Ben (2005): ‘The uniting of Europe and the foundation of EU studies: revisiting the neofunctionalism of Ernst B. Haas’, *Journal of European public policy*, 12:2, 237-254.
- Ryan, Cillian (2016): ‘Where does one start to make sense of Brexit?’, *International Economics and Economic Policy*, 13:4, 531-537.
- Scharpf, Fritz W. (2006): ‘The joint-decision trap revisited’, *JCMS: Journal of Common Market Studies*, 44:4, 845-864.
- Scharpf, Fritz W. (1988): ‘The joint-decision trap: lessons from German federalism and European integration’, *Public administration*, 66:3, 239-278.

- Schnapper, Pauline (2021): 'Theresa May, the Brexit negotiations and the two-level game, 2017–2019', *Journal of Contemporary European Studies*, 29:3, 368-379.
- Schuette, Leonard August (2021): 'Forging unity: European Commission leadership in the Brexit negotiations', *JCMS: Journal of Common Market Studies*, 59:5, 1142-1159.
- Shipman, Tim (2016): *All out war: the full story of how Brexit sank Britain's political class*, William Collins.
- Smith, Julie (2016): 'David Cameron's EU renegotiation and referendum pledge: A case of déjà vu?', *British Politics*, 11:3, 324-346.
- Sorace, Miriam & Sara Binzer Hobolt (2021): 'A tale of two peoples: motivated reasoning in the aftermath of the Brexit Vote', *Political Science Research and Methods*, 9:4, 675-692.
- Spiering, Menno (2004): *Euroscepticism*, Brill.
- Stratton, Jon (2019): 'The language of leaving: Brexit, the second world war and cultural trauma', *Journal for Cultural Research*, 23:3, 225-251.
- Taylor, Paul (2007): *The end of European integration: Anti-Europeanism examined*, Routledge.
- Tournier-Sol, Karine (2016): *The UK challenge to Europeanization: the persistence of British Euroscepticism*, Springer.
- Tsebelis, George & Geoffrey Garrett (2001): 'The institutional foundations of intergovernmentalism and supranationalism in the European Union', *International organization*, 55:2, 357-390.
- Usherwood, Simon (2021): '"Our European Friends and Partners"? Negotiating the Trade and Cooperation Agreement', *JCMS: Journal of Common Market Studies*, 59:S1, 115-123.
- Usherwood, Simon (2015): 'Britain and Europe: a model of permanent crisis?', in Kyriakos Demetriou (ed.) (2015): *The European Union in Crisis*, Springer, 3-14.
- Usherwood, Simon (2005): 'Realists, sceptics and opponents: opposition to the EU's Constitutional Treaty' *Journal of Contemporary European Research*, 1:2, 4-12.
- Usherwood, Simon, Leruth, Benjamin & Startin, Nicholas (2017) 'Conclusion: Euroscepticism and European (dis) integration in the age of Brexit', in Benjamin Leruth, Nicholas Startin & Simon Usherwood (eds.) (2017): *The Routledge Handbook of Euroscepticism*, Routledge, 468-477.
- Vasilopoulou, Sofia (2016): 'UK Euroscepticism and the Brexit referendum', *The Political Quarterly*, 87:2, 219-227.
- Vasilopoulou, Sofia (2013): 'Continuity and Change in the Study of Euroscepticism: Plus ça change?' *JCMS: Journal of Common Market Studies*, 51:1, 153-168.
- Vasilopoulou, Sofia & Dan Keith (2019): 'Renegotiation versus Brexit: the question of the UK's constitutional relationship with the EU' *JCMS: Journal of Common Market Studies*, 57:3, 486-501.
- Wall, Stephen (2020): *Reluctant European: Britain and the European Union from 1945 to Brexit*, Oxford University Press.
- Young, Hugo (1999): *This blessed plot: Britain and Europe from Churchill to Blair*, Overlook Books.