

Understanding Europe

Abstract By deliberately avoiding a historical narrative of the entire EU/UK relationship McGowan is able to firmly focus attention on developments after David Cameron's surprise election victory in 2015. The common thread running through this chapter is the notion of a British exceptionalism that made the public's connections with the EU problematic. McGowan maintains that such misguided exceptionalism is pushing the UK to the very fringes of the economic and political structures of contemporary Europe. There are other UK/EU relationship models of future UK/EU relations. The chapter presents other possible competing models which are now very pertinent after the UK general election of June 2017. These models provide for a softer form of Brexit.

Keywords United Kingdom • EU referendum result • Alternatives to EU membership

The issue of European integration has long been characterised as a fault-line in British politics. There is considerable truth to this assessment. Much has already been written about the history of the UK's membership of the European Union (Bulmer et al. 1992; Geddes 2013; Liddle 2014; Wall 2008; Young 1998). Notions of British particularism and ongoing crisis of 'exceptionalism' abound and it is not the intention to revisit them here. Many of the overviews have usually cast degrees of doubt on the levels of British commitment. Examples of awkwardness have

found illustration in regular disputes over the UK's contributions to the EU budget, steadfast opposition towards the design of the Common Agricultural Policy, opt outs from key projects such as the euro, non-participation in the Schengen area and rejection of the notion of 'ever closer union' Yet, these differences can often be overplayed and risk underestimating the proactive British contributions to the EU's evolution and deeper integration.

True, the UK was always driven more by the economics of European integration rather than by the politics of European integration that had led the six founding member states and later arrivals such as Spain and Portugal. However British participation has shaped the integrated process and include its role as a catalyst for engineering the single market and especially pushing the liberalisation of services, advancing the need for a robust competition policy, establishing the European Regional Development Fund, demanding greater financial accountability, advocating EU enlargement and being a leading voice in developments in the areas of security and defence policy. It is somewhat ironic that the UK's championing of EU accession for the countries of Central and Eastern Europe in the 2004 Big Bang enlargement, and its decision to grant workers, especially from Bulgaria, Poland and Romania, immediate entry into the UK, was to really fuel the anti-Brexiteer cause a decade later.

Any overall assessment of EU membership produces a mixed balance sheet (as is the case for all member states), but all British governments from Edward Heath to Gordon Brown viewed EU membership on a cost/benefit analysis as largely positive in terms of advancing economic and political objectives and providing a forum to demonstrate British commitment and leadership in Europe. Even Margaret Thatcher had seen opportunities: 'Too often in the past Britain has missed opportunities. How we meet the challenge of the Single Market will be a major factor, possibly the major factor, in our competitive position in European and world markets into the twenty-first century. A single market without barriers-visible or invisible-giving you direct and unhindered access to the purchasing power of over 300 million of the world's wealthiest and most prosperous people. Bigger than Japan. Bigger than the United States. On your doorstep' (Thatcher 1988).

On reflection successive UK governments never really attempted to understand the incremental nature of the European integration process and never fully bought into it. John Major's opt out from the single currency in the Maastricht Treaty and Tony Blair's inability to opt into it is

the most glaring example of this misreading. Being absent from the EU's most ambitious plan undermined the UK's credibility as a true European lead partner.

In retrospect, it was the failure of all successive British governments after the first referendum on EEC membership in 1975 to explain the rationale behind treaty changes to the electorate and in so doing to make a case for the EU that was going to prove problematic in the longer term. Whether decisions not to inform the public about developments in the European arena reflected internal tensions on the European question within governments of the day or whether other interests were deemed more pressing, the lack of factual information on the merits of European integration created a vacuum that allowed the emergence of anti-EU voices. The origins of what is now considered as euroscepticism can be traced back to the late 1980s when opposition to the pursuit of deeper economic integration in the form of a single currency was first voiced by Margaret Thatcher in both Westminster and within the European Council.

She had opposed re-regulation and bitterly contested the European Commission's desire to give the EU a greater social dimension and gave it expression in her now infamous Bruges speech in 1988. At the time her opposition seemed out of touch with majority views in her own cabinet and among the public and ultimately, precipitated her own political downfall in November 1990. Yet, it was her attitudes towards European integration that slowly took hold of both the Conservative parliamentary party and the party's grassroots, and the issue bedevilled all her successors from John Major to David Cameron.

The growth of euroscepticism was a gradual process across much of the EU as the so-called 'permissive consensus' on European integration began to break down from the early 1990s onwards. Eurosceptic voices became a feature of political discourse, but the form varied from outright opposition to the EU project to critical positions on aspects of the process (e.g. the euro). In most member states such eurosceptics voices were championed by minor parties. In the British case opposition to more European integration led to the creation of a new political forces primarily in the form of the United Kingdom Independence Party (UKIP), in 1993. Although a marginal force for some ten years, it gradually established a presence and profile as it continuously called for a referendum on EU membership. As its support grew David Cameron's government buckled and the UK became the first and only member state to put the very issue of existing EU membership to a public vote.

Seeking to explain why the UK public opted to leave necessitates consideration of numerous issues which are referred to below. However, one constant was revealed time and time over the twenty six years from Thatcher's resignation as PM to the EU referendum and it was the lack of knowledge about the EU (and also lack of interest in the EU) among the wider public. Inaction by successive governments and the build-up of often factually incorrect EU stories over an almost 30 year period in the popular press both helped in part to create the 2016 tsunami. It is hard not to disagree with the EP's views that the declared goal of most UK governments, since the Labour government of Harold Wilson to the government of David Cameron, has been to keep further political or economic integration to a minimum and the pooling of sovereignty as limited as possible' (EP 2017, 5) very little was explained.

Sometimes political aspirations motivated short term personal objectives: David Cameron's own bid for the leadership of the Conservative Party in 2005 was largely based on a Eurosceptic stand (which was carried over into his term as Leader of HM Opposition (when he pulled the Conservative MEPs out of the main centre right group, the European Peoples' Party (EPP) in 2009. Similarly, his commitment in January 2013 (Cameron, 2013) to pledge a future Conservative government to hold an 'in-out' referendum on membership of the EU before the end of 2017 represented another illustration of short-term political considerations overriding longer term policy considerations. It was predicated on the assumption not just that the Conservative Party won the 2015 general elections but also secured enough seats to bring the collusion with the pro-EU Liberal Democrats to an end. In 2013 such a scenario seemed somewhat fanciful and in any case few in government and academia could have imagined a vote in favour of leaving the European Union in any case.

Cameron had 'actually and/or accidentally' let the genie out of the bottle. Any hopes that the EU issue would lose its resonance for the public were misguided. Leading papers such as the Daily Express stepped up their vociferous demands for the UK's exit from the European Union. The paper ran its own self-declared 'crusade to leave' and its hostility to the EU was echoed in most of the other tabloid newspapers, most notably the Sun and the Daily Mail. All gave increasing coverage to Nigel Farage, the leader of UKIP, who largely with the financial backing of Aaron Banks, remained an almost permanent news feature from January 2013 until June 2016.

Cameron's surprise victory at the 2015 General Election, winning 330 seats, ensured he headed the first purely Conservative government in 18 years. The following 13 months and 400 days in power saw an utter reversal in his own fortunes from its zenith in May 2015 to its nadir, following the June 2016 referendum result. Cameron's referendum task was never going to be easy and from the very start the issue of Europe took centre stage. Pro-Brexiteers with support from some Labour MPs brought the bill for a referendum before the new parliament almost immediately and the House of Commons voting overwhelmingly to hold a referendum on EU membership (544 votes to 53) in June 2015. Cameron was certainly on the defensive on the EU issue from the start of his administration. In power he had come to appreciate and understand the advantages of membership and was determined to keep the UK in the EU. His mood was fairly buoyant in the early stages because according to research conducted by Ipsos Mori (Ipsos Mori, 19 June 2015) public approval for EU membership in the UK was at a 24 year high in June 2015 with some 61% advocating remain (<https://www.ipsos-mori.com/researchpublications/researcharchive/3589/Support-for-staying-in-the-European-Union-at-a-24-year-high.aspx> and accessed 19 April 2017). With the collapse of the Liberal Democrats at the 2015 general election to just eight seats (57 in 2010), the failure of UKIP to win any more than one seat and the Labour Party searching for a new leader and given Cameron's very positive approval ratings, his position in the summer of 2015 looked to be commanding.

With hindsight, such assessments were flawed and what looked like a position of strength transformed into a position of weakness and especially on the EU referendum. Who was in a position in parliament to make the case for the UK in the EU after May 2015? The decimation of the Liberal Democrats at the polls effectively removed from government a pro-EU leaning party. Labour's support for the EU also came into question when Jeremy Corbyn, a long term critic of European integration, was surprisingly chosen as the party's new leader. During the referendum campaign he rarely made the case for continued EU membership with any enthusiasm. Cameron could never have guessed that Labour would have chosen Corbyn as leader and while this was great for the Conservatives in parliament, it deprived Cameron of an ally on the EU issue. Cameron's struggles and Corbyn's poor approval ratings facilitated UKIP's visibility. The party may only have won just one seat at the 2015 general election but it finished in second place in some 80 more. UKIP was very much

a concern for Cameron, both in terms of Conservative members defecting to Farage's party, but also in persuading voters to opt for Brexit. Public attitudes towards the EU were also changing and not for the better from the government's perspective. By September 2015 only some 31% of voters stated that they would definitely support continued membership with another 14% probably leaning in that direction (<https://yougov.co.uk/news/2015/09/22/eu-referendum-state-public-opinion/> accessed 19 April 2017). As approval ratings for EU membership began to slip, so pressure began to mount on Cameron to make the case for EU membership.

The entire period from June 2015 until June 2016 (for further details see McGowan and Phinnemore 2017) had Cameron wrestling with the European issue on two fronts; firstly, seeking to identify the basis of his renegotiations with the other EU 27 member states HM Government 2016 and secondly, convincing the British electorate that EU membership works for the UK. The decision to hold a referendum on EU membership was a calculated political decision to keep the Conservative party intact as possible. The decision arose from a position of weakness, but also over confidence that the British public would support membership in a referendum. It was widely assumed in government circles that economic arguments would trump emotional leanings (Oliver 2016) as had occurred in the Scottish 2014 independence referendum. However, in retrospect, this view failed to recognise the dissatisfaction felt by many voters against the established political class in the face of declining living standards and concerns about future job prospects for their own children in a time of rising immigration. There was a powder keg just waiting to be lit.

Many such disgruntled voters used the EU referendum to express their anger and to dismiss the views of experts from the liberal and political elites. Instead, ideas of regaining national sovereignty and controlling British borders carried greater resonance for many voters and particularly in the Labour heartlands of Central and Northern England. Data suggests that those voters who opted to leave had fewer, lower or no formal qualifications (<http://www.bbc.co.uk/news/uk-politics-38762034>, accessed 22 March 2017). The level of education proved to have a higher correlation in voting patterns for Brexit than any other measureable indicator. The highest electoral ward for leave in England was recorded in east Middleborough (Brambles and Thorntree) and stood at some 82.5% opted. It was estimated by Middlesborough Council that only 4% of people here had a university degree. Age has

also been identified as another important demographic measure. Here voters for Brexit tended to be among an older (45+ age cohort). Unemployment, concerns about the future and resistance to immigration and competition for housing, school and the National Health Service have been identified as leading issues for those choosing to 'leave' the EU. Waterlees village, an area of extreme poverty in Wisbech in Cambridgeshire, recorded the second highest leave vote (80.3%) in the country. The highest ward indicating its preference for 'remain' was to be found in the city of Cambridge (87.8%).

Cornwall returned a higher than national preference for leave in all but two of its areas where there were heavy student populations (Truro and Falmouth). Other areas showing very high leave returns were returned across Eastern England areas with high unemployment rates and sizeable populations of EU workers in places such as Canvey Island in Essex, Skegness and Havering in East London. Old industrial towns facing economic difficulties and recording higher than the average national unemployment rates tended to back leave. Rochdale and Oldham are apt examples with votes of 60 and 61% respectively. Cities such as Bristol may have opted to stay in the EU, but within the city itself many of the Council estates in the south of the city voted heavily for leave. Brexiteers sought to capitalise on levels of uncertainty and degrees of resentment and anger.

A large part of the Brexit appeal centred on its nostalgia for the past and a return to some Golden Age of self-rule, British power and Empire. The Commonwealth, for example, was presented as the natural trading bloc for British products. Returning powers to parliament would enhance notions of British identity and control while putting immigration curbs in place would protect British citizens. The desire to return to a former state of affairs—labelled here as the Agatha Christie syndrome where Hercule Poirot solves cases in England of the 1930s, where politeness abounds, ethnicity is not an issue and society is structured and ordered—may have appeal but just as the stories are fiction, so the views expressed by many Brexiteers are arguably fabricated and fanciful. They failed to account for changed times and circumstances. Few could argue with notions of making Britain great again or letting the UK make its own laws but how were these to be achieved. The 'Remain' campaign had simply been unable to respond to such sentimental rhetoric and watched their initial lead being whittled back between January and June 2016.

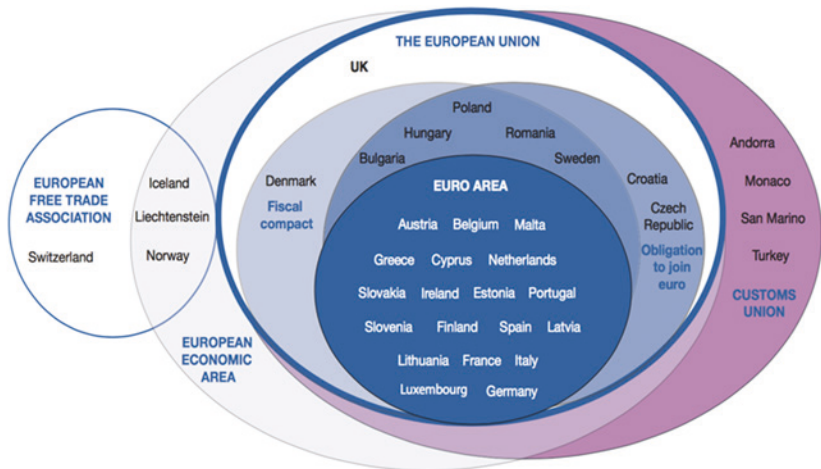


Diagram 2.1 Europe, the European Union and the United Kingdom in 2017. *Source* HM Treasury (2016b). https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/517415/treasury_analysis_economic_impact_of_eu_membership_web.pdf

The issue of the exact nature of a new relationship had rarely surfaced in the wider campaigns. No contingency ‘Brexit’ planning had been made by the Cameron government for a Brexit vote, given the expectations for a ‘remain’ vote. The new government was faced with an immediate dilemma of identifying what ‘out’ looked like and the language of ‘soft’ versus ‘hard’ Brexit became staple vocabulary in the media in the summer of 2016. Other models of EU engagement already existed. During the campaign references were most often made to the so-called Norwegian, Swiss and Turkish models. Each involves different levels of integration and a different set of rights and obligations. All had their own advantages and drawbacks. All pushed the UK further from the core of European engagement and closer towards peripheral isolation (see Diagram 2.1). Interestingly and all too often during the campaign few of the leading advocates of Brexit (and arguably their counterparts as well) seemed at all aware of the differences between free trade areas, customs unions and common markets. In April 2016 the Treasury produced its own analysis on the long-term impact of EU membership and the alternatives (HMG 2016) but for the most part these other options required

understandings of technical and complex issues (e.g. ‘rules of origin’ and the Common External Tariff) and all too often remained confined to specialist academic and business association discussion fora. They failed to connect at a wider level.

Given the direction of British government policy towards Brexit after the referendum it may seem somewhat redundant to give even brief consideration to other models of EU engagement for non-EU states. However, the reason of doing this here is two-fold. Firstly, recognising the very existence of other relationship models provides us with direct illustration of how adept the EU has been at creating imaginative arrangements to facilitate links and engagement with non-member states. The British government, despite all the grandstanding, may still need to consider all existing options as, according to Irish officials, it is gradually realising that the Brexit vote was an act of serious self-harm (Irish Times, 13 April 2017) and may yet need to seek these or other innovative models to minimise the damage.

Secondly, it is still possible, that some of the options may resurface in relation to expectations during the negotiations from the regional governments and wider society in Northern Ireland and Scotland (and discussed in Chap. 6). The most developed form of relationship exists for non-EU countries who are members of the European Economic Area, namely Iceland, Liechtenstein and Norway. This model, more commonly known as the Norwegian option, essentially extends the EU’s single market to these three states. This model offered a softer form of Brexit and appealed to those who sought to maintain the closest connections with the EU as possible. In return for single market access all EEA states are expected to implement EU regulations and directives, both existing and all new EU legislation, governing the free movement of goods, services, capital and people as well as other regulations and directives in a range of flanking policies designed to facilitate the smooth functioning of the single market in areas such as the environment, consumer protection, safety standards, competition and public procurement. Access to the single market necessitates acceptance of the jurisprudence of the EU’s Court of Justice in Luxembourg. Many Brexiteers queried the point of leaving the EU if the UK were still going to be subject to the Court.

Membership of the EEA, however, is limited in nature and neither involves participation in the EU’s Common External Tariff nor extends to cover EU policies on agriculture and fisheries. EEA members

are also not expected to commit to joining the euro but members can and do commit to other EU programmes (e.g. Erasmus+ and Horizon 2020). All three make sizeable contributions to the EU budget. Two of the major drawbacks of the EEA route is that neither provides any representation in the EU's institutional architecture nor any involvement in the legislative process and decision-making. However, EEA members have the right to be consulted about proposed legislation by the Commission.

The second and so-called Swiss option (Briedlid and Najy 2016) replicates much of the EEA model in providing access to the EU single market and allowing access to the EU's research and education programmes and in exchange for a contribution to the EU budget. Agriculture and fisheries also fall outside the scope of the Swiss/EU relationship and in parallel to the EEA, Switzerland has neither any involvement in the EU's institutions and decision-making processes and unlike EEA members, nor has the right of consultation with the Commission on new legislation. Overall, the Swiss model offers a more limited form of association with the EU and leaves Switzerland outside the EU customs union. Engagement is much more limited in relation to the free movement of services and in particular, there are limits on the Swiss banking sector's access to the single market. Bern may not be obliged to adopt new EU legislation regarding the single market but the Swiss government is expected to ensure that its domestic legislation is aligned with the relevant EU regulations and directives in core areas such as competition policy and environmental policy. The Swiss option itself was the product of a series of bilateral agreements and as a template was particularly complex. Indeed a number of Switzerland's bilateral agreements with the EU are linked through a so-called guillotine clause meaning that failure to meet in full obligations under one agreement can lead to the suspension of rights under the others. This approach was threatened following the Swiss referendum in February 2014 on introducing immigration quotas, including on EU nationals. The Swiss government did not pursue this course of action. Ultimately, there was little appetite within the Commission to recreate this model with the UK.

The third and so-called Turkish model offers another form of relationship in the form of a customs union with the EU. Essentially, in exchange for tariff- and quota-free access to the EU market for industrial goods, Turkey not only provides the same access to its own market for EU goods, but also applies the EU's external tariff on trade third

countries. While the custom union option may bring market access it does not mean that Turkey has full access to the single market. For example, agricultural goods and services do not form part of the customs union. Turkey also has no say on the tariffs it has to impose on goods it imports from non-EU countries, as it has to apply the EU's common external tariff to those goods (and is not involved in setting it). This acts as a significant constraint on the development of its own trade agreements with other partners and a key reason what there have been calls for the UK not to consider a customs union option. Also, Turkey is expected to enforce EU rules in relation to competition policy and environmental policy and align with EU state aid rules. The existing agreement between the EU and Turkey allows for limited migration to the EU for Turkish nationals, but not free movement. Even visa-free travel for Turkish citizens has still to be conceded. Turkey does not make any contributions to the EU budget and has no say in EU decision-making. It is striking that these three options to EU membership received very little coverage in the tabloid newspapers and rapidly disappeared after the referendum result. Cameron had bequeathed to his successor, Theresa May, considerable challenges over actually delivering Brexit and carving out the UK's future relationships with the EU and the wider world. May quickly moved away from all three options.

The recent Comprehensive Economic and Trade Agreement (CETA) between Canada and the EU offers a fourth option for the UK government to pursue. This agreement represents one of the EU's most comprehensive and ambitious trade deals that has ever been signed with a third party. Negotiations were contentious and it took some seven years before agreement was reached. CETA aims to eliminate 98% of tariffs between Canada and the EU, removes restrictions on access to public contracts and opens up the services market in areas such as postal services and maritime transport. Furthermore, the agreement ensures EU standards in areas such as food safety and worker's rights are upheld and provides for guarantees that economic benefits do not come at the expense of the environment or consumers' health and safety. Canada is neither required to contribute to the EU budget nor expected to sign up to the EU rules on the free movement of people. There are, however, some limitations and exceptions to the CETA agreement: tariffs and quotas will remain in place for some agricultural products; trade in services is only partially liberalised; and there are a considerable number of 'reservations' within the deal. Canada's ability to take advantage of the EU financial

services passport is dependent on Ottawa establishing a presence in the EU and respecting EU rules in this area. The attraction of a CETA-type option for the UK is market access. However, there are restrictions on the scope of free trade, notably as regards agricultural goods; and customs and immigration controls would have to be imposed.

The four models outlined above were very much designed as possible models for individual sovereign states. However, other models have put forward more radical options by suggesting the idea of a partial Brexit for the UK. For its advocates, these options allow the ‘remain’ votes in the other parts of the UK to be respected and so for Scotland and Northern Ireland to maintain as far as possible existing levels of integration with the rest of the EU. One such option, the so-called Reverse Greenland, draws its inspiration from the departure of Greenland, which is part of Denmark, from the then European Communities in 1985. The ‘Reverse Greenland’ model could see Northern Ireland (alongside Gibraltar and Scotland) opting to stay in the EU while England and Wales leave. A second suggestion, the so-called Dalriada option (O’Leary 2016) comes to the same conclusion. This option is predicated on the fact that the UK comprises two existing unions, that of Great Britain and that of Great Britain and Northern Ireland. In each of these unions one partner has expressed their desire to remain in the EU. It too envisages a situation where England and Wales secede from, but Northern Ireland and Scotland remain, in the EU. These ideas makes for interesting discussion and people may question how politically feasible such suggestions are. This book will argue that Northern Ireland throws up really intriguing questions for the constitutional shape of the UK and may very well secure some form of special arrangement with the EU and suggests that it could even join the EEA (as discussed in Chap. 6).

In retrospect, the decision to hold a referendum now looks to have been a miscalculation of truly epic proportions. Cameron’s assumption was always that such a referendum could and would be won if the case was made for continued EU membership. The personal stakes for him were high as were the fall-out for his own legacy and reputation in the narrative of British politics. Once again the EU issue displayed its potential to make and break the political careers of politicians in the UK. Cameron became an immediate and the most obvious casualty, but his long-time friend and Chancellor of the Exchequer, George Osborne’s tenure at the heart of politics also ended prematurely when Osborne was removed from office by Theresa May.

In contrast, Brexit had provided a means for others to enhance their profile and boost their career possibilities. Boris Johnson provides the best example of how his own personal ambition to become prime minister trumped his strong inclinations to support David Cameron's campaign for EU membership. His decision to support the leave campaign was a considerable blow for Cameron. Ultimately, Johnson was outmanoeuvred by Michael Gove in the aftermath of Cameron's resignation but was duly promoted to the position of Foreign Secretary, much to the consternation and surprise of many observers. It was safer for May to have Johnson in the fold than on the backbenches. The political careers of both David Davis and Liam Fox, two of the most prominent hard-line Brexiteers during the referendum campaign, were resuscitated with both returning to front-line politics and the cabinet. Whether these appointments were simply temporary concessions by May to appease the 'Brexiteers' will be known after the 2017 general election.

What are the lessons to be learnt here? David Cameron had struggled to identify his main aspirations, misunderstood the limits and even willingness of the EU27 to provide special concessions to the UK's EU membership, and underestimated the frustration and anger felt by many British voters. He was to be replaced by a 'remainer' who to the surprise of most other European leaders adopted one of the hardest positions on the meanings of Brexit. Theresa May is also taking a considerable risk and by declaring her intention of escaping the jurisdiction of the Court of Justice, having power to sign UK trade deals and still having access to 'frictionless trade' with the EU, has set the bar high. Are these achievable? The Brexit negotiations will inevitably create both winners and losers. The government has to determine whose interests it wishes to advance most. May will be acutely aware of the EU factor and at the heart of her Brexit strategy is a determination to unite the Conservative party behind her negotiations and in doing so, severely damage the post Farage UKIP. Uniting the party arguably takes precedence over uniting the United Kingdom but is a dangerous path to tread.

Any signs of compromise might severely weaken May's position within the party, and hence her need for a larger parliamentary majority. Expectations will have to be managed. What might play well to an English audience may not necessarily meet the expectations of Northern Ireland, Scotland and Wales. In short, Brexit presents challenges for the UK government and for the EU. Was it still possible to envisage a softer form of Brexit? Was it possible that renewed pressure from business

lobbies, declining economic growth and fears about security challenges might yet shift public support away from a harder form of Brexit? (Grant 20 February 2017). Much uncertainty still abounds over the process of exiting the EU, the objectives that can be secured for each side and the longer term implications of withdrawal for both parties. The consequences for both the stability of the British Union and the European Union are considerable.

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