

# The best way out of the Brexit mess

*Parliament cannot agree on what kind of Brexit the people want.  
Rather than guess, it should ask them*

It took Theresa May a year and a half to reach a deal with the European Union. It looks as if it will take Britain's own Parliament less than a month to throw it out. An imminent vote on whether to approve the prime minister's Brexit agreement seems almost certain to be lost by a wide margin.

The government's struggle to get the deal through Parliament exposes a crack that Brexit has created at the heart of Britain's democracy. Most MPs believe, with reason, that Mrs May's imperfect compromise is worse than the status quo. As the people's elected representatives, they have every right to block it. On the other hand, the referendum of 2016 gave them a clear instruction to leave. Although that vote carries no legal weight, it has taken on a moral force like little else. Today's paralysis is the result of Britain's inability to reconcile its tradition of representative democracy with its more recent experiments in the direct sort.

Many argue that MPs should shut their eyes and vote for what they believe to be a damaging plan, out of respect for the referendum. They are wrong. Their argument rests on a flawed assumption: that the majority for Leave in 2016 means any resulting deal reflects the will of the people. It is far from clear that Mrs May's plan does. It breaks many of her own negotiating red lines, never mind the promises made by campaigners in the run-up to the vote. The government has largely given up arguing that its deal will be good for the country, instead insisting that it is what democracy demands. Yet no one can claim to intuit what the people want. The only way to know is to ask them.

Mrs May's deal is not the turkey that hardline Leavers and Remainiacs claim. The notion that a Brexiteer could simply hop on a train to Brussels and negotiate a better one is fatuous. The prime minister has made it her priority to bring the free movement of people to an end—a bad idea in our view, but hardly an unpopular one. That entails leaving the single market, a big loss. But she has otherwise kept about as close an economic relationship with the EU as possible, partly to avoid introducing new border checks in Northern Ireland.

Nonetheless, it is clear that Mrs May's deal is in almost every respect worse than the carefully constructed one Britain already has, which gives it the benefits of being in the EU, while allowing it to opt out of the single currency, maintain its own passport checks and receive a large budget rebate. New barriers to trade will sever its dynamic services industry from its largest market and could damage Britain's manufacturing supply chains. Under the Irish arrangement, Britain will until further notice have to

follow eu rules that it has no say in writing, suggesting subservience, not the reclamation of sovereignty. The fallout could lead to further constitutional and territorial damage, including the rupture of the union with Northern Ireland and Scotland.

Does the 4% margin that voted to leave two years ago translate into a majority for passing this unappealing compromise? It is not impossible. Some Remainers foolishly assume that grim economic forecasts are clinching arguments, as though no one ever knowingly voted for a policy that would make them poorer. Still, even on the most generous assumptions, it is reasonable to question whether the will of the people is on the side of this pale shadow of the prospectus touted in 2016.

Mrs May has spent the past fortnight on a virtual referendum campaign, trying to persuade the public of the deal's merits, and in turn to persuade mps that the deal has the public's backing. There has even been talk of a televised debate on her plan. It is a worthy exercise to sell her hard-won agreement. But the prime minister's progress through the country is a pantomime of democracy. It has every element bar the ballot itself. Mrs May is right that mps should take into account what the public think. So should she: not by guessing, but by calling on them to vote.

### **Neverendum**

The path to a second referendum is treacherous. Parliament will struggle to agree on its form. Heavy defeat for Mrs May could lead to a general election, in which all parties would put forward brilliant-sounding but impossible Brexit plans, adding to the muddle. The rejection of Mrs May's deal would raise the risk of leaving with no deal at all, a disaster for Britain and bad news for its neighbours. Fortunately, such an accidental no-deal Brexit became less likely this week—because mps, most of whom rightly see it as a catastrophe, will now have a greater say.

Even if those obstacles were overcome, there would remain the most powerful objection to a second referendum: that it would cheat those who voted in the first. The eu has an ignoble tradition of getting people to vote again when they choose the “wrong” answer. If the vote to leave was a rebellion against the establishment, a second referendum would be seen as a counter-revolution.

The risk is real. A second referendum would cause lasting resentment and would fuel populist parties peddling the stab-in-the-back theory. Yet to rule it out on this basis ignores how any softish Brexit deal would also be denounced as a betrayal and a sell-out. Hardline Leavers describe Mrs May's plan as “vassalage”, a “national humiliation” and a “cheating” of those who voted to leave. Likewise, the belief that approving the deal will get the whole divisive episode over and done with ignores the fact that, after Brexit day, Britain faces perhaps a decade of trade negotiations with the eu, involving more of the painful trade-offs between prosperity and control that the public have grown so sick of. All the while, the country will be falling further behind its potential. It is true that a second referendum would cause lasting anger and undermine faith in politics. But so would pushing through a deal in the name of the people amid evidence that the people were unconvinced.

Brexit is often likened to a divorce. In fact the two years since the referendum have been more like a rocky engagement. Voters were swept off their feet by the promises of the Leave campaign, only to discover that the future relationship was not going to be as they had imagined. Calling it off would be mortifying. Yet seeing it through could be a serious, permanent mistake. If the British are determined to plough on, that is their right. But now that they know what Brexit really means, they deserve the chance to say whether they still want it.