

The Implications of the Brexit Referendum Result

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Outline

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 - ▶ Run-up
 - ▶ Results

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 - ▶ Politics
 - ▶ Law
 - ▶ Rights
 - ▶ Economy

- ▶ Implications for these islands

- ▶ Options



Reflections on the Referendum

Reflections on the referendum

In the run-up...

- ▶ British/European tension
- ▶ Choice was between being 'half in or thoroughly out'
- ▶ Lack of Referendum Commission
 - ▶ Opportunity for press to play strong role
- ▶ Immigration most 'pressing' priority



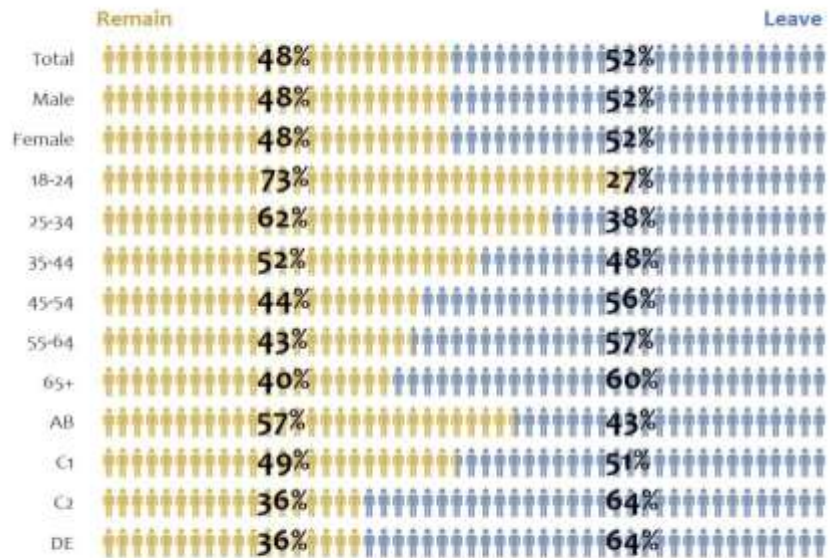
Reflections on the referendum

The outcome

- ▶ Consequences of globalization embodied in EU
- ▶ Key Factors
 - ▶ Education, age, position in labour market
- ▶ Notion of retreat to past stability, 'homogeneity'
 - ▶ 60+% over 60s for Leave
- ▶ Now UK government has no clear mandate other than leaving

How Britain voted

By demographic



Lord Ashcroft Polls
@lordashcroftpolls

Results from N.Ireland

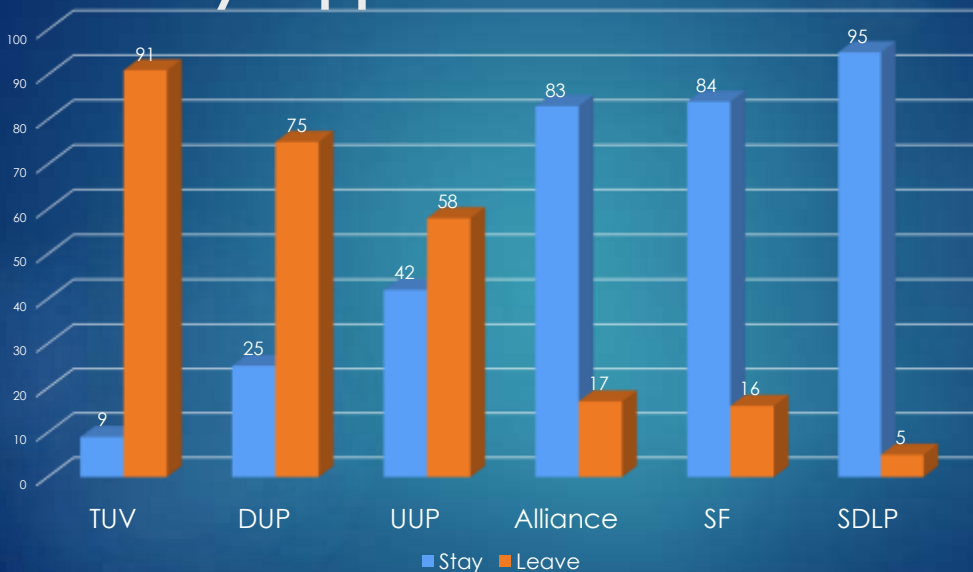
(Source: Garry, ESRC NI Assembly election study)

- ▶ Strong ethno-national basis to voting and partisan divide
 - ▶ c.85% Catholic/Irish/nationalist Remain
 - ▶ c.37% Protestant/British/Unionist Remain

- ▶ Leave voters more likely to have fewer qualifications, low skill jobs, anti-immigration sentiments, socially conservative views, alienated from politics



NI Party support and Vote



(Source: Garry, ESRC NI Assembly election study)

NI Vote by socio-economic group



(Source: Garry, ESRC NI Assembly election study)



Implications of the Referendum

Implications for politics

- ▶ Tension between political representatives and constituencies
 - ▶ 479/630 MPs voted Remain
 - ▶ 421/570 constituencies voted Leave
 - ▶ 37% Labour voters voted Leave
- ▶ Deepening divisions- what political representaton?
 - ▶ Age
 - ▶ Education
 - ▶ Class
- ▶ Anglo-centrism
 - ▶ Undermining momentum for decentralisation

Implications for law

- ▶ 'Great Repeal Bill'
 - ▶ Incorporation of (how much?) of EU legislation
 - ▶ Protection of standards, regulations, rights
 - ▶ But how will this be maintained, supported?
 - ▶ NB 'Subservience' to ECJ was a Brexit rallying point

Implications for rights

- ▶ Human Rights
 - ▶ May: No exit from the ECHR (30 June 2016)
 - ▶ But reform of the Human Rights Act
 - ▶ Likelihood of increased monitoring of individuals
- ▶ Workers' Rights
 - ▶ Loss of safety net
 - ▶ Loss of momentum/direction of change

Implications for women

- ▶ EU legal safety net for relevant legislation (inc ECJ)
 - ▶ Equal pay for equal work (1986)
 - ▶ Equal pay and benefits for part-time workers (1997)
 - ▶ Pregnant workers' directive (1992)
- ▶ International standing on gender equality
 - ▶ E.g. Signatory to Istanbul Convention on Domestic Violence
 - ▶ Writing in gender equality to development aid

Implications for the economy

- ▶ Obstacles to trade with EU
 - ▶ Details/tariffs as yet unknown
- ▶ Standards/regulations to be maintained?
- ▶ Diminished attraction for FDI
- ▶ For businesses: Point controls as border controls
 - ▶ Greater scrutiny by employers of the right to work etc.



Implications for these islands

Implications for British-Irish relations

- ▶ Risk of being subsumed into higher and lower level political contention
- ▶ Common Travel Area
 - ▶ Changes have implications for citizens/travel/workers
- ▶ Changed role for collaborative institutions



Implications for the United Kingdom

- ▶ No direct input into the British negotiating position
 - ▶ Joint Ministerial Committee increased importance
- ▶ Devolved institutions may have increased competences from draw down of power from EU
- ▶ Push for Scottish referendum
 - ▶ Breakup of the UK forced by English nationalism?



Implications for the island of Ireland

- ▶ Much depends on what the UK is looking for
- ▶ EU goodwill towards NI, recognises unique status
- ▶ Border controls will have to happen at some point
 - ▶ 'Elastic Brexit': Treatment of different types of borders in different ways
- ▶ Increasing north/south divergence

Options: Other models of association

Options

European Union

Pros: Receive funding from EU; Full access to single market; Influence and representation in EU institutions; EU members trade substantially more with other EU states than with members of the EEA or EFTA.

Cons: Contribution to budget; Compliance with laws, regulations, rules,

European Economic Area

Pros: Access to single market; Reduced contribution to budget; Separate fisheries agreement; No CAP; Autonomous adaptation of EU law.

Cons: Contributes to EU budget (exc. CAP); Complies with acquis communautaire for access to the single market; Upholds the Four Freedoms so integrates all EU legislation relating to Single Market; Consulted on EU legislation but limited influence; Guillotine clause limits cherry picking; Free movement but citizens have to apply for residency permits; MS: No restriction on family rights for EU citizens; Large public sector; administration growth to manage

European Free Trade Area

Pros: No required contribution to EU budget; No compliance with CAP rules; Freedom to set own tariff rules and independent trade deals.

Cons: Wide range of sectoral agreements to be negotiated; Budgetary contribution for involvement in aspects of EU, such as research; Need to adopt equivalent regulations to gain access to single market; Need to accept new EU regulations as emerges without means of shaping them; Guillotine clause (all or none) limits cherry picking; Mirror institutions to the EU (CoJ, Commission).

World Trade Organisation (Most Favoured Nation status)

Pros: Purely trade based rules; No contribution to budget; EU must comply with WTO rules.

Cons: Must still comply with EU environmental rules and regulations to access single market; Extraordinarily complicated tariff lines; No influence over EU rules

Free Trade Agreement

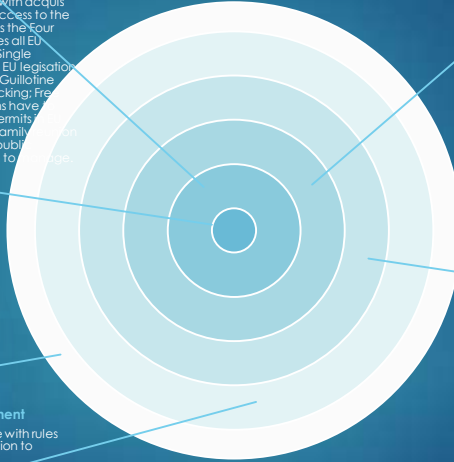
Pros: No compliance with rules or laws; No contribution to budget.

Cons: No formal consultation or influence on EU; Some shared obligations and standards needed for access to single market; Tariffs apply except where negotiated.

Customs Union

Pros: No tariffs on goods trade; Control over immigration policy; No contribution to EU budget.

Cons: Product market regulatory harmonisation; Must adopt Common External Tariff; No authority to negotiate trade deals with third party countries.



Conclusions: what happens next

- ▶ Pre-negotiations
 - ▶ UK needs to put its own house in order first
- ▶ Article 50
 - ▶ Role of Parliament?
- ▶ Negotiations
 - ▶ EU membership has to matter for the EU
- ▶ Complacency in EU whilst cracks begin to show at ground level?
- ▶ Meeting the needs of the 'left behind' unlikely to be to the fore or more achievable outside the EU