

The British people voted on leaving the European Union, the UK government acknowledged it, and the other EU Member States took note of that. What now? Predictions about the economic and political effects of the Brexit are uncertain. The only easy guess regards the tone of the goodbye, which will be long and complicated for procedural as well as political reasons. Let's start with the latter.

Time is of the essence

Legally speaking, the June 23 referendum was consultative—it just expressed the people's political "advice" to the British government. This means that the actual, legal decision to leave the EU must be taken through a vote in the UK parliament followed—[arguably](#)—by further votes by the Northern Irish, Scottish and Welsh National Assemblies. Theoretically, Westminster may decide not to listen to the opinion of the citizens, expressed through the referendum (in which Brexit won by a slight majority), and postpone a decision on Brexit indefinitely. In times of widespread populism and political distrust, however, this option seems not practicable, as Prime Minister Theresa May [recently confirmed](#). Yet, May needs time—to heal the rifts emerged during the referendum campaign within the Tories; to pave the way for a safe Parliamentary vote that would not lead to a political crisis (or, worse, to the disintegration of the UK); to prepare a strategy for the negotiations that will define future UK-EU relations.

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The first move is up to London, which has to trigger Article 50 of the Treaty of the European Union (TEU) to begin the withdrawal process. The Art. 50 clause was proposed during the preparatory works of the Convention of the Future of Europe that drafted the text of the ill-fated EU Constitution. Its goal was to reassure the public opinion on the northern side of the

Channel about scenarios of an ever closer Union that would turn into a frightful superstate. Ironically, this exit clause could now give Downing street some headaches. As revealed by [Valéry Giscard d'Estaing](#) and [Giuliano Amato](#)—respectively President and vice-President of the Constitutional Convention—the article was added to the treaty mainly for political reasons, with the idea that it would actually never be used. This revelation should not be too surprising considering the common diplomatic practice of sacrificing the search for a clearer and more coherent writing of the European norms on the altar of political compromises.

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The entire Brexit process looks everything but speedy. After the UK's a notification to the European Council about its decision to leave, the EU Heads of States and Governments have to choose the composition of the EU negotiation team and give it directions to reach a satisfactory agreement within two years. To come into force, the agreement then needs to be approved both by the European Council and the European Parliament. With hundreds of thorny issues and dossiers on the table, two years are realistically a short time. As a reminder, the one similar precedent in EU history, namely the withdrawal of Greenland in 1985 (a time in which the level of integration was much lower than today) took almost three years. Theoretically, the UK could be left outside the EU without an agreement should negotiations not end by the two years. Such deadline could be extended, but only through a unanimous vote in the European Council. Needless to say, this gives the Council an appreciable advantage in terms of bargaining power.

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Not all interlocutors are alike

By choosing to take time for the activation of Art. 50—according to the latest announcements this will happen by the end of March 2017—the British government is also trying to reduce the involvement of the European Commission in the Brexit negotiations. The Commission so far has appeared to be the toughest of the involved parties. Many Berlaymont eurocrats would be quite glad to show all the Eurosceptics out there eager to follow London how complicated an affair leaving the Union can be. Nonetheless, considering the level of expertise required in the withdrawal negotiations, there are few doubts about the pivotal role that the Commission will take in the process. In July Commission president Jean-Claude Juncker appointed former Commission vice-president Michel Barnier as chief Brexit negotiator—a decision which Brits did not like too much given Barnier’s many unpleasant “Fs”: French, federalist and financial market reformer in the second Prodi Commission. At the same time, however, Juncker appointed English diplomat Julian King as European Commissioner for the Security Union following the resignation of the previous UK Commissioner for financial matters Jonathan Hill in the wake of the Brexit referendum. The European Commission, in sum, seems to be getting ready for a hard line negotiation strategy, open to some concession when it comes to security, a policy area in which the UK has a lot to offer.

Prime Minister May has every reason to take time, preferring the comfortable intergovernmentalism of the European Council for the forthcoming negotiations. In this sense, the turf war that has begun between the Council and the Commission is rather convenient for Britain. The Commission—supported by the European Parliament—has claimed more involvement and political independence in the application of Article 50 compared to the interpretation of the norm proposed by the Member States and described above. In the Brexit game nobody wants to be left behind, and all the major EU institutions now have a lead negotiator. After Barnier, the European Council appointed its own negotiator, Belgian diplomat Didier Seeuws, followed by the European Parliament, who picked Guy Verhofstadt for the job.

What’s next?

What should we expect in the next few months? The UK is going to pack its bags with strategic slowness and some small embarrassments to deal with. While May has confirmed Britain’s intention to give up the Presidency of the Council of the EU (originally planned for

the second half of 2017), her Government will still try and influence EU affairs by [offering assistance and support](#) to the small states that will hold the presidency next year. All in all, however, the UK will likely keep a low profile in EU decision-making (according to the Treaties the representatives of the withdrawing country shall not participate only in the works of the Councils that concern its withdrawal). More uncertain is the fate of the many Britons who participate directly in the EU's institutional life. For the 73 British members of the European Parliament, the most likely scenario seems to be a smooth exit at the end of their term, in 2019. However, their participation in the EP's work until then may still present some inconveniences. UK representatives, seconded national experts, and judges will almost certainly leave the EU after Brexit, while British EU civil servants should keep their job—they work the Union, not for their country—although probably with diminished career prospects and a few more jokes to be the butt of in the corridors of Brussels.



An Italian version of this article has appeared in AffarInternazionali.it

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