

Parliament and Brexit: what went wrong, and why we urgently need to fix it

*The UK Parliament was blamed for delaying Brexit – but in reality, says **Meg Russell (UCL)**, that was down to internal splits in the Conservative party. Nonetheless, we now urgently need to rebuild trust in the institution that represents us.*

The scrutiny of government by Parliament is always crucial to the health of the UK's democracy, but it is even more essential amidst the present Covid-19 crisis – with a need to hold ministers to account for use of their current extraordinarily wide-ranging emergency powers. But Parliament's performance of its proper role depends on public trust. Without that, key links in the chain of accountability break down, and democracy cannot function.



The Labour leader Keir Starmer at the first PMQs after the closure of Parliament during the pandemic, 22 April 2020. Photo: [UK Parliament](#). ©UK Parliament / Jessica Taylor via a [CC BY NC 2.0 licence](#)

That's why it was so troubling that Parliament and government appeared to be at loggerheads last year over Brexit, feeding a rhetoric of '[Parliament versus people](#)' among media commentators, and even senior ministers. This may now feel like old news, but it left scars on British politics which badly need to be healed.

In a newly-published [paper](#) in the journal *Parliamentary Affairs* I review in detail what went so wrong in Parliament's handling of Brexit, and what lessons we can learn. These lessons are important if we're to rebuild Parliament's reputation, and to face the many potentially difficult policy decisions ahead.

Four factors can be identified which contributed to the parliamentary 'perfect storm' over Brexit. The first was the nature of the 2016 referendum. Referendums are relatively uncommon in British politics, and by their nature challenge our tradition of parliamentary sovereignty, injecting an element of 'popular sovereignty'.

This particular referendum was held not because David Cameron supported change, but because he wanted to crush the arguments of his opponents (including those in his own party) – through what the House of Commons Public Administration and Constitutional Affairs Committee later referred to as a '[bluff-call](#)' referendum.

When the result was an unexpected win for Leave, Parliament was left to sort things out. Cameron resigned, and no detailed prospectus had been prepared – by either government or the Leave campaign – for what should happen next. Issues which would become central later – such as the [Northern Ireland border](#) – had barely been discussed.

The second factor was again unusual in British politics – the advent of minority government, following the calling of the snap general election in 2017 by Cameron’s successor, Theresa May. Again an unexpected result, this required responses that May was simply unable to give. She could not, as overseas experience of minority government would [recommend](#), drop all controversial and divisive policies. Having triggered Article 50, she had to deliver Brexit. She was also temperamentally unsuited to minority government. Famously rigid, and politically tribal, she continued to woo her hardline Eurosceptic backbenchers, rather than seek to build a broader parliamentary majority for a softer Brexit.

The third, and probably most important, factor was the divided nature of the Conservative Party. A key cause in the initial triggering of the referendum, these divisions scuppered May’s chances of an agreement. Despite the minority situation, the Commons would have approved her Brexit deal but for the mass [rebellions](#) on her own benches.

The rebels, of course, were not simply ‘remoaners’: they included key Brexiteers such as Boris Johnson, Jacob Rees-Mogg and Priti Patel – themselves now at the heart of handling the current crisis.

Yet when May [lashed out](#) angrily at ‘Parliament’ over Brexit her tribalism – and determination to cling to a failed tribal strategy – prevented her ever pointing out the extent to which these recalcitrant backbenchers contributed to her woes. With May playing for time, and delaying key decisions, the fourth factor was the failure of parliamentary rules to offer a way out.

Even in a minority situation, government retains central control over time in the Commons, and despite parliamentarians’ [attempts](#) to ‘seize the agenda’, without adequate leadership (on either side of the House) brokering a compromise proved impossible.

These were the precursors to Boris Johnson’s premiership, which began in July 2019. Far from seeking to mend the damage done to the government-Parliament relationship during May’s leadership, he ramped up the anti-parliamentary rhetoric to new levels. His attempt to prorogue for five weeks, [struck down](#) by the Supreme Court, divided the nation along by now well-established Brexit lines over the [question](#) of Parliament’s very right to sit. The December 2019 Conservative manifesto accused MPs of ‘thwarting the democratic decision of the British people’.

The full story, of course, was more complex. Parliament is never a monolithic institution that speaks with one voice – its whole point is to represent a plurality of voices. Fundamentally, however, the MPs upon whom a Prime Minister should usually be able to [depend](#) are those in their own party.

Whether Theresa May failed to deliver an acceptable Brexit, or her MPs failed adequately to compromise, may depend on your point of view. But fundamentally the disagreements over Brexit were disagreements within the Conservative Party. Nonetheless, the rhetoric of successive Conservative leaders saw Parliament get the blame.

Now, at a time of national crisis, it is incumbent on all political leaders to prioritise rebuilding Parliament’s reputation. The Covid-19 environment brings home the importance of politics itself, and of the need for a clear chain of political accountability between government and citizens.

Parliament exists to provide that: representing constituents’ interests, asking tough questions of ministers, and demanding on-the-record answers before giving assent to policy. Instead, Westminster has sadly been engulfed in an angry argument about the government’s ending of the ‘[hybrid](#)’ House of Commons, and rights for MPs who are ‘shielding’ from the virus to fully participate.

In time, learning both from the Brexit clashes and from the current difficulties may require reviewing the rules. Most urgently, however, we need a reversal of the rhetoric, and a recognition that Parliament is central to securing the quality and public accountability of ministerial decisions.

This post represents the views of the author and not those of the Brexit blog, nor LSE. It first appeared at the [Constitution Unit](#) and [UK in a Changing Europe](#) blogs.