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Britain

# Confrontation looming on Brexit

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**With Parliament neutralised by the summer recess, battle lines are being drawn for the biggest constitutional crisis in modern times when it comes back next month. With his 'War Cabinet' rammed with hard-line Brexiteers, and with Nigel Farage looking over his shoulder, Johnson is on a single-minded mission to crash Britain out of the EU on October 31 - as he says 'come what may'.**

Johnson has abandoned any pretence of seeking a new agreement with the EU as his preferred option. A crash out Brexit on the (self-imposed) deadline of October 31 is now the outcome he is working toward - although disingenuous rhetoric continues to blame everyone else. As former Tory Chancellor Philip Hammond has rightly said, Johnson has now blocked negotiations with the EU by the introduction of an unachievable precondition in the form of a complete withdraw of the Irish backstop - which he knows the EU cannot and will not concede. [1]

As a result, we are facing an unprecedented confrontation between government, Parliament, and people. Gordon Brown and Dominic Grieve have both described it as the biggest constitutional crisis since the English civil war of 1642 (no less), that will be launched next month in advance of the October 31 deadline. [2]

## Labour strengthens position

In response, Jeremy Corbyn has now written to the other opposition parties and remain Tories to say that Labour will table a motion of no confidence in the government as soon as it is clear that it would win, and that in the event of this being successful Labour would seek form an interim administration with the aim of calling a general election. [3] In that election, the letter says, 'Labour will be committed to a public vote on the terms of leaving the EU including an option to remain'.

This throws down the gauntlet to the Liberal Democrats, Plaid Cymru, the Greens and rebel Tories, at a time when remain MPs have been discussing a government of national unity led by the likes of Ken Clarke or Yvette Cooper. The letter's clear commitment to a second referendum in the context of a general election is a major step forward in Labour policy and opens up clear battle lines with the Brexiteers and the hard right.

The response of the Liberal Democrats to Corbyn's letter has been completely outrageous. We have a situation where nationalism, and Little Englander populism, reigns supreme in what is the most right-wing government since the second world war. The Tory party is effectively the Brexit Party mark II and Johnson is Britain's Donald Trump - a grotesque addition to the growing band of hard right governments around Europe and the world.

The Lib-Dems whole sales pitch over the last two years is that they are the leaders of the pro-remain movement and that in the interests of stopping Brexit all other political differences should be put aside. The proposal put forward by Corbyn could do precisely that - bring down Johnson and call a general election with Labour committed to a second referendum. But Swinson's response is to accuse him of playing personality politics - when in fact it is her party which is using their enmity to a radical anti-austerity party to potentially hand the momentum back to the beleaguered Tories. [4]

The Lib-Dems were more than happy to enter a full austerity coalition with the Tories but are not prepared to give support to a temporary Labour-led government aimed at bringing down the Tories and stopping Brexit. Even a

number of rebel Tories have been more friendly to Corbyn's proposals than Swinson's party - but she is clearly under significant pressure both from the media and public opinion. [5] She has been forced to concede that she will meet Corbyn, while still currently justifying her unjustifiable response to the letter.

To their credit the Scottish National Party have said that they will work with Labour to defeat the Tory Government. Caroline Lucas, who had previously and regrettably called for a government of national unity with an all-women's leadership, excluding Jeremy Corbyn - and indeed senior black women such as Dianne Abbot - has also said she will back this move. The SNP, the Greens and Plaid Cymru all argue that a second referendum should precede a general election. [6]

In the meantime, Unite General Secretary Len Mc Cluskey's intervention once again peddles the myth that there is such a thing as a Brexit that will protect jobs and services. [7] The backward looking dynamic of his trajectory would undermine the positive move made by the Corbyn

letter and needs to be strongly rebutted both inside Unite and more widely across the labour movement. No possible Brexit would protect communities ravaged by years of austerity - only a radical Labour government can right the wrongs of many decades of neglect,

## Previous moves

The initiative Corbyn took with his letter is not his first attempt to grapple with the constitutional crisis and the antics of the Johnson government.

According to the Fixed Term Parliament Act, a vote of no confidence in the government would trigger a general election after two weeks if no alternative government was successfully formed. A confidence vote has become more problematic for the government since the number of Tory MPs that have been prepared to vote against the government on this has

been augmented by some of those sacked in Johnson's reshuffle. It only remains in the balance because (scandalously) a number of Labour MPs, led by Caroline Flint, seemed prepared to support the government in such a vote. Any Labour MP who does so should immediately have the whip withdrawn.

Meanwhile the role of the bulk of the radical left remains dire. The new Left Campaign, launched recently by the Morning Star and supported by others on the left - such as Costas Lapavistas, Kevin Ovenden, and Alex Gordon - is dedicated ensuring that Britain leaves the EU on October 31, and is completely uncritical of the no-deal Brexit being planned by Johnson and oblivious (apparently) to the racist, hard right, neoliberal nature of the exit they are supporting. They have been urging Jeremy Corbyn (fortunately unsuccessfully) to end any support for a second referendum.

## Outrageous Cummings

Since a successful no confidence vote would produce an election before October 31 that the Tories think they would lose, Johnson's special advisor, Dominic Cummings has proposed a different and completely outrageous reading of the Act. [8] He argues that since the date of such an election is the prerogative of the Prime Minister, Johnson should ignore a no-confidence vote, stay in office, and call a general election with a date that would ensure that it concluded after October 31 giving the Tories a better chance of winning by claiming that they had implemented the 2016 referendum vote.

Any attempt by Johnson to bypass Parliament and people will not be easy, or even achievable, however slick the Downing Street operation. A majority of both the population and MPs are against it, and opposition is growing as the implications become ever more clear. The Commons Speaker John Bercow has said, speaking in Edinburgh, that it is possible for MPs to block an exit on October 31, and he will strain every bone in his body to ensure that Parliament's voice is heard. [9]

Jeremy Corbyn rightly branded this, in a letter to the cabinet secretary Mark Sedwill on August 8, as "an unprecedented, unconstitutional, and anti-democratic abuse of power". [10] He went on to demand from Sedwill clarification of the rules surrounding 'purdah' which are designed to prevent an incumbent government from taking major policy decisions during an election campaign to the detriment of opposition parties.

He also asked Sedwill to confirm that in the event that Britain becomes required to leave the EU under the terms of the European Union (Withdrawal) Act during an election campaign, that the government would avoid this by seeking an extension to article 50 in order to allow an incoming government to take a decision of Brexit on the basis of the result. "Forcing through no deal Brexit against a decision of Parliament", he said, "and denying the choice to the voters in a general election already under way, would be an unprecedented, unconstitutional, and anti-democratic abuse of power by a Prime Minister elected, not by the public, but by a small number of Conservative Party members.

The reply Corbyn received from Sedwill was non-committal on this issue, and as a result Corbyn then sent his letter of August 14.

## The break-up of the British state

Whilst it is no surprise that the hard Brexit zealots around Johnson are prepared to play fast and loose with the jobs, lives, and living standards of the working class in Britain it is more surprising that they are prepared to do the same with the break-up of the British state, which is now directly posed by a no deal Brexit. Johnson appears oblivious to the implications of this for Scotland and Ireland and ignored the views of Ruth Davidson when he visited Scotland and the pro-remain parties when he visited Belfast.

The Labour leadership, however, in the form of John McDonnell, have responded to this situation (in terms of Scotland) with an important change of policy. McDonnell intervened at the Edinburgh fringe to say that Labour would support the right of the Scottish people to have a second independence referendum if that is what the majority wanted. [11] McDonnell held his ground, continuing to push this democratic approach when the backlash came from inside Labour mostly from the Scottish Labour Party, which is determined to stick to a tribal approach which has seen the party crumble over recent years. [12] Recent opinion polls in Scotland show a 52 per cent majority for a second independence referendum, which is the margin by which leave won the referendum in 2016. It was always obvious that McDonnell would not have made the intervention he did without first discussing it with Corbyn, but the fact the two agree was latter explicitly confirmed. [13]

Although this move does not, in itself, break with Labour's traditional Unionism, it is a significant challenge to it. Most significantly it opens the way for a new relationship between Labour and the SNP, in particular it strengthens the possibility of Labour forming a government with the support of the SNP in the event of a hung parliament.

McDonnell's shift on a Scottish independence vote is in line with the approach that Jeremy Corbyn took to a border poll in Ireland, which is provided for in the Good Friday agreement, when he spoke at Queen's University in Belfast on May 24 last year to argue that Brexit must not lead to a hard border. [14] He said that whilst he was not asking for

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or advocating a border poll, but would ensure the Good Friday Agreement is implemented "to the letter". When asked by the BBC how a Corbyn government would respond to the issue he said: "It's within the terms of the Good Friday Agreement that such a poll could be held if there was a willingness to do so, at that point you don't stand in its way, but it is within the terms of the Good Friday Agreement and I think the UK government should be neutral in that respect".

All this is in line with the views of Labour Party members. A poll in the Times of July 23 2019 found that two thirds of Labour Party members support a referendum on Irish reunification, and only 41 per cent of members oppose Scotland leaving the UK.

Johnson's attitude to Ireland is as ignorant as it is reactionary. Short of a successful border poll coming out of this situation Ireland, North and South, stand to be amongst the biggest losers from all this since a no deal Brexit puts the external border of the EU between the two which will mean a hard border and customs checks.

Meanwhile, Johnson's government is spending large sums of money attempting to resolve this entirely self-imposed crisis, like preparing to airlift food and medicine into the country, or buying up and destroying large amounts of beef and lamb that will become unsaleable

after Brexit. They claim that they are now ready for a no deal Brexit. This is rubbish. It is impossible to be ready for such an event. This would take us into uncharted and extremely dangerous waters.

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[1] <https://www.theguardian.com/politics/2019/aug/14/philip-hammond-mps-can-stop-boris-johnson-delivering-no-deal-brexite>.

[2] <https://www.theguardian.com/politics/2019/aug/10/gordon-brown-says-no-deal-brexite-would-be-calamity-for-united-kingdom>  
<https://www.independent.co.uk/news/uk/politics/brexit-boris-johnson-confidence-vote-resign-judicial-review-commons-a9044751.html>.

[3] [https://www.theguardian.com/politics/2019/aug/14/jeremy-corbyn-urges-opposition-leaders-and-tory-rebels-to-help-oust-pm?CMP=Share\\_iOSApp\\_Other](https://www.theguardian.com/politics/2019/aug/14/jeremy-corbyn-urges-opposition-leaders-and-tory-rebels-to-help-oust-pm?CMP=Share_iOSApp_Other).

[4] <https://www.politicshome.com/news/uk/political-parties/labour-party/jeremy-corbyn/news/105925/lib-dems-reject-jeremy-corbyns-call>.

[5] <https://www.theguardian.com/politics/2019/aug/15/lib-dems-and-anna-soubry-reject-corbyn-caretaker-government>.

[6] <https://www.telegraph.co.uk/politics/2019/08/07/brexit-latest-news-boris-johnson-no-deal-live/>.

[7] <https://www.theguardian.com/uk-news/2019/aug/14/no-path-to-a-second-referendum-says-unite-leader>.

[8] <https://www.telegraph.co.uk/politics/2019/08/07/brexit-latest-news-boris-johnson-no-deal-live/>.

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[9] <https://www.theguardian.com/politics/2019/aug/13/bercow-will-fight-to-stop-johnson-closing-parliament-for-no-deal>.

[10] <https://www.express.co.uk/news/uk/1165830/Brexit-news-Jeremy-Corbyn-Sir-Mark-Sedwill-letter-Boris-Johnson-no-deal-EU-labour>.

[11] <https://www.theguardian.com/politics/2019/aug/06/john-mcdonnell-open-to-second-scottish-independence-vote>.

[12] <https://www.independent.co.uk/news/uk/politics/scottish-independence-labour-referendum-indyref2-snp-westminster-latest-a9045481.html>.

[13] <https://www.theguardian.com/politics/2019/aug/15/corbyn-westminster-should-not-block-second-scottish-independence-vote>.

[14] <https://labour.org.uk/press/jeremy-corbyns-speech-queens-university-belfast/>.