

Brexit Party or “Bollocks to Brexit” - will the EU Parliamentary elections make any difference?

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Of the mainstream UK political parties, only the Liberal Democratic Party is overtly “Remain”. It has just launched its EU Parliamentary Election campaign with the somewhat surprising slogan “Bollocks to Brexit”. From an IP lawyer’s perspective, this raises an amusing question of whether copyright could subsist in such a slogan, because if so, the LibDems could be in trouble. This is because it is a slogan which has adorned the Pimlico Plumbers’ building (adjacent the main railway line for the southwest of London into Waterloo station) for the last two years or so, albeit it could well be that Pimlico Plumbers would not in any event object. But leaving this frivolity aside, what significance is there in the elections which are now only two weeks’ away? To assess this, let us first consider that in the UK, just a few days ago, local elections were held. Given the modest powers local Councils have, these are not usually regarded as especially important, but it was notable that the ruling Conservative (Tory) party took a real battering. In my own area, pre-election, 54 out of 57 of the local Councillors were from the Conservative Party. Post-election there are only 23. This sort of result was repeated across the so-called Tory heartlands of southern and middle-England, and has been attributed to dissatisfaction with the Government’s handling of Brexit, one poll suggesting that 90% of Conservative voters believe Mrs May has done a bad job. However, this did not result in a rise in UKIP’s share of the vote. On the contrary, it did very badly indeed. Further, the vote of the main opposition party, Labour, was (contrary to its hopes and apparently its expectations) slightly down, suggesting that its policy of supporting Brexit but accompanied by a permanent Customs Union and some form of access to the single market was regarded as somewhat “on the fence” and not especially appealing to either Leavers or Remainers. On the other hand, the LibDems with their clear Remain position, made substantial gains.

All of this might suggest a “Bollocks to Brexit” sentiment gaining ground, and that in the forthcoming elections to the European Parliament, there will be no repeat of 2014 when 24 out of 73 UK MEPs were from UKIP. However, at present only three of these 24 are still officially UKIP MEPs, with the rest defecting elsewhere. Notable among defectors is, of course, UKIP’s long-time leader, Nigel Farage. What is more, he now leads a new party, the Brexit Party. Launched on 12 April, it did not stand in the local elections, but will be standing in the EU elections on 22 May and has put forward candidates for all 73 seats. Further, polling would suggest it is likely to gain at least as many seats in the EU Parliament as UKIP did in 2014, and make substantial inroads into the Conservative vote in particular.

But does this matter? Would it even matter if the Brexit Party gained, say, half of the available seats? At one level, no, because such a grouping, even with other nationalist groups within the Parliament would still be a fairly small minority unable to do more than make a noise.

But what may be important is the political signal such a result would send to the Conservative and Labour parties. Both parties may fear that if they do not deliver Brexit in some form, they may suffer similarly badly at the next General Election. They may also surmise that if most leave voters within the two main parties voted in a General Election for the Brexit Party, then it is not impossible to envisage the Brexit Party gaining over 40% of the vote, with Labour in second place on perhaps 25-30% and the Conservatives with less than 20%. Given the UK’s “first past the post” voting system, that could translate into a Brexit Party majority in Parliament. On that basis, the size of the Brexit Party vote in these elections may matter a great deal in making the main parties think again about their positions on Brexit. It could drive them into reaching an agreement before 31 October, most probably into agreeing the “Mrs May” deal with a different political declaration, keeping open various long term possibilities – something the remaining 27 would most probably gladly accept.

On the other hand, if “Bollocks to Brexit” results in the LibDems making substantial ground, taking votes from Labour in particular, it could possibly lead Labour to change to a Remain position, or to supporting a second referendum. Labour could decline to reach agreement with the Government citing unreasonableness on Mrs May’s part, and table another no confidence motion in the House of Commons, which if successful should force another General Election. At such an election, Remain voters from across the political spectrum who would otherwise not dream of voting Labour, particularly when led by someone, Jeremy Corbyn, who is the most left wing leader Labour has had for nearly 40 years, could choose to rally around a party with a far more realistic chance of power than the LibDems who currently have only eight out of 635 MPs in the UK Parliament.

So yes: in my view at least, the result of these elections may well matter a lot for the future of British politics and to the UK’s place in or out of the EU. If there are strong showings by both the Brexit Party and the LibDems, it may confirm a suspicion growing for some time that, for now, UK voters identify more as “leave” or “remain” than with a political party, and consequentially drive Labour into a new Brexit position.

Of course all of this is political speculation by someone unqualified to do so and may itself resemble two more or less spherical objects. On the other hand, do not dismiss this out of hand. After all, who would have thought that two English football teams would both come back from aggregate scores of 3-0 to win their ties in the Champions League semi-finals? So to those readers eligible to vote, I would suggest that you go on to the metaphorical terraces of the political football ground, the voting booth, and support your team.