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Getting done with Brexit: Conservative MPs and the parliamentary scrutiny of the Trade and Cooperation Agreement

En finir avec le Brexit : les députés conservateurs et le contrôle parlementaire de l'Accord de commerce et de coopération

15 July 2025.

Luca Augé

🔗 <http://preo.ube.fr/textesetcontextes/index.php?id=5313>

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PREO

Getting done with Brexit: Conservative MPs and the parliamentary scrutiny of the Trade and Cooperation Agreement

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- 1 On 24 December 2020, the Trade and Cooperation Agreement (TCA) was published after less than a year of negotiations between the United Kingdom and the European Union. The free trade agreement set out the future UK-EU relationship and needed to be voted on before the end of the transition period on 31 December 2020, giving a week to pass and ratify the deal. Conservative Prime Minister Boris Johnson recognised this tight timetable and pledged “scrutiny, followed by a parliamentary vote I hope on December 30” (Johnson 2020). Members of Parliament (MPs) accepted the accelerated pro-

cess and passed the deal on 30 December 2020 as well as the peers in the House of Lords. By the next day, the TCA had received royal assent and was ready to become effective before the end of the transition of the period. It formalised the end of the Brexit process with the UK's EU membership officially coming to an end. Since then, the TCA has received criticism for its limited scope and its negative impact on UK-EU trade. The repercussions of the deal raise questions over the adequacy of the rushed voting proceeding and over the role of the MPs having voted for the TCA, particularly the parliamentary Conservative Party with its 80-seat majority.

- 2 Following the 2016 referendum, the Conservative Party had pledged to respect the result that narrowly decided for the end of the UK's membership of the EU. Conservative Prime Minister Theresa May conducted the negotiations of the Withdrawal Agreement that created the transition period until 31 December 2020 and struggled to get her deal through Parliament due to backlash within her party, especially from a minority of hardline Brexiters (Allen 2018; Russell and James 2023). Johnson replaced her by putting Brexit at the centre of his political strategy. He purged the Conservative Party from MPs opposing the EU exit, favoured pro-Brexit candidates at the 2019 General Election, renegotiated May's deal with the EU and got Parliament to vote for it (Alexandre-Collier 2020; Ford et al. 2021). The vote of the Withdrawal Agreement opened the transition period in which Johnson negotiated the TCA as the final element in the Brexit process. MPs from all sides and particularly within the Conservative Party had spent years arguing over the issue with a widespread sense of political fatigue. These various trends culminated in the rapid passing of the TCA, making it a valuable case to understand the dynamics of parliamentary scrutiny at a crucial moment in British politics.
- 3 This article aims to pursue the ongoing discussion on the implications of the TCA and the long-term impact of the UK leaving the EU. It will use the TCA as a case study to highlight the extent to which Brexit fatigue spread within Parliament and especially within the Conservative Party. The focus will be on the parliamentary Conservative Party holding the governing majority at the time and will qualitatively analyse the parliamentary scrutiny of the end of the Brexit process in 2020. After initial contextual and methodological sections,

the article will draw on empirical data from 26 semi-structured interviews conducted with Conservative MPs that voted in favour of the TCA. This original data will provide novel perspectives over the intra-partisan workings of the parliamentary Conservative Party during the adoption of the TCA. The article concludes that ideological and partisan considerations played a central role in the passing of the TCA as well as a generalised fatigue that directly impacted the scrutiny process. It confirms that a majority of interviewed Conservative MPs did not prioritise parliamentary scrutiny and withdrew from the process despite the consequential implications of the TCA. These conclusions directly contribute to the understanding of Brexit and the Premiership of Boris Johnson as well as the dynamics influencing parliamentary scrutiny.

1. Brexit, the transition period and the TCA in context

- 4 At the 2016 referendum, 51.89% of voters with a turnout of 72% opted for ‘Leave’ and made Brexit the new reality of British politics with the governing Conservative Party prioritising its completion (Evans / Menon 2017; Zappettini 2019). Conservative Prime Minister Theresa May initiated negotiations with the EU over the departure conditions, which resulted in the Withdrawal Agreement. Brexit hardliners used the lack of parliamentary majority to prevent her from getting the deal adopted and forced May to resign (Byrne / Randall /Theakston 2021). Boris Johnson became the new Leader of the Conservative Party and Prime Minister in July 2019. He adopted a more confrontational approach on Brexit by threatening the EU to leave without a deal, excluding opponents from his Cabinet and withdrawing the whip to Conservative MPs that voted to prevent a no-deal Brexit (Allen 2023; Augé 2024). Johnson renegotiated May’s deal with the EU and decided to hold a snap election in December 2019 to finalise his control over the Conservative Party. The electoral campaign focused on Brexit with the Conservative manifesto pledging to “Get Brexit Done” by passing the renegotiated deal and making various promises for the time after Brexit (Leggett 2020; Beck 2023). The strategy proved successful, and the Conservative Party won 365 seats, the

highest number for the party since the 1987 General Election, giving Johnson a comfortable 80-seat majority.

- 5 The large electoral victory legitimised Johnson's Brexit policy and created a homogeneity of views on the issue within the parliamentary Conservative Party. Most candidates were selected after pledging to support Brexit, which meant that disagreements and rebellions on Europe became practically inexistent (Thompson 2020). This allowed for a rapid passing by MPs of Johnson's renegotiated deal in the first days of the new Parliament. The deal settled the exit conditions and created a transition period from 31 January 2020 to 31 December 2020 that would keep the UK in existing EU arrangements until new bilateral arrangements were negotiated (Wright / Etherington 2020). Johnson refused to extend the transition period beyond that date, even as the outbreak of the Covid-19 pandemic complicated the negotiations (Augé 2020). The tight timetable heightened the stakes for the negotiating teams as mutual distrust started to arise between both parties. The UK government planned the Internal Market Bill despite its content breaking provisions of the Withdrawal Agreement and the European Union complained that the British negotiating draft came later than its own position paper (Wincott / Murray/ Davies 2022; de Rynck 2023). Years of difficult discussions and political tensions around Brexit had reduced the acceptability on both sides to adopt a conciliatory approach towards the negotiations.
- 6 The prospect of a deal was complicated by the vast scope of creating a completely new framework of UK-EU relations that covered a variety of sectors with each its own potential points of contention. Fisheries, the role of the Court of Justice of the EU and provisions for a level-playing field concentrated most of the disagreements until the end of the negotiations (Usherwood 2021). On 24 December 2020, both sides eventually agreed the Trade and Cooperation Agreement for a total of 2,555 pages. Johnson recognised that the deal was not going "as far as we would like" and still urged parliamentarians to complete Brexit by voting for the agreement (Yorke 2020). This left only seven days from the publication to the single sitting day that would be on 30 December 2020, a day before the end of the transition period. The imposition of a third Covid-19 lockdown in London and large parts of the UK during that period further added pressure on the parliamentary proceedings. These cumulated extraordinary

circumstances led Brigid Fowler from the Hansard Society to categorise the scrutinising role given to Parliament for the TCA as a farce (Fowler 2020). She criticised the short time between the publication and the vote as well as the proximity of the transition period deadline, which she regretted forced a binary choice between the TCA and no deal at all. On 30 December 2020, the debate on the TCA started shortly before 10am and a selected number of 84 MPs were allowed to intervene (UK Parliament 2020). No amendments were retained and, after four hours of discussions, the TCA was passed by a majority of 448. 359 Conservative MPs and 162 Labour MPs voting in favour compared to all other parties voting against (Votes in Parliament 2020). The vote officially finalised the Brexit process and the UK ended its EU membership delivering on the 2016 referendum result.

- 7 Following approval by the House of Lords, the TCA was signed by Johnson and received Royal Assent on the same day. The EU had decided not to rush the parliamentary scrutiny and ratification process, meaning that the TCA applied provisionally until full application on 1 May 2021 (Council of the European Union 2021). Since its completion, the consequences of Brexit have become the subject of several publications with the TCA featuring predominantly due to its economic impact. Data of the Office for Budget Responsibility (OBR) indicated that the TCA created trade restrictions that reduced UK exports and imports by 15% as well as long-run productivity by 4% (Office for Budget Responsibility 2024). The OBR highlighted in the same report that trade deals with other countries were unable to compensate for the economic loss of access to the EU Single Market, despite politicians often claiming the opposite. Economists showed that these repercussions have reverberated through the whole British economy and decreased the annual output (Fusacchia / Salvatici / Winters 2022; Ward / Webb 2024). The TCA clearly created a regulatory framework that has negatively impacted the UK since its application in 2021. The long-term nature of Brexit simultaneously means that the TCA's impact will continue throughout the years. Its ongoing consequences for the British economy raise questions over its rapid adoption and ratification, especially in relation to the parliamentary scrutiny process conducted by MPs. This article will build onto such questions to analyse the motivations of Conservative MPs that enabled the TCA to pass through their votes.

2. Methodology

- 8 Data on the innerworkings of parliamentary parties is difficult to obtain as most exchanges are secretive and oral. The most direct way to understand the dynamics of parliamentary scrutiny is to talk to MPs and in this case to the Conservative MPs that voted for the. The 26 interviews used in this paper were collected over the course of a year between May 2023 and May 2024 as part of a doctoral research project on the Premiership of Boris Johnson. They lasted around 40 minutes on average and took place at Portcullis House in London or online. Transcripts have been made of the interviews and several quotes have been selected. Critical Discourse Analysis (CDA) will be applied to these excerpts to understand the translations of personal motivations into political decision-making. CDA theorists like Teun van Dijk and Ruth Wodak explained the functionality of language in revealing ideologies and power dynamics as well as its influence in structuring political contexts (van Dijk 1998; Wodak 2009). The application of CDA will allow to analyse the selected quotes by assessing their political meaning, ideational context and practical implications. It will help to study the motivations of MPs through the understanding the background underpinning their claims.
- 9 The 26 interviewees were sitting Conservative MPs during the 2019-2024 Parliament. All 26 interviewees participated in the parliamentary proceedings on 30 December 2020 and voted in favour of the TCA. Only 3 of them asked to remain anonymous with the 23 other accepting to be named. The group of 26 interviewees had a share of 84% of males and 16% of females, which is close to the gender variable of the wider parliamentary Conservative Party (Uberoi/ Baker / Cracknell 2019). As shown in Table 1, 16 were backbenchers during the 2019-2024 Parliament and 10 held government positions of whom 4 directly as frontbenchers. Studies showed that backbenchers tend to more autonomous in their parliamentary votes than frontbenchers, even if this did not happen in the case of the TCA (Leonard / Herman 1972; Radice / Vallance / Willis 1990). Table 1 also shows that 13 stated having voted for Leave at the 2016 referendum and 13 for Remain, corresponding closely to the Leave/Remain divide of the wider parliamentary Conservative Party (Lynch 2020). The full list with names, year of

first election, 2016 vote and function during the 2019-2024 Parliament can be found below in Table 1.

Table 1: List of interviewed Conservative MPs from the 2019-2024 Parliament

Name	Election year	2016 vote	Function
Anonymous	Anonymous	Leave	Backbench
Anonymous	Anonymous	Leave	Backbench
Anonymous	Anonymous	Remain	Anonymous (Environment, Food & Rural Affairs)
Anonymous	Anonymous	Leave	Anonymous (Business, Energy & Industrial Strategy)
Bob Blackman	2010	Leave	Backbench
Crispin Blunt	1997	Leave	Backbench
Robert Buckland	2010	Remain	Secretary of State for Justice and Secretary of State for Wales
Conor Burns	2010	Leave	Minister of State for Trade Policy and Minister of State for Northern Ireland
Greg Clark	2005	Remain	Science, Innovation & Technology Select Committee Chair and Secretary of State for Housing, Communities & Local Government
Philip Davies	2005	Leave	Backbench
Ben Everitt	2019	Leave	Backbench
Peter Gibson	2019	Remain	PPS (International Trade)
Jo Gideon	2019	Remain	PPS (Business, Energy and Industrial Strategy)
Damian Green	1997	Remain	Backbench
Stephen Hammond	2005	Remain	Backbench
Gordon Henderson	2010	Leave	Backbench

Kevin Hollinrake	2015	Re-main	PPS (Cabinet Office)
Daniel Kawczynski	2005	Leave	Backbench
Karl McCartney	2019	Leave	PPS (Transport)
Nigel Mills	2010	Leave	Backbench
Caroline Nokes	2010	Re-main	Women and Equalities Committee Chair
John Penrose	2005	Re-main	Backbench
Rob Roberts	2019	Re-main	Backbench
Paul Scully	2015	Leave	Minister (London) and Minister of State (Business & Trade)
David Simmonds	2019	Re-main	Backbench
Craig Whittaker	2010	Re-main	Backbench

10 The interviewees were all asked the same question: “Compared to previous Brexit debates, the debates around the Trade and Cooperation Agreement with the EU were much less heated. Were you personally less involved with the issue or did you trust the government to carry on?” The question is phrased openly enough to allow responders to give a large answer with several details. It touches upon parliamentary scrutiny by asking about the degree of personal involvement in the proceedings leading up to the TCA vote on 30 December 2020. It also alludes to intra-party dynamics by asking about the relations between the parliamentary Conservative Party and the government. All 26 interviewees responded to the question and did so along three main lines that will structure the findings:

1. There was a need to respect the results of the 2016 referendum as well as the 2019 General Election and there was a high degree of trust in the Prime Minister Boris Johnson and government.
2. There was an obligation for Conservative MPs to obey the indications of the Conservative government.
3. There was a general exhaustion around the topic and a desire to complete Brexit as well as the impact of other issues like Covid-19.

11 The first type of justification highlights an overall belief in the need to respect the 2016 Brexit vote and the mandate of the 2019 General

Election, which are both seen as legitimising Johnson's and the government's policy on the TCA. It suggests that throughout the transition period the MPs took a step back in terms of parliamentary scrutiny since a democratic mandate existed to complete the UK's exit from the EU. The second type of justification alludes to a pressure within the parliamentary party to follow the government's line and vote according to the party's demands. It goes back to a wider tendency during the Johnson Premiership to model the Conservative Party along pro-Brexit positions through sanctions for opponents and to create a parliamentary party homogenous on the issue of the EU exit. The third type of justification underlines the generalised fatigue amongst Conservative MPs on the issue of Brexit and around the increasingly technical nature of the TCA as an agreement. It stems from the desire to end years of political polarisation on Brexit and from the impact of issues like Covid-19 on parliamentary work. The interviewees sometimes covered in their answers only one type of justification and sometimes all types. In the sections below, the findings are differentiated by type of justification and quotes are provided to illustrate the justifications given by the interviewees.

3. Respecting Brexit and trusting Johnson

- 12 Negotiations for the TCA started a few months after the 2019 General Election. Johnson was successful with his electoral bet of a snap election and the 80-seat majority politically stabilised the parliamentary Conservative Party. The electoral victory still resonated with Conservative MPs that expressed a sense of respect and trust in the government. They were ready to delegate the TCA negotiations to Johnson and his government as he just had received an equivocal mandate in favour of completing the Brexit process.

I think we were relieved. [...] We just won an election. (Kevin Hollinrake)

Because it was Boris, because we'd all done the 'I'm going to sign up to getting Brexit done' as part of the package for standing in 2019. (John Penrose)

The slogan was Get Brexit Done and everyone came in on that on that kind of mood. There was a bunch of people who were much more inclined to question nothing and just say: okay, do we get Brexit done? The government will sort it and we'll just go along with what the government says. (Rob Roberts)

- 13 The level of trust resulting from the 2019 electoral mandate resulted in Conservative MPs willingly stepping back from the process. With the end of the Brexit process in sight, they supported the negotiating team led by David Frost to agree satisfactory arrangements with Brussels. Hardline Brexiters like Daniel Kawczynski and Philip Davies expressed the need to get behind the government to bring the TCA across the line. The Brexit credentials of Johnson and his team meant that there was little fear compared to previous negotiations conducted under May to have a final agreement contradicting core ideological elements of Brexit.

It was like moths to a natural light drawn towards Boris Johnson and helping him to get the agreement over the line. [...] All those factors led to a desperation to get this across the finishing line because we saw massive dangers ahead. [Brexit] collapsing and being reversed. (Daniel Kawczynski)

Boris and David Frost, I had confidence that they knew what they were seeking to achieve and what their red lines were, and that their red lines would be very similar to my red lines. [...] They were much more robust in their approach to the negotiations, really. At the end of the day, that was probably better, the best for both sides, because I think both sides knew better where each, the other side stood. (Philip Davies)

- 14 A few interviewed MPs stated a lack of expertise as a reason for the limited parliamentary scrutiny during the TCA negotiations. The technicality of the agreement involved complex trade negotiations, which some MPs felt little equipped in terms of expertise to understand. As for other pieces of legislation, the House of Commons Library published a concise summary in accessible of the TCA to help MPs make an informed decision (Fella et al. 2020). None of the interviewees mentioned the explainer and it is probable that many did not read it before the vote. This impression of indifference for the details

of the TCA was directly addressed by Crispin Blunt, who simply stated that he had no interest in the deal. MPs became more interested in the deal as a finality to complete Brexit rather than in the details of an agreement establishing new arrangements for a variety of sectors.

I never really got into the big detail of trade. You have to leave the experts to do their bits at some points. So, trust other colleagues to do their bit. (Paul Scully)

The mechanics of it were less significant, if that makes sense. Unless you have a historian's background or a legal background and are really kind of tuned into the minutiae... (Jo Gideon)

The [TCA] never particularly interested me. All the checking of goods and everything else. (Crispin Blunt)

- 15 The vote just a day before the end of the transition period practically meant that MPs had a choice between the TCA and no deal at all. Several MPs, especially those having voted Remain in 2016, explained that they put aside their scepticism about the limitations of the deal in order to not risk a no deal scenario. They still criticised the minimal scope of the TCA agreed by Johnson that left most technical details to be agreed at a later stage. In practice, the TCA has not been amended since the vote, even if the Windsor Framework has introduced modifications for the post-Brexit arrangements in Northern Ireland (Sargeant / Savur / Marshall 2023). The potential risk of no deal led most MPs to disregard the detail and to prefer to vote for the agreement. Only Robert Buckland expressed active interest in the TCA with the Cabinet Office sending him a copy on the day of the agreement's publication. He recognised that he was alone in that regard with other Conservative colleagues not sharing his interest for the TCA and its implications.

Even people who are ardent Remainers, I remember Hillary Benn saying this, a trade deal by the end of the transition period is in everybody's interest. This is not the time we need to be opposing it. (Nigel Mills)

Was [the TCA] better than having no trading cooperation agreement at all? Yes, it is. Was it the basis from which we could start over a

longer period of time to look at our trading relationships with the EU? Yes, it is. (Stephen Hammond)

It was kind of typical Johnson 'I've got a deal that nobody else could get'. Essentially by taking out most of the controversial bits and leaving them for later. (David Simmonds)

I was able to start reading the full agreement on Christmas Day. So interested was I in its terms and anxious to make sure that we were able to create it as the start of a new relationship with Europe. I'm not sure all my colleagues were as vested in it as I was, but I certainly remember being very vested in it. (Robert Buckland)

- 16 The limited scope of the TCA was acknowledged by most of the interviewed MPs, who regretted the absence of more ambitious or wide-ranging provisions. One of the anonymous interviewees had lobbied the government for tougher fisheries regulations and expressed her anger at the disregard of these demands in order to secure a deal by the 31 December deadline. As before, these MPs recognised the unsatisfactory nature of the TCA and still accepted to vote for it as they trusted the government or did not want to risk no deal.

The technocratic reality was it wasn't as good a deal in many respects. (John Penrose)

The minister I'd been lobbying and campaigning to make sure that our fisheries got a good deal in the free trade agreement that was done. [...] When Boris was in Paris or Brussels, wherever he was, basically that wasn't. I was very angry, because I felt that I understand why economically our fisheries are responsible for a very small part of our GDP. Obviously, businesses, small businesses are more important and in order to get the best deal for small businesses, we have to sacrifice our fisheries. (Anonymous)

I trusted those that were in Number 10 or around the Prime Minister. Perhaps naively in fact, because things happen and whatever else. (Karl McCartney)

Frankly, there was no other deal available at that point. [...] There were no alternatives. It's just... There were no real choices. (Anonymous)

- 17 The first type of justification showed that the desire to respect the 2019 General Election and indirectly the 2016 Brexit referendum result led Conservative MPs to vote for the TCA. Johnson's electoral mandate and the Brexit credentials of his government created a relationship of trust in the negotiating team. The looming transition period deadline with the fear of no deal added pressure onto MPs to accept the TCA as it was. Even if some MPs recognised the limitations of the agreement, the impossibility to devise alternatives created a situation in which this deal became the only deal. These factors reduced the degree of parliamentary scrutiny by limiting the degree to which MPs decided to participate in the usual decision-making process. They preferred to retract from the process in order to let the government complete Brexit on the basis of the deal agreed with the EU.

4. Conservative MPs under pressure

- 18 The TCA vote took place during a moment of restructuring for the parliamentary Conservative Party. After months of heated debates around Brexit, Johnson's purge of MPs critical of his Brexit policy and the election of Brexit supporters at the 2019 General Election created an environment in which disagreements on the issue of Europe could hardly have been expressed. MPs having voted Remain alluded to this new status quo in the parliamentary Conservative Party to justify their low profile and support for the TCA. The disappearance of experienced colleagues vocal on Brexit and the risk associated with speaking out forced MPs into silence. Caroline Nokes, who had been purged by Johnson before being reinstated, explained that her political isolation on Brexit with few allies in the party made any rebellion on the TCA impossible.

We'd lost some very high-ranking, high-profile colleagues that had gone. Dominic Grieve, Letwin was another one. They'd been in parliament for a very, very long time. (Craig Whittaker)

Those of my colleagues who are most worried about it have been chucked out of the party and were no longer in parliament. (Damian

These individuals have all left Parliament and that comes with challenges. For the sake of my own sanity, I was keeping silent on Brexit. It was very obvious from the parliamentary maths that they'd do whatever they wanted to do. (Caroline Nokes)

- 19 The existence of power dynamics within the Conservative Party was summarised in Machiavellian terms by John Penrose. He explained that the functioning of the party meant that opposing the group with political control was costly. The TCA had been negotiated by the Johnson government with the support of most Conservative MPs and expressing discontent meant going against the majority of the Conservative Party.

By then it was a question of power. This is the only game in town. If you're not with it, if you're not for it, you're against it and you don't want to be against it. (John Penrose)

- 20 For younger and less experienced MPs, disagreeing with the rest of the party can be even more politically costly. Following the 2019 General Election, the Conservative Party had 26% of MPs without previous parliamentary experience (Uberoi / Baker / Cracknell 2019). This large share of newer MPs meant that they were more inclined to follow government demands. Rob Roberts shared his surprise as to the extent of MPs following the government rather than critically questioning the ongoing vote. Despite being reinstated as a Conservative Party member in 2021 after a case of sexual harassment, he sat as an independent MP from 2020 and expressed more criticism of the intra-party dynamics than the other Conservative MPs. Roberts particularly accused the newer MPs of lacking critical thinking. Within the overwhelming support by Conservative MPs for the TCA, it is highly likely that several MPs simply walked in and followed the government's voting recommendations.

Probably for me, the most alarming group was the first group who just didn't question anything. It still happens here today. We will walk through the voting lobbies yes and no, and you will hear people saying as they're walking through in the middle of voting 'what is it that we're voting on today' and they're walking through the lobby. [...] They didn't question anything and they still don't. I think that's a

We had a lot of quite naive people. I was probably one of them. Certainly, the newer intakes who came in were quite naive and quite idealistic. Certainly, in that group and certainly among the younger ones of that group, the younger MPs who came here for the first time, there was a feeling of we'll just fall in line and anything the government gives us is great. I'm not sure that's a really good way to govern. (Rob Roberts)

- 21 Some MPs rejected the idea of passivity and asserted having played an active role in passing the TCA. Ben Everitt said that contacts took place with the Department for International Trade and Gordon Henderson stated that engagement in the decision-making process took place. Both of their answers lacked details as to the precise degree of participation. Apart from these two interviewees, none of the other interviewees claimed having actively been involved in the TCA process. This confirmed the impression of a parliamentary Conservative Party absent from the TCA scrutiny process.

I think parliamentary colleagues understood [the TCA] and there was a fair degree of parliamentary engagement with the Department for International Trade as it was at the time. (Ben Everitt)

We were heavily involved in making sure and getting it through. (Gordon Henderson)

- 22 The importance of an adequate parliamentary scrutiny for the TCA was mentioned in one of the 26 interviews by Bob Blackman. At the time, he was in charge through his role as Joint Executive Secretary of the 1922 Committee of coordinating Conservative backbenchers and regretted the absence of detailed assessment of the deal. Blackman represented the only interviewee to explicitly regret the absence of a usual parliamentary scrutiny as it led to the Johnson government overestimating its own capacities.

One of the problems about the government at the time is they need, any government of any persuasion needs constant scrutiny and answering detailed questions. [...] [Little TCA scrutiny] was to the detriment of the government, in my view, because ministers always need to be challenged and they can get either overconfident or too lackadaisical because they're not being challenged. (Bob Blackman)

- 23 The second type of justification revealed the partisan pressures faced individually. The need to maintain a cohesion within the parliamentary Conservative Party forced MPs to follow the party line with little room to express personal opinions. In the case of the TCA, it allowed the government to impose its support of the TCA and gather the necessary votes to pass the agreement in a single day. The absence of a usual parliamentary scrutiny process highlighted the degree to which the Johnson government had reestablished control over the party, especially in contrast to the various rebellions under the May government.

5. Brexhaustion and Bresolving

- 24 The TCA vote came more than four years after the 2016 referendum that were characterised by tense political discussions and emotional debates. Most interviewees referred to their state of fatigue around Brexit that resulted from this unique period. The 2019 Conservative electoral victory added a sense of inevitability with the EU exit now being certain. MPs felt exhausted psychologically and were happy to move on from the issue of Europe. This created a degree of indifference around the parliamentary scrutiny of the TCA with MPs voting the deal through to complete the long political process started a few years earlier.

We were all exhausted, mentally knackered. Four years of near non-stop psychodrama from the Brexit referendum result onwards, actually and before. [...] So we were all to some degree just wanting to move on. (Conor Burns)

We were all pretty just tired really in terms of our inability to move forward. Any decision is better than no decision. That's where we were then. Let's get on with it. (John Penrose)

Colleagues, who were in the Parliament from 16 to 17 and 17 to 19, told me how difficult and traumatic it was with Brexit issues. (Peter Gibson)

A lot of people had realised, whatever side of the debate you were on, this was going to happen whether you liked it or not. (Craig Whitaker)

- 25 The presence of a negotiated deal respecting the 2019 manifesto facilitated support for the TCA for the MPs longing for an effective completion of the Brexit process. Several MPs mentioned their preference for the TCA as a mean to finally fulfil Johnson's promise to "Get Brexit Done". Greg Clark stated that Brexit had by then become a *fait accompli*, which limited potential opposition as to the details of the deal. MPs actively reduced parliamentary scrutiny to accelerate the passing of the TCA and bring a closure to previous Brexit debates.

There was a willingness to have a ceasefire. There was his agreement. No side had got everything they wanted, but we got it. He won the election. He could get it through. It was in the manifesto, the Lords couldn't do anything about it. There was a sense that we could put this behind us. (Conor Burns)

Because of all the pain, anguish and division that had gone before in previous years, everybody swallowed hard and said "I don't care, we just got to get it done". That's what it was. (John Penrose)

There was almost a bit of a sense of "We just got to get on with this. We don't want to keep arguing about it. Whether we think it's the right thing to do or the wrong thing to do, let's just move on". (David Simmonds)

If something is a *fait accompli*, then there's no point in getting very upset. (Greg Clark)

- 26 By the end of 2020, MPs experienced a similar kind of exhaustion caused by the breakout of Covid-19. Three lockdowns had taken place in the UK throughout the duration of the transition period and overlapped with the TCA negotiations. MPs were mentally focused on the pandemic and its wide-ranging consequences as well as physically limited by the existing social distancing rules. Only a few speakers could attend debates in the chamber in-person, which restricted the usual scrutiny process based around long discussions in the House of Commons. MPs could instead intervene remotely via video conferencing that tended to make the debate less fluid and more rigid than usually. In the interviews, MPs explained that Covid-19 social distancing rules obstructed parliamentary proceedings and prevented them from conducting the usual scrutiny process on the TCA.

We got Covid-19 going on, we were all working from home doing it all by video conferencing systems. It's not quite the same atmosphere you normally get. (Nigel Mills)

Quite a lot of it was happening at the same time as COVID restrictions were there. Therefore, I tried to speak [on 30 December 2020] in that debate, but they were only allowing 90 speakers. I wanted to speak, but didn't get to speak. (Stephen Hammond)

One of the issues during the COVID period was the scrutiny, to which the government was looked at, was minimized. We were doing our meetings online. We weren't having the unofficial ad hoc meetings that you have when you were in the same building where you'd be chatting and finding out details. We weren't having the group meetings as it were of factions or anything like that. That was all having to be done away from the estate, literally online without meeting up personally. Much more difficult to organise, I have to say. (Bob Blackman)

The only place for any scrutiny of government was happening, I would say between March 2020 and probably March 21, was in the select committees, because Parliament itself was not functioning. (Caroline Nokes)

- 27 Since the 2016 referendum, Brexit had concentrated various promises by politicians of an imminent new era in British politics. Most MPs alluded to the existing expectations around Brexit amongst the general public to justify the need to vote for the TCA. They explained that the competition of Brexit allowed for the issue to disappear from debates and other issues to receive political attention. A limited parliamentary scrutiny accelerated the adoption of the TCA and legally finalised the Brexit process, creating the possibility of delivering on previously made promises.

Most new MPs were sort of finding their feet and then wanted to get the best out of this brave new world for their constituencies. (Jo Gideon)

Three years of metaphorical capacity time taken upon this meant that there was a need to move on. (Anonymous)

I could happily move on and fight other battles. (Philip Davies)

- 28 This third type of justification demonstrated the impact of personal factors onto the scrutiny process. Conservative MPs were exhausted by Brexit, which had drained time and resources over the years. The combination with the impact of Covid-19 on proceedings in the House of Commons further reduced the usual levels of scrutiny. The TCA represented the final step in the Brexit process and a vote for the agreement allowed for a return to a certain degree of political normality. MPs could move on to other issues and participate in shaping a post-Brexit post-Covid Britain.

Conclusion

- 29 Parliamentary scrutiny is a crucial element of democratic decision-making. It allows the legislature to contribute to and evaluate a piece of legislation before potentially adopting it. MPs play a central role in this process and the scrutiny is considered to be one of their constitutional duties. Following the 2016 referendum, the House of Commons witnessed heated debates as MPs discussed Brexit. The parliamentary Conservative Party particularly experienced frequent internal rebellions during May's Premiership. The arrival of Johnson as Prime Minister and the 2019 electoral victory created a shift towards a more cohesive party. On Brexit, MPs shared a common vision and supported Johnson's approach. This translated a minimal parliamentary scrutiny during the transition period around negotiations for the new framework of UK-EU relations. The TCA's passing within a day and seven days after its publication embodied the absence of MPs in the process, despite the wide-ranging scope of the deal.
- 30 The 26 interviews with Conservative MPs provided three types of justification to explain this lack of parliamentary scrutiny. The first type of justification was Johnson's electoral mandate from the 2019 General Election electoral and the imminent deadline of the transition period. MPs were ready to accept the deal in its form, even if some recognised its imperfect provisions. The second type of justification was partisan considerations, especially intra-party dynamics. MPs recognised that previous purges, the presence of younger and inexperienced candidates complicated potential rebellions on the TCA. The

third type of justification was personal fatigue over Brexit after years of tensions. The combination with the impact of the ongoing Covid-19 pandemic and the promise to finally leave the EU eased MPs into voting for the TCA.

- 31 The consequence has been a direct withdrawal from the parliamentary Conservative Party from the TCA's scrutiny process. Conservative MPs disregarded the consequential nature of the agreement for the UK's relationship with its geographical neighbours, biggest economic partners and historical political allies in Europe. They preferred to maintain party cohesion and support Johnson instead of taking the time to critically discuss the deal. The TCA became an instrument to finally complete Brexit and return the Conservative Party to sense of stability. The consequences from the deal since its implementation reveal the short-sightedness of this collective decision. By prioritising ideological and partisan considerations, other considerations were disregarded by Conservative MPs. They jointly bear responsibility for this strategic decision, including on the ongoing negative economic impact of the TCA and perhaps participate in explaining the dramatic results of the Conservative Party at the 2024 General Election.

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English

Following the UK's decision to leave the European Union, the House of Commons witnessed extraordinary levels of political conflict and deadlock. The Brexit transition period in 2020 marked a departure from this state of parliamentary battle. In the aftermath of the 2019 General Election and with the start of the Covid-19 pandemic, the premiership of Boris Johnson was characterised by peaceful and quiet debates on Brexit. MPs progressively shifted their focus away from the issue, despite the government negotiating the consequential post-Brexit trade deal and future framework of UK-EU relations. Based on 26 semi-structured interviews, this article shows that the lack of parliamentary scrutiny at such a crucial time is explained by widespread Brexit fatigue amongst Conservative MPs. It analyses the reasons for this fatigue in the context of its long-term political implications. A key finding of the article is that most Conservative MPs disregarded the potential impact of their lack of scrutiny and decided to retract from the process.

Français

Après la décision du Royaume-Uni de quitter l'Union européenne, la Chambre des communes fut le théâtre de niveaux extraordinaires de conflits et blocages politiques. La période de transition du Brexit a marqué un tournant par rapport à cet état de bataille parlementaire. Dans la foulée des élections générales de 2019 et du début de la Covid-19, le mandat de Boris Johnson a été caractérisé par des débats pacifiques et calmes sur le Brexit. Les députés se sont progressivement détournés du sujet, malgré les négociations en cours du gouvernement sur l'accord commercial post-Brexit et le futur cadre des relations euro-britanniques. S'appuyant sur 26 entretiens semi-structurés, cet article montre que le manque de contrôle parlementaire à un moment si crucial s'explique par une lassitude généralisée sur le Brexit parmi les députés conservateurs. Il analyse les raisons de cette lassitude dans le contexte de ses implications politiques à long terme. Une conclusion importante de cet article est que la plupart des députés conservateurs ont négligé l'impact potentiel de leur manque de contrôle et décidé de se retirer du processus.

Mots-clés

Accord de commerce et de coopération entre le Royaume-Uni et l'Union européenne (ACC), Parti conservateur, contrôle parlementaire, Brexit

Keywords

Trade and Cooperation Agreement, Conservative Party, parliamentary scrutiny, Brexit

Luca Augé

PhD Student, Centre for Research on the English-Speaking World, Université Sorbonne Nouvelle, Maison de la Recherche, 4 rue des Irlandais, 75005 Paris, France