

# EU IN BRUM

Public network for positive people who believe in remaining – and want to do something about it



## Remain IN Brum rally, Sat 3<sup>rd</sup> Sept – Speeches

**Professor Tony Arnull**, Barber Professor of Jurisprudence, Director of Education, University of Birmingham

Hi everyone.

A couple of weeks ago I got a new passport.

Nice shade of red, compact with a soft cover.

After all, who wants an old-style passport? Consistency of a clipboard and impossible to fit into the back pocket of your jeans.

Best of all, though, it's got European Union embossed on it - and it's valid for 10 years. I took this as a good omen!

Wasn't the referendum campaign dire, as the [Electoral Reform Society put it this week?](#)

The Remain side was doom-laden. It somehow failed to mention that the EU is a bold and noble venture that has brought peace and reconciliation, democracy and human rights to a continent long riven by bloody conflicts.

The Leave side resorted to lies and empty slogans.

- Who can forget the £350m a week that was going to fund the NHS?
- Then there was the insistence that we would not be able to block Turkish accession (see Art 49 TEU) or the creation of an EU army (see Art 42 TEU).
- Take back control, they said, when many of us were not aware that we had lost it.

When the result of the referendum came through, we were all devastated. Why is that?

For many, it's a question of identity.

- We feel part of a community of shared values that transcends national borders.
- Those of us who are old enough remember rejoicing at the fall of the Berlin Wall.
- We are Charlie Hebdo! We shared the grief of those caught up in terrorist atrocities on mainland Europe.
- We deplore the rise of populist parties. We look in disbelief at the [photos](#) of armed police requiring a woman on a beach in France to remove part of her clothing.
- We don't want to be cut off from the rest of Europe even when there is fog in the channel.

We recognize the common challenges we are all facing. We know they can only be tackled effectively if we act together: climate change, corporate tax avoidance, cross-border crime, the mass movement of people.

We know too how great we are when we're European.


- The single market would not have happened without us.
- The eastern enlargement, healing the division of Europe created at the end of the second world war, would not have happened without us.
- We have brought credibility to the EU's foreign policy.
- We have been on the winning side in most votes in the Council of Ministers.
- Together with our role in the UN, NATO, G20, G7, the EU has magnified our influence on the world stage.

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Ultimately, though, we were dragged under by a riptide of anti-establishment resentment, mistrust of politicians and experts and disquiet at the forces reshaping our world.

The ashen faces of Gove and Johnson on the Friday morning showed they did not expect to win and had no idea what Brexit meant.

Over two months on we are little the wiser.

So we must make our voices heard. We must not allow those who voted Leave to wrap themselves in the flag and call us traitors or unpatriotic.

Indeed, we might say it is our patriotic duty to remind people of what we stand to lose.

There are the benefits of the single market:

- The freedom to work and study anywhere in the Union, a freedom which is particularly highly prized by young people.
- The freedom for our employers and public services to recruit the best qualified staff from all over Europe.
- The freedom to sell our goods and services in the rest of Europe as easily as we can sell them here.

There are the rights based on EU law which we have come to take for granted:

- Rights to non-discrimination, prohibiting not just all forms of gender-based discrimination but also discrimination on the basis of religion or belief, disability, age or sexual orientation
- Employment rights (working time, health & safety, pregnancy, agency workers, collective redundancies, transfer of undertakings)
- Consumer rights, covering things like repairs, replacements, refunds, returning unwanted goods, unfair pricing, and unfair contract terms

At the same time, we should promote domestic policies to ensure that no-one feels left behind in our modern, interconnected world.

We should remind the EU that it too needs to reform, leaving behind the last vestiges of the top-down model of the 1950s for a more agile and accountable model that is responsive to its citizens.

And we should not be the People's Front of Judea but a big tent, making common cause with all who recognize what is at stake and wish to play a part in charting a constructive way forward.

Thank you very much.

Tony Arnull is an academic specializing in EU law, worked at the European Court of Justice from 1989-92 and was Head of Birmingham Law School 2006-09. Professor Arnull is the author of *The General Principles of EEC Law and the Individual* (Leicester University Press) and *The European Union and its Court of Justice* (Oxford University Press), co-editor of *The Oxford Handbook of European Union Law* (Oxford University Press, 2015) and Consultant Editor of the *European Law Review*. Professor Arnull currently sits on the Advisory Board of the Common Market Law Reports and the comité scientifique of the Journal de Droit Européen. He has given evidence to a number of UK Parliamentary Select Committees and acted as Specialist Adviser to the House of Lords EU Committee. [Read more.](#)



**EU IN BRUM and Tony Arnull 2016**


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