Centre for EUROPEAN LEGAL STUDIES



ORATION

The Mackenzie Stuart Lecture - 2024

Nick Thomas-Symonds

It's a great pleasure and, indeed, an honour to be invited to present this lecture today. This is a prestigious series of lectures—and it is wonderful to follow in the footsteps of so many esteemed figures who have offered deep reflections on the issue of UK–EU relations.

In a debate that has all too often been defined by heat, this lecture series is an opportunity to shed more light. That is why assembling an array of people with deep experience in this field—over decades—is so valuable. Perhaps it turns out that not everybody has 'had enough of experts'.

Even before Brexit, it was obvious that the relationship between the UK and Europe has never been static. Just a look at the breadth of subjects and arguments that have been covered over the lifetime of this lecture series shows how dynamic an issue this has always been. This debate has complexity and vibrancy.

As some of you will already know, I spent many years as a lecturer myself, at Oxford University. And during that time I taught British politics, American politics, and European politics.

By the way, I can see no clearer sign of the commitment of this UK government to strengthening the Oxford–Cambridge corridor than asking this proud St Edmund Hall alumnus to put aside varsity rivalries and attend today's event. Just don't ask me to change allegiances at the Boat Race—a step too far, I think we can all agree.

But, in all seriousness, I loved my time lecturing at Oxford. So much so that I used to commute every week from my home in Torfaen. Those two important cornerstones of my identity are a theme I will return to later.

I was also a barrister. Now, I have to admit, of all the subjects I was taught, EU law was not always the first area that ambitious young lawyers gravitated towards, though, of course, a special few did! One later told me that the Byzantine nature of the subject matter was sometimes off-putting, during a discussion about incidental horizontal direct effect. However, it was—and still is—an important grounding for those interested in the constitution of the EU and how that interacts with the UK.

Today, I reflect upon my own admiration for Oxford and Cambridge; I'm deeply proud of the time I spent teaching so many fine students. A worrying number now pop up in the civil service—time and tide wait for no man, I guess!

When the Prime Minister asked me to take on the work of leading the reset with the European Union, I was of course honoured, but I also felt well-grounded for the task. Importantly, I had worked at the sharp end of politics, serving on the front bench through the years of Brexit debate. I have even gone toe-to-toe with the then Attorney-General Geoffrey Cox across the Dispatch Box from time to time, in the most heated of moments. The sketch-writers had a field day!

From my time in those roles, though, it was clear that the country did not want to be dragged back to a past that resulted in such division, acrimony, and distraction.

Alongside my experience of this debate in Westminster, I also represent a constituency that voted to leave by 60%. It's my home constituency, where I commuted from as a young lecturer at Oxford. I am so proud to be a truly local Member of Parliament.

The Rt Hon Nick Thomas-Symonds MP, Paymaster General and Minister for the Cabinet Office (Minister for the Constitution and European Union Relations)

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I know that in the referendum, people voted for a change to the status quo. And to be listened to. I know that some people do not agree with these—in a debate that has run as deep as this, I'd expect nothing else.

Today, though, I want to look forward to the future relationship between the United Kingdom and the European Union. I will argue that the historic context of the relationship is vital. I want to highlight the importance of the UK and the EU building a strategic alliance, and what its priorities could be.

Before I begin on the main body of my remarks, however, I think it is appropriate to acknowledge the life and work of the man this lecture series is named after. The first person from the UK to become a judge at the European Court of Justice, and the first—and only—British President of the Court, John Mackenzie Stuart was an indomitable force on the European scene. And—evident from his engagement throughout his career—he believed that the United Kingdom had a vital role to play in the continent-wide conversation. It is a sensibility which continues in this university, in all those who study here, and all former lecturers who have stood where I am today.

As a historian and politician, when considering the future of the relationship between the UK and the EU—as with any major political issue—I always think it is instructive to look to the lessons of the past. Unsurprisingly, those thoughts and feelings have often shifted with the context those minds found themselves in. My own party's past, the Labour past, has had a complex history when it comes to Europe.

When Ernest Bevin thought of Europe—as the wartime minister for Labour and National Service, and then as the Foreign Secretary—he probably thought that his constituency of Wandsworth, which saw more than 700 bombs dropped on it, had a great deal in common with the rubble remaining of so many other neighbourhoods across the continent. It might have been this belief that became a foundation for his 'Western Union' speech in the beginning of 1948.

In the House of Commons, he spoke with great fervour:

How much these countries have in common. Our sacrifices in the war, our hatred of injustice and oppression, our Parliamentary democracy, our striving for economic rights and our conception and love of liberty are common among us all. Our British approach ... is based on principles which also appeal deeply to the overwhelming mass of the peoples of Western Europe. I believe the time is ripe for a consolidation of Western Europe.

Yet the Prime Minister he served under—Clement Attlee—was more cautious. In his remarks in the House of Lords in 1962, the former Prime Minister was unequivocal on UK membership to the 'Common Market'. He said: 'I must confess that I have been one of those against [the Common Market], particularly from the long-term political view, because I am quite sure that it is impossible for us to enter into these economic arrangements without being pulled, sooner or later, into a political association, which I do not think is desirable'. He went on to say: 'I would much rather work for the world organization'.

Harold Wilson, too, had a more global mindset. He wanted to see an ambitious Europe, one which 'plays in world affairs the part which the Europe of today is not at present playing'. He admitted, years later, to the Labour Party Conference in 1975, 'I have never been, emotionally, a Europe man. I have been and remain fundamentally a Commonwealth man'.

The fact is, the question of the UK's relationship with the EU has always been hotly debated. Of course, the EU Referendum fundamentally shifted that debate. We have a definitive position for the UK—outside the European Union. We also set out that 'Britain is always stronger when we work with others' and that we will 'seek to deepen ties with our European friends, neighbours and allies'.

The intervening period has provided more—stark—clarity on the intense global challenges that have fallen to this generation of leaders to solve, and the need for allies to join together to address them—in 'a new strategic alliance'. There is no more obvious example of this than the role our Prime

Minister has been playing in recent weeks on Ukraine, working in partnership with European leaders from across our continent—including President Macron, Prime Minister Meloni, the leaders of NATO, and the European Commission and Council. Coming together in London, committing Europe to doing the heavy lifting, to support peace on our continent. And developing a 'coalition of the willing'.

Vital as this work is—and I will come on in more detail to the importance of coordinating defence across our continent—it is just one example of the mutual interests, challenges, and opportunities that face both the UK and the EU at this time.

And, in the face of these generational moments, it is incumbent on us to build a new strategic alliance to deliver the results our citizens demand. From the threat of war to the scourge of people smugglers, the need to seize the opportunities of the energy transition and the desire for growth—the issues we are dealing with are closely intertwined.

I am reminded of Bevin's claim in 1948 that 'Britain cannot stand outside Europe and regard her problems as quite separate from those of her European neighbours'. Many of the challenges the UK Cabinet is grappling with are the same for governments across Europe.

We need to react to the world we find ourselves in right now, to prepare for the future appropriately, an opinion shared by Bevin who stated in 1948: 'We must face the facts as they are ... to meet the situation which now confronts the world'. And I believe a firm alliance between the UK and the EU is undeniably a part of that—and mutually beneficial. We need to put an end to ideology, reset our relationship with the EU, and build a new strategic alliance with Europe.

Of course, that does not mean that the EU and the UK will agree on all things—that is the nature of all relationships. For me—in my role—I intend to be a ruthlessly pragmatic negotiator.

The government was elected on a mandate of national security, keeping our citizens safe, and encouraging growth. Our relationship with Europe is a crucial part of every one of those priorities; anyone who says otherwise has not engaged fully in the facts or is—heaven forbid—too busy playing politics.

Some have suggested, given the fast-moving situation we find ourselves in, that the UK must choose: it's a relationship with either the US or the EU. I could not disagree more, as a good relationship with both is crucial to our future. As the Prime Minister said at his Lord Mayor's Banquet speech in December: 'Attlee did not choose between allies. Churchill did not choose. The national interest demands that we work with both'.

When it comes to our friends across the continent, I am clear that a more cooperative relationship with the EU is in the UK's national interest. That means making the case for closer working with our allies in the EU, to make people across the UK and the EU safer, more secure, and more prosperous.

It also means making sure that we are working to strengthen cooperation, moving away from the zero-sum, win–lose dynamic we have seen in recent years. That is the spirit I take into discussions with the EU.

And we need to be respectful of the obligations we have in existing agreements and frameworks—that is how trust is earned and sustained. I believe that—where we can—we should build on the foundation these agreements provide to offer something more to our citizens and our societies.

We are facing a once-in-a-generation moment, one where the collective security of our country and the continent is being tested on a number of levels. Global instability is more the norm now than ever, and nowhere is this more obvious, more palpable than it is in Ukraine.

To secure our continent—we must work together to ensure peace. As the Prime Minister said to the Commons in recent days, we have 'a recognition of the fact that, once again, we live in an era where peace in Europe depends upon strength and deterrence. But also a rediscovery of the old post-war argument ... that economic security is national security'.

In a world that is more focused on divisions, the idea of working together to overcome common issues has a raw power. Since this government took office, we have been driving forward that new phase of the relationship.

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In December, the Chancellor attended a meeting of the EU finance ministers. This was the first time a British Chancellor had been invited to the Eurogroup since Brexit. The Foreign Secretary and the EU High Representative for Foreign Affairs have also met, agreeing to work towards a security partnership.

Through this new work, they have committed to six-monthly Foreign Policy Dialogues, starting early this year. This will support our wider reset ambitions to deliver greater safety, security, and prosperity across the UK and Europe.

We have also seen some great scientific and research work, thanks to our rejoining of Horizon. In fact, I saw some of this work first-hand earlier today, here at Cambridge. We should never have left Horizon in the first place, but I am pleased that this work is finally back up and running. When there is more pressure than ever on international economies to innovate and create new products and services through research, the return to this scientific collaboration is greatly welcomed.

For my part, I have been meeting regularly with my EU counterpart Maroš Šefčovič, the Commissioner for Trade and Economic Security, to make sure that there is oversight and forward momentum on this work. We will both be jointly addressing the Parliamentary Partnership Assembly—made up of UK and EU politicians—to explain this work and how they, too, can get involved for the benefit of Europe.

So far, by my count, we have seen more than 70 different direct engagements between UK ministers and their EU counterparts. This work was exemplified by the meeting the Prime Minister had with the President of the European Commission last October, a meeting where both agreed to put our relationship on a more solid, stable footing. They agreed to work together on some of the most pressing global challenges, including economic headwinds, geopolitical competition, irregular migration, climate change, and energy prices.

This multilateral approach is wholly necessary, especially given the situation we find ourselves in. There are plenty of issues in the recent past that have become stymied by ideologically driven decisions, which have ended up in worse outcomes for the UK and the EU.

As 'Businesseurope' set out in a report this Autumn: 'There remain many unnecessary barriers to trade and investment. Following the elections of new governments in the EU and [the] UK, there is a clear opportunity to upgrade the relationship to deliver for businesses and citizens'. I wholeheartedly agree with them. You need only look at the figures to see how complicated things have become. The EU is the UK's biggest trading partner, with trade totalling—in 2023—more than £800 billion. But that trade has been falling, and we know there are too many barriers holding businesses back from sales and growth. I hear all too often businesses telling me they have given up on exporting because of the bureaucratic hurdles they face.

A study published last year by Aston Business School showed that between 2021 and 2023 the goods EU businesses export to the UK were down by 32%, while UK goods exports to the EU were down by 27%. That outlook should be sobering: it is not good for British businesses or European businesses, especially at a time when both our economies need a kick-start. We need to reduce trade barriers if we want to continue to have a healthy economic relationship with our largest trading partner.

That means making sure that we strengthen cooperation and move away from the divisive language we have seen in recent years. We must move towards an understanding of what a new strategic alliance could mean for the UK and the EU, and to that end I have been defining its structure.

What guides this government is its 'Plan for Change'—the cross-departmental missions which aim to fix some of the greatest challenges facing our society. From making our streets safer to making the UK a green energy superpower, from improving the NHS to breaking down barriers to opportunity, our 'Plan for Change' does not focus on which department is responsible for what policy but encourages cooperation across government and across society to tackle the troubles that persist.

This cooperation extends to our international connections, especially if we want to create a strong foundation for the UK to thrive. This government was elected on a mandate to strengthen national

security by reconnecting with our allies, to increase people's safety through strong borders, and to increase prosperity through growth.

Our European allies have shared interests in all of those priorities, and that is why these priorities form the three pillars of a reset in our relationship. That means we have to focus on national security, safe and secure borders, and economic prosperity. We must respond to the collective security challenge faced by our continent and advance this through an ambitious UK–EU security and defence relationship. On safety, we must do all we can to strengthen our continental collective ability to tackle organized crime and criminality, working together on illegal migration. And on prosperity, we must boost growth and living standards. To do so, we need to build export and investment opportunities for UK business and, at the same time, reduce barriers to trade with our biggest trading partners.

Security, safety, and prosperity: these are the very foundations of our plans, and I will spend the remainder of the lecture explaining the opportunities that we can seize as part of this new future for the UK and the EU.

First, let me focus on security. Now, as much of my lecture has pointed to, security should be a cornerstone of any international relationship, but certainly of that with Europe. We share many of the same challenges, and our concerns are in concert with one another.

The importance of a collective effort to rise to the scale of the security challenge our continent faces is clear. Our Prime Minister has said: 'I have long argued that, in the face of ongoing and generational challenges, European countries must do more for their own defence. That is incontrovertible. A completely reasonable point. It's a generational challenge, of course it is, but one we must now take on'.

It is a situation which would, I am sure, be as familiar to those here as it was to Ernest Bevin. Where the world was in the run-up to his 'Western Union' speech has some remarkable similarities with today. Following the Marshall Plan of 1947, he was determined to show to the world that the Europeans had a plan, that they would unite, that they would reduce the risk of another war.

The Brussels Pact was created in March 1948, and signed by Belgium, France, Luxembourg, the Netherlands, and the United Kingdom. Through this, they were committed to come to one another's defence in the event of an attack, a principle which would be central to the future North Atlantic Treaty. It showed the US how strong an alliance could be. I am reminded of the quote, often attributed to Mark Twain, that 'history does not repeat itself, but it often rhymes'.

A show of European strength is needed once again, and the UK has reiterated our readiness to negotiate a security and defence partnership agreement with the EU, with absolute clarity that NATO is our cornerstone.

And, beyond a security and defence partnership agreement, we believe that we can see more opportunities for cooperation, focusing on key issues facing our continent's security. This was a message that the Prime Minister shared during the informal European Leaders retreat in Brussels in February. He proposed several important steps to increase defence cooperation. He suggested more focus on research and development, which builds on the UK's unique skills as the home of NATO's Defence Innovation Accelerator and bringing the UK's and the EU's brightest minds together via Horizon Europe.

He suggested we could improve military mobility across Europe, which would be crucial for moving troops and materiel more easily to where they need to be. There were opportunities he explored for greater cooperation to protect ourselves from state threats and sabotage of our critical national infrastructure, as well as cooperation on missions and operations, like in the Red Sea, and, of course, the UK's efforts to train Ukrainian troops.

Finally, he suggested a more industrial collaboration between the EU and the UK, making the point we already have. We need to build on our excellent existing partnerships, which deliver jobs and growth at home, while bolstering our national security.

Second, let me focus on safety. Through this interconnectedness on defence, I believe that we can improve on the systems which keep our citizens safe.

We see—every day—the threats across our continent from criminals with no respect for international borders. From terrorism, to vile people-smuggling gangs and drug smugglers—the threat to our communities is real. If we want to protect our respective borders and keep our citizens safe, then we need to work together.

Think about all those people, shoved onto boats during the night-time, going on the most treacherous journeys organized by even more treacherous criminals who trade in people's lives. Cooperation—across borders—is the only way we're going to break up the vile global trade in human trafficking that plagues so many European countries.

Already, we have made important progress on this work. Within the first few weeks of coming into power, the Prime Minister stated that border security would be at the very heart of our plans to reset our relationship with the European Union.

Just a few weeks ago, my colleague Yvette Cooper was in France to meet her counterpart, the Minister of the Interior, announcing joint measures to tackle gangs. The first Home Secretary visit to Northern France in almost five years, this is exactly the kind of joint working we want to see more of.

The Home Secretary has also announced a 50% uplift in National Crime Agency officers to be based inside Europol with immediate effect, alongside a commitment to deepen our partnerships with Europol and its European Migrant Smuggling Centre. But I believe that we can go further in this work. We need to find ways to better coordinate law enforcement so that we can smash the gangs behind the small boats and other illegal activity. We must do all we can to strengthen the tools available to aid our collective ability to tackle organized crime.

Finally, I would like to focus on improving prosperity. I ask you to cast your minds back to the beginning of this year. On the same day—Wednesday 29th January—the UK Chancellor Rachel Reeves and the President of the European Commission gave speeches about growth in their respective economies.

The Chancellor didn't shy away from the economic challenges that we are confronting. She said: 'Growth will not come without a fight. Without a government willing to take the right decisions now to change our country's future for the better. But for too long that potential has been held back'.

Some 250 miles away, President von der Leyen presented the European Commission's 'Competitiveness Compass', stating: 'Europe has everything it needs to succeed. But, at the same time, we must fix our weaknesses to regain competitiveness'. A major initiative to steer the Commission's work on growth, the 'Competitive Compass' sets out the importance of 'trade openness', 'not only for sustaining Europe's prosperity, but also for enhancing its resilience'.

We know that low growth cannot be allowed to be the destiny for the UK or the European economy. Research and innovation, reducing red tape, creating a new skills agenda, boosting productivity, a more resilient economy—all these elements found in the 'Competitiveness Compass' are also crucial parts of the Prime Minister's 'Plan for Change'. These are areas of mutual interest to both of our economies, and it would make economic sense to work closely with our largest trading partner.

Already we have started work on this. We have said that we will seek to negotiate a sanitary and phytosanitary agreement—which is one of the clear barriers to trade across the continent. We have also agreed to find new ways to resolve issues like the mutual recognition of professional qualifications.

We know that businesses are fed up with the status quo. Alex Freudmann, the managing director of M&S Food, went on record earlier this year saying 'We wholeheartedly support the government's plan to negotiate a veterinary agreement; the benefits would be significant, there is no discernible downside, and we will offer whatever help we can to aid the negotiations'. It is clear to me, now more than ever, that we need to work together with our European friends to overcome these restrictive conditions which our business leaders—the people who drive growth—are experiencing.

An important part of this, too, is how we use energy. The Trade and Cooperation Agreement does not contain effective means of cooperation on the green technologies which are necessary for our decarbonization objectives. We are also trading power under inefficient arrangements, which means higher energy costs. Indeed, the need for new electricity trading arrangements was acknowledged in the TCA, but there has been limited progress on developing a more efficient system since then.

The need for improved arrangements is more pressing as we scale up interconnection and develop shared hybrid assets in the North Sea. We need to support, rather than hinder, the investment case for these projects. More broadly, enhancing cooperation on green technologies will support our shared commitments—towards the environment and growth—and ensure that we are maximizing the enormous renewable potential of the region.

All these aspects—security, safety, and prosperity—will have the opportunity for a proper and considered discussion in our upcoming UK–EU Summit on Monday 19th May 2025. As we approach that summit, we have a chance to develop this new strategic alliance, to rise to the challenges and seize the opportunities of this moment.

In the UK, we must be ruthlessly pragmatic, open to the changes that occur around us, and act for the welfare of our citizens, our country, and our continent. To deliver in the national interest.

It is true that the UK's relationship with Europe has taken many forms since the Second World War, and the democratic decision to leave the European Union in 2016 is a fundamental shift in that relationship. That choice by the British public we fully respect—that was clear in our manifesto. We are demonstrating that through the implementation of the Trade and Cooperation Agreement and the Windsor Framework, our commitment to fulfil our international obligations.

But this global moment requires us to go further. It is an opportunity to build our partnership—where our continental security is paramount, where our collective safety is guaranteed, where our respective economies flourish together.

Reaching that agreement will take time, but it is a process that has already begun; the UK government—from the very top—has made this a priority, and we have seen a unity and decisive action with Europe that had been absent in the recent years of division.

I am reminded of the words of a former Cambridge student, a quote that many of you may recognize: 'No man is an island, entire of itself; every man is a piece of the continent, a part of the main. If a clod be washed away by the sea, Europe is the less'.

In times of great challenge, we must build an alliance anew. To keep the United Kingdom safe, secure, and prosperous, that road runs through Europe, not around it. Thank you very much.