

Kenneth A. Armstrong. *Brexit Time: Leaving the EU - Why, How and When?*. Cambridge: Cambridge University Press, 2017. 306 pp. \$39.99, cloth, ISBN 978-1-108-41537-8.

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Kenneth A. Armstrong has written a very difficult book, *Brexit Time*, in which he attempts to make sense of the causes for the United Kingdom's June 23, 2016, referendum, resulting in a vote to leave the European Union (Brexit), and to provide a blueprint for assessing the ways in which the EU-UK relationship could be reshaped post-Brexit. As he humbly stresses in his acknowledgments, this was a project that required significant depth and breadth of knowledge spanning across the social sciences and humanities, which is difficult to accumulate and exposes the challenges in understanding and assessing complex and multifaceted sociopolitical processes. Further, this was a project that concerned a moving target while the book was being written—and a target that keeps moving as the UK and the EU negotiate with the goal of securing a deal that regulates their relationships come “Brexit Day,” currently penciled for March 29, 2019. Armstrong had the good initiative of creating an accompanying blog, brexittime.com, where he pledged to update his analysis as developments unfold. For the energy and time this takes, and for the contribution the book and the blog make to informing ongoing debates in the UK and the EU, Armstrong deserves high praise. Others will however be spared for keeping their powder dry and waiting to see what Brexit entails before producing causal and ex-

plicative assessments, or for wondering whether enough time has passed to allow for deep analyses to emerge in a way that allows for a holistic understanding of Brexit and its causes.

The book is structured around the concept of time and timing, and the implications they have had in both the legal and political processes surrounding the UK's decision to leave the EU. Thus, the book is divided into four parts—“Time before Brexit,” “Time of Brexit,” “Time for Brexit,” and “Time to Brexit”—which allows Armstrong to structure an enormous amount of information and cross-narratives in a more accessible way, particularly for readers approaching Brexit for the first time. Given the core role of time in structuring the book, it is perhaps surprising and a missed opportunity that the book does not include a chronology detailing the main developments in the period under discussion and, in particular, the 2010-17 period. This would have helped readers not familiar with UK contemporary politics to follow some of the arguments in the book, especially those linked to the period immediately after the 2016 referendum. Structuring the book around the concept of time also provides some sense of consistency in the approach to the analysis. However, by its very nature, the analysis of the past differs from the analysis of the present, and the future can only be subjected to informed (even

very well-informed) guesses that turn the analysis necessarily speculative. Thus, while the high intellectual rigor is consistent across the book, the strength of the conclusions it offers somehow reduces as time goes by. Ultimately, each part of the book needs to be considered on its own merits. In my understanding of the book, the first two parts “Time before Brexit” and “Time of Brexit” seek to explain the why, while the second two parts “Time for Brexit” and “Time to Brexit” seek to address the how and when. This is how I approach the following discussion.

“Time before Brexit” contains most of the historical analysis in the book. It provides a rich narrative of the perception in the UK of the strained (awkward, at times) relationship with the EU, and an understanding of how UK politics (mainly Westminster and Scottish politics) shaped the EU-UK relationship since its beginning in the 1950s and 1960s, before the UK acceded to the then European *Economic Community*, and up and until the 2016 referendum on whether to leave what has become the European *Union*. The account may at times seem slightly one-sided, as the narrative hardly focuses on EU members’ perceptions of this relationship. Only the French perspective is shortly considered, which echoes the strained relationship between those two countries in the past and may have left out the insights that could be gained from taking a closer look at the attitude of Europe’s main players toward the UK’s constant demands of differential treatment and exceptionalism, as well as the implications of the seemingly neutral approach of the EU institutions to the UK’s membership, in particular in the run-up to the 2016 referendum.

This part of the book also provides a neat account of the main reasons surrounding the Brexit campaign and an informed view of the current perception of the main causes that may have led to the vote to leave the EU. Within this part, I also found the analysis of the events that are further in the past more convincing than those in recent

memory, where it is difficult to separate the analysis from the lived experience, both for the author and for the reader. In that regard, I found the analysis rather thin in areas that I thought rather influential of the outcome of the referendum, such as the decision not to enfranchise and give a vote to the close to three million EU nationals living in the UK, or the UK Supreme Court’s adoption of the most important constitutional law judgment for years to come (*Miller*) on the basis of a convenient assumption of the proper interpretation of EU law—which breached EU law and evidenced deeper malfunctions in the judicial dialogue between the UK and the EU highest courts that do not feature in the book. The relevance of legal arguments both here and in *Brexit Time* reflects the cognitive biases of academic lawyers. All in all, then, it is probably fair to say that *Brexit Time* should not be read as a history book, for it is still probably too early to write those.

“Time of Brexit” offers a well-structured analysis of the main components underlying the “taking back control” slogan of the campaign to leave the EU, covering control over borders, money, democracy, laws, and trade. The book effectively condenses the main arguments put forward by those seeking a vote to leave and critically assesses their plausibility or indeed accuracy, thus exposing some of the unrealistic assumptions or straightforward lies used in the campaign. This part of the book offers a mix of pre-referendum arguments that were openly and repeatedly made to the UK electorate (for example, claims that leaving the EU would liberate a significant amount of cash to be put in the National Health Service instead, the infamous 350 million pounds a week, were untrue) and some post-referendum analysis of the impact of migration on the vote to leave the EU (such as the assessment of potential correlations between migration rates, unemployment levels, and referendum vote in some voting areas, which however remains anecdotal in the absence of a more structured econometric analysis). The analysis is clear and the arguments pre-

sented in the book make significant sense. However, I am not sure that they have much explicative power of the decision to leave.

Some of the arguments are certainly sophisticated and require a good deal of prior knowledge, as well as a keen engagement with current affairs. Given my personal impression of how UK society operates, and more objective behavioral biases conditioning people's decision to vote (or abstain) in elections, such as rational apathy and conforming behavior, I am not sure that the issues discussed in this part of the book featured prominently in the decision-making process of all, or even a majority, of those who voted in the EU membership referendum. For example, I am not sure that the steel-related trade disputes discussed by Armstrong formed part of the considerations of most voters and, even those whose jobs were directly threatened by the EU's approach to trade disputes can hardly be expected to be acquainted with the details. What the book discusses probably influenced the way in which the "educated elites" approached their decision, as well as the way political campaigners decided their strategies. But, ultimately, I am not necessarily convinced that the substantive issues carried the day and alternative narratives surrounding the (im)popularity of political leaders and its impact on highly personalized political dynamics could have offered valuable insights. In the age of "sloganeering populism" (as my colleague Phil Syrpis has aptly put it) and fake news, an analysis of the impact of social media and tabloid press on decisions to vote may go further in explaining what happened and how it can (or not) be avoided in the future.[1] These are issues that feature only briefly in Armstrong's analysis, which in my view leaves some question marks hanging on why the UK electorate voted to leave the EU.

Moving on to the how and when of Brexit, and somehow departing from the time narrative, "Time for Brexit" offers a rather atemporal and abstract analysis of the main options that exist for

the articulation of Brexit from a trade and international public law perspective. The book offers a detailed assessment of the ways in which the UK and the EU could attempt to organize their future relationships, in particular future trading relationships, and reflects on the choices made by the current prime minister, Theresa May, and her cabinet. The abstract analysis is unobjectionable, but in this part of the book, time runs against the author. For example, the framework of decision-making powers of the EU and its member states was unclear at the time of writing *Brexit Time* and an important clarification by the Court of Justice of the EU was expected in 2017. Anticipating this, Armstrong offers a prospective analysis of the possibilities in different scenarios, but the analysis is necessarily limited due to the uncertainty existing at the time of writing. Moreover, given the time in which the book was sent to print, Armstrong could only rely on the initial speeches and white papers published by the May government, which are logically taken as reflective of the UK's position. However, this is ever evolving and in the short period between the Lancaster speech of January 2017 and the Florence speech of September 2017, that position has changed, not least because of the decision to hold a snap election in June 2017 that saw May's parliamentary majority reduced in an unexpected result that triggered significant questions around the electorate's backing of her approach to Brexit. And this is bound to keep on changing, which makes the analysis extremely tricky.

This is where the companion blog, brexit-time.com, becomes a valuable platform to update the analysis, which Armstrong is doing sparingly. The difficulty with providing a running commentary on Brexit is that it is so time consuming that one would need to do that to the exclusion of everything else. Just staying on top of developments on the EU-UK negotiation front and on the UK parliamentary debates surrounding the Great Repeal Bill—now relabeled as EU (Withdrawal) Bill—requires great effort and it would probably be un-

fair to expect daily or even weekly updates by a single author. The problem, though, is that the analysis in the book becomes mostly detached from the actual process of Brexit and that, in some aspects, it seems that the book could have been written before Brexit without this having an impact on its analytical power or content.

Much along the same lines, “Time to Brexit” offers a discussion of the constitutional mechanism to leave the EU, the domestic litigation in the UK as to the role of government and Parliament in its activation, and maps out the issues that would arise (in fact, have been arising) in the EU-UK negotiations and the consequences of a decision to leave, conditional upon the scope and content of the framework for future EU-UK relationships. Needless to say, this is the part of the book most severely affected by time and the one that will require readers to make a particular effort to contrast the analysis in the book with the intervening developments.

On the whole, then, it is somehow paradoxical that time carries such weight in the assessment of the analysis offered by Armstrong in *Brexit Time*. It could be that it was too soon to write this book, or more permanently that the static and unchanging format of the printed page is not well suited for this type of analysis—as evidenced by the explosion of legal and political blogs surrounding Brexit, but also such contemporary phenomena as the US elections of 2016 or the independentism challenge in Catalonia. It could also be that the book needs to be read out of time, taking a parenthesis from following current events to try to gain a richer understanding of their background and context. Or, why not, it could be that the book may offer the most in a few years, when Brexit is over (one way or another), and historians are interested in understanding how the process and challenges were understood and conceptualized by extremely well-informed commentators, such as Armstrong. Time will tell.

Note

[1]. Phil Syrpis, “A Call to Stop Brexit,” University of Bristol Law School blog, October 18, 2017, <http://legalresearch.blogs.bris.ac.uk/2017/10/a-call-to-stop-brexit/>.

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