

The Brexit Referendum and the Crisis of “Extreme Centrism”

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The result of the Brexit referendum sends shockwaves through the political fabric of the UK, Europe and beyond. It is the latest instance in a series of anti-systemic shocks to hit the EU, but will almost certainly not be the last, as discontent with the status quo and a disconnected elite continues unabated across the Continent (and is replicated across the Atlantic), and the European Union provides a convenient target for voters to express their anger and resentment.

Although the crisis, as any other, opens up opportunity, this is more likely to be seized by right-wing nationalist parties, providing further momentum to push for ‘Rexit’ (right-wing exit from, or renegotiation with, the EU), most notably in France and Austria although anti-European sentiment is growing from Helsinki to Athens, via Amsterdam, Rome and Budapest. This, however, can no longer be dismissed as an unfortunate and contingent set of political turning points: it seems intimately connected to the current trajectory of the Union itself.

Brexit exposes cleavages that will continue to pose problems not only for the political and constitutional future of the UK and the European Union but also for maintaining the entire edifice of liberal democracy. Careful dissection of the fissures that connect and disconnect national, European, material and ideological fault-lines will be required in due course. Many different meanings can and will be attributed to this event.

Three will be offered here. First, there is the real possibility that Brexit will mean Brexit in the same way ‘Oxi’ meant ‘Oxi’, i.e. it will mean Remain. It will result in a political or constitutional fudge, containing social tensions temporarily only for them to erupt in an even more spectacular fashion down the line. Second, there is the risk it will contribute to a right-wing unraveling of the entire project of integration, next to which Brexit pales in comparison. Although there are important features which isolate the Brexit debacle, viewed in the whole, there is little cause for thinking the EU is likely to reform in a meaningful direction, and many reasons to be skeptical. At its most basic, however, I suggest there is a third meaning to Brexit, that it exposes a deeper crisis in what has been

labeled 'extreme centrism' – the currently hegemonic position that rejects any alternative to the political status quo as unimaginable and obstructs any democratic resistance to it.¹ Brexit represents a genuine challenge to this position, if less to a European Union that was constructed from the outset on a fear of democratic alternatives. The EU, however, is paralyzed by its own contradictions, torn between the continuity of a project that requires transnational solidarity, a rule-book that increasingly proscribes it and political elites that seems incapable of serious reform. How meaningful such reform can be without addressing underlying structural problems in the Eurozone, and in the economic system more generally is, in any case, doubtful.

Reading Brexit as Bremain?

Immediate political implications for the UK political scene are likely to be multiple, varied and (like the result itself) hard to predict with any certainty. Although David Cameron has announced his resignation, he leaves a poison chalice to his successor, having not yet triggered Article 50 withdrawal proceedings. The two most prominent Brexit Tories appear reluctant to press forward with a leave campaign that failed to offer even a glimpse of a post-Brexit strategy and that was based on promises that were reneged upon even before the final votes were counted. The decision to hold a referendum itself, although ostensibly arising from internal party concerns about the fear of hemorrhaging votes on the Eurosceptic wing of the Conservative Party to UKIP, and possibly based on the assumption that in a Tory-Liberal Democratic coalition the manifesto promise would be quietly buried, provided Cameron an opportunity to cement his legacy on the broader canvas by being remembered as the Conservative Prime Minister who finally resolved the European issue that has wracked the conservative establishment for decades. Ah well.

A major realignment of the party system is one possible outcome, with a reunited centre ground attracting support from Remainers across the party political spectrum, possibly from all three major parties and the various parts of a now openly fractured United Kingdom. This will lead to the possibility in a new general election of the creation of a European-style grand coalition that will frustrate the leave vote or offer a fresh referendum. Although a temporary fix that will please many, the longer term costs to political stability could be high (Brexit exposing fracture not only along national lines, but along inter-generational, class-based and geographical lines). The 52% of voters from across the political spectrum opting to leave would be unrepresented, except for a UKIP party that only a fraction of them currently support. Nigel Farage, or equivalent, would be the major beneficiary.

¹ See TARIQ ALI, *THE EXTREME CENTRE: A WARNING* (2015).

Predictably, it is the Labour party that is fracturing first. Due to its internal crisis, it may be that Jeremy Corbyn goes before Cameron’s successor is even in place, despite being one of the few domestic politicians with an overwhelming democratic mandate and social base. The removal of Corbyn would be significant for the European project as a whole, as one of the only Remain campaigners to show unequivocal support for EU free movement. The argument now coming from the centre of the Labour party, (as well as across the political establishment) in an attempt to divert the rightward drift, is that free movement must be renegotiated, despite being a core principle of European integration, and currently accepted even by those countries that have negotiated looser free trade agreements.

Those on the Left inclined to Euroscepticism were cautioned that the immediate impact of Brexit would be a sharp turn to the Right, the dismantling of workers protection, a harsher policy towards immigration, and deregulation of the financial sector; in other words, however problematic the EU, the Brexiteers would far outflank its structural neo-liberal bias. The ‘lesser-of-evils’ argument appealed to sound and genuine concerns. If appearing defeatist and lacking in ambition, there was encouragement from other Left-wing parties in Europe (Podemos in particular) and the pan-European alternative platform headed by Yanis Varoufakis, that a broader movement might emerge if only the British Left bided its time.

Corbyn, showing the amount of enthusiasm in the EU that could only be expected of a politician whose old-fashioned social-democratic views are increasingly hard to square with its current neo-liberal trajectory, kept a substantial majority of Labour voters in Remain. Although many are frustrated with his equivocal campaign, the more pertinent concern might be how many more votes Corbyn would have taken to Leave had his instincts led him to front a ‘Lexit’ (left-wing exit) campaign, which never materialized beyond the fringes of the Socialist Workers Party and a few isolated intellectuals.² A stronger ‘Lexit’ voice would have given a different complexion to the referendum result and affected the manner of its interpretation.

This raises a broader point. European integration has proved to present a real dilemma for a Left that is deeply committed to Europeanism and internationalism, but increasingly at odds with what the EU represents in terms of a political economic and geo-political project of neo-liberalism and neo-colonialism. This is a trap from which it presently looks difficult to escape.

² This include notable experts on European integration. See Chris Bickerton, *Brexit is not the Property of the Political Right. The Left is Disenchanted Too*, THE GUARDIAN (June 22, 2016), available at <https://www.theguardian.com/commentisfree/2016/jun/22/brexit-property-right-left-eu-expert>.

With a mainstream political class that is totally disconnected from any popular base, there is an obvious danger in the loss of one of the few politicians in the UK who can lay claim to it. The problem for Corbyn - or whoever replaces him - is not merely to reconstruct the Labour party, but to reconnect with Leave voters (many in Old Labour heartlands), who, devastated by post-industrial decline that followed the harsh neoliberal programs of Margaret Thatcher in the 1980's (and largely adopted if softened by her 'third way' successors) showed no signs of backing a political elite which has left them to the vicissitudes of the global marketplace.

It might also be a mistake to think Scottish independence will follow as an automatic reflex of Brexit, not least because joining the currency union would make demands diametrically opposed to the anti-austerity platform of the SNP. Would Scottish voters feel comfortable having economic policy dictated by a legal and political structure in which austerity is more important than solidarity, and where competitiveness trumps currency irreversibility? Nicola Sturgeon, praised as one of the few politicians to have maintained her standing, might find the ground rather less firm than it appears, not least as other European leaders have concerns about their own secessionist movements. This should at the very least be pause for thought.

Predictably too, constitutional lawyers are immediately grasping at straws in their narrow field of technical textual interpretation. Legally sophisticated but politically tone deaf arguments are deployed about how Brexit might still be avoided, the will of the majority frustrated, through either the Westminster or Scottish Parliaments, or the Courts, without giving any thought to the repercussions this would have on the deeper nature of the governing relationship. The flipside to an obstinate Remain is the fact that there is no formal method of involuntary and outright expulsion from the EU. This historical first opens up a constitutional quagmire on all sides.

Reading Brexit as "Who's Next-it"?

However profound the consequences for the political and constitutional future of the United Kingdom, it would be a mistake to view the Brexit event in splendid isolation, either in terms of cause or effect. The discontent of British voters is replicated elsewhere and in places that will have far less capacity to deal with the political and economic crises that result from its expression.

To be sure, there are significant local variations; in each country the material and political circumstances differ and so, therefore, will the reaction to the political and economic situation. Three immediately stand out in the Brexit case.

The first is that British reaction to the status quo may indeed be more spectacular due to the more spectacular form of neo-liberalism that preceded it, returning again to the apparent embrace of Brexit in working class communities feeling left behind not only by the Tories in the 1980's but also their New Labour successors, and not only in England but also in Wales (which also voted with a similar majority to leave).

The second is that the British simply do not have the same political and constitutional imagination when it comes to the project of European integration as the rest of the EU. For the three countries at the 'core' of Europe (Germany, France and Italy), European integration is so firm a part of their postwar constitutional settlement that exit is unimaginable. For Spain, Portugal and Greece, as for the new members in Central and Eastern Europe, the EU offers a promised land of freedom and democracy after postwar political repression. But for how much longer? (It is curious to note that those countries which experienced Fascism in the post-war period are seeing a revival in left-wing politics, whilst those who lived with the experience of Soviet Communism seem to be moving in the opposite direction.)

Third, Britain lacked the most potent reason for disquiet with the project of European integration: the single currency, barely maintained with an ordo-liberal rulebook increasingly at odds with an unrestrained central bank, based on centralized economic management incompatible with divergent economic conditions and a regime that makes exit an extraordinarily costly option. If history is a guide, the first to leave this post-modern gold standard may be the most able to weather the political storms in the long run. But there is no formal avenue of exit from the single currency.

Britain, along with the Nordic countries and perhaps the Netherlands, stands in different material, political and constitutional relation to the European project. These differences are significant and will likely grow.

And yet, in European perspective, the Brexit referendum is only the latest if perhaps most dramatic in a line of events suggesting popular discontent with the project as far back as the French barely “Yes” (51%) on ratification of the Maastricht Treaty in 1992, continuing with the rejection of the Constitutional Treaty in France and the Netherlands in 2005, and most recently the Greek *Oxi* referendum in June 2015. In each case – and others in between – the status quo has been maintained, most spectacularly when the Syriza-led Greek government, elected on an anti-austerity mandate, first capitulated to the austerity regime imposed on them by the Euro-group, and then were re-elected by a resigned electorate a few months later at a cost to democracy that is still to be fully calculated.

These events demonstrate a European Union, and particularly its Eurozone core, stumbling from one crisis to the next, the “can being continually kicked down the road” with a series

of ad hoc reforms, and with little serious effort to resolve deeper structural problems. Euro group intransigence on austerity and the refusal to consider debt restructuring had made even the IMF break ranks with its ordo-liberal agenda. And as we were reminded during the negotiations with Greece, the Euro group itself is 'formally an informal institution' and not even subject to constitutional scrutiny.

Although the EU was rarely discussed in any detail during the referendum, this was as much to the advantage of the Remain campaign itself, as only a little digging would have revealed a European Union whose foundations were looking increasingly unstable and its institutions highly fragile, if not unfit for purpose, as the total collapse of the *acquis communautaire* during the Euro-crisis was followed by collapse of the Schengen and Dublin regimes under the strain of a (statistically minor but political major) crisis of displaced persons. This has, in the view of a prominent Europhile, led to a "rule of law crisis."³ Expert opinion, so derided in the rhetoric of the Leavers, would give little comfort to those extolling the virtues of the European Union and the case for remaining in it. And indeed it is ironic that the expert's predictions of the result of the referendum (from the financial markets to the pollsters) were so terribly off target.

Writing in 2012, Joseph Weiler identified a transition in the project of European integration, proceeding no longer through law but through fear.⁴ It is therefore significant that 'Project Fear', as the Remain campaign was appositely named by its opponents, was unable to move a stubborn populace in significant numbers, despite having the backing of virtually every single domestic and international institution of global capitalism, every major political party, virtually all the trade unions, and a cascade of major and minor celebrities.

Does even fear – that most potent of political substitutes - no longer work to hold the centre-ground?

The casual depiction of Leave as the preserve of a racist, bigoted, xenophobic (at any rate anti-immigrant) and uneducated underclass occludes a number of significant factors. Despite the occasionally odious rhetoric, and the horrific incidents of racism and violence on the streets, the data suggests anti-immigration per se was not the driving force for leave, but rather some vision of self-government, however illusory.⁵ The promise of

³ See Guy Verhofstadt, *Europe's Rule of Law Crisis*, PROJECT SYNDICATE (April 11, 2016).

⁴ Joseph H. H. Weiler, *Editorial: Integration Through Fear*, 23 EUROPEAN JOURNAL OF INTERNATIONAL LAW 1 (2012).

⁵ Nearly half of leave campaigners (49%) gave as their single biggest reason the principle that "decisions in the UK should be taken by the UK." See Lord Michael Ashcroft, "How the United Kingdom voted on Thursday... and Why" (24 June 2016), available at <http://lordashcrofthpolls.com/2016/06/how-the-united-kingdom-voted-and-why/>.

“regaining control,” irrespective of its merits, sincerity, or feasibility (or practical distinction to the promise of ‘closing borders’), was the decisive narrative, with “Independence Day” its crowning rhetorical flourish. This meaning will be resisted by liberal political elites eager to fend off any resistance to their position and with a much easier story to push of ignorant xenophobes nostalgic for an inglorious past. The dominant narrative now being offered by political elites, and apparently open to reception in other capitals, is to read Brexit as about immigration pure and simple, adopting a classic populist position, to the extent even of considering rescinding on the core principles of EU free movement. The underlying social and political problems can then, once again, be ignored.

The EU itself and its dominant members – evident to those who study it in any critical detail – is in any case far from a model of enlightened political liberalism and democratic accountability (let alone social solidarity). Its response to the humanitarian crisis in the Mediterranean has been woefully inadequate, with Merkel’s increasingly erratic diktats on border openings and closings, and the EU-Turkey deal displaying contempt for European and international norms that will be hard to restore.

Overall, the EU has looked utterly impotent in dealing with the systematic return of right-wing nationalism, in Central and Eastern Europe and even in its core. Indeed the EU adds fuels to the flames of a right-wing populism looking to exploit those most disaffected and vulnerable, and provides a useful scapegoat for domestic politicians against which to target discontent from economic globalization. It also tends to reinforce and normalise anti-immigrant sentiment as it gradually resembles “fortress Europe,” using NATO to patrol a Mediterranean sea that has witnessed thousands of tragic deaths.

Neither Brexit nor Bremain will resolve those issues. Nor will it do anything to address the growing imbalances in the Eurozone between north and south, core and periphery. There is, however, the real danger that Brexit might only divert attention from these more serious structural problems. As private debt is turned into public debt, citizens turn increasingly against each other, as notably occurred through the Greek crisis of 2015. This then exposes tensions and divergences in the material constitutional fabric of the Member States, with neglect of violations of social rights in the debtor countries matched only by

The data has also been woefully misconstrued. See, e.g., Fredrik de Boer, “Everyone is Reading that Infographic Incorrectly” (26 June 2016), available at <http://fredrikdeboer.com/2016/06/26/everyone-is-reading-that-infographic-incorrectly/>.

attention to fears of moral hazard in creditor countries. As Wolfgang Streeck put it, “United Europe’ has never been so disunited in the last half-century as it is today.”⁶

From the perspective of a Franco-German axis, Brexit might be thought a useful riddance of a persistently infuriating and occasionally downright obstructive partner. Yet France, perhaps the country most ambivalent about the UK’s membership (for reasons not only of historical rivalry and cultural difference, but of political economy - the UK considered ideologically closer to German economic liberalism than France’s mixed affair) is too preoccupied with its own internal difficulties to take any advantage of Brexit. And in Germany, the extreme centre has its own problems to deal with, less now from a constitutional court that has capitulated on the decisive question of authority in its recent OMT reversal, but from the AdF and other Eurosceptic political fringes. There is anyway little reason for it to lead reform of a currency union from which it is emerging as the major beneficiary.

The political difference in France is that there is more potential for a serious Left wing alternative to develop as the realization is beginning to dawn that the single currency may have been a mistake of epic proportions. The French (not to mention the Italian) electorate has far more reason to be wary of the status quo, lacking the UK’s various opt-outs and differential treatment, and it maintains at least the remnants of a radical Left movement that, although weak, is far stronger than anything comparable in the UK. If hope is to come from anywhere, it might just be there. But there too, danger resides, due to the strength of the *Front National* and its own “Rexit” strategy, which will draw succor from the recent events.

Reading Brexit as the Beginning of the End of Post-democracy?

Both domestic and European perspectives suggest that what is unfolding across the Continent (and is reflected in other parts of the globe) is a crisis of extreme centrism. A political centre (moved so far to the Right over the last 40 years) and complacent liberal elites are barely clinging on in the wake of the political turbulence forged in the crucibles of an increasingly rampant global capitalism, but political alternatives are obstructed, derailed or fail to gather the sufficient momentum. If they increasingly reveal the nakedness of the Emperor, they also reveal the weakness (and frequently downright mendacity) of much of the opposition to it.

⁶ Wolfgang Streeck, *Small-State Nostalgia? The Currency Union, Germany, and Europe: A Reply to Jürgen Habermas*, 21 *CONSTELLATIONS* 213 (2014).

The biggest casualty of the various Euro-crises (financial and humanitarian) has been European democracy, or more specifically any non-nationalistic expression of it. Even Jürgen Habermas, so long an unrepentant supporter of the European project, regarded the deal struck with Syriza as resembling an ‘act of punishment’ against a left-wing government that dared openly to rhetorically oppose austerity whilst promoting values of European integration.⁷ Whereas the ‘threat’ to the European order of economic stability from the Left in Greece was micro-managed to the last detail the EU has been impotent to intervene against the threat to its supposedly foundational values of democracy and the rules of law from the Right in Hungary, or Poland. The current trajectory is to punish the left and appease the right.

It is also notable that the British were permitted to renegotiate their terms of membership *from* the Right, with David Cameron successful in obtaining at least symbolic protections of the City of London, concessions towards a discriminatory welfare regime, and an emergency break on benefits.

This was a reminder that, given the opportunity, Brexit would look much like the status quo, only worse, at least for those values cherished by political liberals and the Left. But ‘lesser evilism’ on a number of counts, although undoubtedly persuasive, has meant that any critical position of the EU was given almost entirely to the Right to exploit, with a Remain campaign that was as complacent as the financial markets backing it.

The Brexit referendum might look like the last gasp of an idea – of democracy - that is dying a slow death. The immediate, kneejerk reaction of the extreme centre (in the UK and elsewhere) will be to attempt to bury it. The most lasting casualty of Brexit is therefore likely to be (what is left of) democracy itself, with suggestions that the vote should be effectively ignored through political intransigence or constitutional niceties and a complete failure to realize the long-term damage this could do, or the scale of change required to mend the ship of European integration on increasingly stormy seas.

But unless domestic and political elites grasp the seriousness of the underlying social and political problems, the kind of grandstanding and head burying that has followed the previous shocks to its system will only serve to make the eventual explosion more dramatic and almost certainly worse in its eventual consequences.

⁷ See Philip Oltermann, *Jürgen Habermas’s Verdict on the EU/Greece Debt Deal – Full Transcript*, THE GUARDIAN (July 16, 2015), available at <http://www.theguardian.com/commentisfree/2015/jul/16/jurgen-habermas-eu-greece-debt-deal>. This class-based aspect of Eurozone politics is not often addressed. Conditionality (austerity) is what Blyth calls a “class-specific put-option.” It protects the top 70% who have assets, and hurts the bottom 30% who most depend on public services. See M. BLYTH, *THE HISTORY OF A DANGEROUS IDEA* 258 (2013).

It is not surprising that many voters, in response to the crisis of legitimacy that affects the EU and its Member States, have turned towards right wing Euro-sceptic parties, in both core and peripheral counties. Their rhetoric has become more compelling, and in many cases is seen as the only alternative to a mainstream that is considered responsible for a severe economic downturn, a “secular stagnation” in the Eurozone, and is unable to extricate itself from an ordo- and increasingly neo-liberal project of economic integration that has virtually been elevated to supra-constitutional status.

There are important exceptions to this Rightward shift, but where anti-systemic parties have grown into Leftist and potentially pan-European political movements (such as Syriza, Podemos, and the Left Bloc in Portugal) they are presented by the European political establishment as a threat to the necessary ‘austerity’ programmes and even to the project of integration itself. This is neatly captured by Donald Tusk:

I am really afraid of this ideological or political contagion, not financial contagion, of this Greek crisis. Today’s situation in Greece... - we have something like a new, huge, public debate in Europe. Everything is about new ideologies. In fact, it’s nothing new. It’s something like an economic and ideological illusion, that we have a chance to build some alternative to this traditional European economic system.⁸

And yet, unless precisely such radical alternatives are explored, the EU will continue to stumble from crisis to crisis, until eventually the heart of the European idea is broken asunder. The sadness invoked by Brexit would pale in comparison to this calamity. As the rhetoric and practice of the political Centre is continuously exercised to divert the threat from the Right, thereby legitimizing (and even appropriating) much of its own anti-immigrant rhetoric and practice of intolerance, with hardly a concession to the Left, the ‘extreme centrism’ of our times is in danger of slipping into an abyss of nationalistic competition, within or without the EU.

The *telos* of European integration, based on the idea of ever closer union and *de facto* solidarity amongst the peoples of Europe, was already straining in credibility with the onset of the financial crisis, and has in truth been struggling since Maastricht’s Europe of ‘bits and pieces’.⁹ The last year suggests definitive rupture with this *telos*, first with

⁸ Peter Spiegel, *Donald Tusk Interview: The Annotated Transcript*, FINANCIAL TIMES (July 16, 2015), available at <http://blogs.ft.com/brusselsblog/2015/07/16/donald-tusk-interview-the-annotated-transcript/>.

⁹ See Dierdre Curtin, *The Constitutional Structure of the Union: A Europe of Bits and Pieces*, 30 COMMON MARKET LAW REVIEW 17 (1993).

Wolfgang Schäuble's tabling of (temporary) Grexit in response to Greek intransigence and now with a potentially more definitive voice of Brexit. The central reason is that unity and solidarity are becoming increasingly hard to square (and might be downright incompatible) with a *nomos* of integration that mandates competitiveness between nations, fiscal discipline and the long-term but mistaken view that all countries can eventually be like Germany.

The fate of the UK (in or out of Europe) is arguably marginal to this deeper tension. And the Brexit referendum will likely be dismissed by both domestic and European political elites as quickly as previous cries against the established order were drowned out. This is in part because the Union was never built as a democratic project, but rather on the basis of a fear of democracy, a fear of 'the people' that reflects the German experience above all.¹⁰

I have suggested elsewhere that this fear is based on a fundamental misdiagnosis of the breakdown of liberal democracy in the interwar period.¹¹ Then, as now, we focus on a crisis of democracy, and ignore the crisis of capitalism that preceded it. Until the latter is addressed, reiterations of the former will continue to shake the foundations of the system. The assumption of the left has generally been that a global capitalist system can only be successfully tempered or countered by transnational efforts. The demand now must be to show this assumption to be sound, not only in its theoretical shape but also on the concrete terrain of democratic political action. Does the crisis of extreme centristism foreshadow the beginning of the end of post-democracy?

¹⁰ See Christoph Möllers, *We are (afraid of) the People: Constituent Power in German Constitutionalism*, in *THE PARADOX OF CONSTITUTIONALISM: CONSTITUENT POWER AND CONSTITUTIONAL FORM* 87 (M. Loughlin & N. Walker eds., 2007).

¹¹ Michael Wilkinson, "The Reconstitution of Postwar Europe: Lineages of Authoritarian Liberalism," *available at* http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2745394.

