

Brexit and the abuse of history

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When, tonight, the bells will toll the eleventh hour, there is hope that at least one part of the painful Brexit saga will come to an end: the tedious abuse of history that has hounded us every step of the way. (It feels personal to lawyers. We have to use history all the time – to understand precedent, to evaluate the legal meaning of State practice and so forth. But we know full well that a historical analogy which does not work means we lose the argument).

It is sobering to remember the kind of comparisons the EU itself had to suffer: it was akin to the [Soviet Union](#), it was colonialism, it was feudalism, it was [slavery](#).

There are too many flaws in soundbites like these to mention them all. One point, however, sticks out: the little fact that the Union is maintained by people acting freely and in exercise of their [democratic](#) rights, never seemed to be worth a mention. That is odd, given the fact that we were told, for three years running, that democratic decisions must be [obeyed](#), come what may, and that the people can never be wrong.

The main difficulty – for Leavers and Remainers alike – in assessing the European Union may well lie in the fact that it simply has no equal in history. Our grandparents had a completely different historical horizon: their schoolbooks told of an endless succession of [wars](#), creations of human greed, and incompetence, and pride. 70 years in which the weapons were silent in Europe, would have seemed the stuff of fairytales.

To the young in the trenches, British, German and French, it would have been difficult to imagine that they would one day share [citizenship](#) with the ones shooting at them and elect representatives to a common [parliament](#); that their rulers would have regular, statutory and peaceful [meetings](#); that there would be a [common foreign and security policy](#); that they would be part of a

union of nearly thirty States that would, deservedly, [win](#) the Nobel Peace Prize.

Perhaps, just perhaps, that lack of appreciation goes some way to explain the 2016 decision to quit the bloc.

If historical comparisons with the EU are tricky enough, comparisons with a State's departure from the EU seem almost impossible to make.

Enter the Reverend Andy Bawtree (Kent), who made a plucky attempt. When asked if the bells should ring on Brexit day, he did not oppose the idea (if a Brexit service preceded it), but [noted](#) that 'the Church of England left in 1534'. Well, it makes for a snappy quote.

As an analogy it does not work all that well – especially if the break with Rome is supposed to be a model for Brexit. The consequences of the church's departure were not exactly '[Peace, Prosperity and Friendship](#) with All Religions', as Henry VIII did not write on his commemorative groats.

The consequences included the [persecution](#) of Catholics (and at times of Protestants too), religious discrimination and strife well into our days. The consequences also included a rift, sometimes unpleasant and bitter, within the Church of England, about the right approach towards Rome. Remember the mass [defection](#) of Anglicans to Catholicism nine years ago? Reason enough, it seems, to handle ecclesiastical history with care.

Speaking of Brexit bongos: here too, the spirit of history was invoked, as if the whole episode had not been farcical enough. The most popular [comparison](#) was that to the end of World War Two – after all, the argument went, we rang the bells then, so why not now, to mark yet another historic event?

It sits well with the tradition of sloppy analogies. Leaving the obvious aside (no, victory over Hitler is not the same as invoking Article 50) there is another point that ought to be remembered.

Bells may well have been rung to mark the end of wars. They also rang when the country was about to embark on silly things, fuelled by

emotion and incited by the mood of the day. The [‘War of Jenkins’ Ear](#) was one of them: the military conflict between Britain and Spain in 1739 that was to result in the loss of thousands of lives and hundreds of ships. Robert Walpole foresaw the troubles then and marvelled at the enthusiasm of his countrymen.

‘They are now ringing their bells,’ he [said](#), ‘I fear they will soon be wringing their hands.’

Now [there](#) is a comparison that might work. One thing, at least, is true: a more fitting epitaph to Brexit has yet to be devised.