

# Book review: The Left Case for Brexit: Reflections on the Current Crisis

*In large part, the British and European left has remained trapped within the narrow horizons of the nation-state. Instead of counterproductively supporting Brexit, it would do better to join forces and push for change within the EU, writes, Peter J. Verovšek, in his review of **The Left Case for Brexit: Reflections on the Current Crisis**.*

Although support for illiberalism and nationalism, as well as scepticism of cosmopolitanism and globalisation more generally, have been on the rise for some time, these trends broke out into the open in 2016, as the result of two events: the narrow victory of the Leave campaign in the United Kingdom's 23 June referendum on its membership in the European Union (EU) and Trump's election as President of the United States on 8 November. As fundamental threats to the post-Cold War political and economic order, these developments reverberated far beyond the Anglo-Saxon world. For most political observers, the victories of President Trump and his English ally Boris Johnson, the leader of the Leave campaign who became Prime Minister in July of 2019, seemingly signalled the political breakthrough of a powerful new form of far-right populism opposed to free trade and the progressive value changes brought about by globalisation.

These developments have pushed progressives on both sides of the Atlantic to consider how these short-term defeats might be turned into long-term victories. In the US, thinkers like Nancy Fraser reflected on how Trump's election might create opportunities for the left to build a 'counter-hegemonic bloc that could resolve the crisis' by increasing the contradictions of contemporary neoliberal capitalism and by pushing the left back to its roots in the concerns of the working classes. In his new book, *The Left Case for Brexit*, the Harvard-based British historian of political thought Richard Tuck goes even further. Rather than merely finding a silver lining in the referendum vote, he instead presents a full-throated defense of 'lexit' – i.e., Brexit for the left – that treats leaving the EU as the opportunity that democratic socialism has been waiting for since its heyday in the years immediately following World War II. By reinvigorating the sovereign powers of Parliament in Westminster, Tuck concludes that Brexit is desirable *per se*, as it will once again make socialist policies based on nationalisation possible in the UK: 'The great prize awaiting the Left in Britain...is genuine Brexit followed by a Labour government' (55).

In addressing contemporary events in real-time, Tuck's book is an intervention in political debates within the British public sphere, not a research monograph. The volume is composed of a series of dated entries, which Tuck originally published in various online outlets, including Dissent Magazine, The Full Brexit, Briefings for Brexit, and this blog. As a result of their chronological organisation, starting before the referendum vote on 16 April 2016, and running through 31 October 2019, as well as its lack of extensive references, the book reads more like an epistolary novel than an academic text. This collection of Tuck's writings is well-paced, incisive, and at times surprisingly compelling, even to those like me, who are strident opponents of Brexit from the left.

Tuck's central argument builds on his reading of the British constitution and the possibilities it offers for socialists to achieve their goals democratically, i.e. by majority vote. The singular feature of the UK's Parliament is that it does not differentiate between constitutional law and regular legislative practice. This means not only that any law passed by one sitting of Parliament can be undone by a majority vote in the next; it also grounds 'the well-known "omnicompetence" of Parliament' (106), which allows it to adopt any bill it chooses, without regard for protected rights and pre-existing constitutional constraints.

While the powers of Parliament would, in theory, allow it to make staying in bed after 8 o'clock a capital offence, as John Selden argued in the seventeenth century, it also means that Parliament can engage in the nationalisation of private property by expropriation (i.e., without compensation), by simple majority vote. This fact grounds both Karl Marx's argument that in England 'the workers can attain their goal by peaceful means' because there merely need to take over Parliament, and Tuck's opposition to the EU, international free trade agreements and constitutions with judicial review, all of which protect property and other liberal rights in ways that legislatures cannot easily overturn. Ultimately, Tuck's left case for Brexit is based on the need to restore Parliament's full sovereign powers by releasing it from the quasi-constitutional restrictions of the EU, which serves as a fetter on the 'highly unconstrained democratic politics' (71) necessary for the peaceful attainment of socialism.

Overall this is a very English book. It is a master class in British constitutionalism and the history of the British Labour Party. Tuck presents many interesting historical lessons and provides a bracing argument against the neoliberal policy preferences enforced by the EU's [functional constitution](#), with its emphasis on market freedoms and its enforcement of a level economic playing field, which prevents the adoption of policies of state aid. However, despite its strengths, the book's Englishness is also a drawback at many points, as Tuck's perspective on the EU and the continent more generally are often parochial, if not downright condescending.

### *Democracy beyond Westminster*

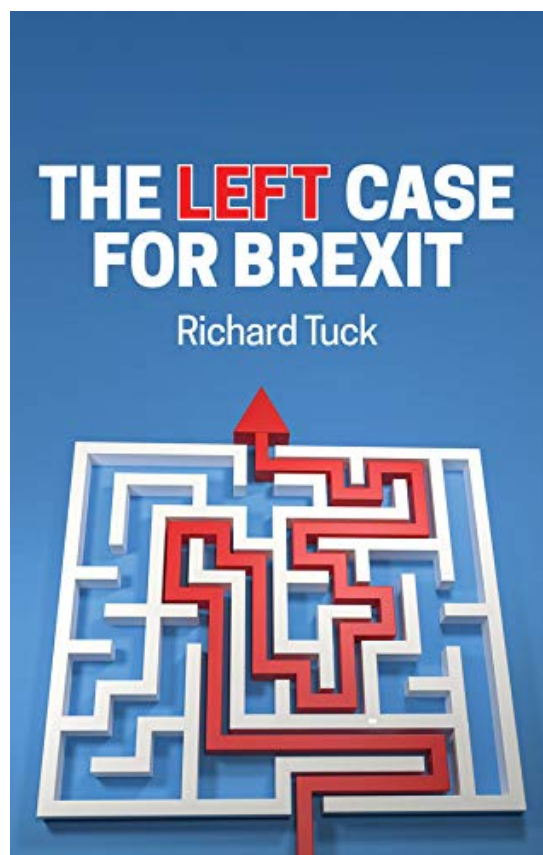
At first glance, much of Tuck's argument appears to be based on the fact that the EU's 'constitutional order pushes consistently in what we might call a neoliberal direction' (49). However, he later notes that he would support Brexit '[e]ven if the structures of the EU at the moment were entirely friendly to radical socialist measures' (71). Once we dig deeper, it thus becomes clear that Tuck's argument is not based on the supposed market fundamentalism of the EU, but on the fact that European integration creates a constitutional order that protects basic rights. Building on the English parliamentary tradition, Tuck argues that the 'worst of all worlds is to have a strong constitutional order and an independent judiciary' (50).

The key point to recognize here is that while Tuck initially frames *The Left Case for Brexit* as an indictment of the EU, it is actually an argument against the constitutional state (Rechtsstaat), which forms the basis for most political communities on the European continent, as well as worldwide. Tuck's discussions of the unique possibilities offered by the omniscient parliament in Westminster often implicitly (and occasionally even explicitly) imply that democratic control and socialist policies are not only impossible in the EU, but also in any state that protects rights constitutionally and allows for judicial review. On Tuck's interpretation, such constitutional systems at both the international and the domestic level are 'designed to obstruct' (20) democratic politics by ensuring that no state or 'Act of the UK Parliament by itself can amend them' (45). The key implications – which are never explicitly spelt out but are clear nonetheless – are that: (a) constitutional states are not (and cannot ever be) democracies, and; (b) that the UK is currently the only state in Europe with the potential to be a democracy (a latent possibility that it will only be fulfilled after a hard Brexit and the end of the transition period, when EU treaties cease to apply and the European Court of Justice loses jurisdiction over the UK).

At an academic level, this argument is intriguing. However, it is underdeveloped. It is also vastly overstated and presents several practical problems in light of Tuck's stated desire to achieve socialism through the ballot box. Given the constraints of space in this already too long review, I shall name just a few.

### *First past the post*

To start, Tuck makes this argument about the more democratic nature of Parliament even though continental legislatures, which are elected based on systems of proportional representation, do a much better job of translating votes into seats than the UK's 'first past the post', single-member districts. The UK's electoral system routinely 'wastes' the votes of around 70% of the electorate, who either provide excess votes for candidates already elected or submit ballots for candidates that lose and thus have no impact on the final makeup of Parliament. Much like in the US, this electoral system also suppresses minority political viewpoints and decreases the range of political positions that are institutionally represented by ensuring that only two parties can realistically win the majority of seats in the legislature



*The Left Case for Brexit: Reflections on the Current Crisis.* By Richard Tuck. Polity, Cambridge, UK/Medford, MA, 2020, viii+175pp., ISBN: 978-1-5095-4228-4

Even taking the fact that Parliament provides a stunningly bad representation of the political desires of the electorate, its greater theoretical potential for socialism – upon which much of Tuck’s argument rests – does not seem to be borne out in practice. Data collected by the OECD shows that most of the constitutional states in Europe – even those that are much poorer than the UK – have much more developed systems of social welfare protection than the UK. Additionally, many of these states have maintained the kinds of socialist policies Tuck supports, including free university tuition and public control over the rail and other transport infrastructure, while remaining members of the EU. Far from standing in the way of the brand of socialism expressed by Labour’s ‘radical’ 2019 manifesto, which Tuck argues ‘would be very hard to implement within the EU as currently configured’ (39), these new spending commitments – had they been realised after a Labour victory – would barely have brought the UK into line with leading member-states of the EU, such as France and Germany. It is, therefore, hard to blame the Labour Party’s difficulties in implementing socialist policies in the UK on the EU.

Finally, Tuck endorses Parliament’s omnicompetence by arguing that it provides an outlet for popular discontent, thus ‘immediately remov[ing] the emotional force from the radical Right’s message’. As a result, he notes that he expects Brexit to lead ‘the complete implosion of UKIP’ (39) and the radical right more generally. Nigel Farage’s quasi-fascist UK Independence Party (UKIP) has indeed lost much of its support since the passage of the referendum. However, this does not appear to be because the xenophobic nationalism it represents has been robbed of its emotional force, as Tuck anticipates. On the contrary, with the ascension of Boris Johnson, it appears that UKIP has taken over the previously centre-right Conservatives from within, pushing the Tory Party toward the populist, authoritarian right at a time when they are sole control of Parliament and all its powers.

### *British civil liberties*

In addition to providing an overly optimistic interpretation of the present, Tuck also credits the UK’s constitutional order for inoculating it against authoritarianism. Looking at current global trends, as well as the history of twentieth-century Europe, Tuck contends, ‘As in the 1930s, Britain may have dodged the bullet of a kind of fascism...largely because its political structures once again permit rather than constrain radical politics’ (39, emphasis in original). At first glance, there is something to this, as it is true that the UK did not experience totalitarianism or authoritarianism of the type seen in Germany and Spain respectively over the course of the past century.

However, while it has historically done a decent job of respecting the civil and political liberties of its citizens in England, the UK maintained quasi-authoritarian regimes in the colonies for hundreds of years. Its treatment of its non-white, non-English subjects overseas was particularly deplorable, leading to many atrocities in the twentieth century alone. Given that colonialism and imperialism served as models for totalitarianism – as Hannah Arendt famously argued – it is only possible to claim that Britain ‘dodged this bullet’ if one ignores Parliament’s treatment of its colonial populations outside England. This is quite an oversight, given that the subjects of the colonies greatly outnumbered those in England, and that much of the UK’s economic growth through the middle of the twentieth century depended on the exploitation of its overseas peoples and territories.

Although Tuck accuses the EU of being designed to offer the possibility of ‘imperial nostalgia and direct rule’ (144-5), this claim is not particularly plausible. The history of twentieth-century Europe shows that the EU was created in response to the repression of minorities and other subaltern groups in the first half of the twentieth century, culminating in the Holocaust. In light of these events, the postwar continental order was specifically designed to protect the basic rights of the ‘juridical person’ at both the national and supranational levels.

These historical experiences taught western Europeans that democracy is not about more than just elections and majoritarian rule; it is also about preserving the plurality of opinions and the respect for individual and group rights necessary to make elections and majoritarian decision-making meaningful. In this sense, the protection of civil and human rights is ‘co-original’ with political rights to suffrage. Seen from this perspective, the constitutional protection of basic liberties is a necessary precondition for democracy, not a constraint upon it.

### *The dangers of English nationalism*

In focusing his discussion almost exclusively on constitutional essentials, and the supposed neo-liberal bias baked into the EU, Tuck addresses only one of the malign influences that has been stalking Europe and the UK since the end of the Cold War while ignoring the second: xenophobic nationalism. Tuck repeatedly expresses his surprise at the fact that the Brexit referendum was pushed for by powerful elements within the Conservative Party, given that EU membership supposedly locks in the policies preferences of free-market Tories at a quasi-constitutional level. However, this interpretation merely signals his blindness to the role that English nationalism plays in the Brexit project.

Although Tuck's arguments for a left-wing Brexit are plausible at a theoretical level, very few Leave supporters voted for Brexit because it would re-empower Parliament to implement socialist policies or for economic reasons more generally. Instead, polling data shows the desire to 'take back control' was driven by cultural factors associated with opposition to high levels of immigration and concerns about the erosion of national – primarily English – identity.

While Tuck remains silent on the issue of English nationalism, he frequently discusses its Scottish variant. Unlike other analysts, who fear that Brexit will tear the UK apart, Tuck repeatedly notes that he expects Brexit to 'stall the movement toward independence' (38) and to put an end to the dominance of the Scottish National Party (SNP), because 'the costs of disunion for the Scots would escalate dramatically, both economically and psychically' (37), after the UK has left the EU. Keeping the Scots in the Union is important to Tuck because the Labour Party needs the support of large numbers of the generally more progressive, social-democratic voters of Scotland if it is ever to return to power. Since 'England has been a Tory country since the seventeenth century and shows no signs of becoming less so' (21), the 'prospect of a left-wing party re-establishing itself in England depends on a continuation of the Union' (37) with Scotland.

There is a certain logic to this argument. However, using Brexit to lock the Scots into the UK after they backed Remain by a huge majority is highly problematic. In particular, it raises important issues of democratic legitimacy, given that Scottish voters voted to remain in the Union with England in their 2014 referendum on the understanding that the UK would also remain in the EU. As Tuck points out, 'the very action of giving Scotland the referendum actually gave the country its independence at the fundamental constitutional level, since the Scottish people could now decide the basic terms of their common life' (110). Insofar as this is true, then the 2016 referendum should also have recognized the Scottish right to national self-determination by requiring a majority vote within each of the four nations of the UK for the referendum to pass.

Instead, Brexit passed based on a simple majority vote, which Leave won only because of the vast numerical superiority of England, whose population was much more supportive of leaving the EU than any of the other nations (the Welsh voted for Brexit by a somewhat narrower margin, while the Scots and Northern Irish both convincingly backed Remain). Despite the policy and economic hurdles leaving the EU raises for Scottish independence, in contrast to Tuck's expectations, opinion polls in Scotland have shown a marked rise in support both for independence and for the SNP since 2016. This is likely since the Scots are well aware that English MPs will always be able to outvote Scottish MPs in Parliament, just as the English population did in the 2016 referendum. It is, therefore, understandable that the Scots, as a people whose independence has been recognised 'at the fundamental constitutional level' (110), feel that this situation violates their democratic right to self-determination.

In light of all this, using the deeply flawed referendum to raise the costs of Scottish independence, thus locking them into the UK and out of the EU, reflects precisely the type of attempt to force 'union upon unwilling populations' (3) of which Tuck accuses the EU. From a practical perspective, it is also more likely to increase resentment and support for Scottish nationalism than it is to lead to support for British parties, including Labour. Indeed, this seems to be the case, as the SNP is poised to win enough seats to govern on its own in Holyrood in the next electoral cycle, which is also the first since the UK officially left the EU.

*Combatting powerlessness*

Ignoring the ways that English nationalism shaped Brexit – and the effects that it has had on social life in the UK since 2016 – is very dangerous. For example, since moving to the UK in 2017, I have been shocked by the number of times I have been accosted for speaking Slovenian in public and told to ‘Go home to Poland!’ by individuals who assume that anyone speaking a Slavic language in the UK must be Polish. While my personal experiences are anecdotal, they are backed up by research on how Brexit has created a safe space for xenophobia and intolerance, as well as by official data showing a rise in hate crimes directed against immigrants, particularly from Central and Eastern Europe, since 2016.

Although there is much evidence for the fact that Brexit is a right-wing project driven by English nationalism, Tuck may also be correct in arguing that it is also a symptom of the powerlessness that so many citizens feel – ‘and it need be no more than that [i.e. a feeling]’ (39) – in the face of global economic forces over which they have no control. He believes that Brexit will help alleviate this feeling and will re-empower the democratic state, which is ‘the one institution which it [the left] has, historically, been able to use effectively’ (16).

There are several problems with the argument. As I have already pointed out, the nationalist undertones of Brexit are more likely to lead to the breakdown of the Union and the creation of a Little England, with the Labour Party as a permanent minority unable to implement the socialist policies. In this situation, English socialists would find themselves unable to prevent the Conservative majority of this ‘fundamentally Tory country’ (37) from creating a neoliberal ‘Singapore of the Atlantic’, with lower taxes and lower welfare protections than its neighbours across the Channel in the EU.

In fact, without the obstructionist, neoliberal influence of the UK, which consistently used its veto within the EU to scuttle the creation of supranational social policy as well as broader social protections, post-Brexit the continental left may even be able to fulfil its dreams of a social Europe by adopting a strong environmental agenda, reforming globalisation by regulating financial capitalism, combatting inequality, and creating progressive standards of market access that govern both the labour process and the end product sold within the EU.

While Tuck believes that the EU’s constitution is too rigid to allow for such change, recent events tied to the Coronavirus pandemic have shown that the EU is actually quite flexible and that change is possible when the leaders of the member-states come together. When they do so, they are often able to come up with ad hoc, emergency solutions, some of which even bypass the constitutional provisions of the treaties to achieve their goals.

Upon closer examination, it is clear that the EU’s current market-friendly structure is neither permanent nor necessary. The basic problem for the left is not the constraints of Europe’s economic constitution, but democratic socialism’s failure to ‘Europeanize’ its agenda. Insofar as the current structure of the EU’s basic treaties favours the free market, this result is the product of politics, as the right took advantage of their predominance in the late 1980s and early 90s, when 10 out of 12 member-states were led by conservative prime ministers, to embed neo-liberalism at the European level. By contrast, the left failed to imbed a supranational social policy in the EU in the late 1990s, when 13 out of 15 member-states were ruled by social democrats. This missed opportunity has come back to haunt progressives, especially since the onset of the Great Recession.

### *Nationalism or internationalism*

The left’s basic problem is that its thinking has remained trapped within the narrow horizons of the nation-state. Tuck’s arguments about the need to return to the sovereign nation-state and his desire to create ‘a socialist offshore island’ (120) are reflective of the broader problems of ‘methodological nationalism’. Like Wolfgang Streeck, who looks back fondly on the halcyon glory days of the social-democratic nation-state and seeks to recreate the conditions that made the postwar *Wirtschaftswunder* (‘economic miracle’) possible, Tuck also engages in ‘utopian nostalgia’ (34) for the period immediately following World War II. In particular, he looks back to the Labour government of Clement Attlee, which was able to create the National Health System (NHS) in 1947 through a massive expropriation of private property enabled by the omnicompetence of Parliament. He uses this as a template for future socialist action, even though the fundamentally conservative political makeup of the UK means that NHS is the only example of nationalisation from this era ‘which has survived more or less intact’ (48).

On one level, Tuck is right to look to the left's past successes for guidance; the early postwar era offers much to be nostalgic about. However, the economic growth of this period was driven by many different factors, including the need to rebuild after two world wars and the implementation of new technologies, that no longer apply today. Nationalisation and the nation-state were effective tools for the left at a time when economic and political power were both concentrated at the national level. This is no longer the case, as advances such as containerization of shipping, have made the globalisation of economic forces a fait accompli. In this situation, the left's only hope is to develop new, supranational tools of political control, so that politics can not only 'catch up' with economics, but also tame global market forces for its own ends.

The ultimate, big picture question for the left posed by Brexit – and by this book – is whether socialism is still the [international project](#) declared by Karl Marx and Friedrich Engels in the *Communist Manifesto*, or whether it should tie its fortunes to the [nation](#) and the [state](#). While Tuck provides interesting arguments for the latter, his position is ultimately unconvincing. Instead of [counterproductively](#) supporting Brexit, the British and European left would do better to join forces and push for [change within the EU](#). The left needs to take advantage of future opportunities to create social policy at the international level to achieve its goals. Given the state of the world today, retrenching back to the nation-state is neither realistic nor desirable.

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