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Research Article

## 'People like that cannot be trusted': populist and technocratic political styles, legitimacy, and distrust in the context of Brexit negotiations

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### ***Citation***

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## Abstract

Debates in and over the European Union (EU) are increasingly characterised as being based in arguments that are either 'populist' or 'technocratic'. As systems of communication, this article argues, populism and technocracy possess dramatically different logics of argumentation, modes of communication and meaning-making, distinct narratives, with appeals to distinct sources of legitimacy. As such, actors adopting either political style construct their identity in a way that seeks to legitimise its own political action, while in turn delegitimising that of its opponents. This results in an atmosphere of distrust between actors using these different communication styles, making any form of negotiation or cooperation between them exceedingly difficult. In the context of the Brexit negotiations, which this article uses as a case study, the UK Government has adopted a populist style characterised by narratives of taking back control, legitimised by the will of the people, communicating often in a 'low' political style and using a narrative of crisis and threat. In comparison, the EU has adopted a technocratic style characterised by narratives of technical policy making and the need for rationality, legitimised through the laws, rules and processes by which it is governed, communicating in a 'high' political style while using a narrative of stability and continuity. These radically different views of the world have resulted in an increasing of tensions and distrust by the parties to Brexit negotiations that were already heightened by a sense of 'betrayal' over Brexit.

## Keywords

Brexit; Populism; Technocracy; Trust; Communication

"Be careful, if you want to build a long-term relationship based on trust, you must respect past agreements" (Barnier, as cited in Nicholson 2021)

"We have taken back control of our laws and our destiny. We have taken back control of every jot and tittle of our regulation" (Johnson, as cited in Woodcock 2020)

Debates in and over the European Union (EU) are increasingly characterised as being based in arguments that are either 'populist' or 'technocratic'. As systems of communication, this article argues, populism and technocracy possess dramatically different logics of argumentation, modes of communication and meaning-making, distinct narratives, with appeals to distinct sources of legitimacy. As such, actors adopting either political style construct their identity in a way that seeks to legitimise its own political action, while in turn delegitimising that of its opponents. This results in an atmosphere of distrust between actors using these different communication styles, making any form of negotiation or cooperation between them exceedingly difficult. However, how do these radically different approaches interact when sitting across an international negotiation table? In the context of the Brexit negotiations, which this article uses as a case study, the UK Government has adopted a populist style characterised by narratives of taking back control, legitimised by the will of the people, often communicating in an emotive and impassioned style and using a narrative of crisis, rupture and threat. In comparison, the EU has adopted a technocratic style characterised by narratives of technical policy making and the need for rationality, legitimised through the laws, rules and processes by which it is governed, communicating in a reasoned and dispassionate style while using a narrative of reasonableness, stability and continuity. What did this mean for Brexit negotiations and their outcomes? These radically different views of the world have resulted in an increasing of tensions and mistrust by the parties to Brexit negotiations that were already heightened by a sense of 'betrayal' over Brexit. It is important to state that this is not an intention to label individual or institutional actors as 'populist' or 'technocratic', but instead is focused on discourse, and the ways in which populist and technocratic styles impact upon relations between negotiating actors.

The article proposes to explore the interaction between the UK's populist discourse and the EU's technocratic one, namely by focusing on the tensions and feelings of mistrust characterising statements, through analysis of key speeches and policy documents produced in the context of three distinct historical phases in the development of Brexit discourse: 1) The referendum proposal and campaign; 2) The negotiation of the Withdrawal Agreement and of the Political Declaration under Prime Minister Theresa May; and 3) The renegotiation of the Withdrawal Agreement under Prime Minister Boris Johnson and subsequent negotiation of the future UK-EU relationship. From a methodological perspective, the authors focused on 24 key speeches and policy documents, in particular those evaluating negotiation rounds, characterising descriptions of negotiation positions, and commenting on the other side of the negotiation tables' strategies and stances. The data was collected from the institutional repositories of the UK Government and of the European Commission, and studied through discourse analysis in order to understand how language was used to create and communicate perceptions of trust and mistrust in the social context of Brexit. The original contribution of this article is in bringing in the added dimension of trust as it relates to understandings of the relations between 'populist' and 'technocratic' actors. While there has been considerable discussion of the role of populism in contemporary political upheaval, and the polarisation of debates concerning 'populism' and 'technocracy', this article seeks to further explore how the way in which populist and technocratic modes of communication foster and reinforce mutual mistrust between these types of actor. In doing so, it focuses in particular not only on their discursive mode, but also in the ways in which they source their legitimacy and view the roles of law, policy and process, so as to demonstrate how diametrically opposed beliefs concerning these institutions shapes their mistrust of the other actor. Contributing to the existing literature, it presents the argument that populism and technocracy are not inherent characteristics

of an actor, but instead ways of relating with other actors that can highlight differences in values and perceptions that make cooperation highly difficult to achieve.

This article will begin by expanding upon the notion of trust in the context of relations between the UK and EU, using the notion of 'particularised trust' to demonstrate the impact of a perception of differing values, experiences and world views in creating in-groups and out-groups, that serve to create distrust between 'people like me, and people like them'. It will place this in the context of the decision by the UK to leave the EU, before discussing populist and technocratic political styles in the second section, identifying the distinctive nature of these styles, their different sources of legitimacy, and the impact that this has on trust in interactions between 'populist' and 'technocratic' discursive actors. The final section covers the three distinct phases of the Brexit negotiations, starting with the UK referendum debate, the negotiations for a Withdrawal Agreement under Theresa May and the renegotiation of the Northern Ireland Protocol and negotiations for a future trade agreement under Boris Johnson, in order to demonstrate how radically different communication styles and sources of legitimacy created heightened perceptions of distrust on both sides, making compromise incredibly difficult in the context of a proposed debate. In doing so, this article contributes to this special issue by demonstrating that questions of legitimacy and trust are inherently interrelated, and that the 'us vs them' mentality that populist and technocratic political styles engender results in the desires and objectives of each group being difficult to effectively reconcile.

### **TRUST, COMMUNITY AND THE 'BETRAYAL' OF BREXIT**

Trust allows us to make decisions about cooperation with others in situations of vulnerability and uncertainty (Larson 1997:19). In the absence of trust, considerable time, effort and labour would be invested in continually checking whether another is complying with their obligations, honouring their commitments, or indeed, deciding whether to form an agreement that would result in commitments being made in the first place. While trust may not be the only route to cooperation, it nevertheless works as an effective basis for agreements or cooperation, without continual need for oversight, verification and renegotiation (Uslaner 2002:2). Yet when we decide to trust another, we open ourselves to the risk that our trust is misplaced – the debt owed is not repaid, the secret told in confidence is spread, the trust violated. For this reason, trust needs to be based upon something, whether it be a belief in mutually beneficial outcomes, or understandings of the way that 'the world works'. We are conditioned to trust those that share that understanding, that way of thinking, or the values that we consider important. We are therefore likely to mistrust (or at least trust less) those that we believe do not share those understandings, ways of thinking, or values.

According to Uslaner (2002:4–5), we can conceptualise this as 'particularised trust' in comparison to 'generalised trust'. Particularised and generalised trust can be considered as 'social conceptions of trust' (Rathbun 2018:690). These forms of trust are based upon general beliefs concerning the way people act. Hoffman refers to this as a fiduciary form of trust that the other party will 'do what is right', based on shared meaning and interpretation (2002:375). Generalised trust is broader and more open, particularised trust closed and more cautious. The former is based in a belief that most, if not all, are trustworthy and likely to honour their obligations. Generalised trust facilitates cooperation with those about which one has little information, allowing for the establishment of new relationships in situations of uncertainty (Rathbun 2011:29). Generalised trust therefore extends beyond those you know, and to 'out groups', bridging gaps between communities or states, whereas in the absence of generalised trust, individuals limit their interactions to individuals they have information about, or prior experience (strategic trust), or alternatively, cooperate only with those considered part of their 'in-group'. This latter form

of trust is particularised in nature; 'it is a belief that people "like me" can be trusted' (Smith 2010:463).

It may start to become apparent to the reader why in the context of Brexit, the 'default' would be low trust between the EU and UK. Actors within a relationship characterised by particularised trust will expect other members of that group to 'do what is right' and honour their obligations. By leaving the EU, the UK moves itself from the position of member of the in group to a member of the out group – a non-EU state. Such a move can be perceived as a rejection of the beliefs, norms and values of that group, and a rejection of the idea of a common identity. Indeed, when writing about the referendum, academics have referred to the decision as being a rejection of globalisation (Pettifor 2017), openness (Wilson 2017) and 'liberal' values such as free movement (Calhoun 2016). The then-European Council President Donald Tusk gave an indication of this perception in his speech immediately after the referendum result was announced (Tusk 2016a), shortly followed by a joint statement by the Presidents of the European Council, of the European Parliament, and of the Council of the European Union reiterated this belief in collective identity of EU Member States, with an implicit recognition that the UK had rejected it, and moved from being part of the in-group to a member of the out-group (Tusk et al. 2016).

Collective identity, and particularised trust, are the result of continued interactions that promote cooperation, 'predicted upon a belief that others have a particular character, that they are inherently trustworthy' (Rathbun 2009:355). A rejection of that collective identity, no matter how it is expressed, can be seen as a 'betrayal' by the community that feels that its values have been rejected, engendering distrust in that actor. However, this article proposes that distrust of this nature can be exacerbated when communication between those two groups or actors reinforce the differences between them, with radically different values, narratives of events and sources of legitimacy for their actions being conveyed through their exchanges. The more polarised these positions and values, the more that compromise between those groups becomes difficult to achieve, and indeed, attempts at compromise can be considered by more radical actors within each group as a form of 'betrayal' (Palonen 2009; Mason 2015). As the next section of this article will discuss, there are few conflicts as polarised as that between populism and technocracy.

## **POPULISM AND TECHNOCRACY AS DISTINCT POLITICAL STYLES WITH DIVERGENT SOURCES OF LEGITIMACY**

While Mudde (2004) defines populism as a thin-centred ideology (drawing from Freedman 1998), which 'considers society to be ultimately separated into two homogeneous and antagonistic groups, "the pure people" versus "the corrupt elite"' (Mudde 2004:543), Aslanidis argues that we should focus on populism as discourse (2016:96). The approach to populism as being discursive rather than ideological is associated with the work of Laclau (2007), in which the world is discursively divided between the powerful and the people. Aslanidis' proposal relies on the empirical observations of populist politicians as lacking ideological coherence and depth as a collective group. In fact, the list of populist leaders is ideologically so diverse that populism risks becoming an empty signifier. This view does not imply that populists' discourses and actions are not based on an underlying ideology, but rather that populism cannot be equated with that ideology. This author argues that it is more useful to conceptualise populism as an 'anti-elite discourse in the name of the sovereign People' (Aslanidis 2016:97). Our article is written from this perspective, considering populism to be a form of political communication, rather than as an ideological position.

Populism as a political style of communication (see Norris & Inglehart 2019) has particular features, that shall be expanded upon in the subsequent analysis as applied to the UK Government in its dealings with the EU. These features include appeals to 'the People

versus the Elite', a performative style of 'bad manners', and a narrative of crisis, breakdown and/or threat (Moffitt 2017:41–45). In order to be operationalised for use in this article, Moffitt's conceptualisation of populism as a political style thus becomes highly pertinent. While the first feature is relatively self-evident, the second two are somewhat less so. By 'bad manners', Moffitt categorises this feature as being a disregard for what is considered appropriate in contemporary politics, and a 'coarsening' of rhetoric (2017:44). Ostiguy (2009) considers this as 'low appeal' politics (on an axis of low-to-high), that transcends the traditional left-right divide, to cover the socio-cultural and political-cultural dimensions, with high socio-cultural presentation including manner of dress, being 'well-mannered' and a tendency to use rationalist or ethically oriented discourse.

In comparison, low socio-cultural presentation also includes a different way of dressing, a less polished and more 'folksy' way of talking with the use of slang, and course or even offensive language. To this understanding, we add the dimension of 'passionate' communication style, in which arguments are emotively conveyed. Finally, the characteristic of an impetus of crisis and/or threat, Taggart claims that this is both the ostensible impetus for populism, as well as a performance intended to also induce crisis (2000). This crisis could range from the perceived breakdown of law and order; to 'overwhelming' levels of immigration; financial crisis; or threats to national security from foreign powers or domestic terrorism, often exacerbated by the action or inaction of an 'out of touch elite' (Gerodimos 2015; Moffitt 2015; Stanley & Czeńnik 2019).

Technocracy, as compared to populism, is a subject less studied. Generally understood as 'rule by experts', one definition of technocracy comes from Burris, who states that it constitutes 'a synthetic type of organisational control [...incorporating] technical control, bureaucracy, and professionalism' (1993:2). Technocracy as a means of governing society was a concept developed by the US sociologist Veblen, who considered in light of the upheavals of the First World War that engineers were better suited to running society than politicians or the markets (2001:34). Technocratic mentality, according to Radaelli, considers that rational analysis and knowledge produces efficient solutions that should be accepted by those with good will, while being sceptical of political conflict as being beneficial to deliberation (1999:25); 'the technocrat believes that social and political conflict is often, at best, misguided, and, at worst, contrived' (Putnam 1977:386).

Whereas technocratic governance is sometimes categorised as apolitical, or depoliticised (see for example Gardels 2012), this is not the case – technocracy constitutes politics by different means, rather than the absence of politics. Instead, technocracy emphasises decision-making in the absence of ideology (at least in the eyes of the technocrat), in which 'there is no room for ideological debate' when considering how policy problems may be addressed (Gunnell 1982:404). Technocracy could therefore be defined as a system in which considers that the problems in society are problems of policy, in which knowledge dictates the 'correct' solution, and that contestation or disagreement are the result of error (Bickerton & Accetti 2018:139). According to Bryld, then, a technocratic discourse centres on 'technical and instrumental solutions to problems', which emphasises effectiveness and efficiency (2000:701). In its method of communication, technocratic discourse also constitutes a political style, albeit one which appears diametrically opposed to that of populist political style. Returning to Moffitt's characterisation, if populist political style is based on a logic of 'People versus the Elite', using bad manners and a narrative of breakdown or crisis, then technocratic political style is based on a logic of rationality and appeal to expertise, a performative style of 'good manners', and a narrative of continuity, stability and progress (2017:46). The European Commission is a body that typifies the technocratic governance style, based in a 'policy and process' understanding of its role as guarantor of the EU legal order (Radaelli 1999; Majone 2014). It places emphasis upon expert-led processes of policy formulation in responses to technical problems, rather than considering its proposals in any way the result of a particular political ideology. Indeed, the Commission views itself as a 'depoliticised' body (Schmidt 2020), solely acting to

provide technical solutions to policy problems. The style the Commission adopts, therefore, reflects the technocratic leanings of its institutional self-identity.

On the first characteristic, technocratic style eschews considerations of 'ideological or moralistic criteria, preferring to debate *policy* [authors' emphasis] in practical, "pragmatic" terms' (Putnam 1977:385), based in presentations of evidence (often in the form of figures) and relying on the use of experts to identify cost-benefit, risk and feasibility (Jasanoff 1990; Boswell 2009). In contrast to populism, where the discursive frame is that of politics, and the role of people in democracy, the technocratic frame is that of policy, and the role of experts in solving problems/providing solutions. With an emphasis on the importance of legal obligations, adherence to process and following the rules, 'good manners' in the context of a technocratic body is characterised by a 'high appeal' mode of communication, emphasising compliance with the accepted norms, favouring a 'formal, impersonal, legalistic, institutionally mediated models of authority' and polished delivery (Ostiguy 2009:8-9). For this reason, we add the characteristic here of 'dispassionate' argumentation, in which information is conveyed in a linguistically 'neutral' but jargon-laden format. Finally, the narrative of stability and progress is one in which the pursuit of effective and efficient solutions to public policy problems ensures the avoidance of significant shocks or stagnation, whether in the form of financial instability, political upheaval (or gridlock), or ineffective response to natural disaster. By engaging in rational, technical planning, shocks to the system can be prevented or mitigated by 'elite-led gradualism' (Wallace & Smith 1995:140), allowing for a general expansion of the public good. As will be demonstrated in the remainder of this section, however, these very different discursive frames rely upon very different sources and origins of legitimacy, which in turn impacts upon trust between actors using these distinct political styles.

**Table 1: Key characteristics of populist and technocratic political styles**

	Populist political style	Technocratic political style
Logic of argumentation	'Of and for the people'	'Rational problem solving'
Manner of communication	'Low appeal' style, impassioned and language	'High appeal' style, technical, disimpassioned and unemotive language
Central narrative and discursive framing	Crisis, rupture, threat	Stability, continuity, progress

Populist and technocratic political styles appeal to very different sources of legitimacy. Indeed, the source of legitimacy and subsequent legitimator of the narratives pursued within each discursive frame is inherently linked to the discursive logics previously identified. To put it another way, in arguing for radical change in the name of the 'People', populist discursive framing legitimates its actions through appeals to the 'Sovereign will of the People' (Mény & Surel 2002), a framing that results in strongly 'conflictual' discourse (Nai 2018). Limitations upon the exercise of this will, as in the context of liberal democracy and the protection of (for example) minority or human rights, 'checks and balances' upon the exercise of power, and authority being invested in law, are considered as affronts to this democratic will, and therefore illegitimate and in need of challenge or even abolition (Abts & Rummens 2007; Krämer 2017; de Vreese et al. 2018). In comparison, in arguing for continuity, stability and progress, technocratic discursive framing legitimates its actions through appeals to rationality and expertise, with decisions being taken by experts rather than being left subject to the whims of politicians or the public (Patel 2020:131). In this respect, technocratic legitimacy is based in a strongly anti-populist understanding of governance. Within this discursive frame, technocratic governance seeks to depoliticise issues and take them out of public contestation over problems and solutions 'as a way of

ensuring better government *for* the people without significant effects on government *by* and *of* the people' (Schmidt 2020:69 original emphasis). The legitimacy in technocratic discourses is in its throughput and output, as opposed to its input (Schmidt 2013), in strict obedience of laws, processes and procedures determining the legitimacy of its decision-making processes, actions and policies (Shapiro 2005), and with scientific objectivity and political impartiality justifying the outcomes achieved (McKenna & Graham 2000).

This appears to place technocratic political style in direct opposition to populist political style in a way that makes trust between actors employing these distinct means of communicating difficult to achieve – the legitimacy of populism comes from the people, and therefore any institutional rules or procedures curtailing their wishes are illegitimate. In contrast, the legitimacy of technocracy comes from its compliance with rules, procedures and checks and balances, as well as its efficient outcomes, rendering attempts to circumvent these rules and procedures as illegitimate. In the context of Brexit negotiations, not only are the framing of issues in populist and technocratic discourses diametrically opposed, but so too are the sources of legitimacy upon which their arguments are based. If in discursive interactions between actors employing populist and technocratic political styles there is a mutual questioning of legitimacy, there is scant room for *trust* between those actors.

**Table 2: Sources of legitimacy and illegitimacy in populist and technocratic political styles**

	Populist political style	Technocratic political style
Source of legitimacy	The people, and thus 'input democracy'	Rational and effective decision making, and thus 'through and output legitimacy'
Perception of illegitimacy	Checks and balances on popular/sovereign will; laws, rules or procedures that 'subvert' will of the people	Demagoguery, flouting of laws, rules or procedures
Role of law	To give effect to the will of the majority	To provide structures, certainty and coherence insulated from political interference

As the next section of this article will demonstrate, the highly conflictual nature of the Brexit negotiations over UK withdrawal from the EU can exemplify how the very different political styles of the UK Government and the European Commission result in a strong atmosphere of mistrust, in which apparently mutually incompatible perceptions of legitimacy and illegitimacy make productive negotiation exceedingly difficult.

## **DISCURSIVE FRAMINGS OF BREXIT IN THE CONTEXT OF EU-UK NEGOTIATIONS AND THEIR IMPACT ON TRUST**

The story of Brexit negotiations are one of increasing mistrust and disintegrating relations between the EU and UK, captured expertly by Desmet and Stourton in their account of the behind the scenes discussions amongst various EU officials including Barnier and Verhofstadt, which reframes the understanding of the UK by the EU; once seen as an awkward yet imposing member, it was now seen as an internally riven, fractious and even incompetent one (see Stourton & Desmet 2019:1–9). We can identify three distinct historical phases in the development of these discourses: 1) The referendum proposal and campaign; 2) The negotiation of the Withdrawal Agreement and of the Political Declaration under Prime Minister Theresa May; and 3) The renegotiation of the Withdrawal Agreement under Prime Minister Boris Johnson and negotiation of the future UK-EU relationship. By

analysing key speeches in each phase, we are able to identify the adoption of distinct political styles by the UK and EU negotiators, which are characterised by appeals to very different incompatible sources of legitimacy, with indications of growing distrust between each set of actors that becomes particularly prominent under the Johnson government.

### **Phase 1: Announcing a Referendum and the Campaign**

Pro-EU and Eurosceptic discourses have been present in British politics since the creation of the European Economic Community itself, although their visibility among the general public and impact on decision-making has varied greatly over the years (O'Toole 2019). Although populism had already emerged in the UK's political landscape with parties such as the British National Party (BNP) and the UK Independence Party (UKIP), their discourse of discontent was yet to make an entrance into mainstream parties' debates (Baker & Schnapper 2015). As the 2015 General elections approached however, their message was clearly based on an elite versus the people approach and characterised by the usage of emotional and spoken language that became increasingly mainstream (for an excellent account see O'Toole 2019). Although the 2015 electoral results were not encouraging for either party, and their popularity would soon decline, their ideas had by then taken a strong foothold and were now being picked up by members of the mainstream parties. Due to concerns about maintaining Conservative Party cohesion (and the ever-present threat of UKIP potentially splitting the right-wing vote), David Cameron announced that there would be a referendum on EU membership should he win a majority at the next election. Cameron argued in favour of membership of the European Union, but notably, several high-profile members of the Conservative Party did not, and campaigned to leave the EU using a populist political style in communicating it, as evidenced below. This is particularly visible in the rhetoric of the different organisations taking part in the Leave Campaign and, in particular, in the discourse of members of the Conservative Party, such as Michael Gove and Boris Johnson, who presented themselves as outsiders to the political establishment as the leadership of Vote Leave.

The Leave Campaign further developed the BNP and UKIP's populist discourse by dwelling deeper into existing grievances against what would come to be known as 'enemies of the people', including British elites, European institutions, and immigrants, and by constructing itself as the revolutionary answer to perceived oppression and betrayal (Clarke & Newman 2017; Farage 2016). These numerous grievances, which were often articulated in very emotional terms, included a sense of being 'left behind' by a neoliberal elite detached from the interests of the rest of the population (McGowan 2017; O'Toole 2019). Boris Johnson's campaign speech in June 2016 illustrates this point well, declaring that it was a myth and delusion to give democratic control to a 'over-centralising, over-regulating, job-destroying machine' and that it was time to take back control (2016). This speech is representative of a populist political style – its logic of argumentation is based in representing the people against an uncontrolled elite, using emotive language that can be argued as representing 'bad manners' in politics through its references to the 'over-regulating job-destroying machine', and presents a narrative of threat and crisis.

In terms of source of legitimacy, the speech indicates a clear appeal to the people and speaking in favour of them and democracy, while indicating the *illegitimacy* of the EU and the threat it poses to freedom and democracy, in both its tendency to centralise and regulate. The reference to myth and delusion seeks to reinforce the idea that the EU is misguided or outright dishonest, indicating a mistrust of the project and the actors behind it. The Leave Campaign was very successful at pushing this populist discourse with the taking back control of decision-making, in particular of borders, migration, and the economy, being at the heart of the pre-referendum public debates (BBC 2016; Hobolt 2016). Its success was also visible in topics that had until then received more limited attention in the context of the referendum campaign, such as internal security (Carrapico, Niehuss & Berthélémy 2018), which also started to be presented in a populist style.

After Vote Leave's success in securing a Leave result, Cameron announced that he would not carry out the rest of his term, and submitted his resignation as Prime Minister, with an internal election for a 'Brexit Prime Minister' to follow. Johnson's reaction to the referendum result, again, possesses the characteristics of populist style indicated in Table 1, referring to the referendum being 'about the people, it's about the right of the people of this country to settle their own destiny, it's about the very principles of our democracy [...] believe we now have a glorious opportunity. We can pass our laws and set our taxes entirely according to the needs of the UK economy' (Johnson, as quoted in Staufenberg 2016). In comparison, European Commission President Juncker's reaction to the referendum, while emotive, was clearly delivered in a technocratic political style. While regretting the decision of the UK to leave, Juncker nevertheless stated in response to the referendum result that a careful and thoughtful approach to Brexit should be taken, based on transparency, certainty and no informal negotiations, indicating that negotiations would take place upon the basis of carefully drafted rules and mandates (Juncker 2016). Here it is possible to see the developing EU approach in a technocratic political style, with the use of a logic of argumentation of rational problem solving, and a narrative of ensuring stability and continuity. Legitimacy is found in rules, procedures and transparencies, and a certain illegitimacy is placed upon those who may wish to negotiate absent those rules, or without due transparency.

## **Phase 2: Negotiating Withdrawal under Theresa May**

Upon winning the Conservative leadership election in July 2016, Theresa May felt, despite having previously supported the UK remaining in the EU (yet being noticeably absent during the campaign), that the way forward required accepting the referendum result and following the will of the people. Within the rationale of the newly elected Government, this meant pursuing the populist path developed throughout phase 1 (May 2016b). May's communications regarding Brexit and negotiations with the EU, particularly her October 2016 speech at the Conservative Party Conference, can be categorised as populist style under Table 1, sourcing legitimacy from the people, and declaring as illegitimate elites that sought to subvert their will. Referring to Britain's Quiet Revolution, May said that the Brexit vote was a vote by the people against a European Union that represented an elite-driven project rather than a democratic one, concluding that the UK was leaving to become 'once more, a full and sovereign country' (May 2016a). Donald Tusk, then President of the European Council, responded in a speech made later that October, setting the mood for the negotiations to come. Deeply critical in his speech of the 'populists and isolationists' who sought to undermine the EU and its values, Tusk stated that Brexit negotiations would be dictated by the mandate provided to the negotiators, and based in the Treaty, adhering 'unconditionally to the Treaty rules and fundamental values' (Tusk 2016b). Adopting a high political style, sourcing legitimacy in rules and procedures, Tusk both reinforced the logic of rationality in the EU's technocratic approach, as well as criticising the lack of rationality in the approach adopted by the UK: 'In fact, the words uttered by one of the leading campaigners for Brexit and proponents of the "cake philosophy" was pure illusion' (Tusk 2016b). These very contrasting approaches, the UK presenting a narrative of change and revolution on behalf of the people, and the EU a narrative of continuity *despite* crisis, adherence to rules and the irrationality of the UK's position fostered an environment of inherent mistrust that could be seen in public discussions of the negotiations between the EU and UK on the UK's withdrawal that began in 2017.

With May having appointed David Davis, Secretary of State for Exiting the EU as her lead negotiator, and the EU appointing Michel Barnier, former Commissioner for Internal Market and Services, as its Chief Negotiator, two very different political styles continued to be evident. By the third round of negotiations on the Withdrawal Agreement, which would dictate the terms of the UK's exit from the EU, clear dividing lines had opened between the two parties on issues such as financial settlement, the border with Ireland, and citizens' rights. Barnier's speech again demonstrated characteristics of technocratic political style as detailed in Table 1, with references to mandates, laws and expertise, legitimation

sourced through rules and process and a logic of rational problem solving. Yet, it indicated that there was a growing feeling of distrust, providing examples of the UK Government appearing to go back on commitments supposedly made (2017b).

Similarly, Davis also indicated that there was a lack of trust in the Commission on the side of the UK, which he felt was more concerned with policy and process than the wishes of the British public (2017). Distrust and recrimination became evident outside of these speeches; then Secretary of State for International Trade Liam Fox stated that the UK would not be 'blackmailed' by the EU, while Barnier was reported as having stated it appeared clear that the UK did not feel legally obliged to honour its obligations (Barker & Wright 2017). Theresa May's Florence Speech in September 2017 appeared to be an attempt to allay this mistrust, speaking of continued cooperation and friendship, albeit using the 'of the people' logic of argumentation with frequent references to the UK as a sovereign nation (May 2017). While this intimation of friendship and renewed resolve was received positively by Barnier, who after the fifth round of negotiations stated that the speech gave some momentum to negotiations, divisions still remained and Barnier reiterated that 'trust is needed between us if this future relationship is to be solid, ambitious and long-lasting' (Barnier 2017a).

David Davis resigned his position in July 2018. In signs that the fragile coalition in the Conservative Party was beginning to fail, Davis claimed that this was due to his refusal to accept the terms of the negotiations with the EU. May had sought agreement at Chequers for a plan that would allow for EU market access in exchange for accepting the EU's laws under a 'common rulebook' for areas such as the environment, state aid and employment protections. According to Davis, this was 'certainly not returning control of our laws in any real sense' (Davis 2018). This resulted in turn in increased distrust *within* the UK Government (Dunlop et al. 2020), as well as on the part of the EU, that considered that this inability to agree a position was a sign of the inherent irrationality of the UK position (Payne 2018). Dominic Raab subsequently took over negotiations and Davis' position. While appearing to support the Chequers plan, Raab struck a more conflictual tone than Davis regarding the EU, stating explicitly that the government was preparing for a 'no-deal' exit in the event that the EU was not cooperative (2018b).

The relationship became even worse in September 2018 when it was revealed that the UK, in defiance of the negotiation mandate imposed by Brussels, had sent letters to the 27 Member States asking for 'side negotiations' in the event of no deal with Barnier. For the EU, this represented an attempt to flout its processes and procedures, striking at its legitimacy. For the UK, it was an attempt to circumvent rules and processes it considered as acting contrary to the will of the British people. The increasing brinkmanship and hard negotiating style of the UK, which repeatedly threatened to walk away served to create a further divide between the UK and EU (Martill & Staiger 2020), whose logic of argumentation and technocratic political style sought consensus. As Barnier was reported to have told Raab upon discovery of these letters, 'if there is no deal, there is no trust' (Boffey & Sabbagh 2018).

While an agreement was finally reached between EU and UK negotiators in November 2018, it resulted in Raab's resignation. Barnier gave a positive speech providing significant technical detail, and praising the work of his team for their methodical and objective approach (Barnier 2018), while May, in comparison, referred to the 'difficult choices' that had to be made, which required acceding to the EU's requirements on issues such as the Irish backstop (May 2018). Raab considered what was agreed to be a betrayal of the British people, stating in his resignation speech that 'no democratic nation ever signed up to be bound by such an extensive regime, imposed externally without any democratic control over the laws to be applied' (Raab 2018a). Barnier responded that 'I never had any intention of taking revenge on or humiliating the UK [...] I simply intended to deliver on the sovereign vote of the UK to leave the EU. I may regret it, but we are delivering it' (Barnier as cited in Stourton & Desmet 2019:356). The EU's position was that the Brexit

process should not undermine the EU as whole, including in terms of its rules and laws. At this point, May was put in a very difficult position – the heated, populist discourse used during her leadership election and the beginning of negotiations had established a legitimacy in the will of the people, with a narrative of rupture and threat, with references to the decision to leave where ‘no deal is better than a bad deal’. By appearing to accept the approach and discourse of the EU through its use of rules, processes and formalities, and placing those above the will of the people to ‘take back control’, May found that her own legitimacy as the representative of that will was contested. Multiple attempts to have the Withdrawal Agreement ratified by Parliament failed. On 7 June 2019, May resigned as the leader of the Conservative Party, announcing a new leadership election, stating ‘It is, and will always remain, a matter of deep regret to me that I have not been able to deliver Brexit. It will be for my successor to seek a way forward that honours the result of the referendum’ (May 2019).

### **Phase 3: Renegotiating Withdrawal Under Boris Johnson, and the Future Relationship**

The final to be considered is that taking place under Prime Minister Boris Johnson, who has adopted a much stronger populist political style in his handling of Brexit negotiations. In his first speech upon being elected leader on 23 July 2018, Johnson promised to deliver Brexit and unify the country, using elements of ‘low appeal’ political style in his communication, stating ‘I say to all the doubters, dude, we are going to energise the country. We are going to get Brexit done on October 31st, we are going to take advantage of all the opportunities it is going to bring in’ (Johnson 2019a). Johnson immediately sought to remove the Irish backstop, arguing in a letter to Donald Tusk that it was ‘anti-democratic and inconsistent with the sovereignty of the UK as a state’ (Johnson 2019b), again sourcing the legitimacy of his argumentation in the concept of sovereignty, with references to democracy. For Johnson, the backstop was a political issue, related to sovereignty and control; for the EU, the backstop was a policy issue, relating to the integrity of the rules and principles of the internal market. The response of the European Commission was to note that an agreement had already been constituted on this issue, and that the UK had not provided any ‘legally operational solution’ that would prevent a hard border (as reported in Fleming 2019). A Commission spokeswoman reiterated that no legally operational solution had been provided, and that Johnson’s request did not propose a valid alternative to the backstop (Fox 2019), indicating the EU’s adherence to a formalistic policy and process approach.

Nevertheless, further negotiations between the UK and EU were agreed, and after a number of technical meetings, a revision to the Protocol on Northern Ireland was concluded in October 2019 with Barnier releasing a technical yet supportive statement on the conclusion of negotiations (2019). Johnson stated in Parliament after the successful revision of the Protocol that this honoured the referendum result and left the UK free to ‘to make our own laws, to determine our own future, to believe in ourselves once again’ (Johnson 2019c), although Garner notes that the Commission managed to secure continued Court of Justice of the European Union oversight (2019). However, a successful ratification of the Agreement was only secured in January 2020 after a failed attempt, new election and a newly secured majority in the Commons. The period following this ratification has been wrought by uncertainty and unforeseen crisis – the rapid spread of COVID-19 throughout the globe, with the requirements of ‘lock-down’ it entailed resulted in significant reductions in the time that could be spent on negotiating the future trade relationship between the EU and UK. However, negotiations are fraught, and the potential for a trade agreement being concluded before the end of the transition period seems unlikely. The key issue is trust, or rather, the lack of trust felt by the Commission in the British Government and Boris Johnson. In February, before the outbreak, Johnson announced that in pursuing a free trade agreement with the EU, he would not be bound by its rules, but would instead maintain higher standards than the EU without the need to be compelled by law (Johnson as quoted in Schofield 2020).

Such a statement serves to underscore the incompatibility between the populist and technocratic styles of politics, which serve to engender mistrust between parties working within each respective discursive frame. Within the technocratic frame that has its legitimacy in laws, procedures and technical details, statements by an actor that these laws are unnecessary lack legitimacy and leave what is seen as the certainty provided by rational evidence and decision making to the conflictual and uncertain world of politics. That this is the perception of Barnier in his position representing the Commission is evident from his statement at the end of the April 2020 negotiation rounds, when he stated that the UK did not appear to be taking negotiations seriously, hinting at a lack of rationality on the part of the Johnson government (Barnier 2020). Furthermore, Barnier expressed concerns that Johnson appeared to be stepping back from commitments made on Northern Ireland, commenting 'a new partnership can only be built on trust. And this requires that already agreed commitments are applied correctly' (2020). Similarly, the EU's insistence on rules, policies and procedure, rather than leaving the technical details to be worked out so that a larger political ideal can be realised fosters mistrust on the part of the Johnson government, which bases its legitimacy on 'getting Brexit done' in the name of the British people.

In such a conflict, in which the logics of argumentation, styles of communication, narratives and sources of legitimacy and illegitimacy are so diametrically opposed, it would appear to be a logical result that mistrust would be central to any discussions between such polarised actors. This only appears to have been confirmed by the political fall-out of the UK Government's attempts to renege on aspects of the Withdrawal Agreement Protocol on Northern Ireland through its presentation of a UK Internal Market Bill, which Brandon Lewis the Secretary of State for Northern Ireland admitted 'breaches international law in a specific and limited way' (Barnard 2020). The European Commission's response to this has been unequivocal – to willingly breach an international agreement by attempting to pass legislation in conflict with that agreement has a significant impact on trust between the parties. Commission President von der Leyen stated that while she believed a deal may still be possible, 'the ball is in the field of the UK to restore trust' (Fleming & Brunsden 2020), but with the passage of the Bill through the House of Commons and moving to be considered in the House of Lords, the Commission President announced that 'this draft Bill is – by its very nature – a breach of the obligation of good faith'(von der Leyen 2020). Subsequently, the Commission announced the initiation of formal legal proceedings against the UK, which were only halted when the offending section was removed from the legislation. This relationship of mutual mistrust and animosity has remained however, punctuated most recently by the UK's unilateral decision to extend the 'grace period' for goods moving between Northern Ireland and the rest of the UK, a decision described by Commission Vice-President Šefčovič as a 'very negative surprise', and which would result in infringement proceedings (PA Media 2021). According to Simon Coveney, 'a unilateral announcement is deeply unhelpful to building [a] relationship of trust and partnership' (Coveney, as cited in McHugh 2021).

## CONCLUDING THOUGHTS

When negotiating a future relationship, trust is essential. However, when that relationship is the result of a rupture and substantial change or ending to an existing relationship, negotiations are likely to be characterised by *distrust*. Effective communication in such circumstances becomes key to effective cooperation and compromise. Unfortunately, as in the case of the EU-UK Brexit negotiations, the radically divergent communication styles of populist and technocratic political styles adds to a sense of distrust between the parties, as opposing narratives, world views, sources of legitimacy and sources of illegitimacy becomes sticking points that lead to doubts regarding the integrity, legitimacy and honesty of 'the other side'. Brexit negotiations have been typified by a UK that sees laws,

procedures and discussion of technical policy detail as being a means of subverting the will of the British people, leading to public questioning of the intentions of the EU.

In comparison, the EU has characterised the approach of the UK of ignoring or even attempting to circumvent laws and procedures, while eschewing discussion of policy in favour of vague political rhetoric as demonstrating irrationality and a lack of seriousness in negotiation. When immersed in the logics of argumentation of populist and technocratic political styles, these accusations or intimations serve to reinforce a perception that 'the other side' is both illegitimate and questioning the legitimacy of 'your side'. Given that Brexit began with conditions of distrust, this polarisation has further reinforced those feelings of distrust, making negotiations and thus, future relations, much more difficult. Returning to the key themes of this special issue, choice of political style comes with its own internal logics of argumentation and rhetoric that serve to limit the sources of legitimacy and illegitimacy within that narrative frame – when considering interactions between populist and technocratic political styles, which find their sources of legitimacy in opposing understandings of legitimacy in politics and legitimacy in process, then distrust is perhaps not so surprising.

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