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“Enemies of the people”: Populist performances in the *Daily Mail* reporting of the Article 50 case



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1. Introduction

One burning issue arising out of the Brexit process was the constitutional question about how the British government could initiate formal withdrawal from the European Union. Ruling in the case brought by investment manager Gina Miller (*Miller v Secretary of State for Exiting the EU*) on 7 November 2016, the High Court declared that the government could not trigger Article 50 without an Act of Parliament. The UK Supreme Court upheld this decision on 24 January 2017. The controversy around this high-profile legal challenge brought many of the latent tensions in post-EU Referendum Britain to the surface. Both court cases sparked dramatic media responses, with reactions in the popular press described as “outrageous” and “a toxic mix of bigotry and subtle hints of violence” (Barber and King, 2016). In particular, the *Daily Mail*'s front page lead under the headline “Enemies of the people”, blazoned across a page carrying photographs of the three High Court judges who heard the initial case, came in for harsh criticism in other UK newspapers and earned the *Daily Mail* over 1000 complaints to the newspaper watchdog IPSO.

To exacerbate matters, around the time of the hearings both Gina Miller herself and the judges involved were subjected to vitriolic personal attacks. The *Daily Mail*, again, was particularly virulent, not only in its attacks on Miller, but also in denigrating the judges on both personal and professional grounds. Importantly, the issues were framed by the *Daily Mail* as politically motivated: Miller wanted to undermine the referendum result, hamper arrangements for Brexit, and thereby attack democracy, while the judges were colluding with this “attack on democracy” by pronouncing judgment in her favour. By contrast, from a legal perspective, the issues involved in the court cases were relatively clear and the rulings were perfectly consistent with standard constitutional theory. Indeed, some leading lawyers commented that “the most surprising thing about the decision (...) is that so many people have found the decision surprising” (Barber and King, 2016). Far from attacking democracy, the legal view was that the hearings were designed to uphold democracy and ensure that correct constitutional procedures were followed. There was manifestly a huge rift between the view of this case presented in the popular press and the legal understanding of it in the courtrooms, which is problematic because, in the words of Lord Neuberger,

president of the Supreme Court during the appeal (BBC News, 2017), “The rule of law together with democracy is one of the two pillars on which our society is based. . . and therefore if, without good reason, the media or anyone else undermines the judiciary that risks undermining our society.”

The Miller case and its repercussions thus constitute a critical event in post-referendum British politics. Within this, the *Daily Mail*'s reporting on this issue has a significant role. The *Daily Mail*, launched in 1896 as Britain's first popular daily, is famous for its campaigning stance (Bingham and Conboy, 2015). In recent years it has gained notoriety for its xenophobic and Eurosceptic politics (Henderson et al., 2016). Although its “vigorously anti-European agenda” is shared with other newspapers, most notably the Murdoch group (*Sun, Times*) and the *Daily Telegraph* (Daddow, 2012), the *Daily Mail* played a particularly outspoken campaigning role during the EU Referendum, to the extent that Henderson et al. describe it in this context as “Britain's most influential newspaper... the authentic voice of ‘middle England’” (2016: 187). Regarding the Miller case, not only did the *Mail* offer the most extreme instances of side-taking and hostility, but as Freedon (2017: 7) notes, it also set a tone that was to be echoed in other media, triggering a process of “linguistic and ideological seepage” that even influenced government ministers and other significant spokespeople. Moreover, as the *Daily Mail* was, after the *Sun*, the UK newspaper with by far the largest circulation during the Brexit campaign and aftermath (daily sales averaging just over 1.5 million during the years 2015–2017, compared to 400,000 for the *Times*), its potential influence was considerable.

The present article therefore takes the *Daily Mail*'s reporting on the legal challenge to triggering Article 50 as a case study on pro-Brexit media discourses in the aftermath of the EU Referendum. My account is based on two premises: first, that discourse is central to any study of the media, and second, that the impetus behind the ongoing Brexit campaign can best be understood in terms of (media and political) populism. Regarding the first point, it is widely accepted that social and cultural movements in contemporary society exist as discourses, as well as in extra-discursive trends that run parallel to these (Fairclough and Chouliaraki, 2005: 4). Discourses are here understood as context-dependent semiotic practices which are both “socially constituted and socially constitutive” (Reisigl and Wodak, 2009: 89), that is, they are conditioned by social structures and relations, but they also have an ongoing effect on the way these structures and relations are

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continually reconfigured. Within this dynamics, discursive strategies are deployed, for example, in representing social actors in particular ways that reflect underlying ideological frameworks (van Leeuwen, 2008). These representations in turn condition future social actions and interactions (Reisigl and Wodak, 2009) – a process in which the media have a key role (Fairclough, 2003; Wodak, 2015). By critically examining newspaper discourses, we can come to a deeper understanding of the underlying representations being adopted and propagated around particular issues in broad sectors of society at a particular time (Wodak, 2015: 50–54).

The second basis for my analysis is located in the literature on populist discourse, which provides a grounding for analysing these discursive strategies in a broader perspective (Taggart, 2000; Mudde, 2004). Both tabloid newspapers and the Brexit campaigners have been classified as having a “populist” style of communication (Conboy, 2006; Goodwin and Milazzo, 2015), inviting an exploration of how political and media discourses overlap in particular cases. My approach to populism is based on Moffitt (Moffitt and Tormey, 2013; Moffitt, 2016), who builds on Laclau (2005) and Mudde (2007), to examine the common ground between populist politicians in 30 different contexts, identifying key features of their self-presentation and performance that cut across traditional political dividing lines such as right and left. These features constitute what he terms the “populist style”. Predictably, they include the need for strong identification with a homogeneous “people” (inevitably only representing one part of the real people of a country, but presented as an indivisible unity) (Taggart, 2000). However, populist performances also involve strategies for widening the discursive divide between the people and its enemies or adversaries (who are both denigrated and delegitimised). Moffitt (2015, 2016) also emphasises the imperative need to generate and perform a sense of crisis, often through highly emotive discourses, and to perpetuate this crisis for as long as possible. This sense of crisis acts as a crucial mechanism to legitimise drastic action against the people’s “enemies”. This understanding of populism sheds light on current political trends, but is also helpful for the analysis of media texts.

The present paper asks how the *Daily Mail* presents *Miller v Secretary of State for Exiting the EU*, focusing on the representation of social actors including “the people” and its “enemies”. The patterns that emerge are interpreted in terms of populist discourse (Moffitt, 2016), showing how the populist style enters into a productive synergy with the sensationalising discourses of the tabloid press (Conboy, 2006; Johansson, 2008), generating powerful persuasive effects.

2. Texts and methodology

The texts for this study were selected using Lexis Nexis to include all the available articles from the print versions of the *Daily Mail* and *Mail on Sunday* concerning the two court cases launched by Gina Miller concerning the mechanism by which Article 50 should be triggered. The search was set to begin on 14 October 2016, when Miller’s intention to start legal action was made public, and to end four months later, three weeks after the Supreme Court delivered judgment on 24 January 2017. This sample of texts can thus be considered representative of the way this issue was represented to *Daily Mail* readers over the crucial period in which the case was being decided, first in the High Court, then in the Supreme Court, and the immediate aftermath of the decision. The initial search yielded 68 texts, but after duplicates and mere mentions had been eliminated, a final set of 38 texts was compiled, consisting of around 30,000 words. Regarding analysis, a qualitative approach was adopted (Fairclough, 2003): the texts were read and re-read to identify themes of interest, then instances of each

theme were compiled and compared. In parallel to this, some relevant quantitative data were extracted using the SketchEngine corpus linguistics platform in order to validate the qualitative findings (Partington, 2004). For the purpose of triangulation, comparisons were also made with corpora compiled from other UK newspapers (*Times*, *Guardian*, *Daily Telegraph*, *FT*, *Daily Mirror*) in the same time span using the same search criteria, but a detailed analysis of these comparable corpora falls beyond the scope of the present paper.

In what follows, my analysis begins with the representation of social actors as individuals or groups, and the way these are habitually categorised, since this is crucial in the ideological underpinning of any discourse (van Leeuwen, 2008). I therefore first look at the main (individual or collective) actors in the case and the way they are portrayed by the newspaper reports. Among the collective actors, I devote special attention to the way in which “the people” is represented in relation to other protagonists. Particular analysis centres on the way divisions are opened and widened discursively, and the way that a sense of ongoing crisis is generated, which, I argue, is crucial to understand the functioning of populist discourses of this kind. Where appropriate, the qualitative analysis is complemented by quantitative data. In my conclusions, I relate these findings to theories of populist performance, and populist discourse in the media.

3. Main actors in the news reports

To set the scene for the qualitative analysis, it is important to have an overview of who the main actors in these texts are, and how often each is mentioned. A distinction must be made between whether people are identified as individuals, or whether they are referred to as groups, in what van Leeuwen terms processes of “collectivisation” and “assimilation”, which anchor certain collectives as players with homogeneous interests and ideas (2008: 37–38). Table 1 provides an overview of the frequency with which individual actors in the case were named, and the number of references to collectives (“the government”, “ministers”, etc.).

As Table 1 shows, the main named protagonists in the reports were Gina Miller and the Prime Minister (May), followed by one of Miller’s former husbands (Maguire), the leader of the opposition (Corbyn), the president of the Supreme Court (Neuberger), and the Minister for Exiting the European Union (Davis). Of the individuals with roles in the text, Prime Minister May is generally treated as a neutral actor, the subject of verbs of saying and the object of verbs such as “stop” or “force”. Davis and Gove are also presented as neutral sayers and doers. Corbyn and Pannick, on the other hand, are represented more colourfully (Corbyn is “embattled” and has an “appalling relationship with his own party”, Pannick has “two creamy dimples in his cheeks”).

Regarding the collectives mentioned, they are generally classified in terms of professional/functional roles (van Leeuwen, 2008: 40–41), reinforcing the sense of a society made up of fixed, confrontational blocs. The frequent mention of institutions such

Table 1
Frequency of main individual and collective actors (raw frequency).

Individual actors	Collective actors
(Gina) Miller 104	Government 112
(Theresa) May 58	Judges 79
(Jon) Maguire 25	MPs 83
(Jeremy) Corbyn 20	Parliament 91
(Lord) Neuberger 12	People 87
(David) Davis 12	Lawyers 50
(Charlie) Mullins 10	Remainers 22 (Remoaners 4)
(Deir Dos) Santos 10	Ministers 20
(David) Pannick 9	Judiciary 19
(Michael) Gove 7	Brexiters 7

as “government” and “parliament” can be explained by the fact that the case centred on the different constitutional roles of government and parliament. Here, “government”, “parliament” and “ministers” are treated as neutral actors, without qualifying adjectives or descriptions. It is also logical that “judges”, “the judiciary” and “lawyers” should have a major role, but it is interesting that these collectives, unlike the political ones, are often associated with evaluative language (“lofty judges”, “unelected judiciary”, “unscrupulous lawyers”). “Remainers”, unsurprisingly, are the group which comes in for the most fire, as will be discussed later on. The frequency of “people” is particularly interesting in this scenario, and this topic forms the subject of a special section below.

In the following subsections, I examine the representation of the main players in the case, starting with individuals, and then moving on to collective actors.

3.1. Gina Miller: Misogyny and resentment

The most striking strategy for discrediting the main participants in the legal challenge was by personal abuse. Within this, Gina Miller herself comes in for the largest number of different attacks in the *Daily Mail*. Apart from the Prime Minister, she is the only high-profile woman associated with the case (the judges and other main campaigners were all men), and it is noticeable that there is a strong tendency for *Daily Mail* writers to refer to her gendered identity. By way of contrast, reporting on Theresa May contains only one gendered representation, and this is in a comparison with Gina Miller (we are told that Miller, “like Theresa May”, “has a penchant for leopard prints”).

Most notably in this, Gina Miller is repeatedly referred to in both news and opinion articles as “former model”, “ex-model who is the face of Remain”, a label that is hardly apposite when we consider it as a way of referring to someone who is a successful investment manager and has led various campaigns to improve transparency in the city (Masters, 2016). Significantly, in other newspapers, the term “model” only appears very infrequently (5 times in the *Times*, 3 times in the *Guardian*, twice in the *Daily Telegraph*, once in the *FT*). The label “model” itself engages sexist attitudes in which women are valued for their appearance rather than any other quality. “Former model” compounds this, by suggesting that she is living off her earlier good looks. From the other biographical details sketched in by the *Daily Mail* in its news reports (her husband “tennis-loving Alan”, and her former husbands, her divorces, her children, her lifestyle), the picture emerges of a woman who has made her career from looks and relationships rather than any more intellectual quality. The high frequency of relational identifications (van Leeuwen, 2008: 43) presenting her in terms of personal kinship relations is striking: although popular newspapers often adopt this approach to reporting, perhaps in an attempt to engage human interest (Johansson, 2008), its effect here seems to be to trivialise rather than to elicit sympathy. According to one *Daily Mail* news story, Miller is “glamorous, feisty and well-connected”, while a feature article introduces her by saying there is “a whiff of the Jackie Collins heroine about her”. These allusions draw upon the frame of the woman who has got to the top by means other than professional merit, undermining any notion that her legal claims are serious and solidly grounded. If there were any lingering doubt about her seriousness, her motivation for launching the court case is explained several times in terms of an oversized ego, rather than any concern for legality: Miller is simply “an egomaniac” who “always wanted the limelight”.

The second set of negative attributes applied to Miller, which again finds echoes in descriptions of other people involved in the case, was the idea that she is “not from here”. Although Miller holds a UK passport, many of the articles contain phrases that shed doubt on her Britishness, her allegiance to the United Kingdom, or

her ability to share the feelings of British people. Several times, in both news and comment, she is referred to as “foreign born” or “Guyana born”, or simply “not from this country”. These seemingly casual comments convey a high exclusionary force through implicature (cf. Wodak, 2015: 50). Miller’s place of birth is used to delegitimise her as a spokesperson for British people, and therefore as a campaigner to clarify an issue of UK constitutional importance. These discourses are carefully modulated, however, in order to pre-empt accusations of outright racism (Wodak, 2015: 58–60). For example, the derogatory epithet “the black widow spider”, supposedly used by disgruntled investment managers who opposed her campaign for transparency in the City, is highlighted, but carefully attributed to her critics in the financial world.

Finally, the most important shared strand in Miller’s negative presentation is constructed around her status as member of a privileged social group: columnists habitually label her as a “pushy posh mum”, a “multi-millionaire businesswoman”, a “city slicker” who lives in a “£7 million house in Chelsea”, and is “bankrolled by hedge-fund fat cats”. Miller’s fortune, lifestyle, and status as “former model” are important in establishing her as the kind of celebrity that tabloid newspapers love to write about with their characteristic blend of admiration and contempt (Conboy, 2006; Johansson, 2008). For example, in several of the articles in this corpus Miller is quoted complaining about some rather serious attacks that she has suffered. But the writer maintains the tongue-in-cheek stance familiar in the tabloid press, in which celebrities of various kinds who suffer minor misfortunes are held up for ridicule (Conboy, 2006; Breeze, 2010): the attitude of *Schadenfreude* in which the tabloid press both uses celebrities to attract readers, then laughs at them, thereby cultivating fellow-feeling with readers and producing what Johansson identifies as a trigger for “frustration, enmity and anger” (2008: 408). As we shall see below, this pattern of envy, scorn and rejection recurs in the references to other Remain supporters, becoming part of a pervasive master frame on Brexit propagated powerfully within the press.

3.2. The judges: “out of touch” and “activists”

The judges themselves – particularly the three High Court judges – come in for a considerable amount of disparagement, again focusing almost exclusively on non-legal issues. Three main strands run through these negative representations: judges belong to a social elite which is “out of touch” with ordinary people; judges are lawyers (in itself, an untrustworthy profession), and as such are paid vast sums of money out of public (tax-payers’) funds; and judges are pro-European and are therefore plotting to frustrate plans for Brexit. In all of these, allusion to their collective status as members of a privileged group reinforces negative discursive effects through assimilation (van Leeuwen, 2008: 37), lending them cumulative force.

First, references to their membership of the establishment colour almost all the reports in which the High Court or Supreme Court judges are mentioned. Sarcastically referred to as “lofty judges”, “tough old birds” and “from almost identical rarefied backgrounds”, they are presented as “out of touch” (this expression is repeated 6 times with reference to judges) and therefore inappropriate to decide matters of importance to “the people”. Their very status is undermined by hints of “cronyism” alleged in their appointments, compounded by statements likely to discredit them with *Daily Mail* readers, such as “from the same chambers as Tony Blair”.

Secondly, frequent reference is made to their earnings, and most particularly to fees charged to the state (for example, another High Court judge is reported to have charged up to £619,000 a year for his work for the Treasury, and to have “billed taxpayers more than £3 million”). Moreover, the articles specifically reporting on

the Miller cases are interspersed with related feature articles about highly lucrative cases, framed as an attack on the legal profession in general: these accuse lawyers of “being consumed by a desire to make barrow-loads of money in order to feather their own nests”, and hint heavily at corruption, “ambulance chasing” and sexual misconduct. The cloud of negative associations around lawyers in general colours the representation of the judges, reinforcing the process of alignment against them in the texts.

The last main accusation is held up as the worst, namely, “political activism”. The High Court case is characterised, notoriously, as “a judicial coup to overturn the will of the people”: by implication, the judgment is a product of the judges’ political opinion, and an attempt to “thwart the will of the people”, rather than the outcome of their consideration of constitutional issues. To sharpen these attacks on judges as “activists”, a particular delegitimisation strategy targeting the judges in the High Court and Supreme Court operates through references to their supposed pro-EU sympathies. Comment writer Quentin Letts calls them “gold-robed Pooh Bahs of the Europhiliac judiciary”, implying ineffectual self-importance combined with unhealthy EU sympathies. Lord Chief Justice John Thomas is described as “a committed Europhile”. Even where little material would seem to be available, irrelevant details are scattered that might be intended to undermine readers’ sympathy for the judges as a group or as individuals: one High Court judge is oddly described as “openly gay”, and we are even supplied with the trivial detail that Lord Neuberger’s sister-in-law had described the Leave campaign as “anti-immigrant”.

All three aspects tend to reinforce the classification of judges as members of an untrustworthy, potentially hostile collective, so that even when individual judges are named or described, the negative connotations associated with their individual activities elsewhere attach to their collective representation here. The judiciary in this sense takes on a degree of overdetermination in these texts (van Leeuwen, 2008: 47–48): it represents a self-serving Establishment, a privileged social class and a redoubt of pro-European sympathies, offering an easy target for envy, resentment and indignation (Moffitt, 2016).

3.3. Remainers: wealthy, “sour-faced” and “fanatical”

Supporters of the Remain campaign – homogeneously presented as a hard-line collective aligned with Miller and her supporters – are invariably shown in a negative light: their representation is coloured by a cluster of words again related to the notions of being a privileged elite, on the one hand, and being “out of touch”, on the other. Discursive associations are thus built between the Remainers and other out-groups, such as judges, adding to the cumulative effects. Moreover, in political terms, this entire group is represented collectively as being destructive and totally lacking in scruples, at once undemocratic and self-seeking. In fact, the *Daily Mail’s* reporting abounds with negative representations of politicians or public figures who opposed – or merely failed to express enthusiasm about – Brexit. Opinion writers label them “harbingers of doom”, “sour faced rent-a-gob Remainers”, who utter “alarmist prophecies of impending economic collapse and millions of lost jobs”, and subscribe to “Project Fear” (Hobolt, 2016).

In the case of public figures who expressed support for Miller, the greatest scorn is reserved for those who are not resident in the United Kingdom. Not only have they somehow betrayed Britain by leaving, they are now trying to frustrate “the will of the people”, and are thus guilty of a kind of double treachery. Wealthy Remainers outside the United Kingdom “rage and tut and moan and plot against the Euroscepticism of those voters back home in Britain”. For example, Richard Branson is denigrated for supporting the legal challenge while living abroad. We read of “Sir Richard and his sun-

bleached coterie” who are hoping to sabotage the referendum result by supporting Miller’s case. Branson’s credibility is discursively undermined by his portrayal as “a billionaire who chooses to live half a world away”. On another occasion, a columnist asks of the group UK-EU Open Policy Limited, “are they as detached from the true concerns of the British electorate as their champion and financial backer Sir Richard is, physically, from our island’s fog-bound shores?” Moreover, these opponents of Brexit are, by the *Daily Mail’s* definition, also “unpatriotic”. Of course, their absence from Britain in itself makes them disloyal and untrustworthy. But to make matters worse, “rich and powerful anti-Brexiteers” are accused of wanting Britain to fail – and as the *Mail* informs us “there is a word for this sort of behaviour and it is not patriotism”. In all this, it is important to note that both Miller and her supporters are jointly stigmatised for being rich and privileged. They live in a “fortress of privilege”, inhabiting “VIP clubs” and “palm-fringed islands”. Resentment is a powerful emotion, and the notion that others are not only doing better than oneself, but actively seeking to keep it that way by underhand means, is highly inflammatory.

Generally speaking, then, those who voted to stay in the EU are characterised as bad losers and moaners, on the one hand, and as unpatriotic conspirators, on the other. There is a strong tendency to lump these individuals together in a process of collectivisation and assimilation (van Leeuwen, 2008), with ongoing consequences for the political landscape of post-referendum Britain. Running through all of this is a strong strand of resentment, generated around envy of people who are wealthier and live in a better climate. Again, these representations are coloured by the characteristic blend of admiration, envy and disparagement used in the tabloid representation of celebrities (Johansson, 2008; Breeze, 2010). Crucially, though, this weapon is given a sharper edge by the suggestion that these very individuals are determined to prevent ordinary people from getting what they voted for. On this last point, one interpretation of the Miller case offered by commentator Quentin Letts is that: “Hard core Remainers (...) are using the law to try to sow confusion and create inertia, thus defying the British people who surely have more right to see their political will enacted”. The notion of a conspiracy, of “special interests” and betrayal by those in power has been a leitmotif of recent populist movements (Mudde, 2004), and it is frequently mobilised here against Remain supporters.

Importantly, this insistence on the “elite” reflects what previous researchers have reported about populist discourses in other countries: for example, Rooduijn and Pauwels (2011), examining the Dutch context, found that representations of “elites” and “betrayal” were a more consistent identifying feature of populist discourses than more obvious aspects such as references to “the people”. In Moffitt’s analysis (2016), the projection of an enemy is closely related to the generation of a sense of crisis, and both together are highly characteristic of the “populist style”. This last point is crucial, because it provides a clue to the way the sense of crisis is fostered and the tension in society is raised by creating the sense of a “conspiracy” against the “people”: remainers are “fanatical”, and will “resort to any means available, putrid propaganda, parliamentary obstructionism, and now judicial activism to keep Britain locked into the EU”.

3.4. Giving voice to the people

The concept of “the people” is, of course, central to Brexit discourses and central to populism. Here, the word “people” occurs 87 times (normalised to 2584 per million words, making it strikingly more frequent than, say, in the comparable *FT* corpus, (893/million), or in the entire BNC corpus (1097/million)). Significantly,

almost all of the references to “people” in the *Mail* seem to have some potential ideological loading.

First, 31 of these occur in the combination “the people”, reflecting van Leeuwen’s homogeneous collective (2008: 37), projecting a unitary entity of the kind that Taggart (2000) and Jagers and Walgrave (2007) show to be typical of populist discourse, which habitually envisages “the people” as a homogeneous, unified entity (in contrast to other political traditions that prefer to consider social segments or interest groups such as “the workers”, “the elderly”, “young people”, etc.). Importantly, fifteen of these occurrences appear in the expression “will of the people”. The examples in Fig. 1 illustrate how “will of the people” here is treated as an absolute category: the Referendum result (despite a vote of 48.11% for Remain) is taken to embody the “will of the people” in an absolute, non-negotiable sense. Elsewhere it is paraphrased as “the plain will of the majority”, “the will of the electorate” and “the will of the British public”. It is perhaps also interesting to note that the *Daily Mail* never uses quotation marks to problematize this concept, as is the case in other newspapers consulted (for example, the expression “the will of the people” occurs 26 times in the *Guardian*’s reports on this case, but in the overwhelming majority of these instances it is quoted without alignment, or problematised in some way; in the *Daily Telegraph*, of 11 instances, 7 are either quoted or problematised).

The recent rise to prominence of this concept in UK political discourse could itself form the subject of a deeper analysis. As Mudde (2016: 26) has discussed, the notion of politics as an expression of “the general will” of the people remained on the margins of mainstream European politics through most of the nineteenth and twentieth centuries, but has gained currency in recent years, perhaps in reaction to profound social changes that can variously be ascribed to globalisation, neoliberalism or the rise of transnational entities, and which leave large sectors of the electorate feeling alienated or ignored. The evidence from these texts suggests that this is currently an operative concept in Britain thanks to the EU Referendum: many commentators here and elsewhere hold up “the will of the people” to be a true embodiment of the (simple,

unitary) popular will that brooks no denial – and which endows those who claim to act in its name with full authority and legitimacy.

“The British people” also occurs with relative frequency (18 times), and is treated as a single entity with one will and one voice. We are told in no uncertain terms by the *Mail*’s political commentator of the year that “the British people have made their decision” and that “the British people gave a clear mandate for the UK government to leave the EU”. Moreover, we find verbs such as “persuade/defy/impose on” used with “the British people” as their object, again supposing single agency: “the British people” is under threat and may yet be defeated. This homogeneous, collective representation of the people of a country through assimilation (van Leeuwen, 2008: 37) is clearly aligned with classic populist discourses (Taggart, 2000), in which a strong bond is assumed between the people and those who claim to speak for them.

It is important to note that even unqualified instances of the word “people” in these texts almost invariably offer some degree of ideological alignment. Unsurprisingly, many mentions of “people” are directly linked to the referendum vote. But many other examples, though apparently unrelated to the referendum, offer supporting ideological alignments pitting an indeterminate “people” (van Leeuwen, 2008: 40) against members of the Establishment, particularly (in this case) lawyers. For example, we read that “ambulance-chasing lawyers have induced people to mount or fight cases they would not otherwise have accepted”, placing “people” as the gullible victims of lawyers. Moreover, reports are cited in which “people ranked [lawyers] lower than any other profession”. Of course, the logical extension of this is to align “the people” against the judges in the case, a point which is also hammered home in various instances.

We can also observe a highly emotive framing of “ordinary people” as the undervalued masses whose suffering is implicitly attributed to the “liberal-minded elite” and thus to the EU: “you have millions of people, many struggling to get by, who feel ignored, disregarded, despised and abandoned”. Again, those who opposed Brexit are credited with holding “the people” in low esteem:

It is the Remainers, not the Leavers, who appear to have been attempting to defy the democratic *will of the people* .

In so doing, they've handed a weapon to Remoaners in both Houses who are determined to frustrate the *will of the people* by delaying Brexit or watering it down.

attempts to thwart the *will of the people* or frustrate or delay the process of exiting the European Union.

Now Parliament must deliver the *will of the people* - we will trigger A50 by end of March. Forward we go

CHILLING ANALYSIS OF WHAT COULD UNFOLD IF BRITAIN'S ELITE DEFIES THE *WILL OF THE PEOPLE* OVER BREXIT

The logic of the referendum is that it expresses the *will of the people* , however narrowly decided.

DON'T DISMISS *WILL OF THE PEOPLE*

an attempt to ignore the popular *will of the people*

critics of the three judges' ruling said they had set themselves against the *will of the people*

Despite claiming he believes the *will of the people* must be respected,

Judges know nothing of the *will of the people*

Just imagine if the referendum had gone the other way and the Leave campaign had tried to stage a judicial coup to overturn the *will of the people* . There'd be riots in the streets.

nobody should be allowed to thwart the *will of the people*

putting Parliament against the *will of the people*

Fig. 1. Key concordance lines: “the will of the people” (capitals indicate headlines).

“how stupid do they think people are?” asks one writer. As Conboy has analysed, the tabloids habitually communicate through “a close textual display of intimacy with idealized individual readers” (2006: 10) in a kind of pact in which “the newspaper appears to side with a populist chorus of condemnation of the ills of society” (2006: 26). Once, the red rag of “political correctness”, another theme in tabloid discourse (cf. Conboy, 2006) taken up by UKIP and Eurosceptics (Goodwin and Milazzo, 2015: 5) is brandished in a way that courts solidarity with *Mail* readers: the common sense of a judge who spoke up for the family is contrasted with the values of “an increasingly progressive, politically correct judiciary”. By siding with “the people” as a collective, and projecting a sense of solidarity with indeterminate masses of people who have supposedly been “left behind”, the newspaper here continues its habitual pattern of ideological alignment in which “the British people” is positioned as a chosen nation whose undeserved decline can easily be attributed to disloyal and incompetent elites, political correctness, and above all, the European Union (Conboy, 2006: 92). Furthermore, the highly specific vision of democracy propagated during the referendum campaign is perpetuated, so that Remain supporters are credited with wanting to “surrender ever more power to unelected bureaucrats and judges in Brussels”, and therefore with being anti-democratic, while Leave supporters (characterised as very numerous, patriotic and hard working, but “ignored, despised and abandoned”) epitomise democratic values.

Finally, it is also important to note that an oppositional alignment is tentatively proposed here between “people” on one side, and “politicians” on the other: one columnist tells us that “people will lose faith in their politicians”. Conservative politician Iain Duncan Smith is quoted as saying that the Miller case has precipitated “a constitutional crisis literally pitting parliament against the will of the people”. However, these direct and immediate textual dichotomies are only the tip of the iceberg. Most of the texts are constructed around a projected oppositional relationship between “the people” as a bloc, encompassing indeterminate instantiations of “ordinary people”, aligned with the newspaper and its readers, and, on the other side, “the elite” or “the Establishment”, represented by Miller, judges, Remain voters and pro-European figures, who constitute a sinister constellation of privileged oppressors.

3.5. *Fostering a sense of crisis*

One final strand running through the corpus concerns the inflammatory representation of the Miller case as a “threat” to Brexit. Although neither court case could in any sense have stopped the activation of Article 50, the case was framed by the *Daily Mail* as an attempt to “derail”, “water down” or “halt” the process of leaving the EU: Miller and other Remainers want to “thwart the will of the people” by “betraying Brexit”. Importantly, this is conveyed in the texts using strong, even catastrophic, language with high emotional undertones: there is a “plot to sabotage Brexit”, Miller wants to “throw a spanner in the works”, while the judges’ decision is an “outrage”. This is sometimes presented in such a way that readers are afforded a graphic description of members of the privileged elite gloating about their successes: on one occasion we are told that “Remain MPs boast about their plot to halt Brexit”; while on another, we learn that David Pannick QC, counsel for the claimants, is “beaming with self-pleasure” when he finds that the judges have ruled in his favour. Such descriptions of jubilant adversaries seem designed to infuriate the inscribed pro-Brexit reader, sparking shock and indignation. As one *Daily Mail* writer says, summing up the first Miller case, “No one could have dreamed that Britain’s decision to leave the European Union which 17.4 million people thought they had made at the ballot box could be derailed by a rich financier and a mysterious Brazilian

hairdresser, bankrolled by hedge fund fat cats and disgruntled expats”.

Importantly, the vilification of this “elite” is emotionally fuelled by the notion that the “elite” actually despises the “people”. We are told that the elite think of the people as “moronic racists, too stupid to understand the consequences of their decision”. As Hobolt (2016: 1266) has pointed out, the Leave campaign itself sought to frame the referendum as a battle between ordinary people and the political establishment, in line with the populist idea of a fundamental division. Here, in the *Daily Mail*, we see this theme surfacing countless times. “The people” is pitted against the “Establishment” and against those who misuse power, squander public money and favour immigrants over their “own people” (Moffitt, 2016). The referendum vote is emphasised again and again as epitomising “the will of the people”, and any protest against the result is delegitimised by accusations that those who voted Remain have a patronising and supercilious attitude to “the people”.

The sense of frustration generated through such reports finds its counterpart in a more overtly aggressive type of language that appears sporadically. One angry headline after the judgment reads “Now get out of Theresa’s way!” There are hints at “unimaginable consequences” if anyone stops Brexit. Linked with the strong collective identifications and emotional priming mentioned above (pro-people, anti-elite), the combination of belligerent imperatives and threats of appalling disasters serves to heighten the sense of urgency, suggesting that swift action is needed to prevent the crisis from worsening in some horrific but undefined way. The need to convince people that there is a crisis, and to keep this crisis rumbling, is one of the hallmarks of populist discursive performance (Moffitt, 2016), and one which matches very well with the sensationalist agenda of the tabloid press.

4. Discussion

We have seen that the representation of social actors (individuals, but particularly groups) is crucial in the ideological underpinning of the discourses surrounding the Miller case. The first aspect of this to be discussed is the persistence of the classic British theme of class struggle in these representations, but in its particular Brexit-era configuration, which reinforces the emotional underpinning of anti-European discourses and lends them political vigour. The second is the association that emerges between the *Daily Mail*’s discourses and broader societal and political trends.

Perhaps the most striking aspect of these texts is the way a dichotomy between different individual and collective social actors is established, charged emotionally, and perpetuated, which both draws on and reworks pre-existing representations of social categories. In the *Daily Mail* reports considered here, Gina Miller is both disparaged as an individual, through repetition of dismissive relational and otherwise gendered representations (van Leeuwen, 2008), and identified as belonging to a dangerous collective. This collective is fleshed out with an array of negative individual and group projections of judges, lawyers, Remainers, and others. The discursive processes of collectivisation and assimilation (van Leeuwen, 2008) thus lead to the fixing of a hostile “Establishment” consisting of rich and powerful EU sympathisers which is projected as the “enemy of the people”: a “global liberal elite”, is “out of touch” with “the people”, who are represented, for their part, as numerous, needy, patriotic and loyal. This obviously reflects the way the EU referendum campaign fanned the flames of Britain’s legendary “class war”, an aspect that has been discussed in the literature (Hobolt, 2016). Although the lines were not drawn as predictably as one might imagine (certainly not in terms of purely economic issues) the Leave campaign seems to have drawn its

strength from voters who felt that they had “lost out” in the process of globalisation (Matti and Zhou, 2016). The nature of the very specific “losing out” envisaged by both UKIP and the Leave campaign identified the UK’s “problems” as being caused by EU membership, but most particularly, by what these entities termed “free movement of people” (Goodwin and Milazzo, 2015: 87–103). The message conveyed in earlier Conservative and UKIP discourses (Wodak, 2015), stressed throughout the Leave campaign, and perpetuated in much of the press after the referendum, was that British people’s lives (health care, education, employment possibilities) were deteriorating because of an influx of “migrants”, often “EU migrants”. This anti-immigrant message was underpinned by frequent use of symbols of national identity and, in the case of UKIP and some Conservative leaders, by obsessive references to the armed forces and World War II (Shirbon, 2016; Independent, 2017). In the Cameron years (Wodak, 2015: 81–88), these issues came to be quilted together in a specific, somewhat idiosyncratic, way. The perceived “poor conditions” of the less affluent social classes were somehow attributed to EU migration (cf. Goodwin and Milazzo, 2015: 309–312), and the current dystopia came to be contrasted with an idealised vision of Britain before EU entry as a cosy heartland (Taggart, 2000; Moffitt, 2016), with hints of a glorious past battling victoriously against Europe. By building up an anti-elite, anti-establishment discourse, the *Daily Mail* both reflects and reproduces the Brexit dynamics, and reinforces entrenched collective identifications. Taking this point further, we see that reporting on this issue is fully consonant with the *Daily Mail*’s stance on Brexit-related issues (Daddow, 2012; Freeden, 2017).

Taking a step back, we can see how the Brexit issue in general, and the Miller case in particular, fit comfortably into the tabloid master frame of greatness, decline and blame analysed so acutely by Conboy ten years previously (2006). Moreover, the discursive presentation of the issues coalesces perfectly with what (Conboy, 2006: 26) describes as the tabloids’ “ideological pact with readers” in which their characteristic “textual display of intimacy” with readers (2006: 10) reinforces their ideological alignment with “the people” against “the Establishment” and, crucially in this case, against Miller. Here, the issues at stake are collapsed into a simple clash of elite versus the people. Since the priming for this is already present, the issues are simply telescoped, so that they can be repositioned in the *Daily Mail*’s worldview, and made compatible with its assertions of popular and national solidarity, its unquestioning loyalties and prejudices, its binary representations of good and evil, its habit of framing political issues in terms of hyperbolic clashes of personality, its stultifying but highly successful populist rhetoric of common sense, and its overwhelming hegemonic identifications of “us” versus “them”. The master frame of nationalism, populism, Euroscepticism and class warfare was already there in newspapers such as the *Daily Mail*, and the Brexit campaign offered a perfect match.

Lastly, there is no doubt that the *Daily Mail* writers here, as elsewhere, deploy discourses that exhibit the main features of populist performance analysed by previous authors. “The people” mobilised broadly as “an undividable unity” (Mudde, 2007) plays a significant role, and writers cultivate “textual intimacy” with it (Conboy, 2006), adopting a stance in which the newspaper claims to share the people’s sufferings and champion the people against the “elites” who do them down. Rather than considering Miller’s campaign in terms of constitutional importance or legal consequences, the writers consistently present campaigners, lawyers and judges as the enemy, as having “values and behaviour [...] irreconcilable with the people’s general interest” (Mudde, 2007). Moreover, the stark emotional dichotomies established, between privileged traitors, on the one hand, and suffering patriots, on the other, serve to raise the affective temperature of the reports. This

reflects the logic of the popular press, in which issues can always be resolved through an appeal to supposedly universal human values on an affective level (Aldridge, 2003; Bingham and Conboy, 2015). Notably, however, it also incorporates the elements of sensationalism, urgency and extremism that are conducive to persuading readers that there is a crisis, and that the “will of the people” is going to be thwarted by enemies who are unscrupulous, cunning and even non-British. The elements of division, popular representation, emotion and crisis come together in these reports, as the conventions and ideology of the right-wing tabloid newspaper merge with the interests of a populist political campaign. The combination of highly emotive framing, scare-mongering and aggressive language serves to heighten a sense of crisis. Although this is especially characteristic of populist performances in the political arena (Moffitt and Tormey, 2013; Moffitt, 2015), we can observe here that the popular press generates similar spectacles, propagating inflammatory discourses to attract readers. The match is so close that it is tempting here to speak of a confluence of interests, in which populist discourses and sensationalising media flow together in mutual enhancement. Here, the issues around the Miller case and around Brexit merge into a productive symbiosis with pre-existing populist tabloid discourses (Conboy, 2006; Bingham and Conboy, 2015) creating a productive synergy.

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