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# Theresa May's disjunctive premiership: Choice and constraint in political time

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## Abstract

Theresa May's premiership is widely acknowledged to have been a failure, but political commentators and the scholarly literature have, thus far, tended to focus on May's misuse of her agency. This article argues that May's premiership presents a particularly powerful example of the need to disentangle structure and agency when assessing prime ministerial performance. Drawing upon the work of Stephen Skowronek, it sets out a framework of evaluating prime ministerial agency in 'political time'. This is then used to show how the conditions and circumstances in which May governed limited the feasibility, increased the costs, and compromised the effectiveness of her actions in office. We argue that this confirms that May was a victim of circumstances as much as a victim of her own agency.

## Keywords

historical institutionalism, leadership evaluation, political time, prime minister(s), structure and agency, Theresa May

## Introduction

Theresa May's resignation met an unsparing response. Commentators censured a 'miserable and poisonous legacy' (The Guardian, 2019) and a 'pitifully short' list of achievements (The Daily Telegraph, 2019). Several indicted May as 'the worst PM since Lord North' (e.g. Beattie, 2019; Macpherson, 2019). In Westminster, neither prospective successors nor those seeking an alternative Brexit trajectory had incentive to submit more generous assessments.

Alongside these partisan evaluations stands an emerging literature considering May's premiership in whole (e.g. Seldon and Newell, 2019) or in part (e.g. Allen, 2018). May's

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handling of Brexit, naturally, receives considerable scrutiny (Marlow-Stevens and Hayton, 2020; McConnell and Tormey, 2020). Her ideology (Hickson et al., 2020), performative politics (Atkins and Gaffney, 2020), party management (Roe-Crines et al., 2020), and leadership capital (Worthy and Bennister, 2020) have also received attention. These studies concur that May's leadership was a failure, but they skirt around the more challenging question her premiership presents: how should we account for her inability to meet her most important objectives?

May's premiership demonstrates the imperative of carefully identifying the roles of structure, context, and agency in prime ministerial performance (Byrne and Theakston, 2019). The default position has been to focus, implicitly or explicitly, on May's personal weaknesses and shortcomings as leader. McConnell and Tormey's (2020) study of Brexit as a 'policy fiasco' has, thus far, been most attuned to situating May's agency alongside institutional and policy constraints. But, ultimately, they sidestep disentangling structure and agency.

Here we seek to confront the question of structure, context, and agency directly. We do not dispute that May's premiership was a failure. However, we argue that the constraints upon May must be better contextualised and understood. These constraints, we argue, can be understood within a comparative analytical framework. Drawing upon Stephen Skowronek's (1993, 2011) 'political time' framework we identify May as a 'disjunctive' prime minister. We propose that the structuralist tendencies of Skowronek's account nevertheless require correction. We therefore set out a framework of prime ministerial agency in political time. This is then employed to demonstrate how the structure and context of the regime's vulnerabilities limited the feasibility, increased the costs, and compromised the effectiveness of May's actions in office.

## **Theresa May as a disjunctive prime minister**

Like her Brexit deal, it would be possible to evaluate May's premiership in bespoke fashion. However, to do so would neglect existing frameworks for the evaluation of prime ministerial performance, sidestep the controversies associated with them, and forego the opportunities that May's tenure presents to reassess and refine these frameworks.

Most contemporary non-academic assessments of May, especially those of journalists, insisted upon her disastrous choices and misuse of her agency. She was 'the author of her own downfall' (The Sun, 2019) and failed 'because she lacked the requisite political skills of a national leader' (Financial Times, 2019). Political rivals echoed such claims. Boris Johnson's resignation letter, for example, damned her for leading 'our vanguard into battle with the white flags fluttering above them'.

This primacy of agency in these assessments of May is representative of the tendencies in the broader literature evaluating British prime ministers. The leadership style model, derived from Greenstein's (2009) work, rests on the premise that personal skills and personality are powerfully determinative of leadership performance (see, for example, Theakston, 2011). The statecraft model, derived from Bulpitt's (1986) account of Thatcherism, recognises institutional, party political, and electoral constraints, but still prioritises prime ministerial agency above structure and context. Buller and James' (2015) morphogenetic account of statecraft widens the consideration of structural contexts, according these greater weight, but ultimately retains a highly agent-centred view of leadership (see Byrne and Theakston, 2019, for further discussion).

**Table 1.** Skowronek's typology of leaders, regimes and patterns of politics as applied to post-war UK prime ministers.

	Affiliated leader	Opposed leader
Resilient regime	Articulation (Churchill 1951–1955; Eden, Macmillan; Douglas-Home; Wilson 1964–1970; Major; Blair)	Pre-emption
Vulnerable regime	Disjunction (Heath; Wilson 1974–1976; Callaghan; Brown; Cameron)	Reconstruction (Attlee; Thatcher)

In this respect, Stephen Skowronek's account of 'political time' presents an alternative. First, Skowronek expands consideration of the structure and context of leadership beyond the executive, legislative, and party-political arenas. He does so by identifying political time with a succession of 'regimes' – ideas, values, policy paradigms, and programmes supported by a sectional and electoral coalition. Second, Skowronek's framework identifies how the constraints associated with these structures and context change to present temporally distinct leadership challenges. Regimes cycle through establishment, maturity, enervation, and crisis, before ultimately being replaced. For Skowronek, the vulnerabilities or resilience of the regime is a major force determining the challenges of leadership. The other major determinant is whether the leader is a regime opponent or affiliate. Four leadership types follow from this interaction. Table 1 outlines and categorises May's post-war predecessors according to this typology. Affiliated leaders of resilient regimes, such as Macmillan or Major, pursue a politics of articulation. They seek to maintain the regime in changing times. Pre-emptive leaders oppose the regime but confront a coalition of regime supporters strong enough to frustrate efforts to replace the status-quo. Disjunctive leaders, like Callaghan and Brown, are regime affiliates governing dysfunctional regimes. Reconstructive leaders, such as Attlee and Thatcher, oppose vulnerable regimes and succeed in constructing a new coalition around an alternative governing framework.

To position May in this typology, we must identify the regime's characteristics and establish her attitude towards it. The regime which May led emerged under Thatcher's reconstructive leadership and was consolidated and maintained under the affiliated leadership of Major and Blair. Its key characteristics are an internal and external political economy situated within, responsive to, and justified by its dominant discourses of globalisation and neoliberalism. Operationalised, this includes extensive privatisation, 'responsible' macroeconomic management, low taxation and light regulation, flexible labour markets, workfare, growth of the financial and service sectors, credit expansion, and debt financed consumption. It is a regime which grew progressively embedded into systems of multi-level governance, with responsibilities delegated to the European Union (EU) and devolved sub-national institutions. In parallel, depoliticisation transferred state responsibilities to quasi- and non-state actors. Finally, this regime was constructed upon deeply entrenched imperatives inherited from, and underpinning, prior regimes. These include commitments to preserve the political union between the nations of the United Kingdom, a political economy prioritising international trade and the interests of financial capital, and a determination to maintain and exercise British influence internationally, manifested in a post-war commitment to Atlanticism.

The regime's sectional and electoral coalition comprises the beneficiaries of these ideas, paradigms, and policies. It includes the financial and property sectors and the corporate

beneficiaries of lower taxation and labour market flexibility. In a de-aligned and instrumental electorate, the regime's electoral coalition centred upon those employed in the boom sectors of this neoliberal economy, those able and willing to exploit cheap credit, and the beneficiaries of rising asset prices, particularly middle-income homeowners.

The regime's vulnerabilities grew exposed during the Brown and Cameron premierships. Its political economy was increasingly enervated. The 2007–2008 financial crisis resulted in prolonged austerity. Real wages stagnated and in-work poverty grew. 'Privatized Keynesianism' generated high levels of private indebtedness and an overheated housing market. Labour market flexibility trapped increasing numbers in precarious, low paid work in the 'gig economy'. A sequence of scandals engulfed both the financial sector and corporations contracted to provide services for the state. Scandal and populist political rhetoric also undermined public trust in key public institutions. Nationalist parties challenged the regime's territorial integrity. Populist parties challenged the integrity of its political class. The 2016 referendum result deepened and supplemented these vulnerabilities. It divided the majority of the political class from the majority of the electorate. Political and economic uncertainty and further strains on the United Kingdom's territorial settlement were the immediate consequence. The subsequent Brexit negotiations carried profound implications for the existing regime's viability. They also risked alienating and fragmenting the regime's supporters in civil society and the electorate. May's inheritance ranks as one of the most challenging confronting a recent incoming prime minister.

May's attitude towards this enervated regime possessed ambiguities. Accordingly, she might be seen as a regime opponent. As advocates and opponents recognised, Brexit possessed the potential to initiate a transformative sequence of change. May also recognised many of the regime's domestic vulnerabilities, declaring intent to address its market dysfunctions and social inequalities in particular. Her 2017 election campaign also seemed alert to the possibility of reconstructing the regime's electoral coalition.

Nevertheless, her credentials as a regime affiliate are broader and deeper. She was a loyal member of both Cameron governments. During the referendum she positioned herself as a 'reluctant remainer'. Dissatisfaction with aspects of Britain's relationship with Europe did not override her fears that departure would destabilise the regime by jeopardising economic prosperity, international standing, the Anglo-American relationship, and the Union's stability. Thereafter, May exhibited little enthusiasm or ambition to harness Brexit to transform the regime. Brexit represented an end in itself. Here, as elsewhere, she failed to seek, let alone secure, a transformative warrant of the kind secured by Attlee and Thatcher. In domestic policy, her affiliation and ambitions were clearly revealed by her assertion that 'if you want to *preserve and improve a system which has delivered unparalleled benefits*, you have to take seriously its faults and do all you can to address them' (May, 2017a, our italics). We therefore propose that, like Cameron and Brown before her (see Byrne et al., 2017, 2020), May was a disjunctive prime minister.

## **Accounting for agency in political time**

If Skowronek's framework counterbalances those which prioritise prime ministerial agency, it is vulnerable to the accusation that it moves too far in the opposite direction. Political time can degenerate into quasi-structuralism and all too easily discount the agency of leaders. Yet, even disjunctive leaders confronting a supposedly 'impossible leadership situation' (Skowronek, 1993: 39) command some options (Byrne et al., 2017,

2020). We therefore need to establish what choices are available to prime ministers and how they are facilitated and limited by political time.

We propose, as a somewhat ideal and simplified typology, that prime ministerial agency centres upon six broad types of decisions (Byrne et al., 2020). First, prime ministers possess agency in *framing political problems*. Second, they choose *whether to act or not*. If they decide to act, they then select *when to act*. Fourth, they can choose *where to act* by selecting appropriate political venues. Fifth, picking from various policy instruments, they choose *how to act*. Finally, by rationalising and setting expectations for their choices they exercise agency in how they *justify action*.

Prime ministers at all points in political time have access to the same broad range of actions. However, the perceived feasibility, political costs, and effectiveness of these options varies according to the regime's vulnerability or resilience and to whether the prime minister is affiliated to or opposes the regime. May, like previous disjunctive prime ministers (see Byrne et al., 2020) confronted significant constraints in successfully employing these options. First, as a regime affiliate she was constrained to operate within the institutions, modes of governance, and policy instruments of the established regime. Second, the regime's vulnerability meant an ongoing struggle to reunite and reconcile its affiliates. In the following sections, we elaborate on this framework of prime ministerial agency in political time and identify how May selected from the options available to her and the constraints and obstacles that she encountered.

## May's framing of political problems

Prime ministers seek to frame political developments and establish their interpretation as the dominant narrative of events. Such 'diagnostic framing' (Benford and Snow, 2000) attempts to establish the nature, severity, and significance of regime problems and to attribute causality and responsibility for these developments.

In addition, political options may be re-framed heresthetically. For Riker (1986), this involves manipulating a multi-dimensional issue space by introducing new issues, redefining, or combining established issues. In this way, issues that expose regime vulnerabilities may be suppressed, the coalition of regime affiliates reunited or extended (Taylor, 2005), and political opponents trapped into strategically disadvantageous choices.

All prime ministers face 'framing contests' but disjunctive incumbents are particularly likely to find their partisan opponents, the media, and other civil society organisations vigorously contesting their narratives. Whereas regime opponents can 'think outside of the box' (Desrosiers, 2012: 4) regime affiliates must rely upon meanings, beliefs, and practices associated with the regime.

Some of May's most important decisions relate to her framing of regime problems and the choices that followed. However, here she faced significant structural and contextual constraints. Whereas prime ministerial framing is typically undertaken for a primarily domestic audience, May's framing of Brexit also received the EU's close attention. Domestically she competed against a multiplicity of alternative framings.

May (2016c) initially framed Brexit in terms of her leadership campaign slogan, 'Brexit means Brexit and we're going to make a success of it' and insisted that neither remaining in the EU, re-joining, nor a second referendum would be countenanced. By her Mansion House speech, the referendum was framed as 'a vote to take control of our borders, laws and money' (May, 2018b). She tentatively (May, 2016a) and then much more explicitly at Lancaster House, framed a number of choices as following from her

interpretation of the referendum result. She ruled out remaining within, or close to the Single Market, as this ‘would to all intents and purposes mean not leaving the EU at all’ (May, 2017b). Although seeking frictionless trade with the EU, her insistence on freedom to strike trade agreements with non-EU countries ruled out remaining within the EU’s customs union. May also sought to achieve these objectives without comprising the integrity of the Union or imposing a hard border between the United Kingdom and the Republic of Ireland.

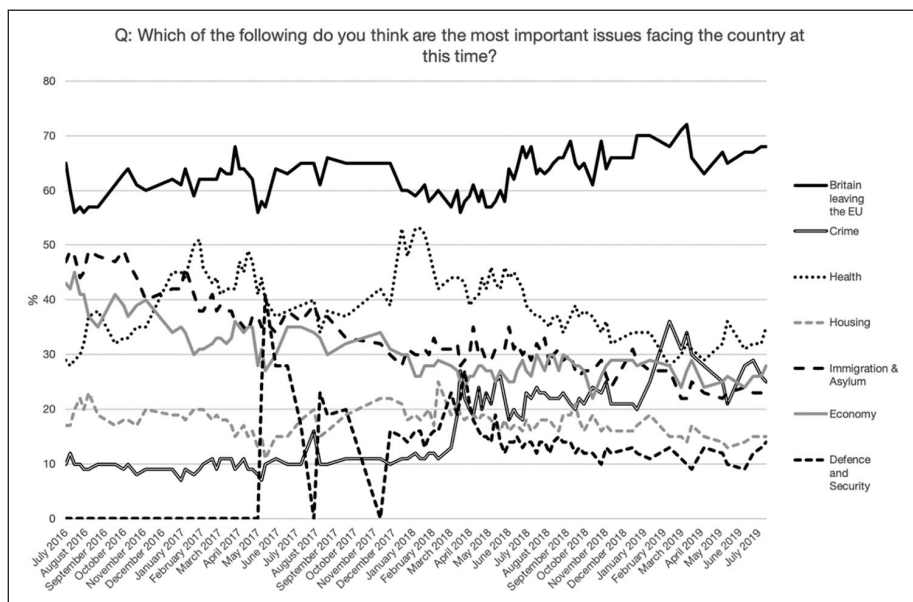
This initial framing of Brexit limited May’s subsequent options. Many in the EU had expected the United Kingdom would attempt to renegotiate Cameron’s deal. Since ‘Brexit meant Brexit’, this option was foreclosed. Renouncing a second referendum bolstered May’s standing with Brexiteers but sacrificed an important potential concession to Remainers. Third, the Lancaster House objectives were challenging to reconcile. The EU’s negotiators regarded these ‘red lines’ as contradictory, while they fostered expectations among Brexiteers which May found both difficult to challenge and to extricate herself from.

Although May’s speeches usually made passing reference to the challenges involved in Brexit, she repeatedly argued that an orderly departure would follow from constructive and positive engagement. She refused to threaten to abrogate the United Kingdom’s obligations to the EU, as some Brexiteers recommended. She was also constrained in ‘exogenizing’ (Boin et al., 2009) responsibility for Brexit or the limitations of her deal by blaming the EU. Early attempts to blame the EU for the need to resolve the Northern Ireland border question were ill-received and May knew that EU goodwill was necessary to deliver the kind of deal she sought. Furthermore, by downplaying the challenges involved May failed to establish for parliamentarians and the public the constraints and trade-offs associated with her negotiating objectives. Had Brexit been presented as a more profound political challenge, her deal might have been sold more triumphally, potentially muting some critical voices. However, this would have necessitated an early and robust challenge to the counter-framing of Brexiteers.

Indeed, responding to the counter-framing of Brexit was a profound challenge. The referendum encouraged a bewildering variety of models of Brexit to emerge. May responded by disclaiming any other nation’s relationship with the EU in favour of a bespoke British deal. However, this neither reduced nor silenced the plurality of counter-frames. It is hard to recall another prime minister who was so assailed from so many positions on a major political issue.

It has been argued that successful frames require ‘resonance’ (Benford and Snow, 2000). Frames should be consistent with the beliefs, behaviours, and actions of their articulators. The claims and those articulating them should also be credible. However, many Brexit counter-frames bore witness to the tendency towards the unsophisticated and ill-informed long characteristic of British political discourse on Europe. Any prime minister would have had difficulty meeting the expectations encouraged by statements, such as that ‘the day after we vote to leave, we hold all the cards and we can choose the path we want’ (Gove, 2016: 8). They also invited accusations that May, a ‘reluctant remainer’, was acting in bad faith, seeking ‘Brexit in name only’ when negotiations proved complex or faltered. Remainers exhibited similar tendencies. A second referendum or renegotiation to deliver a ‘jobs first Brexit’ also involved often-overlooked political and practical obstacles.

May’s diagnostic framing looked beyond relations with Europe, however. The referendum was symptomatic of ‘a far more profound sense of frustration about aspects of life in



**Figure 1.** The salience of political issues during May's premiership.

Source: YouGov.

Britain and the way in which politics and politicians have failed to respond to their concerns' (May, 2016b). The political system too often served privileged interests. Irresponsible behaviour by big business and the dysfunctionality of key markets fostered popular discontent. The pace of globalisation and a lack of genuine social mobility frustrated those left behind.

Regime preservation demanded 'a different kind of Conservatism' which Hickson et al. (2020) characterise as 'soft' One Nation Conservatism. Social divisions and stalled social mobility would be addressed by making Britain 'the Great Meritocracy'. Business governance would be reformed to promote responsibility, transparency, and prevent tax avoidance and evasion. State intervention would rectify dysfunctional energy and rental housing markets. A 'modern industrial strategy' would support industries of strategic economic value. Labour market defects would be tackled by protecting those in the 'gig economy' and increases in the National Living Wage.

In theory, this agenda might have been used to heresthetically reframe political options to diminish Brexit's salience. Addressing the regime's political and distributional shortcomings could have shifted the axis of political contestation and extended Cameron's electoral coalition to small 'c' conservative working-class voters.

This prospectus fell victim to conflicts within Downing Street and her party. It contributed to the alienation of significant sections of the business community (Anderson, 2019). Focusing on such issues without 'rolling the pitch' beforehand also handed an advantage to Labour who were seen as more convincing on many of these issues. However, it is nevertheless difficult to imagine that Brexit could have been heresthetically suppressed as an issue. As shown in Figure 1, Brexit was persistently, and by some margin, the most important issue for the public. Negotiations with the EU were always destined to receive close attention from the media and other political actors.



## **May and the choice of whether to act**

Whether to act or not is a fundamental decision confronting leaders. Inaction may be the preferable option, whether arising from a philosophical aversion to action, the acceptance of existing political and economic boundaries, fiscal constraints, or anticipation of negative electoral consequences (Barber, 2017). Institutional capacity is also often limited. Acting in one area may diminish institutional capacity so that inaction follows elsewhere.

Disjunctive prime ministers might be expected to prefer inaction. Inaction may forestall fractures in the coalition of interests supporting the regime. Regime vulnerabilities are also likely to present constraints, fiscal, or otherwise, upon taking action. As ideational regime affiliates, disjunctive leaders may also fail to recognise the availability or viability of actions beyond the regime's paradigm.

However, the viability of inaction is greatest where problems have been framed as lacking salience, as originating in exogenous causes beyond governmental agency, or where inaction has characterised the regime's past practice. Inaction is less credible if previous prime ministers have already acted or if other actors insist upon action. Inaction, or the perception thereof, can therefore present a high-risk strategy.

Where Brexit was concerned inaction was politically impossible. Delivering what Brexiteers deemed 'the will of the people' was fundamental to May's warrant for authority. Deprived of a choice of whether to act on the referendum result or not, other implications followed. One of her predecessors noted that 'The moment you decide, you divide' (Blair, 2010: 28). It is hard to see how implementing Brexit could not fail to split her party and fragment the coalition of electoral and sectional interests supporting the regime. Second, Brexit was a political thermobaric. Its explosive power depleted much of the remaining political oxygen in the British polity. Brexit also overloaded the regime's institutional bandwidth. Preparing for Brexit required 13 pieces of primary legislation, meaning many manifesto pledges were deliberately dropped (Lilly et al., 2018: 32). Whitehall had over 300 Brexit-related workstreams (House of Commons Public Accounts Committee, 2018) requiring the redirection of staff and deferral or abandonment of other projects (Freeguard et al., 2019: 5–6). Coupled with mounting intra-party division over her broader political direction, May's capacity to pursue a non-Brexit agenda was highly limited.

## **May's timing of action**

If inaction is untenable, when, and in what sequence to act remain matters of prime ministerial strategic calculation. Accelerated action may pre-empt and surprise opponents, allowing a leader to establish the terms of debate. Alternatively, incremental decisions may temper the opposition provoked by sudden or transformative changes. Slowing the tempo of decisions may buy time and keep options open. Conflicts can de-escalate in the interim, or previously unfavourable conditions change. Running down the clock can narrow options to those most favourable to prime ministerial objectives.

However, prime ministerial control over the timing of action is incomplete. Some political timetables, for example, the ultimate duration of electoral cycles, are beyond their control. Foreseeable events offer greater scope for planned responses than unexpected events. Furthermore, other actors demand and, in some cases, possess the ability to delay or hasten action.

May's premiership vividly demonstrates how time is a political resource. Consequently, her timing of several decisions has attracted controversy. During the referendum campaign Frank Field (2016) argued that 'A first task of our new prime minister will be to stir up apathy. It is crucial that nothing is done quickly or without the most careful thought of its repercussions'. Accordingly, immediate invocation of Article 50 was ruled out. This was sensible. Whitehall had not prepared for a Leave vote. The pause also delivered some measure of calm in the febrile post-referendum political atmosphere.

However, in October 2016 May announced Article 50 would be triggered by the end of March 2017. This has been much criticised. Some believe this sacrificed leverage over the EU (House of Commons Foreign Affairs Select Committee, 2019). Others argue Article 50 should have been activated only when the outlines of a likely agreement were visible (McConnell and Tormey, 2020; Seldon and Newell, 2019). However, May was more constrained than these critics allow. The EU was unwilling to negotiate ahead of triggering Article 50. Delay threatened to test the EU27's patience and risked restiveness among Brexiteers. The Article 50 timetable also meant delay beyond March would prevent the United Kingdom's departure before the next European Parliament elections.

The subsequent 2-year timetable empowered the EU, maximising their ability to extract concessions from a prime minister intent on leaving with a deal. The EU also gained control over the agenda and sequencing of negotiations. They insisted on a two-stage process dealing first with the United Kingdom's financial settlement, EU citizens' rights, and the Northern Ireland border before talks on the future settlement. David Davis regards the failure to challenge this sequencing as a major mistake (House of Commons European Scrutiny Committee, 2019). There is some evidence May did attempt to challenge this, most notably at the dinner held for Juncker, Barnier, and Selmayr in Downing Street on 26 April 2017. However, it is difficult to see how the EU might have been persuaded to abandon a negotiating format which granted such leverage. May's critics suggest that threatening non-payment of the United Kingdom's financial obligations would have sufficed. Yet May reportedly made this threat the same evening and failed to shift the EU position (Shipman, 2017).

This sequence placed May under further pressure. First, hopes of completing the two-stage negotiations and a full trade deal within 2 years became unrealistic. Second, avoiding a 'cliff-edge' departure required a transitional period. This handed further leverage to the EU and alienated Brexiteers further by delaying the United Kingdom's final departure.

Having brought her deal back to the United Kingdom, May then engaged in a series of delays. The first meaningful vote was delayed when it became clear it would be heavily defeated. This, and successive attempts to bring her deal back to Parliament without successfully addressing her opponents' concerns were widely interpreted as 'kicking the can down the road'. It was supposed that May hoped 'something would turn up' or that options would narrow to a choice of no-deal or her deal. In the event, delay left her parliamentary difficulties unresolved.

Indeed, late in her premiership May's timing actively undermined her attempts to secure support. On 27 March, she informed the 1922 Committee she would resign once parliament approved her deal. However, if this bought time from her Conservative critics it weakened her in the eyes of Opposition parties who realised that her successor would not be bound by any commitment she made concerning matters beyond the withdrawal agreement.

## Where May chose to act

It is not only interest groups who engage in ‘venue shopping’. Prime ministers may also shift decision-making to the most strategically advantageous forum. Decisions may be moved to four types of venues (see Banaszak et al., 2003). Decision-making may be ‘uploaded’ to supra-national or international venues. ‘Downloading’ redirects decisions to sub-state institutions. A horizontal shift can be characterised as ‘lateral loading’. Here decisions are depoliticised (Flinders and Buller, 2006: 296) by moving them to non-elected state bodies. Alternatively, decisions may be horizontally ‘offloaded’ to non-state actors, usually by calling upon the electorate in either a general election or a referendum.

A prime minister may shift venues for several reasons. First, to circumvent constraints and opposition encountered in other venues. Second, to maximise prospects for successful implementation. For example, co-ordinated international action may succeed better than unilateral action. Third, venue shifting can co-opt other actors, lending prime ministerial decisions legitimacy.

However, there are constraints involved in venue shifting. Policy issues are often associated with a specific venue (Paquet and Larios, 2018). Successful venue-shifting also requires amenable collaborators in the alternate venue. For example, regime opponents frequently gain early successes in second-order elections rendering sub-national or local government unreliable venues. Shifting decisions to the electorate also carries constraints and risks. Early elections and referendums are typically once-only options, taken in circumstances which need to be presented as exceptional. Since disjunctive governments are often unpopular, an electoral mandate for reconstructive politicians may follow.

May’s choice of decision-making venues was significantly constrained. Brexit was a two-level game (Putnam, 1988) with the challenge of satisfactorily reconciling domestic and international imperatives. If May found her EU counterparts inflexible, domestic difficulties would, she hoped, be diminished by keeping Parliament at arms-length. Parliament would be denied a running commentary and prerogative powers used to limit parliamentary involvement. However, the Supreme Court’s January 2017 decision in *R(Miller)* changed this approach by requiring primary legislation to trigger Article 50. Thereafter, the Grieve amendment legally compelled a parliamentary vote on the final deal. This, and other votes, strengthened Parliament’s role in the Brexit process.

In April 2017, May decided to shift venues by asking the electorate to provide her with the mandate and increased parliamentary majority to deliver Brexit. A key consideration was concerns that her working majority of 17 would prove insufficient in the parliamentary battles ahead on Brexit (Cowley and Kavanagh, 2018: 14–15). Contrary to McConnell and Tormey’s (2020: 694) claims, the majority won in 2015 was insufficient. It would not have delivered victory on any of the ‘meaningful votes’. The timing of the election was also sensible, after Article 50 had been triggered but before negotiations had started in earnest. With the possibility that Corbyn might be removed, this also made partisan sense. However, if May’s rationale and timing were sound, her subsequent campaign decisions were disastrous (Cowley and Kavanagh, 2018; Shipman, 2017).

Many have suggested that the election marked a juncture for May to shift her approach. For example, her-then Deputy Chief Whip subsequently argued that she should have pursued a ‘softer type of Brexit’ (BBC, 2019b). However, the post-election atmosphere within her party prohibited retreat from the commitments framed at Lancaster House. It would have invited Conservative Brexiteers to depose her. Others propose that a

modus-vivendi with Labour should have been sought (see, for example, BBC, 2019a). However, under Corbyn, Labour was ill-disposed to cooperate. Corbyn had, after all, refused to share platforms with Conservatives during the referendum and was resistant to facilitating a ‘Tory Brexit’. Indeed, when David Davis sought informal discussions he found ‘it was hard to engage’. Labour was internally divided and ‘went through about 11 different policy positions’ (House of Commons European Scrutiny Committee, 2019).

## How May chose to act

Prime ministers may act in many ways. But a well-developed literature on policy instruments (e.g. Howlett, 2011) usefully identifies four main sets of actions. These are *organisational instruments*, *financial instruments*, *information-based instruments*, and *authoritative instruments*.

### *May’s organisational reforms*

Prime ministers inherit an institutional framework and standard operating procedures. These render some actions more feasible than others. For example, those inheriting a neoliberal regime will likely find it ill-adapted to *dirigiste* economic policies. Some of May’s decisions owed less to lack of resolve than such institutional constraints. For example, using the status of EU citizens as a bargaining chip ran up against the incapacity of the British immigration system to cope with additional complexity (Stourton and Desmet, 2019: 199). British prime ministers nevertheless possess constitutional authority to undertake wide-ranging changes to the organisation of the state. These include creating, reorganising, or abolishing departments. Alternatively, they may seek to change organisational capacity, procedures, and cultures, for example, by the creation of think-tanks, reviews, and task forces.

May undertook notable organisational reforms. She reduced the number of Cabinet committees, initially chairing more than Cameron. A new Department for Business, Energy and Industrial Strategy was created to deliver her industrial strategy. However, her most significant organisational reforms were the creation of the Department for Exiting the EU (DExEU) and the Department for International Trade. This demonstrated that ‘something was being done’ when she was otherwise reliant on her ‘Brexit means Brexit’ mantra. However, these organisational reforms could not overcome the non-institutional causes of May’s governing dilemmas. They also significantly misfired.

DExEU was intended to increase Whitehall’s ‘bandwidth’ and to bypass the supposed pro-EU affinities of established Departments. However, it was institutionally destabilising (Dunlop et al., 2020: 714–715) and increased the complexities and difficulties of negotiating with the EU. Since Oliver Robbins was both DExEU permanent secretary and May’s chief negotiator, DExEU ‘was in effect working as an adjunct to No. 10’ (House of Commons European Scrutiny Committee, 2019). When Philip Rycroft became permanent secretary, DExEU was even further marginalised. That seven DExEU ministers resigned during May’s premiership testifies to the Department’s problematic position. The Department for International Trade was also hamstrung in its core task. It was legally unable to negotiate new trade agreements until the United Kingdom had formally left the EU. Left to conclude continuity trade agreements it nevertheless made disappointing progress. Upon May’s departure, only 64% of the trade covered by EU agreements had seen completed continuity agreements.

### *May's use of financial instruments*

Prime ministers may also employ financial instruments. Financial resources can be allocated to incentivise, or disincentivise, behaviours that impact on the regime. They can be used to reward regime supporters and groups within its electoral coalition, court the unaffiliated, and punish regime opponents.

Objectively, May had more freedom than her recent predecessors. The deficit, which post-financial crisis governments had deemed a fundamental constraint, continued to fall, even if debt remained high. Consequently, May (2018a) told the 2018 Conservative conference that 'a decade after the financial crash, people need to know that the austerity it led to is over and that their hard work has paid off'. However, May's difficulty in 'ending' austerity was twofold. First, her Chancellor remained determined to preserve sound public finances, limiting her responses to non-Brexit issues. Second, in addition to offering too little, she appeared to be too late. Corbyn's Labour had long since repudiated austerity and had employed this to their advantage in the 2017 general election. She was therefore easily outbid by Corbyn. For example, where May offered a tuition fees freeze, Corbyn pledged to eliminate fees altogether.

Disjunctive prime ministers frequently discover that the payments necessary to buy off supporters and forestall opposition are prohibitive. Sound finances posed no obstacle to the £1 billion of funding required to secure a confidence and supply agreement with the DUP. Yet elsewhere May's use of financial instruments proved insufficient to secure support. The £1.6 billion Future Towns Fund announced in March 2019 was seen as an attempt to solicit support from Labour MPs in northern England's Leave seats. However, these MPs noted that the resources were considerably less per constituency than secured by the DUP and failed to address the long-run effects of austerity. Furthermore, many of May's financial inducements were 'jam tomorrow' conditional on departing the EU. For example, the United Kingdom Shared Prosperity Fund would only come online when the United Kingdom could access the money previously used for EU structural funds. Similarly, the funds pledged to end austerity in the 2019 Spring Statement were a 'Brexit dividend' contingent on leaving with a deal.

### *May's use of informational instruments*

Informational instruments are a further prime ministerial resource. Exhortation, suasion, and argument may be employed to directly persuade other actors within the regime or the electorate. Information campaigns to increase awareness of behaviours or outcomes may seek to alter attitudes indirectly. There is also a 'dark side' of information-based instruments. Disinformation may be issued to discredit opponents. Information may be withheld or selectively released where it damages the regime or the prime minister.

May's approach was shaped by the secretive working style she adopted as Home Secretary. She sought to limit disclosure of Brexit-related information to the Cabinet and the Commons, claiming greater transparency would compromise her negotiating position. But she was undermined by the EU's transparent approach and Parliament's determination to extract information (Heide and Worthy, 2019). She also resisted full disclosure of her Attorney General's legal advice on the backstop, claiming this would undermine candid counsel in the future. May's resistance here and elsewhere made her appear evasive and damaged her reputation further.

In theory, May could have made more strategic use of the release of information. For example, disclosure of preparations for and the consequences of a no-deal exit might have persuaded waverers. However, this overlooks the rigidity of the positions adopted in the Brexit debate. New information was habitually interpreted to fit pre-existing beliefs. Discordant information was casually dismissed. Brexiteers rationalised unwelcome information as the latest iteration of 'Project Fear'.

A vigorous attempt was made to sell May's deal, particularly on social media. However, this did not cut through to the public and failed to shift sufficient votes in Parliament. As Ivan Rogers (2019: 82) put it, it could not be argued 'that by applying lipstick to the pig of the Chequers proposal, or the Prime Minister's proposed deal, the course of history would have been changed. You can't redeem a bad deal by advertising on Facebook'. When May turned to appealing to the electorate over the heads of MPs in televised statements following her defeats on the withdrawal agreement, this was no more successful and only antagonised her parliamentary opponents further.

### *May's use of authoritative instruments*

Authoritative instruments involve the use (or threatened use) of state-enforced sanctions to compel action or behaviour, typically by primary and secondary legislation. Regime vulnerabilities often lead to minority governments and on-going intra-party divisions. Consequently, disjunctive prime ministers are often disadvantaged here, facing the prospect of making concessions and amendments to secure legislation.

The outcome of May's premiership could only have been changed with greater command of the authoritative instruments necessary to deliver Brexit. May's fundamental dilemma was her inability to mobilise the parliamentary votes necessary to endorse her withdrawal agreement and political declaration.

Conservative rebels discovered multiple reasons to oppose her deal. Some held it neither reflected the spirit of the referendum, nor the detail of her party's manifesto. Others feared remaining within the EU's regulatory orbit. The size of the United Kingdom's financial settlement motivated further opposition. However, it was the Northern Ireland 'backstop' which became the focus of Conservative parliamentarians' resistance. As has been well-rehearsed, the backstop was neuralgic for several reasons. It was perceived to threaten both the Union and Northern Irish peace. The lack of unilateral means of exiting the backstop generated fears that the United Kingdom would be unable to free itself from customs union with the EU.

May's attempts to mitigate the issue revealed one of her difficulties to be the absence of authoritative means of resolving this issue in a context of multi-level governance. Given the Attorney General's advice that there was 'no internationally lawful means of exiting' the backstop, dissidents refused to trust May's or the EU's assurances. Yet if the unambiguous legal text of the withdrawal agreement caused one set of problems, so too did the political declaration's lack of legal authority. 'Constructive ambiguity' had often served her predecessors well in negotiations. In May's case, it cast the political declaration as a 'syrup of warm sweet words' that would lead to a 'blindfold Brexit'.

Given intra- and inter-party divisions May found there was no majority for her deal, or for any other variety of Brexit either. The closest the Commons came to endorsing an alternative was Kenneth Clarke's motion for a customs union in the second round of indicative votes. The only position which found majority agreement was that the United Kingdom should not depart without a deal.

May could not threaten the Brexiteers on the Tory benches to back her deal. Depriving them of the whip was not a plausible option. They enjoyed support in the extra-parliamentary party and May could not credibly threaten a fresh election after the 2017 debacle. Engineering a cross-party parliamentary consensus was also improbable. Unlike 1931, for example, rescuing the government offered opposition party leaders no partisan advantage. Nor could she induce opposition MPs to rebel in sufficient numbers to overpower the rebels in her party. As she reflected in her final broadcast interview:

one of the things that I underestimated was that I thought Parliament having voted to give the people the choice, 80% of people in the 2017 general election voted for parties that said they would respect the referendum, Parliament overwhelmingly voted to trigger Article 50 and I hoped and expected and assumed that Parliament therefore wanted to come together to agree on a deal and get us out of the European Union (BBC, 2019c).

### **May's justifications for action**

If diagnostic framing is integral to defining regime problems, then prognostic and motivational framing is key to winning comparable contests over the justification for action. Prognostic framing identifies 'a proposed solution to the problem, or at least a plan of attack, and the strategies for carrying out the plan' (Benford and Snow, 2000: 616). Motivational framing – 'a "call to arms" or rationale for engaging in ameliorative collective action' (Benford and Snow, 2000: 617) – may also be necessary.

The need to convince others that they possess an appropriate and feasible solution to regime difficulties is a pressing one for disjunctive prime ministers. They must refute the solutions advanced by regime opponents. In addition, they must carefully calibrate expectations regarding their solution, and how fully and how quickly their measures will address regime difficulties. Given that decisions taken in conditions of regime vulnerability often call upon regime supporters to change their behaviour or lose benefits, successful motivational framing is particularly important.

May was a poor communicator. She lacked spontaneity, was repetitive, and uncomfortable in the media spotlight. However, the substance of what she said was as problematic. Given the constraints she faced, her rhetoric needed to cajole and persuade (Worthy and Bennister, 2020). But her proposed solutions lacked conviction and her motivational framings lacked credibility.

May persistently justified her actions as serving the 'national interest'. However, she faced challenges in successfully employing this framing. First, it was problematic to talk of 'the national interest' in circumstances where Parliament, political parties, and the public were profoundly divided over the meaning of, and response to, the 2016 referendum. Second, May's rhetoric overlooked the United Kingdom's multi-national character. Many in Scotland, in particular, saw their national interest differently to May, a divergence encouraged by ongoing conflicts between May and the Scottish Government. Third, May undermined claims to serve the national interest by calling the 2017 election. Nick Robinson's question to her the following day demonstrated how her actions were easily attributed partisan motives: 'What is it about the recent 20 percent opinion poll that first attracted you to the idea of a general election?' (BBC, 2017).

The creation and exploitation of a sense of crisis is a tactic of value to both reconstructive and disjunctive leaders. For the former, it justifies reconstruction of the regime. For the latter it justifies drastic measures to rescue the regime. May adopted this motivational framing relatively late, when defeat loomed on the 'meaningful votes'. For example, on

20 March, she foresaw ‘irreparable damage to public trust – not just in this generation of politicians, but to our entire democratic process’ (May, 2019). May had hitherto been constrained in invoking a sense of crisis because it contradicted the image of ‘strong and stable’ government she had sought to convey. The other difficulty was that Brexit divisions were not just inter-, but also intra-party in character. Indeed, Conservative Brexiteers reacted furiously to her presenting Brexit as ‘people versus Parliament’.

May’s other motivational strategy was to belatedly seek inter-party cooperation. However, identifying herself as the apostle of compromise also lacked credibility. She spent most of her tenure condemning the intransigence of those whose cooperation she now sought. Indeed, she had justified an early election by portraying opposition parties as prospective saboteurs of Brexit. In any case, opinions had by now hardened. As her proposals of May 21 recognised, winning over opposition parties required concessions on a second referendum and a customs union. Her difficulty was that in making what she presented as a compromise, May further alienated Brexiteers who perceived her proposals as surrender. May announced her intention to resign just three days later.

## Conclusion

May’s successes are easily overlooked. She negotiated a withdrawal agreement, a task many regarded as impossible. Her financial settlement was considerably lower than many had envisaged. Many of her negotiating objectives were secured. A ‘bespoke Brexit’ was agreed. This terminated free movement and mandatory budgetary contributions to the EU. The United Kingdom would leave the jurisdiction, although not the influence of the European Court of Justice. A ‘cliff-edge’ departure was avoided. All this was secured from a standing start. However, she could not obtain parliamentary approval for her deal or re-unite a divided nation. Brexit, and the strains it placed on the regime therefore remained unresolved. There was no record of substantial achievement elsewhere to compensate. Ambitions to transform Britain into ‘a Great Meritocracy’ and to tackle ‘burning injustices’ went unfulfilled. Her boldest proposal, to reform social care, perished in the 2017 election campaign.

The effect of her premiership was to leave the regime in even more vulnerable condition. Although the economic apocalypse foretold by ‘Project Fear’ never arrived, economic vulnerabilities remained just below the surface. An 8% devaluation of the pound relative to the dollar and the Euro, and a rise in inflation, meant real wages fell. Productivity remained stubbornly low. The economic growth of the United Kingdom fell behind the United States and the Eurozone and, in the final quarter of her premiership, gross domestic product (GDP) fell for the first time in 6 years. There was little progress on regime vulnerabilities such as labour market precarity, private indebtedness, and entrenched poverty and inequality. If Scottish independence seemed less immediately likely at the end of her tenure, Northern Ireland’s status within the United Kingdom became more doubtful.

Public trust in the UK political system was a casualty of her premiership, falling below levels recorded during the expenses crisis (Hansard Society, 2019). Eighty-one percent believed that Britain’s political system was broken (YouGov, 2019). The political class also grew increasingly distrustful. The motives and loyalties of the judiciary and civil service were publicly questioned by politicians and journalists in ways not seen since the collapse of the post-war consensus.

May’s premiership also strained the coalition of interests and voters supporting the regime. Conservative relations with business deteriorated significantly, particularly the beneficiaries of the Single Market and customs union (Anderson, 2019; Dunlop et al.,



2020: 711–712). Most notably, May's premiership witnessed extraordinary electoral volatility. In the 2017 general election, the combined Conservative–Labour Great British vote was 84.4%, the highest proportion since 1970. At the 2019 European Elections, the same parties secured just 23.2%.

In accounting for May's failures, we have shown how frequently she played her hand badly. But her critics too often overlook the cards she was dealt and those that remained in the deck. Structure and context constrained May's efforts to repair and revive the regime, even if they did not entirely dispossess her of agency. Where Brexit was concerned her agency was limited by the structures and procedures of the very EU institutions she was seeking to depart. She was playing a two-level game according to procedures, sequences, and timetables controlled by, and favourable to the EU. She had limited scope to escape these constraints. Brexit also profoundly divided the public, the regime's sectional affiliates, parties, and parliament. The result was that May confronted a 'constraining dissensus' which, if anything, grew in its intensity and intransigence during her premiership. She competed against a plurality of unrealistic counter-framings of both the meaning and the means of delivering Brexit. Few were prepared to re-evaluate or compromise their positions. There was little prospect of heresthetically shifting the political agenda away from Brexit towards other issues.

May's premiership is easily reduced to the issue of Brexit. But the political time framework encourages us to situate it within the long-term dynamics of the regime. Indeed, May's difficulty was that Brexit was only one of many regime vulnerabilities. Brexit was, in part a symptom of, accompanied by, interacted with, drew attention to, and frequently intensified the regime's wider and longer-term vulnerabilities. May lacked the institutional and political bandwidth necessary to comprehensively and simultaneously address the regime's Brexit- and non-Brexit-related vulnerabilities. Furthermore, when she did exercise agency she discovered that these vulnerabilities interacted to impede her efforts. For example, it was challenge enough to attempt to address the long-run impact of austerity on the regime. However, it also deprived May of the financial and political resources which might have allowed her to broaden the coalition willing to support her Brexit deal. Similarly, the regime's territorial vulnerabilities predated Brexit. However, Brexit increased the difficulties of maintaining the Union. It compromised May's efforts to present herself as the instrument of the national interest and led her to a politically toxic solution to the dilemma posed by the Northern Ireland border. May was often misguided in her choices. She was frequently poor in executing them. Yet, she was as much a victim of the structures and context associated with her place in political time as she was a casualty of her own agency.

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