

Sound and Fury Signifying Brexit

Gary Watt¹

“Acoustic Jurisprudence” (Parker 2015) seeks to move our appreciation of the operation of sound in law beyond the merely metaphorical use of acoustic language to the audible quality of the soundscape itself. In this paper, I will seek to connect the linguistic-metaphorical to the audible-sensory in the soundscape of the United Kingdom’s legal secession from the European Union. My context is the “Brexit” dispute as it has been played out in the UK Parliament, the UK Supreme Court, and elsewhere, especially as that dispute came to a crescendo on two key occasions in the latter part of 2019. The first occasion was the Government’s attempt in September 2019 to prorogue parliament for an unusually long period, accompanied, later that month, by the UK Supreme Court’s decision to declare that attempt unlawful and therefore null and void. The second occasion was the UK General Election held on 12 December 2019, in which the Conservative Party – led by Prime Minister Boris Johnson with the election slogan “Get Brexit Done” – secured its largest majority in the House of Commons since 1987. To describe these occasions as moments of crescendo indicates that they can be appreciated acoustically and musically. Similar occasions have occurred across the full duration of the Brexit

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dispute; whereas these two will be our primary concern, others will be referred to.

The etymology of the word “crescendo” indicates growth and is related to “creation”. In musical terminology it indicates the process of making a sound, not from silence, but by making an existing sound grow louder. It is the dynamic of performing louder, with a progression in dynamic force from, say, *piano* (soft) to *forte* (hard). To give one instance that will be enlarged upon later, we can note that the day after the UK Supreme Court’s decision on prorogation, the BBC’s assistant political editor Norman Smith declared on BBC Online that ‘The chorus of voices calling for Boris Johnson to quit will now grow louder’ (Smith 2019). It is with the use of musical metaphors and terminology and their relation to real acoustic events that we are here concerned. Norman Smith’s statement also alerts us to the analogy of choral singing and speaking, which is the key musical analogy to which I will resort, not least in order to affirm the fundamentally important distinction between unison and harmony. When a choir sings in harmony it means that different voices are singing different musical lines or “tunes”. Unison singing means, in contrast, that each voice sings the same tune as every other, albeit in different octave registers according to whether the voice is naturally deeper or higher.

There is no harmony when everybody sings the same tune. Harmony depends upon the expression of difference. This has been appreciated since antiquity:

Pythagoras and his followers...popularized the belief, which no doubt they inherited from antiquity, that the world itself was constructed on the principle which the lyre later imitated; furthermore, not content with the “con-cord of unlikes” which they call “harmony,” they attributed a sound also to these motions. (Quintilian, 2002: 218-219)

Desmond Manderson makes the point that ‘harmonization is a process in which diverse elements are combined or adapted to each other so as to form a coherent whole while retaining their individuality’, from which it follows that ‘harmonization is a value neutral concept which can be adjudged good or bad only to the extent that one can impose

a value judgment upon the diversity or differences of the objects of harmonization' (Manderson 2000: 702). An academic approaching the Brexit dispute in the age of opposing echo chambers must try to be neutral, for neither side is 'either good or bad, but thinking makes it so' (*Hamlet* 2.2.250).

It might be objected, and fairly, that this quotation from the First Folio text of Shakespeare's *Hamlet* is taken out of context. It might also be objected that the snippet of a Shakespearean quotation in the title to this article also needs some context. My simple intent in paraphrasing Shakespeare's 'sound and fury / Signifying nothing' (*Macbeth* 5.5.26-27) is to draw a parallel between 'nothing' and the fact that the Brexit vote has come, in practice, to nothing of substance as I write in late 2020 – despite the passing of four years since the referendum vote to leave the EU. If more sophisticated context is called for, we can note that the quote is taken from a speech of Macbeth's that Michael Bogdanov has called 'Shakespeare's most definitive existential statement of the nihilism of power' and 'the creed of ruthless individualism... a modern creed that strikes a resonant chord with generations of Thatcher's children' (Bogdanov 2003: 104). The acoustic note of cynical nihilism in the original is indeed striking:

Life's but a walking shadow, a poor player,
That struts and frets his hour upon the stage,
And then is heard no more. It is a tale
Told by an idiot, full of sound and fury
Signifying nothing. (*Macbeth* 5.5.23-27).

I will not say that the Brexit debate has been a tale told by idiots, but I do suggest that the debate has been a play or performance full of strutting, fretting, sound, and fury. My central claim is to say that alongside the supposedly logical and wordy arguments on both sides, what is really going on, perhaps subconsciously but emerging through acoustic events and through acoustic language (especially metaphor), is an effort to win the battleground of sound, or at least to make sense of the acoustic environment through processes of acoustic participation.

There is also, alongside moments of crescendo in the sound and

fury, something significant to be said about notes omitted, about the sometimes profound silences surrounding sounds, and about the deep sounds that lie beneath silences. In addition to echo chambers, we will attend to parliamentary chambers, to resonance chambers of the voice, and briefly to barristers' chambers. Underlying all of it, though, are the quiet, constant, and most crucial chambers of the human heart. During the first stage of Brexit – from the referendum result to the UK's legal departure from the EU – the nation state of the UK was in a state of constitutional stasis. The effects on all concerned have been stressful, and comparable to a state of medical stasis in which the healthy flow of blood is impeded. The normally soft ticking of the human heartbeat may have been heard too loudly at times; and even below seeming silence, stethoscopes might detect foreboding vascular murmurs of turbulent blood – what medics sometimes call “bruits”. The word is derived from the French for noise, but the Anglicised pronunciation “broot” seems a better fit, for Brexit has been brutal.

Before we turn to our two key occasions for acoustic inquiry, I want to sound two keynotes; one biographical, the other theoretical.

1. The Parliament Choir

The biographical note is to record that on the evening of 13 November 2019, I sang with the UK's Parliament Choir at Westminster Cathedral in a performance of Sir Edward Elgar's *The Dream of Gerontius*, op.38 (1900). Based on an 1865 poem by John Henry, Cardinal Newman, an Anglican priest and former Oxford don, who, in 1845, converted to Roman Catholicism, the November concert followed Newman's canonisation by Pope Francis on 13 October 2019. The work, an icon of the English Catholic revival, depicts the death of an old and worldly man, the journey of his soul, his judgment (with its experience of the beatific vision) and the assignment of his soul to purgatory. The Westminster concert was a repeat of one that had taken place on 9 November at Coventry Cathedral and it was as a tenor in the Coventry Cathedral Chorus that I came to sing alongside the Parliament Choir at Westminster Cathedral. In advance of the November 2019 concert,

The New Yorker carried a feature on the Parliament Choir in which Rebecca Mead wrote that:

The Parliament Choir is open to anyone who works in Parliament; its members have included ministers, but also policemen, cleaning staff, and even one holder of the office of Black Rod. Singers are drawn from both Houses: its current ranks include Lord Aberdare, a cross-bench hereditary peer; David Lidington, a Conservative M.P. who was Theresa May's de facto deputy; David Lammy, a pro-Remain Labour M.P.; and Sir Bernard Jenkin, a Conservative M.P. who is among the hard-line Brexiteers. Jenkin is fond of saying that in the choir there are only four parties: sopranos, altos, tenors, and basses. Given a political climate in which Parliament is, apparently, divided between sopranos and basses who persist in singing loudly in different keys, the choir offers a rare opportunity for harmony. (Mead 2019)

Lord German, a member of the choir and formerly a music teacher and leader of the Welsh Liberal Democrats, is quoted to say that, '[i]n an enterprise where we are designed to work against each other, in tribes, this is a way of us trying to see through and make an understanding for ourselves about how we relate to each other' (Mead, 2019).

Elgar's *The Dream of Gerontius* is musically and textually significant given the political context of the Brexit dispute. Paralleling the acoustically climactic moment at which the Government was subjected to the judgment of the UK Supreme Court (discussed below), the climactic musical moment of *The Dream* is the point in Part II at which, in Elgar's words, the soul of Gerontius 'goes before God and, in a huge orchestral outburst, is judged in an instant'. The score directs that 'for one moment, must every instrument exert its fullest force'. Elgar was hesitatingly persuaded to include this climactic acoustic event by his editor, the German-born critic, August Johannes Jaeger. In *The New Yorker* feature, Simon Over, Director of the Parliament Choir, notes that after the 'cataclysmic chord...the soul screams, "Take me away,"'. Over compares this to Brexit: 'Effectively, what he is saying is "Get me through what I need to get through, and I will get to where I need to be." And I think there really is a sense of: "We've got to get through it, and we've got to get to somewhere where things will be better'

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(Mead 2019).

Writing about the November concerts in *The Times*, Patrick Kidd notes that

The piece, based on a poem by St John Henry Newman, can be interpreted two ways depending on your Brexit tastes: either it is about a man who finally finds paradise after an uncertain journey, or it is the work of someone who thrived once he left English insularity to join a multinational authority at the heart of Europe. (15 October 2019)

31 October 2019 was the date fixed by statute for the UK's departure from the EU, and Kidd's comment picks up on the fact that October was a period of starkly contrasting interpretations concerning the political significance of acoustic events and the acoustic significance of political events. There were, for example, contrasting acoustic interpretations of the emergency summit held on 10 October 2019 between British PM Boris Johnson and Irish Taoiseach Leo Varadkar. An article in the *Irish Independent* newspaper quoted Fianna Fáil leader, Micheál Martin, as saying that he was 'pleased that the megaphone diplomacy has been replaced by proper and serious Brexit discussion' whereas an unnamed 'European Commission source close to the Brexit process' was less hopeful of progress, saying (in a curiously mixed metaphor) that optimism about a deal 'seems to be based on mood music rather than meat' (O'Connell and Doyle, 2019). One of the key points of commonality between political and acoustic interpretation is that the same subject matter is open to such widely diverging interpretations. When one person makes a sound, its significance comes down in large part to what another person makes of it.

2. The Music Makers

One advantage of using the biographical voice is that it advertises the performative or participatory aspect of listening. My theoretical keynote is to suggest that an individual hearer's interpretive attribution of meaning to acoustic occasions is a signal instance of the general process by which human cultures attribute sense to sounds through the metaphor of music. The sense we attribute to sounds when we call them

music or when we appreciate sounds by means of musical metaphors (I mean metaphors within the overarching musical metaphor, for music is a sort of meta-metaphor for the appreciation of sounds) is a sense of order and rhythmic regulation and is therefore a sort of law-making. An individual hearer therefore performs a kind of legislative listening, a law-making-music, every time they attribute musical meaning to acoustic events (Watt 2020). To put it another way, the *opera* or work done in any musical appreciation of sound is done in part by the performer or instigator of the sound and in part by the person who hears and responds. (The same individual can of course play both roles). Both are producers of the music; both are “The Music Makers”, to borrow the title of another of Elgar’s choral works.

Approaching this notion of productive (that is active and not merely passive) musical perception of sound, is the suggestion that listening is ‘The active process involved in attaching meaning to...sounds’ (Spearritt 1962: 4) and ‘The process of receiving, attending to, and assigning meaning to aural stimuli’ (Wolvin and Coakley 1985: 74). Sounding the biographical note, Eran and Inbal Guter argue that in contrast to pure or strict musical formalism, of the sort that demands that music should be appreciated as music without additional narrative, literary, or metaphorical interpretation, ‘the ultimate point of impurely musical make-believe may be to enable us to appreciate how music meshes with our lives’ (Guter and Guter 2015: 304).

3. The September prorogation – silence declared, and declarations silenced

A. Silence declared in parliament

Boris Johnson became Prime Minister on 24 July 2019, and on 28 August 2019 the Queen gave her consent to his request to prorogue Parliament from sometime in the week commencing 9 September until 14 October. The parliamentary session which commenced on 21 June 2017 following Prime Minister Theresa May’s snap general election was the longest in the history of the United Kingdom and the lack of legislative business due to Brexit perhaps called for a

long prorogation. However, the proposed prorogation covered most of the period between the end of Parliament's summer recess and a special European Council meeting scheduled for 17 October for the purpose of ratifying the Brexit withdrawal agreement. Parliament is by definition a place of speaking ("*parlement*") and the long prorogation was interpreted by many as an attempt to silence it. It is hardly surprising that the "Speaker" of the House of Commons, John Bercow, was vocal in seeking to keep the chamber open for speech. He called the prorogation a 'constitutional outrage' (The Guardian, 28 August 2019). Bercow, who had been the first Speaker to break with the Speaker's dress convention by wearing a simple lounge suit and tie, expressed his objection to the prorogation by means of dress and visual metaphors: 'However it is dressed up, it is blindingly obvious that the purpose...would be to stop debating Brexit'.

Since the eye deceives the ear, let us attend carefully to the acoustic event inherent in these visive words. As we do, we will hear an ironic note in the fact that the Speaker is by convention silent in response to political announcements, and yet here he was outspoken in opposition to the unconventional prorogation. It is perhaps unsurprising that this unconventional and outspoken Speaker became the epicentre of acoustic events occurring in Parliament in response to the prorogation; the most striking of which occurred on Tuesday 10 September, the first day of the prorogation. The *Metro* newspaper reported that the 'Speaker appeared to be physically held in his seat' by a Labour MP when he was due to depart for the prorogation ceremony in the House of Peers (Metro, 2019). Widespread footage of the event records a loud and sustained chorus of 'no!' from the opposition benches in response to Black Rod's ceremonial call for MPs to depart to attend Her Majesty in the House of Peers. In a remarkable acoustic assault launched from the opposition benches, Sarah Clarke, the first ever *Lady Usher* of the Black Rod, was drowned out mid-speech and had to stand to one side until the clamour subsided. The *Metro* report continues: 'There were chaotic scenes as a group of Labour MPs held placards saying "silenced" on them in front of the Speaker's chair' (Metro 2019). In the video footage, Speaker Bercow can be heard to say, 'if people have

got the basic tolerance and manners to listen...I'm perfectly happy... to play my part, but I do want to make the point that this is *not* a standard or normal prorogation' (Mirror 2019). Conservative MP Andrew Stephenson, speaking without a mic, uttered a barely audible intervention, in response to which the Speaker shouted loudly four times 'I REQUIRE NO RESPONSE FROM YOU'. Followed by an angry shout of '*GET OUT MAN, YOU WILL NOT BE MISSED*'.

Just after this, Bercow barked, almost as an aside, a single, abrupt 'Order!' over the clamour. That word is the Speaker's traditional acoustic means of regulating debate when the cacophony of the Commons rises to exceptionally disorderly levels. It can be heard as an acoustic pun; a command not to speak, but to listen – an "order" to every MP to be an "aud(it)or". The *Metro* article continues:

One of the "silenced" signs was left in Mr Bercow's chair after he had departed...With the ceremony ongoing in the Lords, a sing-off emerged in the Commons. SNP MPs began singing Scots Wha Hae – considered by the party to be the alternative national anthem – on the Commons benches. Labour MPs also sang the Red Flag and Jerusalem before SNP MP Gavin Newlands jokingly appealed to Conservative MPs to sing – with no response. The SNP also sang Flower of Scotland while Welsh Labour and Plaid Cymru offered Bread of Heaven. Ode to Joy, recognised as an EU anthem, was also hummed by some MPs. (Metro 2019)

The keynote to take forward into the next section is the fact that the opposition benches resorted to singing, not in parts, but along party lines. As far as one can hear in the recordings of their protest singing, they sang their songs not in a harmony of different choral lines, but in unison. The unsurprising exception, given the Welsh national reputation for choral excellence, was the attempt by a group of Welsh MPs to sing a Welsh-language chorus in parts. Unison produces a strong sense of the main sound, but at the expense of pleasing complexity and the nuance that is inherent in the harmonious blending of genuine differences. The acoustic effect of unison singing in the chamber of the House of Commons is in that sense akin to the amplificatory phenomenon that in social media contexts is called the "echo chamber effect".

Xavier Bettel, the Prime Minister of Luxembourg, took his chance to chime in with the chorus of opposition to Boris Johnson. Johnson had been due to hold a joint press conference with Bettel, but withdrew when it became clear that it had been staged outside to take place just a few metres away from a noisy crowd of anti-Brexit protesters. Downing Street said that Luxembourg had refused its request to have the event moved indoors. The *Mirror* newspaper carried the headline ‘Boris Johnson humiliated for refusing to face music of chaotic Brexit strategy’ (16 September 2019). “Music” indeed, for the report notes that the Luxembourg protest was organised by David Pike, a classical baritone singer who had augmented his presumably impressive voice with a megaphone and a supporting chorus of protesting United Kingdom ex-pats. The article added that ‘The PM was earlier booed and jeered as he left a working lunch in Luxembourg with European Commission chief Jean-Claude Juncker’. Mr Johnson subsequently explained to the BBC that he had abandoned the press conference because he would have been ‘drowned out’ by all the noise. The BBC’s Laura Kuenssberg concluded a short comment on the incident with a pair of acoustic metaphors neatly combined into a rhetorical antithesis: ‘Right now it seems the volume is rising, but the clock is still ticking down’ (Kuenssberg 2019).

B. Declarations silenced in court

The controversial prorogation was challenged by legal proceedings that culminated in a hearing in the Supreme Court of the United Kingdom (*Miller* 2019b). The official recordings of those hearings provide a striking acoustic contrast with the commotion in the House of Commons. Whereas the Commons debate was conducted with din and discord and the drowning out of dissent, the attentive calm of the Supreme Court process truly deserved the name of “hearing”. That said, the actual declaration of the court’s decision as delivered on the morning of 24 September 2019 by Baroness Brenda Hale, President of the Supreme Court, was marked in three distinct ways by uncanny silence.

First, the audio stream of the court’s declaration was disrupted by technical difficulties. The *BBC* carried an apology: ‘We apologise to

those of you experiencing problems with the sound on the live stream, we are told it is a problem from within the Supreme Court itself, and is due to the heavy rain in London' (indy100 2019). The state of the British weather is reassuringly constant and unifying whatever the changing constitution of the State.

Second, the exclamations and applause that were reported to have occurred within the court in response to the delivery of the judgment cannot be heard on any recording I have been able to locate. Dominic Casciani, the BBC Home Affairs Correspondent, had tweeted in “shouty” Caps Lock font immediately after the Supreme Court’s declaration: ‘THIS IS THE WORST OUTCOME FOR THE PRIME MINISTER. GASPS IN COURT. EVEN APPLAUSE. STUNNED’. Baroness Hale herself echoed this (BBC 2019), but if these acoustic exclamations occurred, I cannot hear them in the footage. Perhaps it was a poor recording; or perhaps they were amplified in the audience’s collective acoustic recollection of the event; or perhaps someone has somehow and for some reason edited them out of the official acoustic record (*Miller* 2019b). What I did discern as I listened carefully to the fifteen minutes of Baroness Hale’s declaration was her ladyship’s unusual habit of vocalising the silent “h” in “what”, and occasionally in ‘which’, almost as if impressing those words with her own acoustic monogram or phonogram. It was a hearing in which silences were uttered and utterances were silenced. In a subsequent interview with *The Guardian* newspaper which borrowed the biographical mode of the long-running music-based radio show *Desert Island Discs*, her ladyship placed her decision in the prorogation case at number one in her hit parade of legal judgments, describing it as ‘a source of, not pride, but satisfaction’ (Hattenstone 2020).

Third, and most significant, is the fact that the decision was delivered as a unanimous decision of the eleven Justices. Dissent was present only as a deafening silence. Given the controversial political nature of the prorogation, not least the fact that it touched on the Crown prerogative and for that reason had been declared nonjusticiable by the High Court, this was a quite remarkable display of vocal unison.

The unanimity of the 2019 judgment provides a signal contrast to the 2017 decision of the Supreme Court that an Act of Parliament is required to authorise ministers to give Notice (under Art 50 of Treaty on the European Union) of the UK's intention to withdraw from the European Union. In the 2017 case, three of the eleven Justices dissented from the reasoning of the majority. Those three – Lord Reed, Lord Carnwath, and Lord Hughes – opined that nothing in the European Communities Act affects the executive's exercise of prerogative powers in respect of UK membership (*Miller* 2017). Lord Carnwath, making the point that parliament would need to approve the negotiated terms of withdrawal from the EU, but would not need to approve the initiation of negotiations by means of the Art 50 notice, voiced a *via media* between the view that parliament is required to approve the process from beginning to end and the opposite opinion that the entire process is a matter of crown prerogative lying outside of Parliamentary purview. The ability to hold two contrary notes in harmonious tension (one voiced by him, the other by the majority) is no less than one would expect from Lord Carnwath, a senior judge who is also an accomplished amateur singer with the highly reputed Bach Choir.

In the 2019 decision, any nuance was submerged within the unison of a unanimous judgment of all eleven Justices. It seems that distinct voices within the senior judiciary were suppressed to achieve the outcome of expressing a unified judicial voice clearly distinct from that of the executive or the legislature. In delivering the univocal decision, Baroness Hale's opening words talk of the House of Commons having 'a right to a voice'. A casual cliché of course, but what their lordships ought properly to have insisted upon is a House of Commons with the right to rehearse a number of different and conflicting voices in search of a soundscape that would include in its harmony elements of dissonance alongside elements of consonance. However that may be, Hobbes asserted long ago that in a representative body such as the House of Commons, 'the voice of the greater number, must be considered as the voice of them all' (Hobbes 129).

The Commons may debate with many voices, but must ultimately

speak with one. The Supreme Court apparently made the error of supposing that in the important political matter of Brexit, the same should be true of judges in the highest court of the land. What makes this an error is the simple fact that judges are not representatives of the people, but representatives of justice, and justice demands harmony over unison. Justice in a panel judgment requires not merely that dissent be heard in debate, but that dissent be voiced in the final decision. Francis Bacon once complained that ‘an overspeaking judge is no well-tuned cymbal’ (Bacon 1955: 140). More objectionable, I would suggest, is an eleven-strong Supreme Court delivering judgment in a constitutionally crucial case in which the distinct voices of ten judges say nothing at all. It was a missed opportunity, for as Cicero’s Scipio said: ‘What the musicians call harmony in song is concord in a State, the strongest and best bond of permanent union in any commonwealth; and such concord can never be brought about without the aid of justice’ (Cicero 1928: 181). The concord he had in mind consists of a blending of differences:

For just as in the music of harps and flutes or in the voices of singers a certain harmony of the different tones must be preserved, the interruption or violation of which is intolerable to trained ears, and as this perfect agreement and harmony is produced by the proportionate blending of unlike tones, so also is a State made harmonious by agreement among dissimilar elements, brought about by a fair and reasonable blending together of the upper, middle, and lower classes, just as if they were musical tones. (Cicero 1928: 180-1)

There are at least two problems with a strong and singular voice emanating from the chamber of the United Kingdom Supreme Court. One is that a lack of official and published dissent just doesn’t sound just. To adapt a famous aphorism: ‘Not only must Justice be done; it must also be heard to be done’. Dissent produces pleasing nuance. Harmony can express dissonant elements, but unison cannot express harmony. The other is that unanimity is inherently one-sided and therefore tends to produce and amplify the so-called ‘echo chamber effect’ in those who hear it.

The amplification was instant. BBC presenter Victoria Derbyshire’s

news programme aired live from the BBC studios immediately after the court's declaration. In it she interviewed pro-Brexit MP Andrew Bridgen by video live link. His sound was disrupted by technical issues and at one point he tapped his earpiece saying 'I am coming back again. It's appalling sound here'. If any short phrase encapsulates the sonic circularity and distortions of the Brexit dispute, that might be it. When Bridgen complained that parliament was completely ignoring the 2016 referendum decision, the interviewer spoke over him 'no they're not, there just making a ruling about the suspension', making it clear that she hadn't actually been listening to him. He had been talking about the action of parliament and the interviewer responded on the assumption that he had been talking about the decision of the Supreme Court. Pressing on with a musical metaphor, the MP said, 'and what we're going to see now is...is the Speaker effectively taking control of parliament and playing to the remainers' tune'. A few seconds later the interviewer cut him off mid-sentence to say, 'I'm going to pause you there, I do apologise, we can hear from Joanna Cherry SNP...' (Derbyshire, 2019). They could indeed hear from her. The BBC chimed again with the acoustic analogy (the musical metaphor) a few minutes later when Norman Smith, the BBC's Assistant political editor, published the comment quoted at the top of this paper: 'The chorus of voices calling for Boris Johnson to quit will now grow louder' (11:22 on 24 Sep 2019). Of course there was no acknowledgement that by this very comment his had become one, and one of the most influential, of the voices suggesting that the court's decision might prompt Johnson's resignation. In the echo chamber one cannot hear oneself speak, even as one hears only the sound of one's own voice.

The acoustic aftershock of the court's declaration was most powerfully felt when, the following day, its sonic waves hit the recalled House of Commons in a destructive tsunami of sound and fury. Laura Kuenssberg, the political editor of BBC News, reported that 'Labour MPs howled in protest' (Kuenssberg 2019b). Boris Johnson was continually shouted down during his speech in response to the court's decision, and was accused of using inflammatory language that might physically endanger MPs for describing the Opposition's attempts to

thwart the Government's Brexit legislation as acts of treachery and surrender. The government's chief legal adviser, the Attorney-General, Geoffrey Cox QC, repulsed vocal salvo with vocal salvo, challenging the Opposition to agree to a General Election. When Cox left his post in the Cabinet reshuffle of February 2020, Nick Thomas-Symonds, the Labour MP for Torfaen in Wales, tweeted in tribute to the timbre of his voice that 'The deep baritone will be missed at the Despatch Box but I'm sure the voice has a future in audio books!' (13 Feb 2020). On that noisy day following the Supreme Court's decision, Cox had employed that baritone voice when, with a rhetorical style bred up in barristers' chambers and a delivery honed in the law courts, he declaimed:

They don't like to hear it, Mr Speaker. They don't like the truth. Twice they have been asked to let the electorate decide upon whether they should continue to sit in their seats, while they block 17.4 million people's votes. This Parliament is a disgrace. Given the opportunity— [Interruption by cheers and jeers] Since I am asked, let me tell them the truth...the time is coming, Mr Speaker, when even these turkeys won't be able to prevent Christmas. (Cox, 2019)

4. The December Election

For the Conservative Party, Christmas came early when a General Election was called for 12 December 2019. On Monday 9th December, the auditory-styled *Sunderland Echo*, a regional newspaper in the North-East of England, carried the headline 'Boris Johnson set to visit Sunderland as Conservatives target Leave-voting Labour strongholds'. The Article reported that 'Sunderland was famously the first area to declare a leave majority in the UK after 61.3% of voters opted to vote in favour of leaving the EU', adding that 'The Conservative leader is expected to say: "It's now been 1,264 days since Sunderland's roar was heard on the night of 23 June 2016"'. Acoustically speaking there was of course no roar, there was just the collective sound of pencils scratching ballot papers as the electorate voted. It was, however, a signal vote, and it is politically and acoustically significant that the Prime Minister visited that region, so remote from the nation's capital,

to say that his party had received the signal loud and clear.

The day of the election itself is subject to a species of legally sanctioned silence. The BBC's official advice to its journalists, based on The Ofcom Broadcasting Code January 2019, as backed by the Representation of the People Act 1983 (section 66A), provides that on Polling Day (between 00.30 and the closing of the polls at 22.00) 'No opinion poll on any issue relating to the election may be published' and 'There will be no coverage of any issues directly pertinent to the election campaign on any BBC outlet or social media'. It stresses that during the polling period 'It is a criminal offence to publish details of how people have voted in the elections'. Even in the US, where freedom of expression has stronger constitutional protection than in the UK, 'Legislators around the country have concluded that a moat of political silence should surround the castle of the polling place' (Schudson 1997: 308). The moat may be narrow – in the leading case, it was held that enforced silence beyond one hundred feet of the polling place would be unconstitutional (*Burson* 1992) – but within it, the political silence runs deep.

Following the Conservative Party's overwhelming victory in the General Election, Parliament reconvened on Tuesday 17 December for the election (re-election) of Sir Lindsay Hoyle as Speaker of the House, and the swearing in of new MPs. *The Metro* newspaper reported that there were 'Huge cheers for Boris Johnson as MPs return to Commons after election'. In a short news piece entitled 'Dead in a pitch' (a pun on Boris Johnson's resolution to be found 'dead in a ditch' rather than fail to meet the then statutory Brexit deadline of 31 October 2019), Patrick Kidd of *The Times* opined that 'Boris Johnson struggles to sing from his own hymnsheet, never mind the same one as everyone else' (7 November 2019). Johnson's response to his success in the General Election suggests otherwise. In a speech to his supporters at the Conservative's election campaign headquarters the morning after the election, he led them in a moment of choral speaking:

And with this mandate and this majority we will at last be able to... do
whaATT? ... [supporters chorus response 'GET-BREXIT-DONE!']

You've been paying attention ... I say respectfully to our stentorian friend in the blue 12 star hat, [pause - crowd laughs] 'That's it! Time to put a sock in the megaphone [loud laughter] and give everybody [cheers/applause]... give everybody some peace. [APPLAUSE].

Johnson was referring to the ardent remain-campaigner, the aptly named Steve Bray, who since the 2016 vote had stood in College Green, Westminster, on a more or less daily basis, declaiming his opposition to Brexit. Showing off his classical education, Johnson was also alluding to Stentor, the legendary Greek herald in the Trojan Wars, whose voice is described in the *Iliad* as being as loud as fifty men.

In his first post-election speech to the nation, delivered from in front of Number 10 Downing Street on 13 December 2019, Johnson's tone was conciliatory. His message was one of national and political unity despite acknowledged differences, and his promise was to listen to the nation's call for change: 'I have heard it loud and clear from every corner of the country'. His message sought harmony in the political and musical sense. In his first speech to the reconstituted House of Commons, he produced another moment of choral speaking. The government's benches chimed in unison – not in harmony, but undoubtedly from the same hymnsheet – when, addressing the Speaker, Sir Lindsay Hoyle, Johnson spoke in apostrophe of his party's new MPs and gave them their cue for a choral refrain:

this new democratic Parliament, this people's Parliament is going to do something, Mr Speaker. Mr Speaker, I wonder, I wonder if you can guess what this Parliament is going to do? What is it going to do...Mr Speaker's not paying attention... Mr Speaker, I wonder if you can guess what this Parliament is going to do, once we put the Withdrawal Agreement back. We're going... to... GET... [chorus of PM and Tory MPs] *BREXIT DONE*.

One MP who adamantly refused to harmonise Johnson's tune was Jeremy Corbyn. As leader of the Labour party, he had been roundly blamed for his party's electoral rout. On Thursday 19 December, he followed convention by walking side-by-side with Johnson from the House of Commons to the House of Peers to hear The Queen's Speech

that would usher in the new parliament, and the new government's legislative agenda. There was, however, none of the conventional small talk between the opposing leaders as they walked; only an awkward silence. Johnson attempted a little *parlement*, but Corbyn was resolute in giving Johnson the silent treatment. By this time, the lawyer-turned-MP, Sir Keir Starmer, who has since succeeded Corbyn, had already emerged as an early favourite to become leader of the Labour Party. Starmer's status as front-runner was consolidated on 8 January 2020, when the UK's largest union backed his candidacy; its name – UNISON.

5. The State Opening of Parliament

The formal State Opening of Parliament is a ceremony saturated in sonic significance. The most recent occurred on Thursday 19 December 2019, exactly a week after the General Election. The Parliament or place of 'speaking', which is located in the nation's capital (that is the nation's 'head'), can be compared to the speaking spaces of the human head. The House of Lords as the upper chamber comprises the political *senes* (the old folk) and parallels the resonant sinus chambers in the upper part of the skull. It cannot initiate speech of its own accord, but merely serves to adapt the tone of votes voiced in the lower chamber. In Parliament, the lower chamber is the Commons, and in the human head it is the chamber of the larynx ('voice-box'), the nose, and mouth. At the start of the State Opening, the first note of the Queen's arrival in the Lords' Chamber of the House of Peers is a trumpet fanfare sounded by a state trumpeter of the Household Cavalry, before that (as one can discern from the YouTube footage (Parliament 2019)) the chamber is hushed apart from the gentle mumbling and murmuring of the assembly.

Some of those assembled took the fanfare as their cue to cough and clear their throats as if they themselves were about to speak, but actually to avoid the potential embarrassment of disturbing the ceremonial silence that should surround the monarch's presence. The moment the Queen enters the chamber, the Peers all stand if (and as

quietly as) they can, and the Queen proceeds in perfect anticipatory silence to be seated on the Throne which is a permanent fixture of the Lords Chamber (the Palace of Westminster being, for ceremonial purposes, a Royal residence). The Lords having been stirred to acoustic attention; the next stage is to summon the Commons. To that end, the Lady Usher of the Black Rod, acting as Keeper of the Doors of the House of Peers, approaches the House of Commons. The door to that chamber is ceremonially and unceremoniously slammed shut before her in symbolic expression of the Commons' independence from Royal authority. Black Rod then raps loudly three times upon the door with her eponymous ebony staff of office. When satisfied as to Black Rod's identity, the senior doorkeeper of the commons admits her to a loud shout of 'Black Rod'. Ian Chapman performed that role at the 2017 State Opening, saying 'I'm the Chairman of the "Bromley Players", an amateur dramatic society and so I try to put some vibrato in there when I call out "Speaker" or "Black Rod"' (Whale 2018). Black Rod then proceeds up the aisle of the Commons from where she delivers Her Majesty's command that the Commons should attend upon the Queen in the House of Peers.

By recent tradition, the Labour MP Dennis Skinner has for many years taken the opportunity of that moment to heckle Black Rod with a short quip — a tradition that came to an end in December 2019, when he lost the seat he had held since 1970. Following Black Rod's summons, MPs follow her out of the chamber and to the bar of the House of Peers, beyond which they are not permitted to intrude. From there they stand to hear the Queen's Speech delivered. The opening fanfare, shouts, and door-knocking of the State Opening attune Parliament's ears and give its speaking chambers a note to attune themselves to, as a piano might play starting notes for the various parts in a choir. They serve as a ritual prelude to the opening of the monarch's mouth and the uttering forth of the Queen's Speech. Once seated on the Throne, the monarch, in the presence of the Imperial State Crown, instructs the House by saying, 'My Lords, pray be seated'. Her next utterance is the Speech itself, and thereafter she says not another word but processes out of the House of Peers (Lords Chamber) in perfect

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silence. Traditionally, members of both houses are respectfully mute while the speech is read, but in 1998 a few Labour members called out 'yes' and 'hear' when it was announced that heredity would no longer qualify peers to vote in the House of Lords. Other peers retorted with calls of 'no' and 'shame'. The Queen said nothing.

On Friday 13 December 2019, the morning after the election, BBC News Presenter, Emily Maitlis, in conversation with her guests, made this telling comment:

It's quite interesting that this is the first time that we've broadcast from Westminster where there hasn't been extraordinary crowds and shouting and the megaphones. Now I'm not suggesting for a moment that the entire nation is now united in one voice, but do you think that the mood has changed?

United in one voice should never be the hope. To be harmonised in our differences is much healthier, and if the European Union is to remain united and if the United Kingdom is to remain united, we must all sing from the same hymn sheet, but in a harmony of different parts. As for the EU and the UK, they will no doubt remain noisy neighbours. Our only concern should be with the nature of the noise.

In the end, it was all sound and fury signifying nothing. In politics the only sound that really matters is the material sound of pencil scratching ballot paper. The voting public had made its mark in 2016, and in the 2019 General Election an electorate frustrated by a Parliament that was all talk and no action scratched the box that promised 'Brexit'. It turned out that John Bercow, the former Speaker of the House of Commons, had been preaching to the choir on the Opposition benches all along, and that the chorus on the Opposition benches had been singing its own tunes to itself all along. Boris Johnson's party was elected with an overwhelming majority, including unprecedented support from habitual Labour voters, not because the Conservative Party politicians were overwhelmingly popular, but because they were attuned to hear the quiet sounds of the country above the megaphonics of the capital. The voices of the country beyond London and Westminster were amplified in satirical mode

by Comedian Dominic Frisby's Brexit Song '17 Million F*ck-Offs (2020 update)', which peaked on 'exit day' at number 43 in the UK's Official Singles Chart Top 100. At least here Remainers could claim a sound victory, for Andre Reiu's rendition of the EU Anthem *Ode to Joy* reached number 30.

Ode to Joy is the short-hand title for Beethoven's Symphony No. 9 in D minor, Op. 125. As well as being the final completed symphony by Ludwig van Beethoven, it has the distinction of being the first major symphony to employ choral voices (Stanley 1994: 137). The voices come in during the final (fourth) movement in the form of four soloists and a chorus. The first to sing is the baritone soloist, with words penned by Beethoven (the libretto being otherwise predominantly a setting of Friedrich Schiller's 1785 poem *An die Freude*): 'O Freunde, nicht diese Töne! Sondern laßt uns angenehmere anstimmen, und freudenvollere' ('Oh friends, not these sounds! Let us instead strike up more pleasing and more joyful ones!'). Whichever side one stands on in the Brexit debate, all will surely chorus "amen" to that.

In a letter of 1878, Giuseppe Verdi called Beethoven's Ninth Symphony the 'alpha and omega' (Oberdorfer 1941: 325). As the first major symphony to use voice, and as Beethoven's final completed symphony, it was alpha and omega in a more mundane sense than Verdi had in mind. And yet, for all the praise that Verdi laid upon the first three movements, he was highly critical of the choral fourth movement. He railed that 'it will be an easy task to write as badly for voices as in the last movement. And supported by the authority of Beethoven, they will all shout: "That's the way to do it..."'. Verdi's criticism, subsequently taken up by several musicologists, is that the final movement is structurally confused. If that is so, let us not put it down to the waning powers of a composer who was by this time nearly deaf, but to the lack of rigid uniformity that naturally accompanies the exuberant expression of human passion and joy.

The last movement of *Ode to Joy* concludes with three successive codas, commencing respectively at bars 763, 851 and 920. It is an expression of joy unceasing. Brexit also threatened to become, less

joyfully, a song without end. In his first address to the nation after the election, Boris Johnson acknowledged that traditional Labour voters' pencils might have wavered over the ballot paper before they voted for the Conservatives. In fact, throughout the entire soundtrack the voter's pencil had been as steady as the stylus on a vinyl LP – patiently progressing to the end of the line even as the music went in circles all around it. The process has been a Long Play, with records broken for longest parliament and longest (attempted) prorogation in UK history. On 26 January, the broadcaster Sky News tweeted a video clip of a vinyl record spinning round on a turntable. The label, in a jaunty “hippy” font, simply said “Brexit”, but the tagline spoke volumes: ‘It may sound like a broken record, but this time Brexit is actually happening’.

6. End note

On 29 January 2020, the United Kingdom's MEPs departed the chamber of the European Parliament as their colleagues serenaded them with a rendition of ‘Auld Lang Syne’. Nigel Farage, who as leader of the UK Independence Party had orchestrated the 2016 vote to leave the EU, was afforded a final address to the European Parliament ahead of its vote to approve the Art.50 agreement for the UK's withdrawal from the EU. At the end of his statement, he and his fellow MEPs produced and waved miniature Union Flags (the British sort) in a final show of celebration – as if performing the traditional climax of the *Last Night of the Proms*. This being in breach of the rule that no “banners” should be displayed by members in that forum, the chair of the session, Irish politician Mairead McGuinness, cut off Farage's microphone.

The rest is silence? No, save your applause to the end. This was the end of a movement, but not the end of the whole piece. Something I noticed when singing with the Parliament Choir on a previous occasion (that time in Westminster Hall, within the Palace of Westminster) was that our rehearsal was disrupted by the loud ring of the “division bells”. These bells are sounded throughout the Palace of Westminster, and in two hundred external locations including local restaurants where MPs and Peers might be likely to dine, to signal that a “division” (a vote) is

imminent. At 11pm Greenwich Mean Time on 31 January 2020, which is midnight in Brussels, a division bell of a different sort sounded; one that would mark the political divorce of the EU from the UK. Brexit campaigners had wanted to mark the moment with the chimes of Big Ben, the bell housed in the iconic clock tower (the “Elizabeth Tower”) of the Palace of Westminster. However, by a strange stroke of timing, the bell has been silent since 2017 to enable the tower and the clock mechanism to be refurbished.

The deathly symbolism of a stopped clock is inauspicious to say the least and it is perhaps with the hope of signalling a national resurrection that Brexit campaigners campaigned and collected money for the purpose of sounding Big Ben at the precise minute of Brexit. But the bell is not there. There is just a heavy silence hanging in its place. In the event, the crowd that had assembled to celebrate “exit day” in Parliament Square heard a recording of the bells broadcast through loudspeakers. Did the earth resound with vibrations? Did ears feel weighty waves of sonic assault, as with Big Ben of old? Did it feel fake? Did it feel real? I wasn’t there to know. I had a choir rehearsal. The day after exit day, my choir performed a concert for schoolchildren with a mix of pieces old and new. Handel’s *Zadok the Priest*, with its refrain of ‘God Save the King!’ appeared alongside a new arrangement of rock band Queen’s *Killer Queen*, and the *Dies Irae* (“Day of Wrath”) from Mozart’s *Requiem*. All this was tempered by The Beatles’ song ‘With a Little Help from My Friends’. The sentiment of that song chimes with the words on the new fifty pence piece that the Royal Mint produced to bear the date 31 January 2020: ‘Peace, prosperity and friendship with all nations’.

After the bruit of Brexit, peace seemed a hopeful note to end on, but instead of peace we had silence. What none of us foresaw who sang in that concert in Coventry Cathedral on 1 February 2020, was that the choir would fall mute for the rest of 2020 as the Covid-19 pandemic swept across Europe, the UK, and the rest of the World. The EU was briefly criticized for its early lack of a concerted response to the crisis, but Brexit itself was largely hushed over in a world of new priorities.

Now, at the tail end of this year of Covid, we are being returned “*da capo*”; back to the start. Brexit has reared its noisy head again in the form of the United Kingdom Internal Market Bill 2019-21, which controversially purports to ‘have effect notwithstanding inconsistency or incompatibility with international or other domestic law’ (section 45). The BBC’s political editor, Laura Kuenssberg, warned in a headline of 7 September that ‘Brexit is back - and likely to get louder’ (BBC News online). Stay home. Stay alert. Stay tuned.

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