

## **Britain's Brexit and the accelerating death of democracy**

By Greg Sheridan, The Australian, 1 June 2019

Is Boris Johnson today's Winston Churchill? Or will he, like Mahatma Gandhi, go to jail for saying what he believes to be true?

That questions as outlandish as this can be asked realistically shows you just how astonishing, and even dangerous, British politics has lately become. Brexit can titillate people with its endless drama and farce, it can bore people with its impenetrable Euro-waffle Brussels-speak and institutional complexity. It can inflame people with passions of patriotism or international liberalism. It can be a Rorschach test on which everyone can project their worst and best fantasies.

But make no mistake. Our beloved friend, the United Kingdom of Great Britain and Northern Ireland, is enduring its worst political crisis since the beginning of World War II. And it is stoking political divisions that seem to deepen and become more poisonous every day and that have no apparent means of resolution.

The next chapter is the leadership campaign within the Conservative Party. Boris Johnson is the frontrunner, ahead by a mile, a dangerous place for any politician to be at this stage of the race.

The forces aligned against Johnson are what you might call meta-democratic; that is, beyond democracy. For this week, in a stupefying first, a British court deemed that a private prosecution should go ahead against Johnson for the way he campaigned for Brexit.

The idea that the courts, rather than the democratic electorate, should determine what politicians say is a grievous assault on liberal democracy. During the Brexit campaign, Johnson was often seen in a bus that carried the slogan that the EU cost Britain £350 million a week. Needless to say, this is a controversial figure. The EU certainly costs Britain an enormous sum of money. Otherwise the EU wouldn't want Britain to pay nearly £40 billion (\$73bn) as a divorce settlement, money the EU claims Britain should pay to acquit the obligations it undertakes as a routine part of its EU membership.

However, depending on how you factor in the EU rebate for Britain and a multitude of other considerations, the £350m figure is legitimately controversial. It is not as if nobody attacked it during the campaign. Both the mainstream parties, Conservative and Labour, campaigned for Remain, as did most minor parties such as the Liberal Democrats, the Greens, the Scottish and Welsh nationalists and so on. Almost all of the mainstream media, and all but a vanishingly small portion of academe, were overwhelmingly pro-Remain and the Brexit campaign was excoriated and lampooned at every point.

At the end of all that, in the biggest vote in Britain's history, 52 per cent voted to leave anyway. A huge part of the crisis in British democracy today is that the British establishment has never accepted the legitimacy of that vote.

Because they don't agree with the outcome of that vote, they have tried to make it appear illegitimate. Brexit, the UnCivil War, a movie with Benedict Cumberbatch, is a classic of establishment propaganda. In one scene the heroic leader of the Remain campaign is screaming

at the BBC that they should not be even-handed because the pro-Brexit campaign is putting up fools and charlatans to debate his people who are economics Nobel prize-winners.

The movie does not include the inconvenient truth that all, every single one, of the economic predictions the Remain campaign made about what would happen if Britain voted to leave was proven wrong. The Remain campaign stated as fact, not just a wild guess, that there would be an immediate recession and the necessity for a harsh austerity budget should Britain vote Leave.

None of this happened. But the liberal urban elite in most Western societies is so profoundly convinced that it represents the truth at some deep level that mere facts cannot get in the way. Yet no Remain campaigner has been taken to the courts for their outrageous misrepresentations during the campaign. These campaigners included the then prime minister, David Cameron, and the then chancellor of the exchequer, George Osborne. They were speaking, they said, on the basis of civil service advice. Thus they were surely public officials speaking recklessly, the very charge brought against Johnson.

Johnson was mayor of London at the time of the Brexit campaign so the charge against him is that he behaved recklessly as a public official. The British legal system has traditionally been the finest in the world, its judges incorruptible and a model of disinterested legal deliberation. That is partly why this Johnson case is so shocking.

The definition of a modern liberal, it has been widely said, is a person who will fight to the death for your right to agree with them. Western liberalism has been in the process of going mad these recent years. It has become coercive and undemocratic and, in the process, illiberal. Imagine if Bill Shorten faced criminal charges because the Labor campaign in 2016 suggested the Liberals might tamper with Medicare, or if Scott Morrison faced jail because the Liberal campaign this time around suggested Labor was considering a death tax.

Britain is tearing itself apart over Brexit, and it is starting to tear its democracy apart. A source close to Johnson was widely quoted in the British press as saying: "This is nothing less than a politically motivated attempt to reverse Brexit and crush the will of the people. The claimant has openly admitted that his plan is to overturn the referendum via a legal challenge and he clearly intends to try and undermine the one man who can truly deliver Brexit."

All the nations of the West are undergoing different versions of the same crisis and there are trends, pathologies, that seem to afflict every patient. One of the most noxious in the West is the powerful tendency to criminalise politics, to make dissent from illiberal liberalism a criminal offence.

The mechanics of Britain's crisis are complex and the establishment resistance to Brexit will play out in a series of moves during the coming weeks. The Conservative Party will start holding votes on June 10 to determine the final two leadership contenders. At each vote, the least supported contender in the field will drop out until there are only two left.

These two will then have a period of some weeks to go before the 160,000 rank-and-file members of the Conservative Party around Britain choose the new prime minister in a postal ballot. Many in the party think this cumbersome process is an agonising and unaffordable delay in a crisis moment. Others note the bitter consequence of the uncontested coronation of Theresa May as leader after Cameron quit when Brexit won the referendum.

It has been well argued that May is the worst British prime minister since Lord North in the 18th century. Lord North lost the American colonies, the most valuable possession the British Empire ever had.

May, with her worst of all worlds surrender agreement so often rejected by the House of Commons, wanted to make Britain effectively a colony of Europe. Nobody could describe any aspect of her prime ministership as successful. She had been a determined but quiet home secretary and people mistook that for strength. But her complete inability to connect with voters, form effective alliances, lead a team or handle herself in debate may well have become evident if she had faced a proper leadership battle. Instead, Michael Gove, who had been Johnson's campaign manager, decided Johnson was no good and that he wanted to run for the leadership himself. In the process Gove discredited Johnson for the moment but also hurt himself. Everyone pulled out so that May could enjoy a coronation. That was an unmitigated disaster.

This time, the reverse seems to be happening. At the time of writing there were 12 declared Conservative leadership candidates. They are: Johnson, Gove, Dominic Raab, Matt Hancock, Jeremy Hunt, Sajid Javid, Andrea Leadsom, James Cleverly, Esther McVey, Kit Malthouse, Rory Stewart and Mark Halperin.

Most Brits would struggle to recognise half of them. Some have been senior ministers, some not. Indeed, it's a piquant point that two recent successful prime ministers, Tony Blair and Cameron, came to the position with no ministerial experience, whereas two of the most unsuccessful, with two of the shortest tenures in the 20th century, Gordon Brown and May, had extensive ministerial experience. The prime ministership is not about a CV. It's about the ability to lead, to take hard decisions, to build alliances, to keep your nerve and to connect somehow with the community you lead.

Brexit is the problem from hell partly because there is no middle road compromise that is possible. The choice is stark: Britain either leaves the EU with no deal, which means trading on World Trade Organisation principles, or it stays in the EU. The compromise May tried to craft is a nightmare. It seeks to satisfy the democratic needs of fulfilling the result of the referendum, while not actually taking any serious action to move beyond the EU's control.

It is rightly labelled BRINO — Brexit In Name Only. Because Britain would have no legal means of leaving the backstop, in which it obeys almost all EU rules, without EU consent. Britain would be in a much weaker position than as a member of the EU.

Former Conservative minister Leadsom, when she resigned from the cabinet a week or two ago, said that under May's deal Britain would cease to be a sovereign nation. It would lose the basic mechanism of democracy because all the rules it lived under would be made in Brussels.

Part of May's bitter legacy is a much more polarised Britain. In this, it resembles Europe. The big outcome of the European elections was the decline of the centre left and centre right, and the rise of the Greens on the left and the nationalist populists on the right.

Most of the Conservative leadership candidates, especially Johnson, Rabb, McVey and Leadsom, say they would embrace a no-deal Brexit if necessary. All say they would renegotiate with the EU and get a better deal. Most say Britain must leave the EU by the new deadline of October 31.

There is no indication that the EU would renegotiate May's deal. That means the new Conservative PM would have to pursue a no-deal Brexit. But the Conservative majority, in alliance with the Northern Irish Democratic Unionist Party, has only a thin majority. Enough Conservatives are determined to avoid a no-deal Brexit that they might even cross the floor and vote no confidence in their own government rather than let no deal proceed.

This would force an election. So in reality the two most likely outcomes, whoever becomes PM, will be a new referendum or a general election. The Conservatives, who would have to campaign for a hard Brexit, could lose massive votes to Nigel Farage's Brexit Party on the right and to the Liberal Democrats on the left. Jeremy Corbyn could become PM.

Although Conservatives hate the idea of a second referendum, there are two reasons they might implement it. One, they could stay in government while it was held. And two, they could ensure a fair question was put, between a no-deal Brexit and staying in the EU (as opposed to a May-like deal or staying in the EU, a question the British establishment could use to thwart Brexit). This may be the only way to gain legitimacy for the tough decision ahead. Both sides have convinced themselves the opposing view is illegitimate and the prospect of this polarisation going on and on and on is real.

Johnson is the only contender who is a certified Big Beast, whose campaigning and personality could possibly change the situation. It would be absurd to equate Johnson at this stage with Churchill. However, like Churchill before he became prime minister, he has enormous and obvious faults. But he still may be the best chance Britain has in a time of unique national peril.

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