

Transatlantic misunderstandings about populism

by Daniel Johnson

Populism is one of those words that means different things to different people, and on opposite sides of the Atlantic. Such differences may lead to transatlantic misunderstandings that may, as I hope to demonstrate, have calamitous consequences.

Another such source of misunderstanding is the notion of freedom, as in “Is it a free country?” This was the title of one of the *Uncommon Cases* of A. P. Herbert, the distinguished writer and undistinguished barrister (he wrote more than fifty books but never actually practiced law).

The fictional Lord Chief Justice, Lord Light, considers the appeal of the veteran litigant Albert Haddock against his conviction for jumping off Hammersmith Bridge during a Thames regatta, for which he was fined two pounds. “The appellant himself said that he did what he did (to use his own curious phrase) ‘for fun.’” After considering in turn the six offenses with which Haddock was charged, and his answers to them, the Lord Chief Justice concludes his judgment as follows:

But in addition to these particular answers, all of which in my judgement have substance, the appellant made the general answer that this was a free country and a man can do what he likes if he does nobody any harm. And with that observation the appellant’s case takes on at once an entirely new aspect. If I may use an expression which I have used many times before in this Court, it is like the thirteenth stroke of a crazy clock, which not only is itself discredited but casts

a shade of doubt over all previous assertions. For it would be idle to deny that a man capable of that remark would be capable of the grossest forms of license and disorder.

It cannot be too clearly understood that this is *not* a free country, and it will be an evil day for the legal profession when it is. The citizens of London must realize that there is almost nothing that they are allowed to do. *Prima facie* all actions are illegal, if not by Act of Parliament, by Order in Council; and if not by Order in Council, by Departmental or Police Regulations, or By-laws. They may not eat where they like, drink where they like, walk where they like, drive where they like, sing where they like, or sleep where they like. And least of all may they do unusual actions “for fun.” People must not do things for fun. We are not here for fun. There is no reference to fun in any Act of Parliament. If anything is said in this Court to encourage a belief that Englishmen are entitled to jump off bridges for their own amusement the next thing to go will be the Constitution. For these reasons, therefore, I have come to the conclusion that this appeal must fail. It is not for me to say what offence the appellant has committed, but I am satisfied that he has committed *some* offence, for which he has been most properly punished.

Herbert parodied the style and substance of English legal argument so well that according to the author some of his cases, including this one, were taken to be genuine on the other side of the Atlantic and reported as such in American law reviews. What was intended by

Herbert as an ironical assertion of the idea that England was a free country—for no such parody could have been published without the freedom of the press—was taken literally by some American lawyers. Some might put this down to a failure of a sense of humor.

Now, as I am incompetent to analyze the transatlantic contrasts in humor that might explain such a misunderstanding, I want to take this opportunity to pay tribute to a man who certainly possessed such competence to a unique degree: the late Christie Davies, a frequent contributor to *The New Criterion* who entertained us eloquently on the sociology of jokes.

But this case shows not only that Americans and Englishmen find different things funny, but that quite often we see only what we want to see on the other side of the pond. Without any evidence, I suspect that the Americans who lamented the fact that England was no longer a free country were genuinely concerned about the growth of what was later—in the 1960s—dubbed the “nanny state” by the then-editor of *The Spectator*, Iain Macleod.

Indeed, what was intended as satire in the 1920s now feels too near the bone. Impatience at our lack of control over the creeping overregulation by the unaccountable organs of the European Union of what we British perversely persist in calling a free country was one of the driving forces of Brexit. Yet that bid for freedom shocked and dismayed the American liberal establishment, represented by Barack Obama’s finger-wagging and counter-productive warning that an independent United Kingdom seeking a trade deal with the United States would “go to the back of the queue.”

President Trump, by contrast with his predecessor, seems to have kept his eye on the ball when dealing with Europe. He predicted and welcomed Brexit, as a victory for freedom and national sovereignty, but his view is of course influenced by the direction he wants America to take. It remains to be seen whether he will prevail over those who would like the United States to converge with European norms.

During his election campaign, the then-Republican candidate criticized Angela

Merkel for opening Germany’s borders to a million migrants in 2015. “What she’s done is insane,” he said, warning of riots to come. A few months later in 2016 he predicted a political backlash: “The German people are going to end up overthrowing this woman.” After the Trump victory, Chancellor Merkel was quick to lecture the President-elect on the “shared values” to which she expected him to adhere. When the two leaders met last March, the atmosphere was frosty. After a working lunch that was evidently sticky, Mr. Trump made a conciliatory gesture by emphasizing that “we share the same values.” Mrs. Merkel pointedly did not reciprocate, but shot him a sideways glance of icy disdain.

Last September, the German electorate gave its verdict on Mrs. Merkel’s “welcome culture”: she had her worst ever result and for the first time in over half a century an openly nationalist party, the Alternative for Germany, stormed into the Bundestag, with ninety-four seats. Their program—controlling the borders and halting the “Islamization” of Germany—was a direct response to Mrs. Merkel’s cavalier disregard for the ordinary people who have paid the price for her open-door policy. Once again, misunderstandings abound: many Americans will have swallowed the line of the German Far Left, that the new party and its supporters are “Nazis” who should be excluded from the democratic process.

In reality, most of the six million who voted for the Alternative for Germany were simply frustrated by the refusal of bigwigs in Berlin to listen to their concerns. After twelve years of a “grand coalition” of the two biggest parties, they felt they had no other way of protesting.

By far the largest group of voters who swung to the right this year had abandoned Mrs. Merkel’s own Christian Democrats—so centrist as to be hardly even a conservative party, let alone a Nazi one. Rather like the “forgotten men and women” who voted Trump last year, these Germans are demanding to be heard.

No wonder President Trump proved to have a better understanding of German politics than Mrs. Merkel herself. She has learned her lesson the hard way. If there is one thing worse than being a populist, it’s being an unpopulist.

On both sides of the Atlantic, the populism debate has generated more heat than light. On the European side—in which, for this purpose, I include the British—there is virtually unanimous hostility to Donald Trump in any shape or form. No matter what he says or does, the media places the worst possible interpretation on his motives—which are invariably seen as “populist.”

Thus, when he decided to remove the United States from the Paris Climate Change process, Mr. Trump was excoriated for his alleged ignorance of the scientific consensus and for his irresponsible abdication of global leadership. The reason the President actually gave—that his predecessor had got a very bad deal that was costing Americans trillions of dollars—was barely mentioned. When it was recently reported that the administration might be prepared to reconsider its decision if the financial terms were improved, this was presented in Europe as further evidence of the “chaos in the White House” theme that has been running consistently since even before Mr. Trump’s inauguration.

It is the same story on the Iran deal. Trump’s populism is blamed for his repeated threats to abrogate the deal—even though there is no evidence that the American public feels very strongly about it and every reason to suppose that Mr. Trump’s main motive is genuine strategic concern about violations of the agreement by the Iranians and the threat posed by a nuclear Iran. He made this abundantly clear in October, when he refused to certify that Iran was in compliance and asked Congress to consider reimposing sanctions lifted under the terms of the deal. The President’s tough line had nothing to do with populism and everything to do with national security.

In Europe, especially Germany, trade with Iran is big business and public opinion is mobilized in support of the deal by the governments that brokered it. Yet it is Mr. Trump who is accused of pandering to special interests. After his United Nations speech in September 2017, the leading German conservative newspaper, the *Frankfurter Allgemeine Zeitung*, blamed the “Jewish lobby” in Washington. According to that paranoid perception, widely held in Eu-

rope, the populist in the White House has got together with his cronies on Wall Street to stop European firms supplying the ayatollahs with peaceful technology. Remarkably, it echoes the ideology of the Iranian government, as expressed by President Hassan Rouhani when Congress refused to ratify the Iran deal: “The interests of one country [Israel] and one group [the Jews] have been imposed on the members of the U.S. Congress.”

The same conspiracy theory surfaces in Europe whenever Israel is mentioned: President Trump, leader of the mightiest nation on earth, is supposedly the willing puppet of Benjamin Netanyahu, leader of a tiny nation of seven million.

Yet Europeans see no contradiction between their own anti-Semitic fantasies and the idea that this administration is soft on the Far Right, including anti-Semites. I encountered this attitude in a panel discussion earlier this year, held under the auspices of Jewish Book Week, when several other speakers made dark insinuations, blaming Donald Trump for a spate of bomb threats on Jewish targets in America. The Trump victory had, they felt, given permission for anti-Semites to crawl out of the woodwork. Mayor Bill de Blasio of New York and others on the American Left have also given credence to this theory. But the one person who has pleaded guilty to many of these hoaxes was a left-wing journalist, Juan Thompson, pursuing a private vendetta against his ex-girlfriend.

The truth is that anti-Semitism takes many different forms across the political spectrum. But it is only in Europe—specifically, in Germany—that it is officially defined as a “right-wing extremist crime.” Yet, as a 2014 study of thousands of items of hate mail sent to the Israeli embassy in Berlin and the country’s central Jewish organization found, only 3 percent came from Far Right extremists. Over 60 percent, by contrast, were sent by academics, lawyers, and other educated Germans, many of them of, in their own eyes at least, impeccably liberal credentials.

Yet Germany is a country where Angela Merkel’s rival, Martin Schulz, has accused Mr. Trump of “shameless and dangerous” attacks

on minorities and ruining America's reputation for freedom and tolerance. The warped logic goes like this: Populism in Europe is usually associated with anti-Semitism, which is a right-wing phenomenon, so the same must be true in America. Trump is a populist of the Right. *Ergo* Trump must be anti-Semitic.

The lack of a shred of evidence on which to base this silly syllogism doesn't trouble those who want to believe it. Enter the "Anne Frank Center for Mutual Respect," whose director, Steven Goldstein, responded to the President's insistence that "I'm the least anti-Semitic person that you've ever seen in your life" by claiming that he "quacks, walks, and talks like an anti-Semite. That makes him an anti-Semite." The fact that this grotesque smear comes from an American organization bearing the name of a Dutch Jewish girl murdered by the Nazis gives it credibility in Europe.

And then there are the intellectuals. Take, for example, John le Carré. At a grand event held at the Royal Festival Hall in London last September, the octogenarian writer was feted before an audience of his literary peers to mark his latest George Smiley thriller, *A Legacy of Spies*. He took the opportunity to warn that Donald Trump is doing to the United States what Hitler did to Germany: "Something truly, seriously bad is happening," Mr. le Carré declared. "These stages that Trump is going through in the United States and the stirring of racial hatred . . . a kind of burning of the books, as he attacks, as he declares real news as fake news, the law becomes fake news, everything becomes fake news." (Have you seen pictures of Nazi book burnings in Berlin? Do they seem in any way comparable to today's media obsession with fake news—which anyway wasn't invented by Trump? Do you think Mr. le Carré knows what he is talking about?) Here he is again: "I think of all things that were happening across Europe in the 1930s, in Spain, in Japan, obviously in Germany. To me, these are absolutely comparable signs of the rise of fascism and it's contagious, it's infectious. Fascism is up and running in Poland and Hungary. There's an encouragement about."

Actually, Poland and Hungary are democracies—for the first time in history—but how is the fact that fascist parties exist in Europe evidence of the rise of American fascism, let alone of a fascist or Nazi president? That really does sound to me like what in the 1930s people called propaganda, but now goes by the name of "fake news." In any case, the governments of Poland, Hungary, Austria, and the Czech Republic are not fascist and are only in a limited sense populist. They do not welcome large-scale immigration, particularly by Muslims, and they do not recognize the authority of the European Union or other international organizations to impose quotas of so-called refugees on their territories, particularly when many of these migrants turn out to have no right to asylum. If defending borders and national sovereignty is fascist, then who shall 'scape a whipping? The accusation reveals more about Mr. le Carré's prejudices against countries that were once on the wrong side of the Iron Curtain, still wrestle with the legacy of two lost generations under Soviet tutelage, and which must now contend with the ill-disguised disdain of their more fortunate neighbors in NATO.

Such disdain is, perhaps, what one might expect from a former spy who now writes fiction with a left-wing slant, but the point is that it feeds into a narrative that is widely believed in Europe: that Mr. Trump's brand of populism is at best giving license to fascists and at worst is itself indistinguishable from fascism. To make this ludicrous argument, anything will do. If the President denounces professional athletes who refuse to stand for the U.S. flag and national anthem, he is accused of "stirring racial hatred"—when in reality it is these highly paid and privileged playboys who are playing with fire by stoking violence across American cities.

Mr. le Carré's claim that Donald Trump's dislike of "fake news" is the modern equivalent of Nazi book burning brings me back to A. P. Herbert who, unlike Mr. le Carré, actually fought for his country in the First World War and was a Member of Parliament during the Second. His war service included writing light verse to keep up the spirits of his countrymen during the darkest days when Britain alone re-

sisted German-occupied Europe. Much of his satire (collected in *Siren Song*, first published in October 1940) was, of course, directed at the Nazis, such as “Von Ribbentrop, the cosmic flop” and “Roaring Joe Goebbels,” or at their allies, as in “Veni, Vidi, Vichy.” He had a dig at American isolationists, too, in “Phoney,” written during the Battle of Britain, still eighteen months before Pearl Harbor:

Dear Uncle Sam, do you still think, brother,
One bit of Europe’s as bad as another?
Possibly, Sam, but forgive us, do,
For now you’re a corner of Europe, too.

Yet even at the height of wartime, Herbert’s satire did not spare his own government and the encroachment of the state at the expense of liberty. While the Luftwaffe were blitzing London, his poem “Domestic Hollow-ware, etc.” was prompted by the Chancellor of the Exchequer, Sir Kingsley Wood, imposing heavy new taxes to limit civilian consumption. What piqued Herbert was the fact that Wood included, almost as an afterthought, books, newspapers, and periodicals along with household goods in the 12 percent sales tax schedule. In Britain, “taxes on knowledge” have been taboo since the eighteenth century, when they were used as a substitute for censorship to limit the circulation of the press. Herbert’s mockery is in the best eighteenth-century tradition, although gentler than Jonathan Swift’s savage satires:

Sir Kingsley Wood, Sir Kingsley Wood,
I don’t believe you’re any good. . . .
Sir Kingsley Wood, if you had said
“I wish that fewer books were read,
For reading always was a bane,
And it must not occur again,”
Why, then we should have understood
Just where we were, Sir Kingsley Wood;
And nobody could well dispute
You knew a book from, say, a boot.
But now, from Schedule Number Two,
It’s far from certain if you do. . . .

All knowledge, I suppose, is doomed,
For knowledge must not be “consumed.”
But least of all we need what’s new,
And last year’s calendar must do.
You’re even putting 12 *per cent*
On the reports of Parliament;
And we’ll be paying through the nose
For reading your delicious prose.
In fact, as far as I can see,
A betting book alone is free.
Sir Kingsley, when your star is set,
You will, no doubt, go higher yet;
And England’s men of letters there
Will greet you with a stony stare.
But I should like to hear that day
What Doctor Johnson has to say.

Here is the best of British bloody-mindedness, which others may call populism if they wish. When Americans look up from the latest Twitter storm about the doings and attempted undoings of the President to throw a glance across the pond at the old country, I hope they will see a nation that has made up its mind to stand no more nonsense from the Continent. The legal and financial extraction of the United Kingdom from the European Union may resemble Laocoön struggling with the serpents, but the home of empiricism has no place in a utopian experiment.

If populism means seeing only the mote in the other’s eye, never the beam in one’s own, then to hell with it. But if populism means seizing one’s own governing class by the lapels and reminding them of the limits of good government, then I am all for it. We live in an age of officious officials, off whose overweening we urgently need to be weaned. Sometimes it is salutary for the people to have a voice, as long as demagoguery can be kept in check. *Vox populi, vox Dei* may be a dangerous principle, as Charlemagne was warned by his English court philosopher Alcuin, but it has also served as a check upon our rulers. The voice of the people may not always be the voice of God, but it is no bad thing if the mighty must pay heed as though it were.

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