A Crisis of Democratic Legitimacy

By Theodore Dalrymple

There is a crisis of political legitimacy in both of the countries, Britain and France, in which I have a home. Both countries have an electoral system well-suited to a political life in which there are two overwhelmingly dominant parties: the Conservatives and Labour in Britain, the Gaullists and the Socialists in France.

But when political life fractures or splinters into more factions, each with a considerable number of votes, what results is over-representation in parliament of some parts of the population, and under-representation of others.

This in turn has two major consequences: a large part of the population feels cheated of influence, or completely disregarded, and the leaders of the winning party feel they have a mandate to do anything they wish with the country though they are not in the least approved of.

Let us take first the case of the United Kingdom. It had been widely reported that the Labour party, led by Sir Keir Starmer, won a landslide victory. And so it did, in the sense of the huge proportion of seats in Parliament that it won. Furthermore, no one suggests that the election was anything other than properly conducted: there were no allegations of widespread fraud that might have affected the result.

It would be against human nature if the leaders of the winning party did not conclude from their parliamentary majority that they were highly popular, and that the country as a whole had joyfully placed itself and its future in their hands. In such circumstances, I would probably conclude the same. Power not only corrupts, but it corrupts almost immediately.

Yet the statistics suggest something rather different from a landslide in other than a technical sense. The proportion of the total electorate that abstained, 40 percent, was the second highest since the 1880s. This didn't really surprise me. No doubt there were many among the 40 percent who simply, or habitually, could not be bothered to cast their vote; but before the election, I heard many people who usually voted say that they would not vote this time because of their disenchantment with the political class as a whole (not that they have been exactly enchanted with it for a long time). In vain did I argue that, bad as politicians might be as a class of human beings, there were always better and worse among them, even if marginally so: it is not possible for everyone at the same time to be the worst. I found, however, that the disgust ran so deep that there was no convincing them that they ought to vote.

Of the 60 percent who voted in the election, 34 percent voted

for the winning party: that is to say, just over 20 percent of the electorate. Under the system of first-past-the-post in each constituency, Labour won 63 percent of the seats, while the Reform Party, led by Nigel Farage, with 14 percent of the votes, won 5 seats. This means that a vote for Labour was worth, in terms of representation in parliament, thirty-six times that for Reform. Alternatively, if Labour had been required to garner as many votes as the Reform Party per member of parliament, it would have won 12 seats instead of 412.

I repeat that, according to the rules laid down for elections, there was nothing illegitimate in the distribution of seats. Labour won fair and square. But there is another kind of legitimacy other than the formal kind. It may be that the rules themselves, made under quite different circumstances, lose their legitimacy even when followed to the letter. Can a country long be called a representative democracy where the weights of votes are so different? This is not a question that is likely to cross the mind of the new prime minister as he makes his momentous decisions.

In France, the disparity in the weight of votes is less startling, but exists nonetheless. The *Nouveau Front Populaire*, a coalition of leftist parties drawn together for the sole purpose of preventing a majority, either relative or absolute, for Marine Le Pen's *Rassemblement National*, won 80 percent as many votes as the RN but 24 percent more seats. Again, this was all perfectly legitimate according to the rules; but the RN had to obtain 50 percent more votes to send a deputy to the *Assemblée National* than did the Nouveau Front Populaire.

Political legitimacy is threatened, but not by fraud or lawlessness. The main problem lies elsewhere. Under the constitution, new elections cannot be called for twelve months. In the meantime, no party, or coalition of parties, has a majority in the *Assemblée Nationale*, and it is not easy

to envisage one. Perhaps President Macron's party, the Gaullists and less extreme socialists will cobble a coalition together, but even this would not give them an absolute majority and would strengthen the already quite strong feeling of disgust of much of the population that "they are all the same," all opportunists without any principles, interested only in office. Meanwhile, the coalition of the left, which received 25 percent of the valid votes cast and slightly less than 16 percent of the votes of the total electorate, claims the right to rule (its *programme* is extreme and would almost self-evidently be disastrous if put into practice, with a reduction of the retirement age to 60, a large increase in both the minimum wage and the salaries of public employees, a tax on capital, a maximum rate of 90 percent income tax, price controls on rents and comestibles, and the encouragement of immigration). The largest party by popular vote, the Rassemblement National, had 32 percent of the valid votes cast, and 20 percent of the votes of the entire electorate, not hugely superior to the proportion for the *Nouveau Front Populaire*.

The level of hatred between the factions is great and growing—in the population as well as in the political class. The political instability, which the constitution of the Fifth Republic was supposed to suppress (as indeed it did, for more than half a century), has returned, at a time moreover of low economic growth and international challenges of great severity. We are back to the days of the Fourth, and even the Third, Republic. A legitimate government, accepted as such even by its opponents, looks for the present beyond reach.

There is no easy solution to the problem of legitimacy in either Britain or France, but where legitimacy loses, demagoguery gains.

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