

# FREE LIFE

A Journal of Classical Liberal and Libertarian Thought

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**How very convenient for this Government  
that it has abolished the death penalty for treason**

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# Free Life

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Potential contributors are urged to write to the Editor for a "Style Sheet and Guidance for LA Writers" - though it is worth adding that nobody ever has asked for one, and the Editor has not seen one since November 1991.

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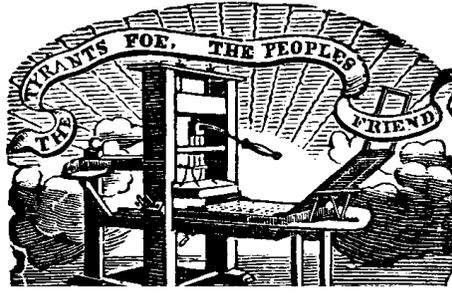
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## Thoughts on the DNA Database

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I have temporarily run out of abuse to heap on William Hague and his apology for a Conservative Party. Instead, I will discuss Tony Blair's proposal that every person arrested in England should have samples of DNA taken and stored. These samples, he says, are needed to help catch criminals. The usual "civil liberties" groups have started their usual whine about privacy - but will, as usual, get nowhere. I have done rather better in my two radio interventions on the matter, but do not hope that I can affect how the debate will end.

The problem is that whenever this sort of proposal is made, debate is constructed in terms of either consenting to exactly whatever is proposed, or doing nothing at all about crime. Within this structure of argument, opponents can be presented as indifferent to crime, or even as more interested in the rights of criminals than of their victims. The secret of winning such debates lies in persuading enough people to reject the assumptions that underlie the structure of debate. Let us briefly examine these assumptions.

**First**, it is assumed that a DNA database is essential if crime is to be reduced. This is not so. It would be better to legalise drugs. Millions of consenting acts that are presently illegal would then drop out of the crime figures. At the same time, competition from legitimate suppliers would bankrupt the criminal gangs that have turned parts of London and Manchester into low-intensity war zones; and lowered prices would reduce the vast number of burglaries and street crimes now committed by drug users.

For those acts still criminal we could have much stronger punishments. The notion that serious threats to lock criminals away for very long periods, or to flog or mutilate them, or to hang them, will have no deterrent effect is so laughable, that only someone with a Sociology degree could propose it and only a fool could really believe it.

Then the laws regarding self-defence could be changed. It is a scandal that respectable people in this country are not allowed to use whatever force they think necessary to defend their lives and property. Tony Martin is in prison for the bizarre crime of "murdering" a burglar. If he is to blame for

anything, it is for his moderation in not going after the other two thieves who broke into his house and executing them as well.

Each by itself, these reforms would take us back to the crime figures of about 1970. Combined, we might find ourselves back in the 1950s. Of course, the authorities affect horror and even incredulity at the thought of doing these things. They would rather have their DNA database.

**Second**, it is assumed that a DNA database would reduce crime. Undoubtedly, it would have some effect, but this would be mostly against those criminals likely to be caught and punished in any event. There might at best be a small drop in the coast of policing. But anyone aware of the optimistic claims made when fingerprinting was first introduced must know that the more intelligent criminals will simply take more care to hide their identity. That will need more this time than wearing gloves. But I doubt if it will need anything very hard or expensive.

**Third**, it is assumed that a DNA database would be used only for crime control. Even granting that our present rulers are entirely to be trusted - at the very least a dubious assumption - we cannot be sure what they will be like a generation from now. But we can be sure that a database set up now to cover those who are arrested will, without any positive extension, soon cover most of the adult population. It would a useful tool for any government wanting to decide who should and should not have children. I am sure that other tyrannical uses would soon be discovered. As Albert J. Nock once observed, every time we give a government power to do things for us, we also give it the power to do things to us. I cannot think of a better illustration of this truth than a DNA database.

These are the assumptions within which all present debate must proceed. So long as they continue unchallenged, there can be no effective opposition. I am proud of how well I challenged them in one of my radio interventions of last week. But I am sure that others can and will do better.

**Sean Gabb**

# Jack Straw, Corruption, and the New World Order

Sean Gabb

For some while now, I have been brooding over an article I found in *The Guardian* newspaper of last 21st June. "Straw declares war on corruption" the headline reads. It tells how, pressed by the Organisation for Economic Cooperation and Development, the British Government is planning a new law. Bribery is to be made a more serious offence, and its legal definition widened to cover acts not previously criminal. The most important new offence will be bribery of foreigners committed by British citizens abroad. It will be illegal, for example, for British companies to offer bribes to get export orders, or for British individuals to bribe their way out of foreign trouble. To enforce this law, the authorities will use their existing or yet to be created powers of surveillance - telephone tapping, burglary of houses and planting of listening devices, monitoring of e-mails, and so forth.

Announcing the proposals in the House of Commons, Jack Straw, the Home Secretary, said:

Corruption is like a deadly virus. It has no boundaries. We need to fight it wherever it is found.

For too long dishonest individuals have profited at the expense of undermining the integrity of professional and public life in this country.

A few Conservatives, I imagine - though without Mr Hague's encouragement or support - will oppose the Government on purely commercial grounds. They will explain how in many countries, doing business is inseparable from dealing with a swarm of ministers, officials and well-connected businessmen, all holding their hands out for a bribe. Making it criminal here to put money into those hands will hurt our export trade. At best, companies will relocate their headquarters to other countries where they cannot be prosecuted, or where similar laws are less fully enforced. In any event, British workers will suffer.

This is a true objection, and I hope it is pressed very hard - such being the best the Tories have to offer nowadays in defence of freedom, and to be fair such being the argument most likely to have an effect on the Government's legislative intentions. But it is not a full objection. It does not sufficiently explain what is at once so dangerous and arrogant about the proposals. And so I will make my own comment on them. In particular, I will discuss the following issues: the blurring of jurisdictions; the hypocrisy of our political masters; and what motives can reasonably be ascribed to them.

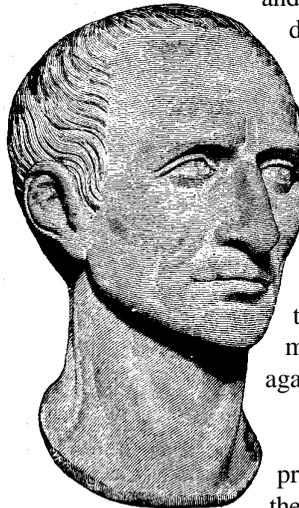
## Blurred Jurisdictions

Part of what makes our civilisation so unlike all others is that it has never - or not since Roman times - been ruled by a single government. Instead, power has been divided between many states, each able to make whatever laws it pleased, but not on the

whole to enforce these outside its own borders. Roman law and the various European systems that derive from it do assume a right to punish for crimes committed abroad. But this has not been a right much insisted on. States have usually followed the English practice of exercising extraterritorial jurisdiction only where vital interests are threatened, or to punish horrible crimes that would otherwise go unpunished.

Because power has been divided, it has been a less effective tool than elsewhere for preventing the happiness and progress of mankind. It has been possible for states to compete not just in war, but also in their internal arrangements, and for those most successful at enabling happiness and progress to gain at the expense of the others. Think of the Huguenots who took themselves and their capital out of France, to the enrichment of England, Holland and Prussia. They went to countries similar enough to their own for them to assimilate without trouble, but with very different religious and commercial policies. Fears of a similar loss kept the French State under control for the next hundred years. Or think of those who have become temporary refugees, able to indulge their tastes abroad without risk at home. Think of Voltaire. He lived in Geneva, where he could write as he pleased, but crossed into France whenever he wanted to see a play - this being a pleasure banned in Geneva. Think of A.E. Housman, who went every year to Venice to avoid breaking the British laws against homosexual acts. Think of the millions of young people from all over Europe who go nowadays to take drugs in Amsterdam and return home to no penalty.

This diversity is now threatened. The proposed new law on corruption is not an isolated disturbance of national sovereignty and limited jurisdiction, but a stage in their destruction. For us in England, the European Union is the clearest and most present threat to diversity. But there are dozens of other bodies set up by treaty and working towards a common juridical space. Those concerned with the "war" against drugs and money laundering are standardising laws throughout the world, with the eventual aim of a single enforcement. Those concerned with "crimes against humanity" are already acting under a universal jurisdiction. There are proposals for similar laws to protect the environment and to disarm the human population. The corruption law is part of this tendency. It is to be an extension of earlier precedents, and is to be the precedent for other acts of the same kind.



The natural result of these acts combined will be a world government. On account of its growth, this will not be a

democratic government. In form, it will be a web of supranational institutions, all exercising powers delegated by national governments. In substance, it will be a reasonably united *élite*, giving orders to more or less disunited nationalities. There will be occasional dissent, as one nationality tries to exercise its theoretical sovereignty. But as in the Habsburg Empire, this will be first contained and then crushed by a directed coalition of the other nationalities. Nor will it be desirable for such a government to be democratic so long as the majority of its subjects are semi-literate paupers with nothing immediate to lose from a redistribution of wealth.

It will not be a particularly liberal government. In some places, it will impose better standards of civility and due process than currently exist. But for the more civilised portions of mankind, there will be a perceptible levelling down. We can see this with the *Corpus Juris*, which is a proposed criminal code for the European Union. Regardless of the smiling assurances about human rights protection, its procedural safeguards do not include trial by jury, *habeas corpus*, or a meaningful rule against double jeopardy. We can see it in the international treaties against drugs and money laundering. These all require signatory states to reverse the burden of proof in criminal cases, to enact arbitrary confiscation laws, and to abolish banking and other financial privacy.

It is reasonable, moreover, to suppose that a world government would be open to capture by any number of powerful interest groups; and the lack of external competition would ensure that mistakes become not only general, but also irreversible. The closest comparison I know is to the world of late antiquity, when all the Greek and Italian city states and all the surrounding kingdoms had come under the domination of Rome, so that one civilisation had just one government. This was the world of Commodus and Diocletian and Constantine, of civil tyranny and grinding taxes and religious persecution, where an oppressed citizen had no refuge but in suicide or flight to the savage realms beyond the frontier. This kind of world will not come again in our lifetimes. Nor might the common people be quite so impoverished next time. But the fairly liberal world in which we do live is not the automatic product of time. It rests on foundations that are being undermined one stroke at a time. The proposed new law on bribery is one of these strokes.

### **Labour Hypocrisy**

Let us, however, return to Mr Straw's words in Parliament:

Corruption is like a deadly virus.... We need to fight it wherever it is found.

Brave words, even if dangerously mistaken. They must be read, however, with certain implied reservations. For all they will be used to enslave us, they are not intended to apply to Labour Ministers or their relatives or friends or bed or business partners. We know this from the following cases:

First, we have Peter Mandelson. Shortly before the 1997 general election, he borrowed £373,000 from Geoffrey Robinson, a fellow Member of Parliament on the Labour Benches, and put this towards buying a house in London. The loan was arranged

in secret, the contract being drafted by a friend; and it was not entered in the Commons register of interests. It gave Mr Robinson the right to impose a charge on the house if repayments were not made in good order.

This loan arranged, Mr Mandelson then obtained a mortgage of more than £100,000 from the Britannia Building Society. According to various newspaper reports, he neglected to mention the Robinson loan. Since building societies do not generally lend on property over which there is or might be another charge, it is reasonable to suppose that he was obtaining goods and services by deception and committing various other offences described in Theft Acts.

These facts placed him into Mr Robinson's hands: one word and he might be ruined. Suspicion is also reasonable, therefore, when on becoming President of the Board of Trade, Mr Mandelson appointed Mr Robinson as one of his ministerial deputies - a first promotion after 20 years on the back benches.

Was this not one of those "dishonest individuals [who] have profited at the expense of undermining the integrity of professional and public life in this country"? Evidently not. When his conduct was discovered, Mr Mandelson resigned from the Government. But there was no police investigation into his behaviour. Today, he is back in the Government as Secretary of State for Northern Ireland - a post that carries responsibility for law enforcement in part of the United Kingdom. It is said that he owed this easy treatment to certain intimacies that he once enjoyed with the Prime Minister - intimacies that might be embarrassing if ever made public.

Second, we have Mr Straw himself. On the 14th March this year, his brother William went into a Nottinghamshire police station and confessed to assaulting a 14 year-old boy. According to accounts published just after on the Internet, the boy was his son and the assault was sexual. He was not charged, and no further investigation was ordered.

Not a word of this alleged offence appeared in any of the established media until the 5th April, when *Punch* carried a long but guarded report on how the Government had leaned on every newspaper editor in the country not to cover the story.

William Straw was eventually charged with a later common assault on a 16 year-old girl. This gained a few column inches in the newspapers, but no further comment was made when all proceedings were dropped on the 19th July.

Jack Straw is not responsible for his brother's real or alleged acts. But he is responsible for the media blackout on reports about his brother. And there is natural reason to believe that he obtained or tolerated preferential treatment for his brother after the March confession. According to a senior police officer quoted in the *Punch* article, "it would be a very brave custody sergeant who would release back into the community a man who had confessed to [such a] crime".

We have here a case on first appearance not of financial but of political corruption. Will Mr Straw order an investigation of his own actions or of what was done in his name? Probably not. Nor

did he order any investigation of the leniency with which his son was treated after pleading guilty to supplying drugs early in 1998. Nor, I am certain, will he insist on proceedings against himself for having recently ordered his chauffeur to drive at 103mph to get him on time to a political meeting.

Nor will there be any meaningful investigation of the claims that Tony Blair's father in law has been fraudulently obtaining welfare benefits, or that Gordon Brown bought a flat in London under suspicious circumstances. Nor will there be even a mention allowed in the established media of the still more alarming claims about the Cullen inquiry into the Dunblane shootings, or of the claims about a guilty plea made at Bow Street Magistrates Court back in 1983 by a person now of the highest importance. Nor will it be discussed how the Government is using the security services to promote its own electoral advantage - something the Conservatives did only occasionally and then always as a byproduct of fighting the Cold War - and how individuals like Robert Henderson and Greg Palast have had their lives turned upside down for the crime of upsetting senior members of the Labour Party.

All the above facts, and many others beside, can be explained only on the assumption that our new political class thinks itself above the law. It is no more than a matter of time before these people start murdering their opponents.

### **A Question of Motives**

I do not think it can be denied that we are ruled by a more than usually scummy set of politicians, and that these are presiding over a steady collapse into despotism. The only question worth asking is whether they are responsible for this collapse in more than the purely formal, constitutional sense - whether people like Jack Straw and Tony Blair really can be supposed to want an international police state in which actions and speech, and even thought, will be controlled by a masterclass made up of people like themselves and their friends in big business. In short, I am asking whether I can use that unfashionable and greatly misunderstood word "conspiracy".

Aside from fears of being called a crank, there are two main objections to speaking about conspiracies. The first is that conspiracy theories are to politics what creationism is to biology. They raise hypotheses not needed to explain what is being studied; and they prevent a full understanding of the causes that are most likely have brought about what is being studied.

Look at the money laundering laws. It is unlikely that anyone wanted these simply because they were an engine of despotism. Police forces wanted them because they opened a new and possibly more successful front in their notoriously lost war on drugs. The big banks wanted them because their complexity could be used to put smaller competitors out of business. Administrators, both national and international, wanted them because they opened a new area for regulation and thereby opened new opportunities for status and promotion. The tax authorities wanted them because they made it easier to detect and punish evasion. The politicians wanted them because all these others wanted them, and because nobody made a big fuss

against them.

Where any attack on freedom is concerned, there are sectional interests that benefit without having an overall agenda of control - and that may even oppose other attacks from which they do not benefit. The proposed new law on bribery and others of its sort can be better explained by a public choice analysis than by claims of some grand conspiracy. If these new laws are coming faster now than in the past, we need to bear in mind that the techniques of control are better developed now than in the past. Modern information technology enables sectional interest groups to push for modes of surveillance and control that once only existed in the minds of dystopian science fiction novelists.

Yet, all being said, a purely institutional analysis can be pushed too far as explanation. It is a necessary condition, but is not itself sufficient. Just because some people have an interest in promoting a bad law, and because that law is technically possible, does not mean that it will automatically be made. It must also be thought right and proper by those with the power to make or refuse it.

For example, there were strong commercial interests in Victorian England that would have gained from a return to protection after about 1870. In Germany, in America, and in other countries, these interests prevailed. Here, they did not prevail until 1931. The reason was not entirely the strength of opposing commercial interests. It was also an autonomous belief in the moral rightness of free trade. British manufacturers did not put as much as they might have into "fair trade" campaigns, in part because they thought it a rather shameful cause: and others campaigns that were funded had no success against a political establishment unwilling to listen to any case for protection.

The public choice analysis, then, can be used to explain how bad laws are made. But it cannot by itself explain why some are made and others are not. This throws us back to looking at the character and motivations of those in power. Doubtless, there have been sectional interests hard at work on persuading Jack Straw to make bribery an extraterritorial offence. But why is he willing to do that, bad as its consequences will be, and when he would scornfully reject equally strong pressure, say, to bring in the death penalty for racially motivated murder? The natural answer is that he approves of that particular law.

Here, though, we come to the second objection to claiming that Jack Straw and his colleagues want a new despotic order. This is that they are not self-consciously wicked people. Brian Micklethwait has been arguing this point with me for over a year now, and I have no doubt will continue arguing it for some years to come. His main point is that while our rulers are doing things that will have bad consequences, they cannot reasonably be accused of wanting these consequences. If they are working to destroy our national independence, it is because they believe that the resulting international government will abolish war and tyranny and poverty. If they are destroying our liberal institutions, it is because they believe these to stand in the way of their grand objectives. Their ends are good, Brian says, but they are ignorant of how their chosen means will not achieve these ends. His conclusion is that rather than accuse these people of conspiring against liberal democracy, we should sit them down

and patiently explain to them the facts of which they are currently ignorant.

Assuming that I understand Brian correctly, there are two counter objections. First, he seems to have an unreal conception of wickedness. Before attaching moral blame to our rulers, he wants to see them behaving like pantomime villains - twirling their moustaches as they confess their true intentions in whispered asides. But excepting a few followers of Nietzsche or the Marquis de Sade, nobody is wicked in this sense. Whether or not he deceives the world, every villain deceives himself. Hitler and Stalin did not think themselves bad men. Though they committed atrocious crimes, they claimed - and sincerely believed - that what they did was right, or at least was the best that could be done in difficult circumstances. Thieves universally demonise their victims as people who have gained unfair advantages and who therefore have no right to their property. Most murderers look on their victims as human trash who are better off dead. Those criminals who do not blame their victims take refuge instead in some sociological cant about the force of upbringing or other external circumstances.

Of course, our rulers do not consciously intend to do evil. On their lips and in their minds are only the fairest intentions. And they believe in their own essential goodness in exact proportion as they enrich and privilege themselves by trampling on the rights of others.

Turning to the second counter objection, Brian seems not to understand the nature of ignorance as a defence to charges of wrongdoing. Both lawyers and moral philosophers make a distinction between innocent and culpable ignorance. The former is a good defence, the latter not. Suppose a very young child picks up a loaded gun. Waving it around, he kills someone. Treating the child as a murderer would be absurdly unjust. He cannot be presumed to understand what he was doing, and so cannot be held responsible. This defence would not be open to an adult in the same circumstances. Because he knows - or can reasonably be presumed to know - that pointing a loaded gun at someone is dangerous, ignorance will be no defence. Even if it is accepted by a court, its only effect will be to reduce a murder charge to one of manslaughter.

We can apply this distinction to politics. In living memory, our rulers have committed two main derelictions. Before 1979, they acted on the belief that unemployment was caused by a shortage of aggregate demand, and that it could be cured by monetary expansion. They were wrong, and they created a set of economic problems that nearly bankrupted the country and that have taken a generation even partly to solve. But the politicians in charge of economic management cannot be held responsible for the outlines of their policy. They were busy men, without time or inclination for subtle speculations of their own. They were advised by men who were generally accounted the best economists of the day. They looked at the Phillips Curve and heard all the talk of multipliers, and were convinced by the analysis. Moreover, they had what they believed were solid practical demonstrations. They thought they had seen the failure of pre-Keynesian economics in the Great Depression. They thought they had seen the success of Keynesian economics in the age of



full-employment and prosperity that had followed the War. No one can reasonably blame them for not having read the works of Milton Friedman and F.A. Hayek. These works were derided by the mainstream economists when given any attention at all. For all they presided over an economic disaster, the politicians of the day cannot be personally blamed for what happened. They were ignorant, but innocently so.

Since then, however, the politicians have turned from wrecking the economy to abolishing our rights and liberties. If this is the effect of ignorance, it is culpable ignorance. Economics is a difficult subject for most people, and there is much plausibility in the Keynesian analysis - I know because I teach it. But only a very common education is needed to know the probable effect of diluting the double jeopardy rule or reversing the burden of proof in criminal proceedings, or limiting freedom of speech and association, or handing effective power from national and democratic institutions to unaccountable foreign bureaucrats. Economics is not part of the standard curriculum that our political class follows at university. But law and history are part of that curriculum. Any politician who claims not to know the nature of what is being done to us is either stupid or guilty of a self-deception that would not stand up five minutes in a criminal trial.

And so it is legitimate to presume that Jack Straw and his colleagues desire the natural effect of their actions. They do want a world in which they are masters and we are slaves, even if they prefer to cover this with fashionable euphemisms. Mortgage fraud and protecting their relatives is only the surface of their guilt. Since the Glorious Revolution, the custom in this country has been to work for the downfall of bad rulers, but otherwise to leave them unpunished. The custom on the other side, however, has been that the rulers should observe certain limits to their misgovernment. These people have broken through the restraints of custom. I see no reason why we the people of this country should not also drop that restraint.

# A Kinder, Gentler, Kind of Libertarianism: Reflections on Two Decades of Libertarianism

Paul D. Staines

My parents sold the former family home recently and asked me, not unreasonably, to clear out my books from their attic. I found my copy of Karl Popper's *The Open Society and its Enemies, from Plato to Marx*, inside the cover my name was scrawled together with the date 1980. I date my conversion to Libertarianism from the day I put down that book.

I joined the Young Conservatives because they were the only people around who were anti-Socialist or at least anti-Soviet. This was the era of CND and I saw the key battle in terms of the West versus Soviet expansionism. Simon Salzedo was chairman of the local YCs and a Maggie-loving-Wet-hating typical young Tory. He was bemused by this zealous anti-Communist in his midst paraphrasing Popper and Hayek at cheese and wine evenings – it would be a few years before he would lead the charge at Oxford to dry out OUCA on a principled Libertarian platform. He was elitist and it rubbed off on me, by the time I got to sixth form I had revived the double barreled family name that my father had let wither as a sixties Young Fabian. My Anglo-Indian father obviously despaired of me hanging out with Tory crypto-racists whom he loathed (although later he would vote with his wallet for tax cuts and privatization giveaways).

By the time I was an undergraduate in the mid-eighties, having joined the Federation of Conservative Students, and somehow affecting to wear fake bow-ties and cheap suits (whilst endlessly debating the merits of Anarcho-Capitalism versus Minimal Statism), I had at last found a small number of like minded souls. Marc Henri Glendenning the then national chairman of FCS spoke a language I could understand - Thatcher on drugs. Still it was right-wing anti-Communist, anti-Wet and mainly reactionary. Battling in Student Unions to rename the "Mandela Bar" the "Bruce Forsyth Bar", arguing with CND feminists and generally opposing the left wing campus establishment whilst in the real world the Conservatives won elections by landslides and the war of ideas. Only on campus were we a radical minority and intentionally antagonistic, in fact so obnoxious that the Conservative Party decided to close down its youth wings.

That antagonistic, sod you attitude continued after I failed to get a degree (I was thrown out for being a right-wing pain in the butt who was more interested in student politics than essays) when I went to work in the various right-wing pressure groups and think tanks that proliferated in the late eighties. The deliberately provocative attitude still maintained – I never wore a "Hang Mandela" badge but I hung out with people who did. Why? What did we gain from doing so? Did we make ourselves more popular by calling for the death of a man who was fighting injustice by the only means available to him? Did this "shift the parameters of debate" in our direction?

Did the over the top aggressiveness of the ultra-sound *cadres* put people off the broader ideas and positive agenda of Libertar-

ianism? Clearly it galvanised our enemies against us in much the same way that the crude jingoism of many Little Englanders puts people off supporting a more liberal European ideal.

I am the first to admit that in the past when challenged on issues I have been provocative – "What will Libertarianism do for the homeless?" "Nothing". Not a way to win friends and influence people. I think its time for a more effective, kinder, gentler kind of Libertarianism. Principled, but pragmatic. Selling out – no, but better salesmanship certainly. A lot of us who came to Libertarianism via FCS and student unions as well as battling in the Conservative Party factions, have a take-no-prisoners attitude that does not play out well to wider audiences. We are unsympathetic and uncompromising, we are "Sound" but little heard. What profiteth an idealogue if his ideology is ignored? Or even if it is just rendered unpalatable.

Now there is a role for martyrs, who will brook no compromise. Our editor is foremost amongst them, his voice can be heard in the wind and on Radio 4, Radio 5, Talk Radio, Local Radio, Daytime TV and innumerable late night discussion programmes as well as *Panorama*, not counting a gross of websites, a million e-mails and this journal. All power to his 'puter.

Nevertheless Sean would never claim to be a politician or a pragmatist – he is a prophet, a prophet of doom. The British live in one of the richest and most free nations on earth, the way Sean tells it we are about to be marked with the number of the beast before Big Brother Blair carts us off to a New Education Facility for a Better Britain. Sean believes that if we give them a millimeter they will give us the kilometer.

I prefer to listen to Prodigy whilst Sean listens to Elgar but we do both march to the same drumbeat. I prefer to focus on the future and our successes. For instance the internet was developed by avowed Libertarians and brought to you by free enterprise, the EU by statist and bureaucrats. We believe in lower taxes, our opponents want your money, free enterprise brought you the Lotus sports car, bureaucrats brought you London Underground. What do you want?

Mere spin? It's optimism versus pessimism. If pessimism prevailed than we would still be sat shivering round a fire in a cave, but an optimist went out and slaughtered a wooly mammoth. People want prosperity, we offer a path to prosperity, whereas our opponents offer only reduced equality ("Ug I think we are running out of wood"). Californian Libertarians offer an optimistic manifesto of capitalist success for all, some British Libertarians preach a fire and brimstone hell for all those who don't repent .

The glass is half full, so with liberty in our hearts let's focus on pragmatic politics and progress. Don't whinge, win.

# Some Thoughts on the British Peace Movement

## Emmanuel Goldstein

To those of us who believe in liberty the last three years of New Labour has been a gloomy period of losses piled upon defeat. The fact that the Conservative Party is marginally better than it was before and seems to be led by a man who understands our language, if no longer fluent, is scant consolation as they are just about unelectable. On Europe we have been signed and sealed to an irreversible union with a corporatist behemoth. Although we are told that monetary union is not with us, our high taxes and misplaced spending belie this fact. In the economy we see the government take ever more management functions from the hands of the nominal owners of businesses, while at the same time leaving a tax burden of onerous scope and eye popping complexity. The claims of social liberalism for New Labour are exposed as thread bare as liberties are given only to the favoured groups, such as the homosexual identity lobby while market traders are threatened with prison for selling in ounces. Aspects of the very British constitution of liberty, with roots over a millennium deep, are discarded by faceless junior ministers for a wretched sound bite. We know all this, even the dulled senses of the Conservative Party have picked up some aspect of the monumental change afoot, but there is one area that has been left untouched - the rise of a global empire.

### Peace and Liberty

The British right has a problem with Peace. Generally they are not for it. However the warfare state is as much of an enemy to liberty and tradition as the welfare state. For one thing, war is a great excuse to intervene in every part of our everyday lives. A government that seems to be itching to do away with outmoded ideas such as *habeas corpus* would not fail to see the precedent set by the detention without trial of Oswald Mosley. The idea of conscription was fostered by war, and reluctantly given up in peace, as were rationing, identity cards and press censorship.

Not just personal liberty is endangered by war, but economic liberty takes a battering as well, and recovers far less readily. It is not just taxation and spending that goes through the roof, which it does (and never recovers to quite the same level as before) but the very ideas of sound economic policy. Take nationalisation, the idea that it was some Fabian dream that set the workers hearts on fire is a convenient untruth. The Fabians and their unworkable schemes would have been disdained as middle class dreamers by the skilled trained unionists if it were not for the First World War. It was then that the coal mines and the railways were taken under government direction, and the government was found to be a far softer touch than the dividend (and customer) conscious owners. Hence the demand for nationalisation that found fruition in the government of 1945.

It is not just in the area of government ownership and control of industry that war has a detrimental impact on the economy. The First World War made the Gold Standard unworkable, and the period of permanent inflation that has dampened growth since 1914 is still upon us. Trade is disrupted by every war, and we

have to accept the third class offerings of a siege economy. The civil service expands, and looks for new empires when the war is finally done.

Those on the right also have to look to the present mockery that is made of "national interest" by the war party on the left. When Tony Blair says that Kosovo was "the first (*sic*) Progressive war", it should make our flesh creep. The idea that the armed forces of this country should be used for anything other than the defence of our narrowly defined national interests is pretty close to treason. It is even closer to stupidity. Do we really want to be picking quarrels with Russians, Islamic fundamentalists and the Chinese? And should we do so all at once?

We should also be alarmed at another part of this great push for empire, the great melting pot of cultures. The monoculture in agriculture is an area planted with only one crop, as the west of Ireland was with the potato in the 1840s. When the blight strikes there is no refuge, no alternative, and there is a general breakdown of society as the children desperately try to eat the grass on the verge.

The same goes for Western civilisation. Now don't get me wrong - parliamentary democracy, equal rights for women, the Judæo-Christian tradition (as far as we allow it) and private ownership are fine things. Very fine things. Indeed, I want more people to enjoy them. However, these things should be accepted in their own time and place. Imposing them just will not work. If everyone, *everyone*, adheres to the same cultural norms, what happens when a serious sickness develops in that culture? Social breakdown can be dire. Look at the African problem with AIDS. Do we want a breakdown without limits, a general inferno that devours the whole world, with no borders and no respite? That is what a monoculture offers us.

More important than running all these ideas on an imported template, is the very idea of diversity. Now it may seem barbaric to keep women at home and not let them work, but it cannot be said to affect us in the remotest if it is happening in Iran or Afghanistan, or for that matter in Ireland. It is simply none of our business. Similarly, it is no-one else's business if we happen to keep our monarchy, don't write down our constitution or elect parliamentarians by a plurality in each constituency. Diversity is not an abstract ideal, only fit for the left wing students who mean no such thing, but a real part of human life, making it richer and stronger and therefore fit for conservatives and libertarians to defend.

### The Allergy of the Right

The right in Britain is allergic to this analysis for historical reasons. For a start the demonisation of the British Empire by the left has produced an equal and opposite reaction on the right. Firstly there is the belief that the Empire was an unalloyed blessing on the otherwise benighted natives. I am not someone

who believes that the Empire was the highest form of evil, and that in many cases life was better than before. However, I doubt if putting proto-Fabians in charge of traditional tribal and princely societies was Britain's greatest hour.

The other point of imperialism is that it actually drained resources from Britain. Many of the best and brightest of the British went abroad, a brain drain never equalled. It was also an expensive operation, and apart from in a few places such as the Caribbean, never turned a profit. The Empire also stretched our military resources, to the extent that at the beginning of the Second World War it threatened Britain's very survival. We need feel no guilt for the Empire, and any fondness we feel for it should be tempered by the realisation that in the cold light of day it was an economic liability.

A further source of Conservative interventionism has been the legacy of the Cold War. The Cold War was to most Conservatives and centrists (and I include myself here) a war for survival. The Soviet Union was just as much a threat to Britain as was Nazi Germany, but like the fight against Nazi Germany it mutated into something more. It was assumed, reasonably, that the Soviet Union was both too powerful and too unstable to ever be a decent neighbour. Therefore, if survival was necessary then the Soviet Empire either needed to be cut back or to be ended altogether. Further to this aim dissident elements in various satellites were encouraged by the West. At some time in the eighties this tactical encouragement of dissidence merged into disgust for the genuine excesses of the system and so the liberation of much of the Soviet *bloc* mutated from being a tactical aim, to being the aim itself. This was a mistake as the size of the Russian state has no relevance when Russia is not a credible threat, and the state of Balkan democracy, let alone the ethnic composition of these states, is not any of our business. Weaning the right off this delusion may take another generation, and by then it may be too late.

### The PC Peace Movement

The allergy of the right to the peace movement is not only due to historical memory, but also to a dislike of the people who run the present peace movement. The left in its various guises run the peace movement, and although they heartily hate Tony Blair and all he stands for, they would still vote for him if he declared himself Emperor of Europe. The fact that CND not only had Soviet spies near the top of their organisation at the height of the Cold War, but did not see what was wrong with it, to many on the right is close to treachery.

The right does have a point. There are three separate groups who make up the bulk of the peace movement - none of them for any reason that the average Tory would recognise. Firstly there are the Trotskyites. Although they have the organisation on the ground so they can make up the backbone of most local peace movements in Britain, they are still a blessed nuisance because of their sectarian nature.

There are then the emigrants from the countries being attacked. While they have a good knowledge of what is happening on the ground, I rarely get the impression that they would be at the same demonstrations if NATO was bombing the Albanians.

Then there are the peaceniks, those that genuinely believe in peace, and hate war. These are probably the most effective, for they have a folk memory of the issues and the methods, as well as sympathetic contacts in the media and the Labour Party. Their Achilles' heel is a hatred of America. When people say that they have to take the opposite side to America, then I worry. I believe that following America at all times is suicidal, but I don't wish to oppose America either. That's interventionism under another name, and it still smells as sickly-sweet.

This *yankophobia* does have a blind spot of its own, Northern Ireland. The most blatant piece of American interference in our domestic affairs is the American insistence on the IRA being present in the peace process. Even here the majority of the peace movement is not consistent. The Serbs should not have to be forced to deal with terrorists or compromise on their internal security, but the Peace Movement are perfectly willing to welcome the "peace-making" of President Clinton. Although for domestic political reasons you may dislike the Unionists, it is possible at the same time to deplore the American bullying. The left do not have the same ability to think through a position as the Serbian opposition, and we are all poorer for it.

### The American Dream

There is a right-wing non interventionist movement in America. This is partly because the American constitution is quite clear about limited powers, and so those nostalgic for the Old Republic, the so-called palæo-cons (palæolithic Conservatives), have anti-interventionism as a main weapon in their arsenal, along with States Rights and locally based education. The reactionary tendency in this country is more noted for its attachment to the old Empire, which is obviously not going to discourage imperialism. Similarly the Libertarian movement takes a far larger part of the American mind. Although not extinct in Britain, the Libertarian tendency is not popular either, with self-proclaimed Libertarians being rather incomplete.

Similarly the conservative movement in America, or at least the part that actually defines itself by defending tradition, is wary of foreign adventure. The Cold War was accepted by the vast majority of conservatives as a necessary thing, but the end of it has meant that the right can go back to its isolationist roots. When history looks back at the new isolationism it will no doubt see it as a snap back into the old tribal patterns with barely a beat missed from the party at the end of the Evil Empire to the old suspicion of foreign entanglements. Of course history will be wrong. The vast majority of American conservatives supported the Gulf War, and a diminishing yet still dominant band would support the bailout of Mexico and the funding of the Russian mafia through the IMF. However the truth is that a growing number of American conservatives are sceptical of the constant interventions in foreign countries and this is finally bearing fruit in the Republican party as its leaders try to learn the non-interventionist lines that will stop any brush fire revolt.

The non-interventionist cause in America is also helped by Pat Buchanan. Many regard Mr Buchanan as a liability because of his trenchant social views and his protectionist economic policy, but the important fact is that he is there. Having a prominent politician articulating a view of sensible isolation is worth all the

shortcomings, perceived or real. To have someone who gets on the news is of immeasurable importance to a minority viewpoint. Legitimising your views is vital, and it is something which the peace party, both right and left, is short of in this country. I would also like to give an honourable mention to the web site that I write for, *antiwar.com*. Although it doesn't seem to have stopped any wars yet, it functions as a nerve centre for the American resistance to imperialism. Perhaps we need one of these, a general anti-interventionist site that tilts to the right? It is far more likely than finding a public champion.

### What Can We Do?

Those who believe that the fight against imperialism is vital, but are uneasy with the limited scope of the present peace movement in Britain have to face some uncomfortable truths. Not only are we losing, but we don't seem to have even put in a decent effort at resistance. There are some things we need to do, but can we actually carry them out?

On an intellectual level we have to resurrect the foreign policy school of thought known as realism. Realism was the doctrine that a nation should act, if needs be ruthlessly, in order to protect the national interest. If it was not absolutely necessary to act, it was absolutely necessary not to act; as easily making enemies was hardly conducive to the national interest. There are good authors expounding this view, mostly American. George Kennan the Cold Warrior who turned his back on the nineties empire building, Jeanne Kirkpatrick the secretary of state in the Reagan administration. In Britain we have some excellent historians who put forward this view, such as John Charmley and Corelli Barnett.

On a more mundane level we must stop this deference to government whenever our troops are in danger. It is obscene that British troops are in danger for the unethical foreign policy of our *elites*. No oil, diamonds or diplomatic humiliation is worth the lives of *our boys*; and we must say so. If we really care about our troops in Kosovo, Sierra Leone and Bosnia we must

speaking up for them, rather than worrying if any doubt will affect their morale. Look at the recruitment figures, troop morale is at rock bottom. They know better than we do what a sorry excuse for foreign policy we are practising, but they cannot speak up. We need to do so for them, when they are being shot at for the vanity of our ruling *elites*.

We must also stop writing off the Conservative Party as an agent of change. When the dust settles it is the only plausible alternative to a Labour government, and it is desperate for a popular message. Both the foreign affairs spokesman Francis Maude and the Defence Secretary Iain Duncan Smith have flirted with non-intervention, making sceptical noises about Sierra Leone, Zimbabwe and East Timor. William Hague reportedly told Mr Blair that he could not support a ground invasion of Kosovo (although he later acted as a British envoy in Eastern Europe to prepare its path). However do not underestimate the counter pull. In Zimbabwe when there was a counter pull of British families being murdered the Conservatives could no longer make sceptical noises and resorted to the other standby of opposition, accusing the government of being soft. The fact is that one must remember of the Conservative Party that, just like the Labour Party, it is driven by fear and greed; and ideas hardly enter into the picture. We can only get the Conservative Party on our side if we can get their voters on our side.

So I turn to the hardest task, organisation. We must get out of the idea that we can win an argument through intellectual superiority and high politics. We have to tap into the deep channel of scepticism that is present in the British public. This means some grassroots organisation so that when the next fire fight comes up we have a skeleton staff to conduct the protest. The British people are not willing to die for their *elite's* passing fancy. It is the elites who are prepared to sacrifice their "people". The British people do not like paying their taxes and having the state nannying them more than she does even now. I don't know how we organise, but I do know that we won't save our country's sanity by just being right.

## Killing No Murder

### Robert Henderson

Tony Martin's conviction for murder after he killed the burglar Fred Barras raises these important issues: the right of self-defence; the protection of property, the general use of police resources; the policing of Mr Martin's locality, the fairness of his trial and, above all, the relationship between the individual and the state.

### The Right to Self-Defence

Any attempt at definition short of giving a person an absolute right to defend themselves how they will is doomed to failure. Once a definition includes general qualifications such as "reasonable force", it becomes unworkable, because the qualifications are hideously imprecise. The practical result is confusion and uncertainty and anyone who defends themselves

is at risk of prosecution. The problem is exemplified in comments by Ann Widdecombe, the Conservative home affairs spokesman who recently said "People whose person or property is attacked should be able to defend themselves without fear of penalty from the law" (*The Daily Telegraph* 24th April 2000), but then qualified this by saying that prosecutions could still take place in extreme circumstances. Once that qualification is made, the uncertainty returns. What is required is a definition which is realistic in its appreciation of human behaviour and removes from any victim of an attack the fear that they may be prosecuted however they defend themselves.

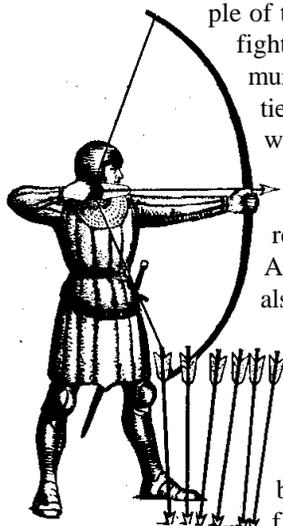
The law on reasonable force as it is presently interpreted goes something like this: if you are attacked with a knife you may defend yourself with a knife: if you are attacked with bare fists

you may defend yourself likewise. Do more in either instance and you will be in danger of being charged with an offence against the person, anything from common assault to murder. Pedantic proportionality is all. If you carry on assaulting your assailant after he is disabled, you will most likely face charges. If you have the opportunity to run away but do not, that may count against you in any assessment of whether you should be prosecuted. All this is demonstrably absurd. It assumes that people under attack can reasonably be expected to make judgements in the heat of the moment which in reality require calm consideration.

Consider a few of the variables in assessing what is “reasonable force”. Women, the disabled, children and older men cannot reasonably be expected to defend themselves from a simple physical assault from a fit, strong assailant. Other things being equal, a small man cannot be expected to fight a large man; an older man a younger man, a fit man an unfit man. But, of course, other things are often not equal. Many men who are physically capable of fighting are absolutely hopeless at it. I have known a man of six and a half feet allow himself to be beaten by a man a foot smaller. Fighting is a matter of heart above all else. But it is also a matter of practice. Most men throwing a punch at someone’s face would be more likely to harm their fists than their opponent because they have never been taught to punch correctly. (For those without any experience of fighting, I would recommend the knee in the groin or a good old-fashioned headbutt.) More importantly, those who are not used to fighting (and middle-class men generally fall into this category) are not psychologically prepared for a fight. This will mean one of two things: the person either capitulates utterly or goes into a berserk rage and keeps on damaging their opponent until the rage passes.

To these disparities of size, sex, age and mental and physical competence, we may add others. Someone who is assaulted does not know whether an assailant is going to restrict themselves to simple assault without a weapon. They may be armed for all the victim knows. Nor need this be obvious. To take a recent well publicised case, that of Kenneth Noye who was convicted of murder in a road-rage incident. Mr Noye carried a knife when he got out his car to confront his victim, but he only produced and used the knife when he began to get the worse of things as the

two fought. (Mr Noye is also a good example of the effect of age on the ability to fight. He was 48 at the time of the murder. His victim was in his twenties. Mr Noye was a career criminal with a reputation as hard man. Yet until he produced a knife, he got the worst of a fight he might reasonably have expected to win. Age had caught up with him). It is also true that even if an assailant does not have a weapon, the victim cannot know how far the assailant is likely to go. Will he restrict himself to punching? Or is the assailant the sort to put the boot in when someone is on the floor? No one can know, Perhaps



even the assailant does not know.

The obviously armed assailant presents a particular problem in judging what constitutes proportionality of response. If someone comes at you with a knife, is it in order to use a gun? If the assailant has a club, may one use a knife? The law as it stands gives no clear guidance. It is all “every case has to be judged on its merits”.

Then there is the question of what happens should you disable your opponent. Suppose that a small man fells a much larger man with a lucky blow of, shall we say, a candlestick. The smaller man is then left with the problem of what to do next. If he allows the more powerful man to recover, the smaller man will in all probability end up being badly hurt. The smaller man might be able to avoid that fate simply by running away (this is what the law would want you to do), yet he may be unable to reasonably do this even if he wishes to. That would be the case if the temporarily disabled man was a burglar and the smaller man’s wife and children were in the house where the fight took place. Let us further assume that there is no phone and the house is isolated as was the case with Tony Martin. In such circumstances, it could be argued with some force that it was reasonable to deliberately disable the burglar by a further assault while he was unconscious to prevent the chance of violence from the burglar when he recovered consciousness.

Behind all these circumstantial problems stand the very human emotions of panic and rage. When one is attacked, the only desire is to ensure one’s safety. Adrenaline flows and to say that any human being is in control of themselves in such circumstances is patent nonsense. The law does in practice take into account panic, but again it is all very hit-and-miss. Rage on the other hand is no excuse for what is judged a disproportionate assault.

The law as it presently stands effectively ignores human nature. It says that someone who is attacked must exercise truly marvellous self-control. In defending himself, the victim must not lose his temper and carry on attacking the attacker after the attacker has been disabled. This is utterly unrealistic. Someone in a blind rage or panic is manifestly not in control of their actions. There are good evolutionary reasons for that. When someone is responding to an attack, an uncontrolled response is the best way of responding to protect oneself. The evolutionary bottom line is: dead attacker equals safety.

What then is a reasonable law of self-defence? The great bugbear at present is proportionality of response. In drafting a new law, I would start from the premise that an attacker forfeits his right to the protection of the law, that he literally takes his life into his hands. If the attacker is seriously wounded or even killed, that should be seen simply as a reasonable consequence of the attack. The test of “reasonable force” would become defunct. All that would have to be investigated after an assault was whether there was evidence which suggested that the claimed attacker was in fact not the attacker. Provided such evidence did not exist, the person assaulted would have no case to answer. I would also remove from an attacker who suffers injury any opportunity to take civil action against his victim.

The great danger with such a law is that murder could take place

under the guise of self-defence. I would make two responses to that. Firstly, murder is very rare in Britain. It has been rare historically. The Canadian criminologist, Leyton Elliott who made a study of murder in Britain (*Men of Blood*) concluded that murder in England was astonishingly rare and had been, relatively speaking, since the middle ages. In other words, there good sociological reasons to believe that few murders would take place under such an amended law. Approximately 800 murders take place in England and Wales each year. The majority are “domestics”, ie the murder of a sexual partner. Murder for criminal reasons is rare.

My second point is that a claim of self-defence would still have to conform to the facts of the death. It would be no use, for example, claiming that a fight had taken place at on the morning of May 3 if the forensic evidence clearly showed that the body had been dead before that time.

A law on the lines I have suggested would not be perfect. There would still be problems about establishing who was the assailant and who the victim. But that problem already exists under the present law. What such a law would definitely do is prevent the prosecution of householders such as Tony Martin who surprise those within their homes.

My proposal would also accommodate perhaps the most contentious part of self-defence, namely pre-emptive action. An assault which results in physical action against someone is clear cut. But the law does not say that to commit assault physical violence has to be used. A person may believe themselves to be in imminent danger of being assaulted - someone may be making threatening statements or carrying a weapon or coming rapidly towards someone else.

In such circumstances, the law gives the person who fears he or she is about to be assaulted the right to defend themselves before they are assaulted. However, a person who engaged in such behaviour as things presently stand would have the greatest difficulty in sustaining such a claim if reliable witnesses were not present at the time. And if such witnesses were present, a prosecution might well be result on the grounds that the presence of witnesses made an assault unlikely or one that could have been resisted. It is a ticklish problem to say the least. But one could use one of the main criteria for determining whether a physical assault had taken place to decide whether an assault was like to take place, namely the credibility of the witnesses.

In short, all my law would require someone to do would be to show that they had been assaulted. If that was proved, no prosecution would take place. There might be some rough justice in that, but less than there is at the moment. Moreover, what rough justice there was would most probably be at the expense of the wrongdoer rather than the law-abiding citizen.

### **The Right to Defend Property**

The cry “It’s only property!” is often heard. But the loss of property for many is not an inconvenience, but a severe blow to their lives. Property crimes are overwhelmingly directed against the poor. Most burglars “work” fairly close to where they live,

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which tends to be the poorer areas. If you are poor, then a burglar stealing your TV and microwave, your life savings stuck under the mattress or a burglar vandalising your home is a major event. Those are most pressing grounds for allowing people to defend their property.

In theory, a person may use reasonable force to defend their property. In practice, this right evaporates because of the way that the law is interpreted. It is the self-defence mess with bells on. Any attempt to prevent damage or theft is likely to result in a charge of assault or worse.

I would obviate this by treating the theft or damage of property as an assault. The owner would then be able to take action without fear of repercussions in the same way as they could resist an assault.

### **The General Use of Police Resources**

That there are plenty of police officers can be seen when they are required to police demonstrations or state visits such as that of the Chinese President, Jiang Zemin. Yet the number of police engaged in visible general policing has declined substantially. Why? The whole thrust of British policing in the past thirty years has been to move from community policing to rapid response, from the beat to Panda cars. One may add to that the Police and Criminal Evidence Act (1984 - PACE) which greatly complicated police procedures and resulted in a vast increase in paperwork. The formation of the Crown Prosecution Service, which took away from the police the decision to prosecute, had a similar effect to PACE. Nor has the undue emphasis on meeting “targets” been helpful, because it has given the police a powerful incentive to go for soft offences such as motoring while ignoring real villains. All those are substantial reasons for the decline of community policing, yet they are far from a complete explanation of our present circumstances.

Political correctness and in particular “anti-racism” has resulted in large amounts of time and money being spent on what is essentially political indoctrination. This pernicious behaviour has developed over the past quarter of a century. In the aftermath of the Stephen Lawrence enquiry it has got completely out of hand. A special Scotland Yard unit has been set up (The Racial and Violent Crime Task Force) and all police officers are to be subjected to additional “racial awareness training.” “Stop and Search” has been cut back because of police fears of being accused of racism if they stop blacks and Asians with the result that street crime has risen substantially. Not only that, but any

complaint by a black or Asian of police racism or incompetence that gets publicity now results in a quite disproportionate amount of police time and money being devoted to investigations, which frankly have little chance of being successful.

An additional result of the Lawrence enquiry is that the police have become so nervous of their public image, that disproportionate efforts are also being made with other high-profile cases which have no racial content. The classic instance of this is the murder of the broadcaster, Jill Dando. More than a year after her death 40 detectives were still employed full time on the case.

### **The Policing of Tony Martin's Home Area**

A Women's Institute survey last year found that more than 70 per cent of rural communities had no police presence. In Norfolk, figures released on the day of the Martin shooting revealed that the area had fewer police officers per head of population than any other county. The western division, which covers 550 square miles, has 130 officers to cover any 24 hour period. In the past decade there has been a sevenfold increase in crime. (*The Sunday Telegraph* 23rd April 2000)

Tony Martin lived in the western division. He, like many others in the area, had found that reporting crimes or threats of crimes to the police was a waste of time. Considering the minute numbers of police in his area that is scarcely surprising. But the inadequacy of the law went far beyond the failure of the police to take action. Both Barras and Fearon had multiple criminal convictions. Yet time and again they received either no prison sentence or only a minor one. In a sense, one can understand why the police were less than enthusiastic about investigating crimes committed by such people. But there was another good reason why they were dilatory.

### **The Curse of Political Correctness**

The dead boy, Fred Barras and his wounded accomplice, Brendan Fearon, came from gipsy stock (or traveller or Romany or whatever you wish to call them). The media coverage of this point was muted, doubtless because of the fear of being accused of racism. Yet it was clearly relevant to the Martin case.

In Tony Martin's part of the world, West Norfolk, there is a strong Gipsy presence. *The Sunday Telegraph* (23rd April 2000) reported that "more than 30 legal and illegal gipsy campsites. Other gipsies travel into the area to commit crimes, some from as far afield as Yorkshire. Brendan Fearon, for instance, the man wounded in the Martin burglary, is a gipsy from Nottinghamshire."

An ex-police officer, Tony Bone, who runs an organisation called "Farmwatch" in Tony Martin's area, had no doubts about the problems posed by gipsies:

There is an underlying issue with the growing numbers of travellers who have set up here over the past few years," Mr Bone said. "Many of them have made criminal activity a very sophisticated business. The police have a policy of non-harassment of the gipsies, which has not helped. It is a big issue, And it has been going on for a protracted period.

People see their property stolen and damaged. Then they see police unwilling to go on to the sites to look for it. I do not blame the individual officers, They are based too far away, don't know the local areas and have received instruction not to harass travellers. But it has a very debilitating effect on the local population, who feel they are victimised by people who are living beyond the law." (*The Sunday Telegraph* 23rd April 2000).

A spokesman for Norfolk police made this response when asked whether it was true that organised gipsy gangs were behind much of the criminal activities, he said: "Travellers are classed as an ethnic minority group. They need to be given the same level of respect as any other group. We are not in the business of encouraging any type of prejudice. As an organisation we do not want to point the finger at any minority groups." (*The Sunday Telegraph* 23rd April 2000). In other words, the police are constrained by political correctness in their treatment of gipsy crime.

There in all probability is the primary catalyst which created the conditions which drove Tony Martin to arm himself illegally. "Anti-racism" (in reality anti-white majority racism) is perverting our society generally. If you are a member of a minority which is willing to create trouble to defend its members, the police will largely turn a blind eye to anything but the most serious crimes.

Was Mr Martin Guilty? Was he guilty under the law as it stands? It is a moot point. Many people reading newspaper reports of the case might well conclude he was. Mr Martin fired a number of shots. Fred Barras was shot in the back. Mr Martin did not call the police until the following day. In addition, Mr Martin's violent views on gipsies and his possession of an illegal pump action shotgun must have counted against him with the jury.

But perfectly reasonable explanations can be given for Mr Martin's actions. He claims he fired in panic. This would account for the multiple shots. He claims that he thought both the intruders had escaped. Hence his failure to call for an ambulance. Quite reasonable in view of the fact that Fred Barras died quickly. In the circumstances it would also be reasonable for Mr Martin not to have gone outside until morning. As to expressing violent views against gipsies prior to the killing, his defence team tried to prevent these becoming part of the trial on the grounds that they were prejudicial. They failed and are using the failure as one of the grounds for appeal.

It might seem reasonable that Mr Martin's views on gipsies were admitted to the trial. Yet who can say they have not at some time said they would kill someone? Such comments do not mean much. By admitting the comments to the trial, the judge almost certainly prejudiced the jury. The law provides for the exclusion of evidence which is not directly related to a crime. A classic example of a judge excluding such evidence occurred in the trial for murder of some of the suspects in the Stephen Lawrence case. The police had secretly bugged the houses of one of the suspects. Several of the suspects were recorded making grossly racist statements and pretending to use knives. The judge refused to allow the material in evidence because the recording contained no reference to the suspects killing Lawrence. I think

that Mr Martin had at least as good a case for the evidence of his feelings about traipses not being admitted.

Why did the jury convict? Well, juries are odd beasts at the best of times and I can well imagine that they may have been swayed not only by Mr Martin's comments about gypsies, but also by the fact that Barras was shot in the back and left to die. But there is a complication. Since the trial ended there have been persistent reports of the intimidation of the jury by members of the Barras and Fearon families and generally by the gipsy population in the area.

What credence should be given to these stories is debatable. However, members of the Barras and Fearon families attended the court in force throughout the trial. Not only that but when Tony Martin was found not guilty of the attempted murder of Daniel Fearon, there was by all accounts a tremendous explosion of anger from his family and others in the public gallery. At that point the jury had not given a verdict on the murder charge. They then withdrew and came back later to deliver a guilty verdict on Barras' killing. After that verdict was given there was again a most aggressive display from the public gallery, but this time in celebration.

The jury members may well have had reason to fear the consequences of a not guilty verdict to the murder charge. The hard truth is that while individual travelling folk may be perfectly amenable in their individual dealings with those from the mainstream, their group behaviour leaves much to be desired. Anyone who has ever had to deal with gypsies *en masse* will know, their group behaviour is all too often unequivocally antisocial. There are good sociological reasons for this: (1) they see themselves as separate from mainstream society and (2) they have the nomad's mentality. (1) means that they will have a first loyalty to their own group and (2) creates a contempt for their immediate surroundings because they know they will soon move on.

That Mr Martin was found guilty of murder and not guilty on

the attempted murder charge is perverse. Both Fearon and Barras were shot in the same circumstances. Logically, both charges should have resulted in the same verdict, whether it was guilty or not guilty. One of Tony Martin's grounds for appeal will be that the murder verdict was perverse.

### **The Relationship Between the State and the Individual**

There is an implicit contract between the state and the individual: the individual gives up his right to absolutely control his personal security on the understanding that they state will provide both physical security and meaningful redress for injuries which the individual may suffer from others. Patently this contract was broken in Mr Martin's case, who was left with the effective choice between defending himself and his property or letting criminals do much as they wanted. How he went about defending himself is another matter, but that was the objective choice. The police did more than fail to protect Mr Martin and his property, they denied him the legal means to protect himself. Mr Martin killed with an illegal pump action shotgun. Previously he had owned an ordinary shotgun. He lost this because his licence was taken away after he had fired a warning shot to deter some intruders (he did not hit them). Had his licence not been taken away, Mr Martin would, in all probability, never have purchased the pump-action shotgun. If that had been the case, he would have faced Barras and Fearon with an ordinary shotgun with two shots only immediately available. With only that weapon, he might never have shot anyone. He might have been deterred from firing because he knew he only had two shots. If he had fired, two shots have more chance of missing than half a dozen. The case also shows how easy it is to get guns illegally despite the draconian laws which now exist. The anti-gun fanatics might care to reflect on that.

Tony Martin may possibly have been guilty as the law stands, but I cannot see that he was morally culpable. He was doing the most natural of things, protecting himself from men who had intruded into his most private place, his home.

## **Plan B for Ulster: Repartition and Resettlement**

**Roderick Moore**

Since the peace process in Northern Ireland keeps coming to a halt time after time, thanks to the refusal of the IRA to disarm, we should start thinking about alternatives to the Good Friday Agreement. So far, all attempts to bring peace to Ulster have failed because they have all tried to square the circle, and it looks as if the Good Friday Agreement will be no exception. The basic cause of the problem is well-known. Northern Ireland is inhabited by a million people who think of themselves as British and half a million who regard themselves as Irish. We must face the fact that when a region is inhabited by two distinct communities which identify themselves with different nations, it is impossible to achieve political stability, because it is impossible to satisfy the aspirations of both sides within the

boundaries of the same state. The only way to give both sides what they want is to separate them geographically. To put it another way, if you want to get rid of malaria, you have to start by draining the swamps where the mosquitoes are breeding, and the same thing applies to terrorism. As long as there are half a million people in Northern Ireland who are living under British rule against their will, there will always be a potential breeding ground for terrorism.

I propose that Northern Ireland should be divided into two parts, and the Catholics should be encouraged to resettle in one part and the Protestants in the other. In due course, the Catholic zone should be allowed to unite with the Irish Republic. The border

between the zones should run from north to south along the line of the River Bann, Lough Neagh and the abandoned Newry Canal. I propose to call this the Bann-Newry Line. This would minimise the amount of resettlement which was necessary, because of the present distribution of the population. In Ulster, the general rule is that the further west you go, the more Catholics there are. The Catholic zone would consist of the counties of Tyrone and Fermanagh and most of the counties of Londonderry and Armagh, while the Protestant zone would include Antrim, Down, a small part of County Londonderry around Coleraine, and a small part of County Armagh around Lurgan. This distribution of territory would stand the best chance of satisfying both sides. If the Catholics got the best part of four counties, while the Protestants got two and a couple of bits, the Catholics could not complain that they were not getting a fair deal. On the other hand, the scheme would not treat the Protestants unfairly either, because the eastern zone, being more densely populated, has about a million people already, so the existing housing stock should be enough to accommodate all the Protestants.

The Bann-Newry Line would have major advantages over the present border. The Irish are a historically-minded people with long memories, and nationalists have often complained that there is no historical precedent for the border which came into existence in 1922. They could not object to the Bann-Newry Line on those grounds, because it would correspond to the border of the ancient Kingdom of Ulster which existed from the 5th Century until its conquest by John De Courcy in 1177. It would also correspond to the present diocesan boundaries of both the Roman Catholic Church and the Church of Ireland. In fact, the River Bann is widely recognised within Ulster as forming a natural boundary between two distinct geographical regions.

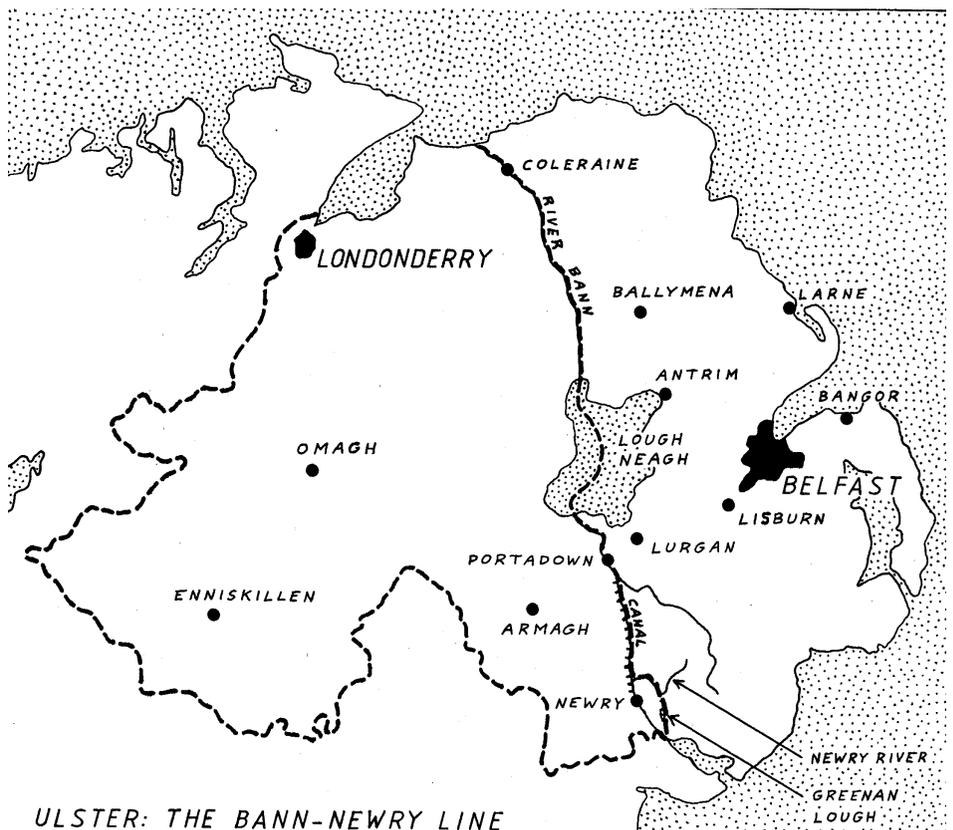
The new border would also be much easier to defend against terrorist raids from the Irish Republic, because it would follow clearly-defined geographical features throughout its length. The present border, on the other hand, is impossible to patrol effectively, because it wanders all over the countryside, following the boundaries of medieval farms and estates, sometimes even cutting right through the middle of villages. It is true that the towns of Coleraine and Portadown are divided into two by the River Bann, but it is a wide river with only two road bridges and one railway bridge in each town, so the new border should not be too great an inconvenience. At Newry, where the canal threads its way right through the heart of the town, the Bann-Newry Line should be diverted to the east, along the line of the Newry River and Greenan Lough, to put this mainly Catholic town in the Catholic zone.

Resettlement could be achieved by a combination of the stick and the carrot. On one hand, the government could pay the expenses of anyone who wanted to move

house. In the long run, this would be much cheaper than maintaining the security forces and compensating the victims of terrorism. On the other hand, persons convicted of offences such as rioting or membership of an illegal organisation could be offered the option of resettlement instead of punishment, and persons convicted of more serious terrorist offences could be offered a shorter prison sentence if they accepted resettlement at the end of it. Resettlement should not be compulsory, of course, but it should be made clear to anyone who chose to stay in the zone allocated to the other community that they could expect no favours, and they would be expected to live as law-abiding citizens.

As an interim measure, two assemblies should be set up, one in each zone. The majority party in each assembly should be allowed to form a government without any obligation to form a coalition with minority parties, and the government should be given full control over law enforcement, including the power to allow or prohibit public demonstrations such as Orange Order parades. Persons who objected to the policy on demonstrations in their zone should have their attention directed to the facilities for resettlement, which should speed up the resettlement process. When the Catholic zone joined the Irish Republic, its assembly could, of course, be dissolved.

Repartition and resettlement may seem like a drastic solution, but we have got to face the fact that nothing else is going to work. It is not a new idea, and it has at least one very distinguished supporter, because in 1984 Margaret Thatcher said privately that she was in favour of it (see Stuart 1998, p.140). It should be attractive to the Protestant community, because the higher Catholic birth rate means that their majority in the present Northern Ireland is gradually being eroded. In the long run, it will only be possible for them to protect their way of life if they withdraw to a smaller area. Losing Londonderry would be a



blow to them, of course, but since 1922 they have lived with the fact that the site of the Battle of the Boyne is in a foreign country, and Londonderry has had a Catholic majority for many years. The scheme should also be attractive to mainland Britons, because most of them must be fed up with risking the lives of British soldiers to maintain British rule in God-forsaken places like Crossmaglen and Coalisland where the people only came down from the trees yesterday. There would inevitably be protests from Irish nationalists, but the proposal would bring home to them the fact that the Protestants are only asking for the

same right of national self-determination that they have always demanded for themselves. Gerry Adams would be faced with the problem of explaining why he wanted to deny Protestants the rights which he was claiming for his own side, and it would be very interesting to watch him try to wriggle out of it.

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# BC is As Bad for Education as PC

## Dennis O’Keeffe

A friend in the North of England rang a few days ago to tell me of a meeting she had just attended at her university. Her tale was familiar. Like meetings are occurring at universities all over the country. Hers was about how the academic staff’s teaching and the students’ learning can be improved. It is the wish, rather the *ukase*, of central educational officialdom, that all universities must engage in self surveillance in order to improve their performance. My friend’s call left me pondering an important question.

Namely, where should modern free societies be seen at their most exemplary? A reasonable answer would surely be: in their universities. In higher education, beyond - we hope - the minatory controls necessary to primary and secondary schools, students and staff can seriously and freely investigate that which is the case - what used to be called “truth.” Admittedly, in humanities and social science all too many academics pursue what they wish were the case, rather than the case itself. In principle, though, they can pursue truth and they can back this up by also looking for what is beautiful or morally binding on us. That, at any rate, is the general idea.

But can we university teachers be true to this general idea? I try, and so do my many friends working in universities. I am amazed at the hours and efforts so many colleagues devote to a not very well paid job. Unfortunately, up and down the country, sound university teaching is becoming ever more difficult, owing to the disastrous growth of bureaucratic centralism. (BC) This is Lenin’s grisly gift to posterity. He devised for his country a Behemoth of proliferating rules and apparatchiks. It has left Russia and most former Communist countries in a condition of poisoned humiliation. Now a lesser strain of the malady is infecting Western education systems.

Perhaps the first big leap in British BC, in the case of education, back in the 1980s, happened because people like Margaret Thatcher thought, rightly, that education had lost its way. If she imagined that tightening up from the centre would put things right, she made a bad mistake. BC has never accompanied a decent politics or a respectable pattern of educational -- or any other - activity.

BC is the theory and practice of ubiquitous rules for all contingencies, administered by centrally controlled bureaucrats. Its

core principle is surveillance, its motivating apparatus fear. In this country we now have a sub-version of it, but a version all the same, applied to many indispensable services. Invariably the practice of BC is marked by the emergence - “development” is too positive a term - of a kind of anti-economy, a machine which guzzles resources without yielding any real output. In the jargon of macro-economics, for any given investment, there is little or no multiplier. This anti-economy means a vast flow of resources diverted into the surveillance procedures themselves.

For thirty years this ugly thing has been widening its grip and deepening its hold over all aspects of British education. At the heart of the battle is the ongoing divergence between the interests of bureaucrats and of academics. The former have now gained a marked ascendancy. In the 1980s the bureaucratic machine, then epitomised by the National Curriculum, gobbled up primary and secondary education, leaving most teachers in perpetuity underpaid and despised lower functionaries. The same is now happening in higher education. University teachers, scholarly or otherwise, are being made to pass through increasing numbers of rigid hoops. Bureaucratic intervention in the last decade has already hugely damaged university research. Now the QAA (Quality Assurance Agency) requires us to engage in “peer review,” i.e. assess each other’s teaching. A practice many of us are used to is to be drained of its spontaneity and merit by bureaucratisation. Worse is the insult to our intelligence when we are told that this process must be “non-judgmental.” We will be asked to believe in non-judgmental death-sentences next.

True, there is BC and BC. We should not define the phenomenon in terms of its worst exemplars, namely the Holocaust, the Gulag and Cultural Revolution, though it is interesting to see many who cared nothing about Communism now complaining vociferously when they get a writ-small dose of the same.

Our fate is not truly dreadful. Go to Eastern Europe - say Romania - if you want to see teachers in a dreadful state in schools and universities alike, the shame and despair caused by Communism. We are protected by the free civil order and the market economy, expressions of our human nature and its medium freedom. Free enterprise supplies our material and the tax base whereby we live. We are still history’s darlings really. Nevertheless this latest surveillance will make life in our universities ever more unpleasant.

Of course, some academics have sinned. In social science, humanities and teacher education, they hang onto to their moribund progressive education and their multiculturalism. Too many academics confuse the various hate-cults with human liberation. This would not have mattered so much if opponents had been allowed a proper hearing. Now on top of closed, brain-dead ideologies, we are getting massive bureaucratic interference. BC will not fix any of our ills. Indeed it will subsume them, as the National Curriculum has subsumed them lower down. BC cannot work. OFSTED is a case in point. I admire Chris Woodhead's intelligence and courage. I despise those who have reviled him. But the small improvements alleged to have occurred in primary education -- secondary being obstinately unmoved - are a small prize to be set against millions of pounds' worth of extra expenditure and all that strife and grief. Coercion and fear are poor civilisational instruments compared to openness and competition.

Most people involved shy away from the truth. The writing is now on the wall for the state's near monopoly of educational arrangements. Only open debate and competition can restore intellectual pluralism. Only private finance can make good the massive shortfall in resources. Bureaucracy will make both problems worse. How can teachers, from Kindergarten to

university, teach knowledge and morals when they are endlessly harassed and insulted by bureaucratic controls?

I remember Communist Poland in the 1980s. At a time when so many academics were proud of not buying South African apples, remarkably few people here seemed to care about the plight of this noble nation, so much worse than anything we have known. Yet the contrasts in their case ran the other way round to ours. Here in Britain, in 2000, our streets, shops, restaurants and private businesses, are freer places than the universities. In 1980s Poland, despotism was being cut down to size in college, and confined to its predatory position outside. The educational bureaucrats were defied, the ossified ideologies openly ridiculed. The Poles were moving academically in the right direction. We British today are moving in the wrong one. And are we not forgetting the lesson of the last century, that despotisms, far from softening when their victims take part in the proceedings, positively insist on this horrible involvement? God forbid that a real despotism should ever come to power in our country. It would find in education and elsewhere, an apparatus of potentially dehumanising control such as would bring a smile to the face of the frozen mummy if he could witness it.

## Reviews

### *Institutional Racism and the Police: Fact or Fiction?*

David G Green (ed.)

**The Institute for the Study of Civil Society,  
London, 2000, £4.80. 50pp (pbk)  
(ISBN 1 903 386 06 3)**

Programmes adopted by the Home Office and by the Metropolitan Police in the light of the Macpherson report into the death of Stephen Lawrence could lead to a worsening of race relations in Britain, according to a new book of essays from the Institute for the Study of Civil Society. In this, David Green argues that the best hope for harmony between ethnic groups lies in the traditional liberal ideal of equality before the law, with the police and the courts paying no regard to anything except people's actual behaviour.

However, this approach is no longer deemed acceptable by the professional race-relations lobbyists who have been able to use the findings of the controversial Macpherson report to enhance their own status and influence. A booklet produced by the official agency for advising judges tells them that 'Justice in a modern and diverse society must be "colour conscious", not "colour blind..." (p.3 8). This is a clear indication of the distance we have travelled from the ideal of equality.

Home Office minister Mike O'Brien takes the view that 'The Lawrence report... was a watershed for race issues in Britain' (p.25) and outlines the ways in which the Home Office has responded to its recommendations:

The Home Secretary has already set targets for the recruitment, retention and promotion of ethnic minorities within the

Home Office and all its services, including the police, the fire service and the prison service... The aim is to get overall recruitment to the national average for ethnic minorities at about seven per cent... Positive progress within the Home Office should pave the way for the introduction of similar targets in all Whitehall departments and public sector organisations and we hope in due course that the private sector will decide itself to adopt them... The new duty to promote race equality will also oblige public authorities to integrate race equality into policy making, implementation and service delivery (pp.33,34,35).

Commander John Grieve, Director of the Metropolitan Police's Racial and Violent Crime Task Force, writes of the devastating impact of the Macpherson report's findings of 'institutional racism' on the police in London.

Lord Skidelsky, however, takes a less lofty view of the proceedings of the Macpherson inquiry into the death of Stephen Lawrence, regarding it as more of a political than a judicial process: "It was appointed to do a political job, and faithfully discharged its brief" (p.5). Lord Skidelsky argues that Macpherson only managed to pin the police failure on racism by "expanding the definition of racism so far that it is invulnerable to falsification. Politics and truth came into conflict, and politics won" (p.2).

Michael Ignatieff also believes that Macpherson missed the point, which was not racism but incompetence. "Why were we talking about "race awareness", when the issue was equal justice before the law?" (p.21). Mr Ignatieff believes that there is no such thing as a "black community", or a "white community", and that to pretend that there is is to "believe that skin trumps all

other identities, and that we are only our surfaces” (p.2 1). Nor does he think that the police should be trained to respond to people as members of their gender, race or class. On the contrary, they should be made “less ‘sensitive’, less aware of difference, and more aware of one single identity: that the people they police are their equals, with rights and recourse. Are we so balkanised into our racial and other group identities that we cannot see this?” (pp.22-3).

In common with other publications from the Institute for the Study of Civil Society, *Institutional Racism and the Police* presents a range of strongly-held views in the hope of encouraging a more enlightened public debate.

### Iti Saflaia

(The Institute for the Study of Civil Society website can be found at: [www.civilsociety.org.uk](http://www.civilsociety.org.uk))

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#### *A House for the Future:*

#### *Royal Commission on the Reform of the House of Lords*

**Chairman: The Rt Hon Lord Wakeham DL**

**HMSO, London, 2000, £24.00 (pbk)**

**(Cm 4534)**

This Report is a bitter disappointment to everyone wanting the transformation of the House into a modern, democratic legislative body. Instead the recommendation is that the composition and method of selection remain almost unchanged. The only positive development advocated is the end to a link between the honours system (*ie* a peerage) and membership of the second chamber. The main points of the Report are as follows:

No change in function; minor change in composition and possible change in name, if the new second chamber wants it. The latter (Recommendation 128) is a complete abdication of responsibility on the part of the Royal Commission. Recommendation 127 states that the new second chamber should not be composed of peers as such; therefore the name “House of Lords” must be altered because It will misrepresent the nature of the membership. The Commission, however, falls to decide the name of new second chamber or the title of its members!



The main defect of the Report is Recommendation 68 that the majority of the new second chamber remain placemen and women. (it states that each sex must constitute at least one third of the total of appointees - Recommendation 70-f). Instead of being life peers created by the Prime Minister, they would be establishment figures nominated by an Independent Appointments Commission. In other words a committee of civil servants would select safe “worthies” of the “Justice of the Peace” type.

Such people can be guaranteed to be bereft of any innovative ideas and ensure a somnambulant second chamber which adds nothing to the legislative process. In addition the Royal Commission wants to retain Church of England representation in the new second chamber, but supplement It by representatives of other faiths. (Recommendation 108). The Anglicans would get 16 out of the 21 Christian appointments for England . In other words the sectarian privilege of the established church would be maintained., with a token five places being given to representatives of other Christian denominations. (Recommendation 111).

There would also be five representatives of Christian churches in Scotland, Wales and Northern Ireland (Recommendation 110) plus another five of non-Christian faiths in the United Kingdom (Recommendation 109). The small size of its active congregation (less than a million worshippers) does not justify the assigning of the great majority of sectarian seats to the Church of England.

Such sectarian representation is unique in Europe and the American continent. It represents the worst features of communal religious representation of the type Introduced by the British *raj* in India, which provoked sectarian political activity instead of lessening it. The Appointments Commission will become embroiled in religious controversy, through having to appoint the non-Church of England representatives, thus laying itself open to charges of favouritism to particular groups and persons. Britain should be a integrated, democratic, secular society, not a divided sectarian one.

Another glaring error is the Royal Commission’s double negative statement “There is no reason why the second chamber should not continue to exercise the judicial functions of the present House of Lords” (Recommendation 56). This begs the question of whether there is any reason why it should! The reasons given in Paragraph 9.6 are far outweighed by the disadvantage *ie* the violation of the fundamental democratic principle of the separation of powers between the legislature and the judiciary. The Law Lords, as serving judges, should not participate in any legislative debates, otherwise the political neutrality of the judiciary is compromised. This is why in all democracies serving judges are prohibited from being candidates for any legislature. By the same token, a parliamentary chamber should not exercise the functions of a Court of Law. This may breach the European Convention on Human Rights.

The Commission cannot agree on the number of elected members of the new Second Chamber (see: Recommendation 76) Instead it is merely unanimous in the mistaken contention that they should constitute a clear minority, thereby making the United Kingdom the only country in the whole continent of Europe to have a predominantly nominated legislative chamber. In addition the Commission prescribes the Party List system of election for the minority, thereby precluding members of political parties from selecting their own individual candidates.

### Edward Goodman

(A House for the Future is available on the Internet at: [www.official-documents.co.uk/document/cm45/4534/4534.htm](http://www.official-documents.co.uk/document/cm45/4534/4534.htm))

# Final Jottings

## Brian Micklethwait

### One

Our Editor wants something to be said about the Libertarian Alliance. Does it still exist? Yes it does, and it just did a mailing. We ran out of excuses for the lateness of this mailing several months ago, so I'll spare you these until matters improve. Which they are doing, because we now have a clutch of new stuff to publish and send out in another mailing, Real Soon Now.

The clutch in question comes from a certain Christian Michel. Christian writes in French, in that oracular abstract-ridden French manner which consists of going from a paragraph of lofty conceptual obscurities to announcing that therefore income tax is an abomination, or whatever. Usually French intellectuals go from lofty abstraction to the claim that therefore income tax should be doubled, so it's nice to have one of these people on our side. Better yet, Christian has also translated his stuff into English, and very good English it is too, despite his worries about this. His subjects include: "Should Criminals be Punished?", "How Should We Think About Economics?", The Information Revolution, Pornography, Business Ethics, Marx and Engels, and Drugs. If you can't wait for the LA to put this stuff out on paper, try e-mailing Christian on [cmichel@cmichel.com](mailto:cmichel@cmichel.com), and he can steer you to his website.

Does it make sense to publish stuff that's already been published in the Great Filing Cabinet in the sky already, and is already available to anyone with a PC and a modem? Chris Tame and I both think it does. The Internet is such an infinite swirl of stuff that it surely counts for something if an organisation consisting not of one man and one dog but of several men and a small-to-medium pack of dogs reckons some particular clutch of writing to be worth attending to, and puts its paw marks on it. The Internet doesn't "cut out the middle man". It doesn't do away with editors. It demands more editors.

It will help greatly that the Libertarian Alliance will be attaching much more informative titles to Christian's pieces. "Should Drugs Be Prohibited?" Well should they? If you are off the fence, say so up front. The more pieces there are clamouring to be read, the less time we all have for silly guessing games about what each particular piece says.

### Two

I'm watching the news and they're on about the Concorde crash, which they now say was caused by the runway not having been swept. My theory is that the crash was caused by wind-surfing. I have blamed wind-surfing ever since I read, on the day after the crash, that the pilot liked to do it. No one who wind-surfs should be allowed anywhere near the flight deck of an aeroplane containing passengers. Passenger airline pilots should have slow, sedentary and risk averse hobbies like growing prize geraniums or collecting nineteenth century teapots, not mad

Pepsi-Max advert enthusiasms like wind-surfing. Why wasn't the runway swept? That's the question. The news said: because they'd just had a fire drill. Wrong. The runway wasn't swept because the mad, extreme-sports, Pepsi-Max swilling pilot said: to hell with sweeping the runway, I want to go to New York, now!!! And because he was so charismatic and so handsome and so dashing and so extremely French, nobody dared to contradict him, certainly not the Charles de Gaulle airport runway sweepers, who probably (this should also be investigated) do grow geraniums and collect teapots.

### Three

Getting back to the Libertarian Alliance, another game we have recently started playing is the giving of awards. Last year we gave an award to Arthur Seldon, and he seemed genuinely glad of the appreciation. You want a great twentieth century Editor? Look no further. God knows Dr Seldon deserves all the appreciation going, if only for putting up with Ralph Harris for all those years. Don't get me wrong, Lord Harris was and remains a super-talented free market propagandist. (See Antoine Clarke's latest LA piece - Personal Perspectives No 11, *Liberty in France: A Personal Account of the "XXIIème Université D'Été de la Nouvelle Économie, Aix-en-Provence, September 6th-11th 1999: Hayek and the Road to Freedom*, about a conference at which Lord Harris spoke, to great effect.) But for reasons (as Chris Tame would say) that I won't go into now, Lord Harris is a hard man to live with and to share decisions with.

This year, there's talk of the Libertarian Alliance giving a similar framed eulogy to James Tooley. Dr Tooley definitely gets my vote. He is still at the early stages of his career, but has already made and is busily publicising a great free market discovery, namely: Free Market Education In The Third World. In the First World, governments are rich enough and stupid enough to have nationalised and ruined mass education, and have done so. In the Second World, governments didn't do all that badly. They did nationalise everything, but had less money to spend being stupid. Sadly, however, they are now applying First World worst practice to their school systems. In the Third World, governments are not rich enough to have nationalised and ruined mass education and, although stupid, have tended to have other worries, like remaining the government. Neglect has allowed free market mass education to flourish. In the next few decades one of the great world business success stories is going to be Third World education businesses expanding into the First World and sorting out our educational messes for us.

Dr Tooley travels. He finds things out. He visits schools in China, India, South Africa, South America, Surrey. He combines glad-handing and baby-kissing in First World educational academia with lack of compromise where it most counts. He makes friends of our enemies and tells them they're wrong, charmingly and patiently, and is now helping them to do better. Could there be a more important free market, from the libertarian point of view, than the free market in education?