

FREE LIFE

A Journal of Classical Liberal and Libertarian Thought

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A New Beginning

With this issue, I begin a new series of *Free Life*. As it is somewhat different from the old, I feel obliged to explain myself to my readers.

Some changes flow from the fact that I am now responsible for producing as well as editing *Free Life*. Since I have not Brian Micklethwait's eye for design, its appearance must inevitably be different in many respects. By far the greater changes, however, are in the journal's size and frequency. So far, it has been a 32 page quarterly. It is now to be an eight or twelve page monthly.

The reason for this is that I never found the old format convenient. The publication dates were too far apart. They did not allow much currency of opinion. Something important might happen in the fortnight before producing an issue, in which case it would be dealt with in the Editorial or in the "Editorial Jottings", or perhaps a review article could be written or amended to take note of it. But mostly, things tended to happen long before an issue was planned.

It was because of this that I began early in 1994 to release articles directly onto the Internet. At first, these were intended to advertise *Free Life*, and several people did subscribe on the strength of what they read on the Internet. But the immediacy of communication and the size of the audience I could reach soon seduced me from this limited purpose; and I found that I was publishing articles on the Internet every few weeks and then placing these on my Web Page. These sometimes appeared in *Free Life*, but more often did not.

Eventually, in late 1997, I formally began *Free Life Commentary*, a regular article by me published on the Internet. This is read by thousands and has made me effectively the voice of English libertarianism. By comparison with what I could do in the new medium, *Free Life* and its hundred or so readers has often seemed unimportant. Even when I was most committed, issues never came out quarterly. Since 1997, they have been dribbling out at one a year; and

suggestions have been gently made that I should give up the embarrassment of editing a journal that hardly ever appears.

But *Free Life* is important. It is more than my own writings. It is a collaborative effort that, however intermittent, has been one of the great achievements of the Libertarian Alliance in the 1990s. It is worth continuing. Therefore, I have decided to make it a monthly publication and to vary its length according to how much material I can gather from others or write myself. This will give me the immediacy of comment that I have long envied in other libertarian journals, and should free me from the straitjacket of having to give all my free time for weeks in advance to fill 32 pages.

A further innovation is that *Free Life* is to be published simultaneously on the Internet as well as in hard copy. It is already available in HTML format. But it is now to be converted from its final camera ready version to an Envoy file and sent out via the Internet. Electronic subscribers will be able to download and print their own copies complete with formatings and pictures. There will be no costs of stuffing and posting, and *Free Life* will in theory circulate as easily in Los Angeles or in Calcutta as it does in London.

Back in November 1991, when I became Editor, I defined the purpose of *Free Life* as to stand on the side of right, truth and justice. Though I knew then that things would be worse at the end of the 1990s than at the beginning, I was unable to imagine how bad they would become. I did not suppose that we would languish under a Government of traitors and warmongers and be lied to by a media filled with that Government's hirelings and supporters. I do not suppose that my efforts and those of my contributors will ever be essential to the destruction of this Government. But every little helps.

I commend the new *Free Life* to my readers.

Sean Gabb

Thoughts on the Serbian War

Sean Gabb

As I write, the Royal Air Force is being readied for a third night of bombing raids on Serbia. The pro-Government media here in London is filled with the usual atrocity stories that attend these aggressions. Some may be true, though I do not suppose that those publishing them care very much about truth or falsehood. What I want to do here fairly briefly is to explain why this war with Serbia is to be opposed whether or not the atrocity stories are true.

Though I do not like war, I do accept its legitimacy as a use of state power. This being said, it should only be resorted to when five conditions are satisfied. There are:

First, that there is a vital national interest to be secured which cannot be secured by any other means;

Second, that there is sufficient unity of political will in the nation going to war;

Third, that there is the ability to commit sufficient force to win the war;

Fourth, that there are aims clearly defined enough for most people to agree when the war has been won;

Fifth, that the long term costs of the war are not greater than any short term benefits of fighting it.

All these conditions were met in the Falklands War that we fought with Argentina in 1982. A British territory settled by British citizens had been invaded by a foreign enemy. The war was supported by all but a small fringe of malcontents, some of whom wanted to use a defeat to bring down Margaret Thatcher or who were against all wars without exception. We were able to send an adequate task force to the South Atlantic. We knew the war was over as soon as the Argentine forces had surrendered and the Union Flag was flying again over Port Stanley. Once the war was over, we were able to withdraw most of our forces from the region and to reestablish acceptably good relations with Argentina.

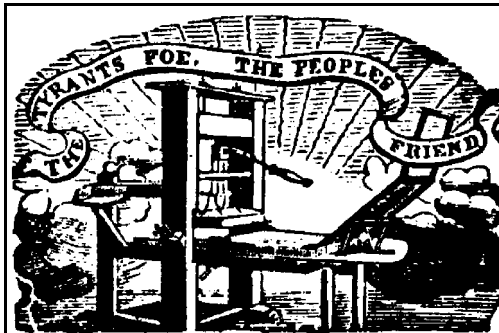
In these respects, the Falklands War was a model of what a war ought to be. However, none of this applies to the current war with Serbia.

Where is our national interest in the Bal-

kans? Whatever happens in Kosovo will not affect the lives and property of anyone in this country. There is no balance of power that we need to consider. However strong he may grow, Slobodan Milosević is never likely to be able to invade this country or cause any serious inconvenience to British trade. What he is doing within the borders of his country may be deeply unpleasant, but is no more our concern than the many other unpleasant things that are done elsewhere in the world but over which we do not even think of going to war. The Albanians of Kosovo may be our fellow human beings, but they have no more intimate claim on our affections. They can hardly mean the same to us as the Falkland Islanders. They do not even mean the same to us as the people of Hong Kong, who were our fellow subjects when we handed them over to the Red Chinese in 1997.

Where is the unity of political will? The war is supposedly being waged by NATO as a whole. Yet the Greeks and Italians are openly opposed. At home, I have spoken to no one who is in favour of the war. There is opposition from both the Conservative and Labour back benches. Even our normally controlled media is not unanimous. I have seen opposing articles in *The Times*, *The Daily Mail*, and in *The Daily Telegraph*. The only unquestioning support comes from newspapers like *The Sun*, which would support involvement in any war anywhere in the world because its marketing people think that will sell more copies, and *The Daily Mirror*, which would support the Blair Government even if it began gassing Jews. This lack of general support can be ignored so long as the war remains easy and safe for our own forces. Once ground forces have been committed, and the casualties start to grow, we can expect mass demonstrations in Trafalgar Square.

And ground forces will need to be committed. The idea that a war can be won by bombing alone has haunted British and American strategists since the end of the Great War. But - unless we accept the highly unusual precedent of Hiroshima - it remains as elusive now as it has ever been. Vietnam, Afghanistan, the Persian Gulf - these show that bombing by itself cannot break an enemy. At best, it can soften an enemy for an eventual ground attack. Are we going to send British soldiers into battle against the Serbs? Are we going to set our men against a numerically superior enemy that is fighting in a difficult terrain that it



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knows better than any invading army can hope to do? Bear also in mind that the Serbs would be fighting in defence of their own country, and can therefore be expected to fight with a passion that might fully overcome any deficiency of equipment or leadership.

If Tony Blair cannot face the thought of a bombing campaign in London, and so is willing to surrender to the insignificant military force of the IRA in Ulster, can he seriously be expected to commit the entire British Army to a protracted and deadly war a thousand miles from London? Something tells me not.

How about victory - what is this supposed to be? Do we want independence for Kosovo? Or do we want to attach it to Albania? Or do we want to secure greater autonomy for it within Serbia? No one has announced what our aims are, and so I do not see how we can possibly know when the war has been won. I am not even sure if the British or American Governments have bothered to define any credible aims whatever. A feeling that something must be done to stop human rights abuses is no substitute, and that is all we have so far been given.

Even if we do decide which of these three aims is our reason for fighting, how are we supposed to secure it without remaining permanently in the region? Bosnia was given the shadow of independence a couple of years ago. It is in fact a NATO protectorate. Its government is a puppet of the army of occupation that we maintain there. Pull that army out, and the civil war would begin again, and Serbia would invade again to "protect" the Bosnian Serbs. It is the same with Kosovo. As an independent state, it would be just another Bosnia. Attached to Albania, it would become a cause of war between an enlarged and confident Albania and an humiliated but still powerful Serbia.

Then we have a real balance of power consideration. The Russians are already angry at our attack on a nation of Orthodox Slavs. Just wait for a Serbian Thermopylae or some other public relations victory, and see if the Czech and Polish recruits to NATO still ignore the emotional pull of pan-Slavism.

I am uncertain about the causes of this war. It may be another flexing of muscle by the New World Order. It may be a deliberate attempt by the concerned special interests to provoke another cold war with

Russia - imagine the status and contracts that would be restored after a decade of scaled down armaments budgets. Or it may be that Bill Clinton and Tony Blair are incompetent warmongers.

There would be a rich irony in this last possibility. Mr Clinton was a draft dodger in a previous war. Mr Blair used to be a member of CND. So did many of his Cabinet colleagues. Indeed, his present Defence and Foreign Secretaries were known opponents of the Gulf War in 1991.

I spent the Falklands War virtually jumping up and down with a Union Flag in each hand. In this war, I find myself in practical agreement with Tony Benn and the other opponents of military action. It is being fought in a region which we do not fully understand and which we cannot hope to control except by the threat of an overwhelming military force that we have not the will to maintain on permanent alert. It may result in hundreds of British deaths for no valid reason. It will certainly result in at least hundreds of foreign deaths for no valid reason. Because the war is useless, it is also immoral.

Turning to purely domestic politics, I note with anger - though not with surprise - that William Hague, the Conservative Leader, has made a fool of himself yet again. By standing up the other day in the House of Commons, and denouncing the war for the reasons given above, he could have not merely embarrassed Mr Blair, but might also have split the Labour Party and even destabilised the Government. I cannot imagine that the old Labour people on the back benches - and in the Cabinet - would have maintained their miserable silence in the face of a hard Conservative taunting. I suggested opposition to Mr Hague last August, after Mr Blair had endorsed the American bombing of that aspirin factory in Sudan, and again last Christmas when Mr Blair joined in the atrocious bombing of Iraq. Perhaps on those occasions Mr Hague might have been constrained by opinion on his back benches. Not so this time. At least a third of the Parliamentary Conservative Party is resolutely opposed to the war. As ever, Mr Hague has shown his utter unfitness for what ought to be the very simple job of destroying the Blair Government.

So my country is governed by one gang of incompetent murderers who are opposed by another gang of plain incompetents. What miserable times we live in - what public morals we are forced to accept!

More Thoughts on the Serbian War

Helen Szamuely

While I agree with the basic position Sean Gabb takes on whether Britain should be involved in what is effectively a war with the Federal Republic of Yugoslavia a.k.a Serbia, I feel that certain matters need further discussion.

In the first place, the famed Slav brotherhood is strictly for the birds. Slav brothers have been killing, terrorizing and invading each other for centuries. As far as most of them are concerned, the real enemy is always some other Slav nation. The notion that the Czechs and Poles will not pull their weight in NATO because of the Serbs does not make much sense. Belonging to NATO, to the West, to Europe is far

more important to them than some poxy war in the Balkans. After all, one of the main reasons they want to be in NATO is fear and distrust of the big Slav brother to the east. In addition, the Poles are Catholics and very strongly so. They are not likely to have forgotten the treatment the Serbs meted out not so long ago to their Catholic Slav brothers, the Croats. The Slovaks are in a slightly different position. They have not been short-listed either for NATO or for the EU and are being lectured by the West on the shortcomings of their political and economic system. This, rather naturally, makes them resentful. The bombing of Serbia, I suspect, comes under the heading of "And

another thing". Whether the new members, the Czechs, the Poles and the Hungarians will turn into fully operational members of NATO or whether enlargement will prove to be a costly mistake remains to be seen.

One last point on what the Slavs feel for each other: it is a truism of Balkan history that the Croats and the Hungarians are ancient enemies, part of that pattern of "ancient tribal hatreds" that ignorant British journalists are so fond of prattling about. Yet during the time the Balkan war was waged in Croatia, Croats as well as Hungarians fled to Hungary, preferring to take shelter with their ancient enemy than to await the arrival of their Slav brethren. They, at least, recognized that there were other forces at work as well.

Russia, it is true, is making bellicose noises, but, one has to say, not very bellicose. According to *Izvestiya* of Friday the 25th March, 31 volunteers signed up to go and fight in Kosovo. This is not a huge vote of confidence. There have been calls for volunteers, in particular from the Liberal Democrats (Mr Zhirinovskiy's lot) but none of said callers signed up themselves. *Izvestiya* has made the point that Russia can no longer play at power politics while begging for money. Furthermore, in their opinion, the posturing of politicians, including Mr Primakov's famous order to turn the aeroplane round, had more to do with the domestic situation, which is once again critical. One worrying thought expressed by a number of Russian journalists is that the situation in Serbia will be used to put Russia's internal economy and politics on "war footing".

On the whole the Russians, though they have almost certainly already broken the arms embargo on Serbia, find that country and its egregious leader rather a nuisance, as well as a drain on resources they can ill afford. My guess is that Mr Milosević is seriously in hock to them for all the arms he has already had. That being so, it might not have been impossible for the West to try to persuade the Russians to use their "influence" on Mr Milosević a little more strongly.

This brings me to the question of how we have found ourselves in this preposterous situation. As of Wednesday the 24th March, Britain and NATO are in a different international ball game altogether. In the first place, the problem lies with the usual Western inability to perceive a problem when it arises rather than when it has become insoluble. That Kosovo was going to blow had been obvious from 1989 onwards, when its autonomy was destroyed by the Serb government as the first step towards the accomplishment of that rather lunatic dream of Greater Serbia, thought up by Serb Academicians and eagerly seized

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Interested persons may apply in writing to the Editor of *Free Life*.

Following a series of European Union Directives - one of these assented to by Francis Maude, who now fancies himself as the next Leader of the Conservative Party - all enacted into the laws of this country, it is a criminal offence to offer goods for sale in English weights and measurements. The maximum penalty for disobedience is six months imprisonment.

There are some laws that it is our public duty to disobey. Compulsory metrication is one of them.

on by the Communist Boss Slobodan Milosević. It has to be said that the results of this struggle for Greater Serbia have been pitiful: not only has Yugoslavia disintegrated (it was not going to survive Tito's demise for very long) but Serbia has lost land that ought to have belonged to it if the division had been more amicable (Krajina springs to mind); the Serbs have inflicted a great deal of suffering on their brethren but have had to put up with a great deal themselves, not least from their own government; their lives have become poorer and poorer; and they have lost what good name and support they ever had in the world. Even the British, who in a kind of a parody of the club bore colonel, kept going on about gallant little Serbia, have had to acknowledge that it is nothing of the kind. Russia's attempt to censure NATO at the UN failed because there was no support. The Third World countries who can usually be relied on to make anti-American noises are, often Moslem or part-Moslem. They are not likely to speak up for the people they see as Moslem-slaughteringers.



There have been warnings about Kosovo for some time, but Western governments have either ignored them or brushed them aside. They refused to support Ibrahim Rogova, who is, by those standards, relatively liberal and civilized, thus finding themselves almost inevitably having to support the KLA, which is none of those things. Strong pressure on Mr Milosević to restore Kossovan autonomy at the time of the Dayton Agreements may well have defused the situation. Instead, the West tried to fudge it. When the Kossovars started calling for independence, the West threw up its hands in horror at the thought of Serbia "being dismembered". In the same way they had thrown their hands up in horror at the thought of Yugoslavia being dismembered, thus ending up supporting the most lunatic ambitions of the Serb government until the situation became intolerable. Active armed western involvement is the result of early fudging and refusal to act. I have no doubt this pattern will repeat itself again and again.

The other important reason for this mess is the obsession with peacekeeping that has developed after the collapse of the Soviet Union. This notion has become rather tied up with debates about what if any roles should be assigned to NATO in this new world. The problem with peace keeping has always been the same. What if the people in question do not want the peace kept? Do we then go in "peace-making"? (Sensibly, the Russians use the same expression for both.) I remember having arguments on this subject at Libertarian meetings. Also, about a year ago I was at a talk given by Robert Fox, the journalist, who has just fled from Pristina, terrified of what the Serbs and, especially Arkan's gang might do to him. Mr Fox maintained forcibly that Britain's strong position in the world came from what he described as being "*numero uno* peace keeper". This was very important, in his opinion, given the number of nasties there are in power and the number of wars, civil wars and massacres that go on. Apart from Bosnia (a special case, surely) the example he used was Algiers. I tried to get some idea from him about the political aspect of the whole problem. For instance, I tried to explain to him, Algiers is an independent country. At what point will the British government be justified in putting British troops there? Either he could not or he would not understand what I was driving at. Well, the problem has arisen a great deal sooner and a great deal nearer home, than I had thought. (Incidentally, it is rather odd to see the left pontificating about the Serb bombing. Are they not the people who are always calling for international peace-keeping missions, just as they are now calling for international courts? That, too, will end in tears.)

Where do they go from here? It seems to me that the possibilities in Serbia itself are limited. Either Mr Milosevic agrees to negotiate very soon (he is, at the moment in a win-win situation - if he stands up to the might of NATO, he is a hero; if he agrees to negotiate he is still a hero, for who could have stood up to the might of NATO), or the West will have to use Russia to put that pressure on him. The Russians will probably be agreeable. They do not want to break

relations with the United States - in fact they signed a nuclear deal last week, despite all the huffing and puffing - and they need IMF money. Furthermore, as peace brokers in the region they will acquire some badly needed kudos. Some temporary arrangement will then be made in Kosovo. But as Sean Gabb says, some kind of a long term aim for the whole region has to be devised. Above all, it is time to think very seriously, indeed, about the whole concept of peace-keeping.'

Still More Thoughts on the Serbian War

Anthony Furlong

In his lead article, Sean Gabb asks why we are fighting in Serbia. He wrote on the third day of the war. I have the advantage over him of writing in the third week. During this time, it has become easier to see what is really happening.

If you look at the Internet news groups - the one uncensored, and therefore genuine, medium of fact and opinion in this country - you will see that the explanations divide mainly under two headings. On the one side is the reducing band of enthusiasts who see the war as a defence of human rights against a gang of genocidal maniacs. On the other are the various conspiracy theorists. Some talk about the shape of Mrs Albright's nose, others about the supposed needs of "late capitalism".

We can dismiss all of these. Conspiracies do happen, but hardly ever so grandly and effectively as the conspiracy theorists claim. As for human rights, I have no doubt that the Serbs are doing horrible things to the Albanians in Kosovo - if also a strong suspicion that equally horrible things have been done the other way. But the Western powers did nothing in Rwanda, are promoting unimaginable chaos and bloodshed in Sudan, are resolutely ignoring Algeria, and are giving all assistance to the building of a tribalist *apartheid* state in South Africa. Nor, as Dr Gabb argues, have the British or Americans any balance of power interest in what happens in the Balkans. There is no need to worry that the Russians will get an opening to the Mediterranean unless we intervene there as we did after 1945. And if there is now a risk of general war involving Turkey, Greece and Bulgaria, that is purely the consequence of the NATO intervention there.

So what is the reason for this war? My answer is that there is no single reason. There is no overall agenda. It is simply the result of special interest group pressures - for once all in the same direction - on a set of more than commonly stupid politicians. Let us review these forces:

First, there are the media. These feed on big events like wars and other disasters. A good set of reports - preferably spoken to camera looking straight into 20 million living rooms - is what every television journalist dreams about. It means prizes and promotion. It means having filed the report "that challenged the nation's conscience". Equally, newspaper editors like to fill up pages with maps and analyses, and to turn out ringing calls that "something must be done". Since 1991, there have been more journalists in what used to be Yugoslavia than attend the average Olympic Games. They have all been crying up the atrocities there and demanding intervention.

Second, there are the armaments companies and all the other business interests that benefit from war. Around 1990, these moved abruptly from 60 years of unlimited funding to an age of straitened military spending. They have been reduced for the past decade to selling weapons at bargain prices to every third world government with any credit at all, while arguing in the West for more spending on rapid deployment and peacekeeping forces. There is an elegant economy about the process - though it would be more elegant still and far economical if they simply cut out the middlemen and declared war on themselves.

Third, there are the international bureaucrats. These are not all actively conspiring to impose a fascist New World Order: things do not work like that. But they certainly benefit from any problem - real or imagined - that puts more power and money into their own hands. The New World Order is merely an effect of such actions, not its intended outcome. The long death of Yugoslavia has been one of their best opportunities yet. It has allowed them to look concerned, even to alleviate some local hardship, and to believe that they are enlightened citizens of the world doing a good job against the forces of paranoid nationalism. They mostly approve of the war. Those who do not are against because they see NATO as trespassing into a problem that they see themselves as existing to solve.



Fourth, there are the chiefs of staff and foreign policy advisers. It would be nice to think that some old General had taken the politicians aside and given them a lecture about the limitations of air power - how it was the Russian steamroller that defeated Germany and not the bombing offensive, and how the Americans lost Vietnam and the Russians Afghanistan in spite of total air supremacy. But there was probably none. These people have the same interest as the arms makers. With still no sign of the Islamic or Chinese threats that were supposed to replace the Russian one, they need an excuse for surviving uncut. Except it will be horribly expensive in lives and money - though not their own - they have every reason for cheering on the rush into a war that might drag on for years. For the chiefs of staff, indeed, the war has the added benefit of testing their equipment. The fact that Stealth Bombers can be brought down by small arms fire, and that Harrier Jump Jets hardly work at all, is not the prelude to massive sackings of procurement staff, but rather the excuse for bigger budgets.

Against this coalition, men like Tony Blair and Bill Clinton stand no

chance at all. They have no historical education worth the name - they probably have only the haziest knowledge about the two big wars of this century, let alone about the English and American civil wars, and have almost certainly never read Thucydides on the Sicilian Expedition, not even in English. What practical knowledge they have of strategy is confined to knowing how to get and keep power within the rules of their own oligarchy.

Nor have they any principles - that is, any settled and independent means of understanding what is happening in the world. They see the deaths and suffering on television. They listen to the united pressure

for intervention. They puff themselves up and think themselves doctors to a suffering humanity. They look forward to what they are assured will be quick and easy victories, and plunge straight into the bottomless swamp of Balkan hatreds. They never consider the futility of bombing without a land offensive, or the swarms of refugees, or the enmity of Russia. By the time they realise what they have done, it is too late to pull back without an utter loss of face.

It is obvious that we are governed by fools and liars. What need to look for conspiracy in a mass of lies and folly?'

Editorial Jottings

One

Together with Mrs Gabb, I have just returned to London from a week's holiday in Cornwall. We had a delightful time exploring Tintagel and the wild coast around and walking on Bodmin Moor. We followed the paths of the old smugglers and wreckers, and rejoiced when told that the people of Cornwall have again taken to smuggling - this time of recreational drugs - now that fishing in British waters has been outlawed by the European Union.

Best of all, though, we made a deliberate effort so far as possible to avoid the newspapers and television. Every so often, my eyes would light on a newspaper filled with atrocity propaganda against the Serbs, but I would quickly avert my gaze and continue with the pretence that I was living back in the England of my childhood - surrounded by normal people not afraid to speak their mind about drugs and guns and compulsory metrication and the traitor Government far off in London.

If only we had a Conservative Party - something able to gather up and focus this patriotic and liberal sentiment. It could bring down the whole rotten structure of our present Establishment in months.

Sadly, the name is already taken, and colonised by so many political hermit crabs - creatures like John Maples, a spokesman on defence who as my MP in the 1980s spent much of his time trying to get a local gun shop closed down, and that absurd parody of a garden gnome William Hague.

"Is there to be no salvation for us" I sometimes asked in Cornwall. My answer, now I am back in London, is "probably not".

Two

Why do so many politicians fall apart as soon as they get into office? John Major was Prime Minister for six and a half years. In this time, he seemed to age at least twenty. It was the same with Kenneth Clarke, and even worse for Michael Heseltine. In just two years, Tony Blair has begun to go bald and is looking increasingly haggard. Other Ministers are beginning to age.

Margaret Thatcher, on the other hand, left office after eleven years of frantic activity looking better than she started. I grant she had the advantage of being able to pile on as much paint as her face would take, and of a high and stable intake of alcohol. But I do not think this is the whole explanation.

The true reason, according to my Friend and Proprietor Chris R.

Tame, is that she had principles and they have none. She knew roughly what she wanted and roughly how to get it. She had to make endless compromises, and these often blew her far off course. But she always knew what was a compromise and how far it was from what she really wanted; and she usually knew when the advice people gave her was good or bad for advancing her agenda.

Try to imagine how hard it is to govern a country without fixed principles. There is the daily job of reading and assimilating huge amounts of data. Things keep happening that are beyond your prediction or control. You are surrounded by colleagues and advisers and lobbyists all telling you what to do. They do not agree on what you ought to do, but are good at producing unanswerable reasons for why you should do what they want. Do we or do we not sign up for the Single Currency? These people say we have no future outside it. These other people say it will end in disaster. Both have 500 page briefing documents filled with statistics and reasonings that might make sense read and considered over a quiet weekend - only there are no quiet weekends. Everyone seemed so pleased when you stood up and said "the only thing that matters is what works". The problem is that you cannot decide between different policies, any one of which might "work". No wonder you begin look and feel like a hunted animal.

Though we may not deserve to have him as Prime Minister, perhaps Mr Blair in a very real sense has got his just deserts!

Three

I have decided not to review the Stephen Lawrence Report. The temptation to poke fun at its oily, sentimental style would have been too much. So too would have been the temptation to insult the Lawrence family and their friends. I sympathise with their loss and wish more had been done to catch the people who murdered their son. But their continued *public* grieving has become tiresome, and is being used to promote an agenda of hatred and tyranny that is in the interests of no ordinary person, black or white.

The Home Office has long been chafing within the restraints imposed by the Jury system. Despite three decades of gradual abolition, it still remains a shield against injustice. Ending the double jeopardy rule - letting the authorities drag acquitted suspects back into court after the discovery of fresh "evidence" - would cut out the ten years or so during which Trial by Jury would otherwise remain effective.

Similarly, the proposal to make criminal offences out of what people say to each other at home would finish the removal of obstacles that the Home Office has been clearing a block at a time for years.

The Report has been interpreted largely in racial terms. But though part of its agenda is the promotion of black racism, by far the most important part is an impartial destruction of liberty and its safeguards. And this agenda is not being advanced by the usual beasts like Michael Howard and Jack Straw, but as a means of wiping the bravely pained look from Neville Lawrence's face.

The time has come - in the public interest and for the preservation of their own dignity - for the Lawrences to go away and grieve in private. For the past six years, they have enjoyed the kind of hushed reverence that only dead royalty normally gets. But they should bear in mind how sluttish the media is in this country. Like the mob in first century Palestine, they cry "Hosanna" today and "crucify" tomorrow.

The only good to come out of the Report is that the Police got

officially knocked off their perch. I am not sure about this Trotskyite notion of "institutional racism", but I have never met a police officer who was not incompetent or stupid or malevolent, or all three. I have no doubt they treated the murder as just one more crime they should pretend to solve. The only pity is that the Report fails to recommend the right solution. Instead of trying to brainwash the Police into thinking and acting like *Guardian*-readers - a brainwashing that would make them worse than they are, even if it could work - the true solution would be to abolish state policing. I do not mean privatisation - I mean outright abolition: no more constables. Give me the right to blow a five inch diameter hole through the back of any thief or murderer that comes my way, and you can keep PC Plod.

Yes, I think I decided right. 3,000 words of the above might have given entirely the wrong impression about me.'

Reviews

The Shadow University:

The Betrayal of Liberty on America's Campuses

Alan Charles Kors and Harvey Silvergate

Free Press, New York, 1998, 415 pp., \$27.50 (hbk)

(ISBN 0 684 85231)

The Lawrence Report, with its insistence that the police and all of British society is institutionally racist, is creating a climate where, instead of racism being openly expressed and then publicly rebutted and its obnoxious nature revealed, any form of criticism of someone of a different race or gender or sexual orientation will be treated as racist or sexist or homophobic. Free speech will be inhibited and John Stuart Mill's defence in *On Liberty* forgotten. This is already the situation on many American campuses, and is the direction of British universities too. While university administrators protest that political correctness is the creation of a neoconservative clique and an hysterical media, this book reveals literally hundreds of cases where liberty is denied. It is a passionate demand for the protection of free speech on campuses, where it should be most treasured.

When a student used the word "individualism", it was described as a racist code word. An academic stopped teaching a course on slavery when students accused him of racism after reading out a defence of slavery written in the nineteenth century. The University of Maryland ruled that "eating provocatively" could be sexual harassment. A university excluded a conservative group that refused to provide the racial, ethnic and sexual characteristics of its members. Wabash College forbade students from discussing the content of classes after a course was criticised in a student newspaper. A law school voted to limit free speech because of "the responsibility to promote freedom and social justice". A student accused of rape was denied the opportunity to hear his accuser or question her. A student was punished for laughing at a statement ordering him to read a book, see

a film and write an essay to make him more "sensitive". One could go on and on with examples, as do the authors of this book.

They became involved in the issue of freedom on campus when a student at the University of Pennsylvania shouted a Yiddish insult, translated as "water buffalo", to a group of noisy female students outside his residence. He was accused of, and punished for, racism. Historian Professor Alan Kors became the student's faculty adviser



and brought in the services of a civil liberties lawyer and long time friend, Harvey Silvergate. They became increasingly aware that this was not a isolated incident, and to believe that on many campuses there was "a tyranny that seeks to assert absolute power over the souls, the consciousness and the individuality of our students - in short, a tyranny over the essence of liberty".

One of the many merits of this attack on political correctness is that not only does it discuss numerous cases, to demonstrate that it is pervasive, but also identifies the principles of a free society that are threatened. Furthermore, most stories of censorship on campus are partisan: conservatives and leftists have their own favourite stories but appear willing to allow their opponents to be suppressed. Mr Kors and Silvergate even-huntedly demonstrate that free speech is frequently denied to all sides as administrators seek to prevent "trouble".

The authors concentrate on the assault on free speech through the introduction of speech codes, forbidding racist, sexist and homophobic remarks which can lead to a "hostile environment". They note that faculty can be restricted as well as students. Indeed the 1999 end of the faculty speech code at the University of Wisconsin was led by students against a strong lobby of academics and administrators. The authors carefully discuss how the first amendment protection of free

speech has been interpreted by the courts, They locate the origins of the assault on free speech in the pernicious doctrines of the 1960s neo-Marxist Herbert Marcuse, who claimed that free speech was “repressive tolerance” that privileged the powerful. The freedom of the powerful should be restricted to empower the powerless. This has found an echo in the promoters of censorship such as Catherine Mackinnon and Richard Delgado.

Speech codes are not the only threat however. Thought police seek to force individuals to accept and express beliefs they do not hold. For example, a Christian student was instructed to wear a pink triangle to express solidarity with gays. Students and faculty are ordered to attend “consciousness-raising classes”, where the expression of politically correct opinions is necessary to pass. Kors and Silvergate correctly identify this as an assault on individual identity. Freedom of thought also means not to having to express views one does not hold. They also show how double standards are often applied. Anti-semitic remarks by black speakers are not condemned while criticisms of feminism are.

What was most surprising to me was the section on the denial of due process when students are prosecuted by the university. The authors identify the rules of natural justice they term “the rules of civilisation”. They include: the opportunity to prepare a defence, the right of cross-examination, a public trial, and impartial judges. They then demonstrate how frequently they are denied to students by universities acting as Star Chambers.

They conclude by looking on what can be done to restore liberty on campus. They consider and reject judicial and political interference in universities as a threat to academic freedom. They conclude (rightly in my opinion) that “sunlight is the best disinfectant”.

How prevalent is the denial of free speech on British campuses? So far no one has conducted a detailed survey. My suspicion is that it is extensive. Most student unions deny a platform to racist and sexist speakers. Many universities have guidelines on how to avoid “offensive language” in seminars and essays. Many students at different universities have told me that they fear to express their true views about a subject (for example, that the British Empire was on balance beneficial for the colonies) because they will be penalised. If political correctness is pervasive, why has it not received the same degree of attention as in the USA? Partly, it is a lack of a First Amendment, which creates an awareness of rights largely absent here. Secondly, US students are more likely to perceive themselves as consumers who have certain rights, while British students still often see themselves as supplicants. Thirdly, Americans are (alas) litigious and frequently willing to resort to the courts of law. Fourthly, there is a network of supportive legal foundations willing to provide *pro bono* legal advice. I am unaware that Liberty has taken a serious interest in the denial of campus free speech. I do not think it has challenged the denial of platforms to “racist and sexist speakers”.

Most of these factors are likely to change. Young people have a growing sense of their rights (if not always the corresponding recognition of the rights of others). The incorporation of the European Convention on Human Rights into British law and thus adjudication by British courts will create more and cheaper opportunities to pursue cases through the courts. The British are rapidly becoming a more litigious society as newspapers report extensive claims of damages to those who have suffered discrimination. Is this to be welcomed? I

think not. I prefer a society where disagreements can be openly expressed and reconciled privately within the context of a civil society. However, as discrimination and prejudice is increasingly governed by formal rules and laws, universities can expect a series of legal claims and counterclaims that will be expensive and damaging. Better to sort their own house in order first. I see little evidence that they will.

Nigel Ashford

The Economic Laws of Scientific Research

Terence Kealey

Macmillan, London, 1996, xii + 382 pp, £17.99 (pbk.).

(ISBN 0 333 65755 1)

Dr Terence Kealey is a member of the Department of Clinical Biochemistry in the University of Cambridge. In the nineteen eighties he made himself extremely unpopular among his university colleagues by challenging claims being made at that time by Save Britain’s Science. That organisation, with the support of many if not most distinguished scientists, maintained that the numbers of scientific papers from Britain as well as the numbers of citations attracted by those papers had declined; and this all as the result of a restriction of tax-financed funding. In a chapter on “The So-called Decline of British and American Science” Dr Kealey reviews the evidence. This shows that the claims by Save Britain’s Science were in fact the reverse of the truth, and that the decline in government funding had been more than compensated by an increase in support from non-government sources.

It was, presumably, experience of that controversy about the supposedly catastrophic effects of what was in truth a fairly modest limitation of government funding which led him to produce the present book. Seven of the twelve chapters are primarily historical. The first explicates what is for Dr Kealey a key contrast: that between Francis Bacon’s idea that academic science will lead to applications in the development of technologies while these in turn will lead to increasing wealth and Adam Smith’s conception that pre-existing technology produces new technologies which influence and are influenced by academic science, and that it is this interaction that produces increasing wealth.

The next two chapters on “Research and Development in Antiquity” and “The So-called Dark Ages” contrast the technological stagnation of the Roman Empire with important advances made by so-called barbarians. The next three chapters on “The Commercial Revolution”, “The Agricultural Revolution” and “The Industrial Revolution” are straightforwardly and very usefully informative. How many of us knew, for instance, that although England was in 1688, after even more commercial Holland, the second richest country in Europe, over half the population was still grossly underfed? Again, it is salutary to be told that neither Watt, nor Trevithick, nor Newcomen, nor Stephenson - who all made vital contributions to the development of steam engine ever received any scientific education or indeed much schooling of any other sort.

Chapter 7, “Economic History Since 1870” is full of always valuable and sometimes surprising falsifications of popular misconceptions. Anyone who feared that MITI, the Japanese Ministry for Interna-

tional Trade and Industry, was a coven of infallible bureaucratic wizards will be relieved to learn that Mutsu, Japan's only nuclear powered ship, built in 1975, had leaked radiation ever since its maiden voyage, and that the whole project was written off at a total cost of £400 million sixteen years later. Again, when Japan's channel tunnel between Honshu and Hokkaido was finally opened in 1988 it was ten years behind schedule and three times over budget. So right across the economy Japan's bureaucrats, like their opposite numbers nearer home, seem almost invariably to have spotted - and lavishly backed with, of course, not their own but the unfortunate Japanese taxpayers' money - not winners but losers.

Chapter 8, "Science Policies in the Twentieth Century" concentrates on "the USA and the UK, because they share a common and pivotal history. Each was, in turn, the lead country economically, becoming so while pursuing *laissez faire* policies for science. Each, however, is now scientifically *dirigiste*". Dr Kealey examines why this development occurred in these two countries, and "why almost every other major industrialised country is now scientifically *dirigiste*."

In Chapter 9, "The Economics of Research: Why the Linear Model Fails" Dr Kealey develops the contrast explained in Chapter 1, and supplies abundant examples to show the superiority of the Smithian to the Baconian model. This chapter, like the rest of Dr Kealey's book, is full of material which will delight readers of *Free Life* and supporters of the Institute of Economic Affairs. It begins by telling us how "During the early 1980s, the Japanese Government initiated a major project: the fifth generation computer." Fearing that "The Japanese were going to take over the world's electronic industry" Britain "launched the Alvey programme, the EEC launched ESPRIT" and other governments launched half a dozen more. The result was, of course, total failure. "The wonderful Japanese fifth generation computer makes a good doorstop, but little else" and "the European electronics industry is in a desperate condition."

Chapter 9 "The Real Economics of Research" states, and brings out the consequences of the laws promised in the title of the book. These are the putative "Economic Laws of Funding Civil Research and Development". The first is that "the percentage of national GDP spent increases with national GDP *per capita*". The second "states that the public and private funding displace each other." And the third "states that the public and private displacements are not equal: public funds displace more than they do themselves provide." Whether or not these putative laws can properly be rated laws of nature Dr Kealey certainly provides good evidence for thinking that they provide useful working principles to guide political practice.

The consequences of the first are that Research and Development is subject to diminishing returns, and that though economic growth will continue for a long time it will eventually stop when its cost in terms of further capital investment becomes unacceptably high. The consequence of the second and the third is said to be that, because "government funding of civil Research and Development damages the enterprise . . . governments are inexorably being forced out of the funding of civil Research and Development."

I cannot see how Dr Kealey contrives to persuade himself that this conclusion follows. For you might as well say that, because stated funded education monopolies are known to produce worse education results, and more expensively, than competing independent schools, governments are being forced inexorably to break up such monopolies.

Would that they were!

Finally, consider a remark made by a man who was for a period a Regent of France; "The English are destined by moral and natural law to be subject to the French and not the other way around." Dr Kealey's characteristically topical comment is: "That was a perfectly proper attitude for a Frenchman, but it is odd that the British political caste, in its adherence to Brussels, should now agree."

Antony Flew

Dungeon Evidence: The Correct Sadist II

Terence Sellers

Velvet, London, 1997, 185pp, £9.95 (pbk)

(ISBN 1 871592 58 5)

Four or five years ago, I read about a book called *The Correct Sadist*, by Terence Sellers, a very attractive



American female. It was supposed to document the extreme methods used by this professional dominatrix (aka 'Angel Stern'). The snippets I picked up about this book made me very interested in it, and I tried to obtain a copy. Unfortunately, the book had been banned in Britain and I have not been able to read it. So when I saw this sequel advertised I wasted no time in purchasing a copy (before it, too, got banned over here). Unfortunately, I found it rather disappointing.

The book is in three parts. The first part consists of some philosophical reflections on sado-masochism (S/M). She links S/M to an ideal of divine right: some are superior to others and should rule in a natural hierarchy in which the mass are in service to a small elite; but the elite are marked out by psychological factors rather race, creed, sex, money or social position. She is contemptuous of democracy and capitalism and has a nostalgia for a more aristocratic society.

The second part relates some case studies (of clients or contacts of Mistress Stern) and her reflections thereupon. Here we meet Mistress Helga and her subservient slave Jeffrey; Charles #106, a houseboy and drudge at the dominatrix' parlour; Eddie #9 who likes his breasts and genitals tortured with rose thorns; David V who likes to receive verbal abuse; Slave O.K., who writes out his fantasies of extreme genital torture (involving knitting needles, electric catheters, razor-sharp pins and a sharp, hot, jagged knife), but who never puts any of this into practice; Damen #111 who likes to play a game in which his 'wife' (played by Mistress Stern), being disappointed by his failure to make love on their wedding night, dresses him in a bridal gown and threatens to make him have sex with a man; John #21 who enjoys being severely whipped by the Mistress for having homosexual thoughts; Jed #17,

who likes to play a priest who ticks off a harlot for leading his young boys astray while in return she ridicules and beats him and makes him confess to having 'unclean' thoughts about the boys; Randy #222 who enjoys being bombarded with cream pies, humiliated and beaten; Dorian who likes being sat upon and crushed; a couple of ex-Vietnam POWs who like to re-live their torments at enemy hands (one being severely whipped, the other having his penis and sac slashed with a razor blade); Hilda/Harry, a burley man who likes being dressed as a woman; 'Maryanne', a sixty-ish man who is spanked while dressed as a baby girl in diapers; and many more.

There is also a letter from someone purporting to be a female doctor giving the following opinions:

From a medical point of view, whipping of the cock should be done in a standing position, with restrictive arm and leg bondage...It is also important that a cock ring be placed around and behind the sac...With individuals used to receiving large amounts of heavy whip lashes (i.e. 100 plus in any given two-hour period) marking of the outer skin will occur. This is not a medical problem as long as once the entire cock outer skin has been marked, whipping must be stopped, or remain very restrictive... lashes to the cock of light strength up to almost the severest one-armed lash (that the average built woman can give) are medically acceptable (pp.132-133).

She also refers to one submissive who can take 2,000 lashes to his cock with a cat-o-nine-tails over an 8-hour session (with other punishments in between).

Ms Sellers seems to view her S/M sessions with clients as a kind of psycho-therapy, which she distinguishes from the work of psychiatrists (whom she terms 'incorrect sadists'). In general, she appears to regard S/M sex as being legitimate only when it is a way of resolving some psychological trauma.

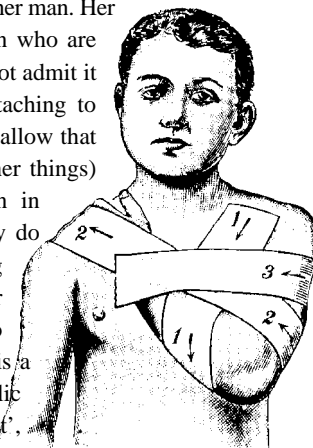
The third part of the book contains some apparently disconnected and largely impenetrable reflections. There is the familiar theme that 'dirty' or 'perverse' desires are actually quite common, and straight laced women who will have nothing to do with them drive their husbands or boyfriends into the dens of 'dirty women'. She distinguishes the pervert, who accepts his/her condition and explores it, from the neurotic, who feels guilty about it and tries to repress it. She ends with a bombast of ranting about blood, death, pain and possession.

On the whole, this is not an erotic book. A few of the case studies did turn me on, but in general the details are related in a very matter-of-fact style which is not designed to be sexually stimulating. The theoretical, reflective and explanatory passages are disappointing for a number of reasons.

First, the political philosophy is shallow. S/M or sub/dom has no intrinsic connection with an aristocratic politics. For one thing, most participants engage in S/M or sub/dom as an erotic game: outside of the game, the submissive may dominate the dominant, or they may just be equals. Further, recognition of people's psychological and other inequalities is perfectly consistent with recognising equality of human (and political) rights. Indeed, it is under democratic institutions which recognise equal rights (and the freedom that goes with it) that sadomasochism can (and does) flourish, despite official disapproval.

Second, some of the psychological reflections are, I think, flatly mistaken. For example, some men like being forced by dominant

women to engage in sex with another man. Her explanation is that these are men who are 'really' homosexual but who cannot admit it because of the social stigma attaching to homosexuality. But why not just allow that these are men who (amongst other things) enjoy relationships with women in which this game is played? Why do they have to be 'really' anything at all? Why not accept people for what they are instead of trying to pigeon-hole them? Again, there is a short chapter entitled 'the catholic religion as a sadomasochistic cult', the gist of which is that making people feel guilty about sex tends to turn them into sadists or masochists. But I think this is upside-down: sadism and masochism are integral parts of the human condition that manage to find expression in religion and elsewhere.



Finally, the more discursive passages are written in such florid language that it is a struggle to understand what is being said. It is more like poetry than theory. In places it is even unreadable.

But I would still like to get hold of a copy of *The Correct Sadist!*

Danny Frederick

***The Cross and the Rain Forest:
A Critique of Radical Green Spirituality***

Robert Whelan, Joseph Kirwin, and Paul Haffner

Acton Institute for the Study of Religion and Liberty, Grand Rapids, Michigan, and William B. Eerdmans Publishing Company, place, 1996, 163 pp,\$16.00 (pbk)

(ISBN 1 8028 4201 1 for Eerdmans and 1 880595 07 9 for Acton)

This concise, easy-to-read, and well-researched and documented book provides an insightful look at the philosophical and religious underpinnings of radical environmentalism. Whereas the authors recognise the importance of protecting the environment, they warn that radical environmentalism is in opposition to the Christian tradition in its views of God, human beings, and animals. In addition to challenging the ideology of radical environmentalism, they present an alternative Christian ecology.

They lament that many Christians are beginning to see their mission to "save the earth" as the most worthwhile ministry of the Church. While recognising that care for the environment is a legitimate pursuit, they note that viewing the mission to save the earth as more important than the alleviation of poverty or missionary activity involves a radical re-ordering of priorities, is hostile to Judaeo-Christian values, and is actually closer to paganism and animism.

The authors explain that the driving force of the Green movement is religion (i.e., a system of beliefs underlying the service of a person or a cause that becomes the ultimate source of meaning and goal and guide of one's thoughts and actions). They argue that radical environmental-

ism is primarily a religion and therefore must be examined and critiqued as one.

Christianity affords man a uniquely exalted position - man is made in the image and likeness of God who sent His only Son to redeem us from sin and win eternal life for us. God was free in creating the world, is distinct from His creation, and created man to participate in His divine work. It follows that Christianity is opposed to pantheism, animism, and deism. A religious world view based on pantheism and animism would redefine the relationship between God, man, and the natural order.

For Christians, science is a means for solving the problems of the environment - not a part or cause of the problems. The authors explain that Christianity is faith based on reason. God gave us the power to come to know Him by applying our faculties of reason and observation to the world around us. Science and Christianity support one another. Christian cosmology teaches us that the universe was created by God to function in accordance with the rational and coherent laws that he designed for it. Science helps us to understand these laws.

Because man is a spiritual being he can never be fully satisfied by purely materialistic creeds. Plants and animals can't be spiritual -- they are merely physical facts. Deep ecology opposes this perspective by viewing man as nothing special (and oftentimes as destructive and disgraceful). The goal of Green spirituality is to redefine the relationship between man and nature. Radical environmentalists want a creation-centred spirituality rather than the theocentric spirituality of Christianity. For Greens, there is no barrier separating man from other living things.

The authors discuss how the population control movement has had a profound effect on the Green movement. Population control advocates argue that population growth would result in poverty, famine, and wars. They fail to explain, however, how per capita food production has grown as population has increased or why the world is so rich in natural resources.

Radical environmentalists tend to view people as a form of pollution. Some not only predict that the extinction of the human species is not only inevitable, but may actually be a good event!

The authors acknowledge that people can be destructive, but explain that they can also be constructive. Human beings do affect their environment. However, their rationality and ingenuity enable them to promote progress and create order out of chaos. The capacity for making the world more comfortable reflects the gift of reason which the Creator gave to man. Unlike any other creature, men are made in God's image eventually to spend eternity with Him. Christians believe God made man in His own image with an immortal soul and the gifts of reason and free will. Man is thus given the opportunity to respond to God's love in such a way as to gain eternal life with Him. This option is not open to animals, vegetables, and minerals.

Population control is based on a reductionist view of man that is incompatible with Christian teaching. The Green view of human beings amounts to a downgrading that puts them not just on the same

level as animals but in some ways beneath them (because of man's destructiveness).

The authors discuss a growing movement to establish legally enforceable "rights" for animals. At the same time, abortion has been more and more accepted as a normal occurrence of modern life. It is not a coincidence that animal rights have gained at the same time that human rights have been devalued. Both involve a radical reassessment of the value that is placed on human beings in the order of creation. The case against abortion is based on the moral imperative of the equal right to life by all human beings. However, if human beings are assigned an equal (or inferior) standing compared to animals, where does that leave such a right when the majority of people do not object to killing animals?

The demeaning view of man as a form of pollution is incompatible with Christianity because Christians believe that every human being is made in the image and likeness of God. The ability to control our environment is one of the distinguishing features of man. The natural order (i.e., the biosphere) can have no rights against man who is made in God's image. Human beings are not a form of pollution. Man's environment includes the natural order, other human beings, and ultimately God. It is right that Christians should concern themselves with the care of the environment that God has provided.

With respect to the idea of "animal rights," the authors observe that it is only sentience that is common to human beings and animals. Men alone have any sense of good and evil or of justice and injustice. Animals cannot think, have no consciousness of their own existence and finitude, lack the ability to stand apart from themselves to contemplate their own activities, and do not have the ability to fulfill duties to respect the rights of others.

The root of the case for animal rights lies in their advocates' belief that man is not unique. The notion of animal rights is outside the Christian view of the world as God's creation and of man's place in it. There is a scale of importance in nature. The animal rights movement is pagan - it gives no credence to the gulf that exists between man and the merely natural world.

The authors explain that men do have duties with respect to animals (but not to animals since that would mean that animals would have rights against man). Man's duties are to God and are the other side of man's rights. We do have a duty to God in our treatment of animals. For example, pain caused to animals in medical experiments is permissible provided that the benefit to mankind can be rationally judged to be sufficiently great. We ought to use animals for our good. Between ourselves and God, we always have to give an account of what we do with whatever he puts in our care.

According to the authors, a proper theology of the environment includes God, the human person, and nature. God freely created the cosmos and is distinct from his creation. Man does not have absolute sovereignty over creation, but rather a responsible stewardship in which he is accountable to God. It follows that human activity must

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be seen as participation in the divine work of creation following God's laws, whether natural or revealed. Perfecting the relationship of man to his environment is not a work that can be brought about solely by human hands. Christ's redemption needs to be applied. Christian ecology deals with God's healing the cosmos through human instruments. There are ways to relate to the environment that are more pleasing or less pleasing to God. Men should use their God-given rationality to discern the best ways to relate to, change, and preserve the resources God has entrusted them with.

Readers will find this outstanding book to be of great service in identifying and analysing the tenets of eco-religion. *The Cross and the Rain Forest* cogently illuminates and critiques the origins and implications of radical environmentalism and its views of God, human beings, and animals. It is a must-read for any person interested in the relationship of man to the natural environment.

Ed Younkins

The Enterprise of Law: Justice Without the State

Bruce L. Benson

Pacific Research Institute for Public Policy, San Francisco, 1990,
397 pp., \$39.95 (pbk)

(ISBN 0 936488 30 1)

Bruce Benson's important and well-written book is must reading for anyone interested in limiting government, and also for anarchists or anarcho-capitalists looking for intellectual ammunition. It is an excellent compendium of historical, judicial and economic facts showing how Western states usurped law-making and law enforcement, substituting coercive monopolies for the spontaneously created customary law which had hitherto provided free, universally respected, and efficient systems of natural justice.

For those inclined to dismiss evidence of the efficacy of customary law in early human societies, the book adds both medieval and modern examples of effective non-state law to its fascinating depiction of the customary law of our Anglo-Saxon forefathers, and that of tribes in the few remaining remote corners of the globe as yet untainted by European legal influences. Most interesting of all, to me at least, is Mr Benson's discussion of the Law Merchant. Privately created and maintained, universally obeyed, quick, efficient, and very cheap; the old mercantile law demonstrated, no, *demonstrates* beyond question the superfluity of the authoritarian, state-created variety.

Another fascinating aspect of the book is Mr Benson's wide-ranging survey of modern private law provision in the United States. Unheralded and virtually unnoticed, customary law is quietly re-emerging due to the massive delays, inefficiency, corruption, and countless injustices of the state monopoly system.

Nicholas Dykes

The Subversive Family

Ferdinand Mount

Jonathan Cape, London, 1982, 282 pp., secondhand £5.00 (pbk)

ISBN 0 224 01999 6

Offering powerful evidence for the Libertarian cause from an unexpected quarter, Mount argues that counter to popular conception, neither State nor Church has ever looked benevolently on marriage. Why? Because it is *private*. For example, discussing the huge obstacles both State and Church have placed in the way of divorce, Mr Mount writes:

Neither the Law nor the Church ever grappled with the idea - common in almost all pre-Christian and non-Christian societies - that any serious conception of marriage must include provision for dissolving disastrous marriages. The belief that it is the State's business to control marriage dies very hard. This is because the idea that marriage is an *independent* institution with a life of its own is extremely distasteful to the State as it is to the Church - neither of which lightly tolerates any rival for power over human hearts. (p41)

He also explodes a great many myths about marriage: that arranged marriages were the norm in Britain until this century; that child care is a modern invention; that the nuclear family is a recent phenomenon; that romantic love never existed before the 12th century; that divorce is a novelty.

Altogether, a thoroughly readable book which provides a telling illustration of how the mechanism of state coercion, once set in motion, must attempt to bring all aspects of human life under its control.

Nicholas Dykes

Common Sense

Thomas Paine

Penguin Books, Harmondsworth, Middlesex, 1976,
128 pp., second hand £2.50 (pbk)

(ISBN 0 14-040 032 X)

This famous pamphlet is included in my list just in case anybody has missed it. Its huge historical significance need not hide the fact that it is actually great fun to read.

It contains, for instance, the timeless, and possibly still the best, put-down of the pretentious claims to legitimacy of the British monarchy, and hence of the British state:

A French bastard landing with an armed banditti, and establishing himself king of England against the consent of the natives, is in plain terms a very paltry rascally original. (P.78)

Nicholas Dykes