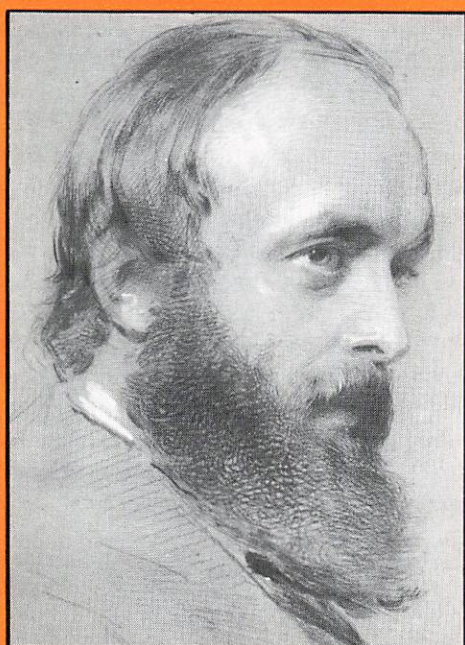


The Salisbury Review

A quarterly magazine of conservative thought



The Third Marquess of Salisbury
1830-1903

<i>French Caesarism: Second Thoughts</i>	Philip Thody
<i>Poverty</i>	David Marsland
<i>European Legal Union</i>	Charlotte Horsfield
<i>The Old Virtues</i>	Rolf Gruner
<i>Dissidence in Bulgaria</i>	S. I. Kanikova
<i>The Politics of Charity</i>	Ansel Harris
<i>Sic Transit: A Report from the University</i>	Margaret Brown
<i>Quality or Equality in 1992?</i>	Gerard Radnitzky
<i>The Burt Affair</i>	Ronald Fletcher



The Claridge Press

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*A quarterly magazine of
conservative thought*

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Deputy Editor James de Candole
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One of the many beneficial effects of the collapse of Eastern European communism is that it will no longer be so easy for socialists to lie to us about the advantages of collectivist planning. At the same time, however, the collectivist solutions have been institutionalised in many sections of our society – and nowhere more firmly than among the ‘welfare lobbies’, criticised in these pages by David Marsland. So obtuse are the arguments, and so counter-productive the policies of this lobby, that its behaviour cannot really be explained by its professed charitable intentions. Something altogether darker is surely at work in an organisation like the Child Poverty Action Group, which does so much to ensure that the habits which protect a child from poverty – enterprise, self-respect and the life of the family – are brought into disrepute, or denounced as forms of ‘exploitation’. Here, as so often, charitable concern is a mask for hatred of the ‘system’, and in particular of the strong, the successful and the enterprising – in short, of those on whom the welfare of society and the alleviation of poverty depend.

As Ansel Harris shows, the same attitude has entered the professional charities, bringing about a politicisation of their goals, and a predictably leftist diagnosis of the problems which they suppose themselves engaged in countering. The conduct of Oxfam, Christian Aid and War on Want may well be in violation of the English law of charity. Moreover the governments favoured by these charities tend precisely to those collectivist ‘solutions’ which are calculated to ensure that the problem of poverty remains. Perhaps this is to be expected. What would happen, after all, to the Oxfam apparatchiks if the problem of famine were to be solved (for example, by the universal adoption of a free economy?) We should not forget that no-one has a greater interest in the perpetuation of poverty than the one who is paid to alleviate it.

To voice such sentiments is to risk the charge of callousness. The correct reply to that charge is contained in Rolf Gruner’s defence of the Aristotelian morality. Sentimental compassion is no virtue. Indeed, it is really the opposite of compassion, since it stands always in need of a victim in order to indulge its sense of self. The important thing is to feel compassion to the right degree, towards the right object and on the right occasion. *That* is the virtue of charity; and the discipline involved in acquiring it is undermined by nothing so much as political posturing on behalf of the ‘oppressed’. For that is how responsibilities are transferred and duties avoided.

The egalitarian solutions, then, are still very much with us. And as Gerard Radnitzky argues, the new Europe offers many opportunities for promoting them. Jacques Delors – whose social charter threatens to re-impose on the British people the collectivist yoke that they have laboured for a decade to cast off – is clearly a busybody in the old Napoleonic mould. Much as we may join Philip Thody in admiring the great Caesars of France, the powers gained by officious bureaucrats have been a far more lasting legacy of Napoleon’s domestic politics. We in Britain lack the two centuries of practice that would enable us to evade the grasp of petty French officialdom – we are not skilled, as the French have become, in mislaying forms, avoiding taxes and by-passing laws. We will therefore fall easy victim to the European careerists. And, as Charlotte Horsfield reminds us, loyalties will be discounted in the brave new world of 1992. Not even the monarch – our thousand-year-old refuge from the tyranny of small officials – will be able to speak for us against our future rulers. Our only hope is that Delors and his kind will be controlled by some yet higher power. By then, however, the higher power will lie in a united Germany – something which is unlikely to have British interest as its first concern.

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Freedom First is available for the incredibly low price of £6 per annum from Democratic Research Service, 127 Mahatma Ghandi Road, Bombay 400 001.

French Caesarism: Second Thoughts

Philip Thody

Burke predicted it, of course. The time would soon come, as he wrote in the *Reflections on the Revolution in France*, when

some popular general, who understands the art of conciliating the soldiery, and who possesses the true spirit of command, shall draw the eyes of all men upon himself. Armies will obey him on his personal account... the moment in which that event shall happen, the person who really commands the army is your master.

The one certain result of the French Revolution was that it gave rise to a military dictatorship. It was not the first time this had happened, of course. The English Civil War produced Cromwell, just as the Republicans' assassination of Julius Caesar had opened the way to the rule of Augustus. Neither was it altogether a bad thing. Without the authority which Napoleon I drew from his prestige as a military leader, there would have been no Napoleonic code; and the revolutionaries' basic claims would not have been given the succinct expression which they received from it. Frenchmen would not have achieved so soon after the Revolution the formal equality before the law which was the theme giving unity to the 1789 *Déclaration des droits de l'homme et du citoyen*. They would not have become the first citizens of the European world. Whatever dislike intellectuals of the left may have for military men, they cannot deny the role played by Napoleon I in giving the dream of 1789 the only reality of which the French were capable at that stage of the historical development of Europe.

On a more materialistic level, the drawing up of the *cadastres* would not have given permanence to the great transfer of landed property brought about by the nationalisation of the Church lands and the confiscation of *émigré* property. Neither, without Napoleon I, would the *préfets* have given nineteenth-century France an administrative machinery whose efficiency was the envy of continental Europeans. There almost certainly would not have been a Concordat to embody the other demand of the revolutionaries for the subordination of Church to State. The *Banque de France* would not have come into existence as early as it did, and the *Comédie Française* would not have its present statutes.

As a military leader, Napoleon was a disaster. For every second he breathed, another human being died. His attempt to dominate Europe led to the death in battle of as many French soldiers as were killed in the First World War. France lost all the territorial gains made by the revolutionaries, and was not free of military occupation by the English, Prussians and Russians until three years after Waterloo. But on the

domestic front, Napoleon I was the success story of all time. This is especially noticeable if you compare him to other military men who have taken over in the twentieth century. The seizure of power in Pakistan by Ayub Khan in 1970 led to the civil war in Bangladesh and to over a million deaths. The Nigerian civil war of 1967 was sparked off by a military take-over. Few of the military men who have taken over in Central or South America have managed to make their country more efficient. Only Atatürk stands out as a possible comparison with any of the French Caesars, and even he did not succeed as well as did de Gaulle or the true Napoleons in forcing his country to be more modern and efficient.

Oddly enough, the pattern established by the first Napoleon were to recur at least three more times in French history: with Napoleon III, Philippe Pétain and Charles de Gaulle. The French Revolution of 1789 did more than introduce into European politics the modern political meaning of the words 'left' and 'right'. Until the fall of Robespierre on *le 9 Thermidor an II de la République* - 27 July 1794 - it also showed what was meant by the first of these two terms. Abolishing ranks and formal privileges, nationalising the Church lands, introducing equality before the law, attempting to use the authority of the State to control the economy to the advantage of the underprivileged, reducing the political influence of the aristocracy, introducing secular education, were all aspects of a policy that was to define the European left from 1789 onwards. The 1848 Revolution, at least initially, followed much the same pattern. It gave the vote to every Frenchman aged over twenty-five, abolished slavery in the colonies and proclaimed the right to work. The First Republic, established in 1792, did not last. In 1804, it was transformed into the First Empire. The 1848 Revolution followed the example set by the Revolution of 1789 in two other ways: it abolished the monarchy and established the republic; it did not last either. On 2 December 1851, Louis Napoleon took a cue from his uncle.

Choosing the same date that had given supreme power to the first Bonaparte, he carried out a *coup d'état*. It was, constitutionally, the only way he could remain in office. On 10 December 1848, by more than three million votes over his nearest rival, General Cavaignac, Louis Napoleon had been elected President of the Second Republic. But the constitution gave him only a four-year, non-renewable term of office. He also imitated his uncle by having his subsequent seizure of power by military means legitimised by a plebiscite. On 10 May 1802, after the *coup d'état du 18 brumaire, an VIII* (2 December 1799), Napoleon Bonaparte had

organised the first plebiscite to take place in France. His appointment as first consul was approved by 3,568,185 votes against 9,704. On 18 May 1804, by a comparable majority of 3,321,615 against 599, he had received the equally enthusiastic support of the electors for a project to transform the Consulate into a hereditary Empire, of which he was the first – and, as it turned out – only Emperor. Louis Napoleon's majorities were equally impressive. On 20 December 1851, by an official majority of 7,499,916 against 646,737, he was entitled to remain President for ten years; on 20 November 1852, by 7,839,532 votes against 253,145, he received popular authorization to become Emperor.

A plebiscite, of course, is a very different thing from a presidential election of the kind held in the United States of America since 1789. It also differs from the type of election which de Gaulle introduced in 1959 when he returned to power and established the Fifth Republic. In a plebiscite, there is no opposition candidate. You either vote yes, no, or not at all. In 1799, 1802, 1851 and 1852, you also voted publicly. Secret ballots were not introduced in France until 1875. In a country whose administrative structure gave the government considerable powers of intervention, it was foolish to flaunt your existence by saying 'No' in public. The Second Republic, like the first, ended in a plebiscitary dictatorship. A revolution which had, initially, been inspired by left-wing ideas, had produced a régime of the right. As Tocqueville observed, quoting a medieval proverb, 'Par requierre de trop grande franchise et libertés chet-on en trop grand serviage' – by demanding too much liberty, men fall into great slavery.

Napoleon III, as Louis-Napoleon began to call himself after 1852, has understandably aroused less admiration than his uncle. Victor Hugo called him 'Napoléon le petit', and few have disagreed with the verdict. Napoleon Bonaparte was a mass murderer. Of that there can be no doubt. But de Gaulle called him, 'le plus grand capitaine des temps modernes', and he has no rival in modern European history for the extent of his conquests. Even Hitler did not conduct simultaneous campaigns against Spain and Russia, and his military victories were the fruit of professional soldiers who would for the most part have been rather more successful without his interference. In 1851, in contrast, Louis-Napoleon's military achievements were limited to a brief period as a captain in the Swiss artillery and two days as a Special Constable in Piccadilly at the time of the riots expected to accompany the presentation to Parliament of the Chartist petition of February 1848. In 1870, the man who had chosen in 1852 to call himself Napoleon III ended his eighteen-year-old reign by leading the French army into a military disaster unequalled in world history until the defeat of 1940. The results of his foreign policy followed the pattern established by his uncle. From 1870 to 1873 France was again occupied by a foreign army, though this time only from Prussia. If you are a Frenchman anxious to end a war on the winning side, it is not a good idea to give power to a soldier, whether a real one like Napoleon I

or a fake like his nephew.

If, however, you want a stable government at home, there is something to be said for having a military man. Between 1852 and 1870, France became an industrialised country. It entered fully into the railway age, and extended the electric telegraph to all but the remotest villages. Paris was rebuilt and modernised. It became *la ville lumière*, the model for enlightened nineteenth-century town planning. Baron Haussman, like Napoleon III himself, has not had a good press. His ruthless destruction of the Paris of the middle ages led him to be seen as the great descendant of the vandals. His reconstruction of Paris was also accompanied by a number of financial scandals which make modern insider dealing look very tame. But he did have one permanent and beneficial effect on French history. His wide avenues and broad boulevards gave the forces of law and order the opportunity they needed to quell urban rioting. After him, no French régime was overthrown from the inside.

This was not quite so disastrous a result as the left has tended to maintain. In 1871, the Communards were driven out of central Paris and massacred in the suburbs. Streets cannot be blamed for human violence; and protracted fighting in the narrow alley ways of the old Paris might have cost even more lives. Almost a century later, in 1968 the police never lost control of the city. This was hard on the students and on François Mitterrand. It defeated their attempt to overthrow the capitalist state and Mitterrand's ambition to establish what he saw as a more democratic Presidency. But historical precedents are not encouraging about what happens when imagination takes power, or when well-meaning liberals assume office, as Kerensky did, as a temporary cover for the hard men of the left.

Haussman's reconstruction of Paris also turned out to be politically neutral. It was because of the advantage which his avenues and boulevards gave the police that the attempt by the right to invade the Palais Bourbon in February 1934 was defeated and parliamentary democracy survived in France for another six years. In Italy, Germany, Portugal and Spain fascism won without the help from a foreign invasion which finally overthrew parliamentary democracy in France in 1940. Had French governments had to cope only with internal disorder, the French would have enjoyed from 1871 onwards a repetition for stable parliamentary government equal to that of the English and the Americans.

The Third Republic was, for example, by far and away the most democratic régime on the continent of Europe in the nineteen-thirties, and the triumph of the Popular Front in the elections of May 1936 also made it the most left-wing. The introduction of the forty-hour week, like the establishment of paid holidays for everyone and the strengthening of the legal position of the trade unions, showed that the impulse to social justice indissociable in France from republican forms of government had not died out. In the 1880s, the Third Republic had represented a typically nineteenth-century vision of social progress. The introduction in

1881 of free, compulsory, uniform and secular education was more than a step towards social equality. It marked the end, ideologically speaking, of Bonapartism as well as of the Monarchy. Both these forms of government had been identified with the Roman Catholic Church. The secularization of the French educational system meant that this Church would lose its hold over the young, and thus, eventually, over the voters. In 1905, the separation of Church and State gave further proof of the essentially secular nature of French republicanism first made evident in the years immediately following 1789. For men and women of the left, the Popular Front of 1936 was the logical continuation of the process set in train by the First Republic of 1792, with its policy of dechristianisation and of the attempted use of the State to produce social equality. But like attempts at left-wing revolution in 1793 and 1848, it ended in a military dictatorship.

On 10 May 1940, the German armies invaded Belgium and Holland. On 14 May, they entered France. On 18 May, Paul Reynaud invited Philippe Pétain, recently appointed French Ambassador to Franco's Spain, to come back to France and join his government. From the day he returned, Pétain considered defeat inevitable. On 16 June, he became Prime Minister, and at mid-day called upon French troops to lay down their arms. On 10 July, by a vote of 569 to 80, the deputies and senators who had, four years earlier, introduced the reforms of the Popular Front, voted to give all powers to Marshal Pétain to establish a government which will guarantee 'les droits du Travail, de la Famille et de la Patrie' (the rights of Work, the Family and the Fatherland). For the third time, confronted with the worst catastrophe ever to afflict them, the French put an end to an experiment in left-wing policies by accepting the rule of a military man.

They did not do so by a plebiscite of the type which had given supreme power to the two Napoleons. There was no nation-wide election. But neither was there a rival candidate to Pétain, and no alternative government was on offer in France itself. The one person prepared to keep France in the war, Charles de Gaulle, was already in England. He had left on 16 June, and made his first broadcast from London on 18 June. Few people heard it, and even fewer obeyed the call to continue to resist the German invader. In 1979, the historian and journalist Henri Amouroux gave the second volume of his monumental *Grande Histoire des Français sous l'Occupation* the title *Quarante Millions de Pétainistes*. Nobody thought the title badly chosen. In 1940, as in 1799 and 1851, French civilian politicians had shown themselves unable to cope with a crisis. A military man, this time with more undoubted achievements to his credit than Napoleon III, had taken over. The French themselves call the phenomenon 'Caesarism'.

II

It is a useful term. In 55 BC, Julius Caesar broke the law by entering Italy at the head of his army without

being given formal permission to do so by the Senate. Crossing the Rubicon has since become shorthand for the decision to assume power illegally, and Napoleon III knew enough Roman history to call the file authorising his preparation to do so in December 1851 'l'Opération Rubicon'. When Napoleon Bonaparte brought his troops into the Chamber at Saint-Cloud where the *Cinq Cents* were assembled on 10 November 1799, he knew he was overstepping the law. Philippe Pétain, in contrast, was initially in a rather different position. As his defenders argue, he had every right to accept the power given him by the vote of 10 July 1940. If two sovereign legislative bodies vote by a majority of 569 to 80 to change the constitution, and the act authorising this change is signed by the President of the Republic, the formalities certainly give every sign of having been observed. But in August 1945, Pétain was put on trial for conspiring to overthrow the Republic, and sentenced to death. The seizure of power by a military man may not be seen in France as illegal at the time. Caesarism may not be against the law at all at the time that the soldier takes over. But the law can always, if the political need arises, be changed later on.

In the event, Pétain was not executed. His sentence was commuted to one of life imprisonment. Understandably, he remains the most controversial of the four French Caesars who actually came to power. Like that of the first two Napoleons, his reign ended with the invasion of France by soldiers from a foreign power. Nobody in Pétain's immediate entourage saw the Normandy landings of June 1944 as a particularly desirable event. France, they maintained, was in the unlucky position of being caught between mighty opposites. She could therefore pursue no policy other than that of prudent neutrality and cautious self-protection. De Gaulle, it is now acknowledged, may have been France's sword. But Pétain played a much more important role as her shield and buckler.

This is a difficult thesis to defend. There is no proof, and little evidence, that France fared better by following Pétain's advice to collaborate with the Germans than the Belgians, Danes, Dutch or Norwegians did by having a government which refused to do so. Pétain's supporters still exist, especially in the conservative west of the country. They argue that Pétain did, especially in the immediate aftermath of the catastrophic defeat of 1940, restore national morale in a way that no other leader could have done. He was, after all, 'le vainqueur de Verdun', the man who had in 1916 won what the French still consider the greatest battle ever fought. Anything, they argue, is better than chaos. And without Pétain, chaos is what France would have had.

Pétain's defenders also observe that it was Charles de Gaulle and not Philippe Pétain who acted illegally in June 1940. Paul Reynaud had, on 5 June 1940, given de Gaulle the post of Under-Secretary for War. He was still a serving officer, with the temporary rank of a two-star General. And the first duty of a serving officer is to obey the legally constituted government. De Gaulle, in the view of the French right-wing, flew across the

English Channel on 16 June 1940 quite as illegally as Julius Caesar had crossed the Rubicon in 55 BC, and much more illegally than Pétain did in accepting the authority bestowed on him by a National Assembly whose ability to represent all shades of French opinion stemmed from the fact that it had originally been elected to bring in the reforms of the Popular Front. Like Pétain, de Gaulle was also sentenced to death; and there is little doubt that this sentence would, had he been caught at any time between 1940 and 1944, have been carried out. What is nevertheless even more interesting than this tendency of Frenchmen to pronounce death sentences on one another is the apparent absence of civilian politicians capable of taking over at a moment of national crisis. No Churchill came forward, no Bevin. No Masaryk, no Lenin, no Lech Walesa, no Lincoln and no Roosevelt. In the France of 1940, Danton, Robespierre and Saint-Just seemed to have left no more descendants than Clemenceau, Combes or Adolphe Thiers.

In 1957, this continued absence of first rate civilian politicians capable of coping with a crisis led the shrewdest of French political commentators, Jean-François Revel, to wonder publicly whether the French were a nation suited to parliamentary government. De Gaulle, at the time, was waiting rather visibly in the wings, and the Fourth Republic was showing itself no more capable than the Third of providing stable governments. But it had, like the Third, shown itself both able and willing to use constitutional means to see off an ambitious military man. It was not solely because he was an incompetent womanizer that General Boulanger failed to seize power in 1889. On the night of 29 January 1889, when a march on the Élysée might have made him France's third successful Caesar, he went to bed with his mistress, Marguerite de Bonnemain. But the civilian politicians of the Third Republic also cut the ground from under his feet by passing a law which forbade the same candidate from standing in more than one by-election. That had been Boulanger's tactic, and without it he was done for.

In 1951, it looked as though de Gaulle's *Rassemblement du Peuple Français* was going to make history. For the first time, an ambitious military man was going to take power by wholly constitutional means. He had, of course, announced his intention of changing the constitution after he had come to power. All Caesars do this. They long for new constitutions as dictators in general delight in destroying and rebuilding capitals. But the victory of the R.P.F. at the municipal elections of May 1947 seemed to promise such a triumph at the polls in July 1951 that a Gaullist victory seemed inevitable. But then, suddenly, the good Dr Queuille changed the rules. Any group of political parties willing to form a coalition needed to win only half the votes cast in any constituency to win all the seats. Like the Communist party, the R.P.F. would make no such alliances. De Gaulle, temporarily, was done for. Without *le système des apparentements*, the R.P.F. would have won 160 seats and become the

largest single party in the *Chambre des Députés*. As it was, it got only 120.

Without the Algerian crisis, de Gaulle might have ended his life as 'no more' than the man who saved French honour in 1940. For between 1946 and the mid 1950s, as between 1870 and 1940, it did seem as though France had developed a system of parliamentary government sufficiently mature to dispense with the need to call in a soldier. In 1917, Clemenceau had led France to victory by exactly the same means that Lloyd George had used in Great Britain: by forming a strong government supported by a stable majority in a legally elected legislative chamber. Earlier, the Third Republic had weathered the Dreyfus case, incurred considerable hostility when separating Church and State, and survived the agitation leading up to the introduction of the ten-hour working day.

Between 1946 and 1958, France had seen twenty-five different governments, some lasting less than a week. But the country had achieved a very respectable degree of economic prosperity. In August 1954, Pierre Mendès-France had put an end to the Indo-Chinese war with a total respect for all the niceties of parliamentary procedure. He had even allowed himself the understandable luxury of refusing to count the votes cast from him by the deputies representing the Communist party. From the beginning of the Third Republic onwards, France gives the impression of a country teetering on the brink of a democratic system as stable as that of the United Kingdom or the United States, but not quite being able to make it. By what he regarded as the workings of a perfectly scrutable Providence, the Algerian crisis enabled de Gaulle to give his country the final push.

Whatever his more absolute admirers say, de Gaulle did not do so with perfect legality. He may not have had a direct hand in the plots which led, on 13 May 1958, to the proclamation by the French army and European settlers in Algiers of a Committee of Public Safety. But he knew what was going on. He may not have had a precise solution in mind to the Algerian problem. Since the outbreak of a nationalist rebellion on 1 November 1954, this had led to a situation in which French politics were entirely dominated by attempts to keep Algeria French. Nobody knew of a way to give the nine million Muslims the independence they were demanding while at the same time protecting the million or so Europeans whose home was also in Algeria. But de Gaulle wanted to come back to power, and the Algerian crisis gave him his chance. On 15 May, he declared that he was 'ready to assume the powers of the Republic'. On 1 June, by a majority of 329 votes to 224, he was made Head of Government for six months. On 28 September, 80 per cent of those voting in a Referendum on the constitution of the Fifth Republic voted to accept it.

The vote was secret. Opposition parties were allowed to campaign in favour of a 'No'. The press was free to recommend a 'No' vote. Newspapers could argue the case for an abstention, even if the state-controlled

radio could not. No opposition leaders were arrested. The police kept as low a profile as possible in a country that had only recently seemed on the verge of a civil war. There were plenty of posters urging voters to say 'No', and no burly men in plain clothes and short haircuts tearing them down. But there was still some truth in the charge that only appearances distinguished the referendum of 28 September 1958 from the plebiscites of 1802, 1804, 1851 and 1852, or the casting in the National Assembly of 589 votes to 80 in favour of Philippe Pétain on 10 July 1940. The pattern of French Caesarism, in other words, had not changed. At a moment of national crisis, a military leader had used his prestige to take power in an election which did not form part of a regular electoral programme arranged in advance. A specially arranged election in which voters had no real alternative had been held. It had applied a generous coat of plebiscitary whitewash over a situation in which voters had only one choice: either a self-appointed military strong man or civil war.

The end does not often justify the means. In the case of de Gaulle's return to power in 1958, it did. The Fifth Republic has given France an unprecedented series of stable governments. Whatever its critics said when it was set up, it did not guarantee permanent power to the right. In 1981, it enabled the Socialists to take over from the neo-Gaullist, conservative government with no more fuss than marks the transfer of power from Labour to Conservative in the United Kingdom or from Democrat to Republican in the United States.

Between 1986 and 1988, the constitution of the Fifth Republic proved sufficiently adaptable and sophisticated to enable the French to enjoy another well-established American political practice: the co-existence of a President belonging to one party with a legislative assembly dominated by his political opponents. In 1958, François Mitterrand had recommended voters to reject the constitution of the Fifth Republic. In 1962, when de Gaulle changed this constitution by referendum in order to enable the President to be elected by universal suffrage, François Mitterrand had again been loud in his condemnation of what he described as 'un coup d'état permanent'. Since his election as President in 1981, however, Mitterrand has found nothing to change or criticise in the constitution to which he was once so violently opposed. The supreme constitutional achievement of de Gaulle, the fourth and most successful of the French Caesars, has been a paradoxical one. He has created such an effective democratic system that it seems inconceivable that the French will ever again need to call in a soldier to solve their political problems.

This success is also based on another paradoxical achievement. In the 1950s, as in the early 1980s, François Mitterrand was a man of the left. When the Algerian war broke out, on 1 November 1954, he was Minister of the Interior in the government. His immediate reaction was nevertheless to insist that Algeria was French and to comment that uprisings of this kind were best dealt with by the police. No French

politician of the 1950s, not even Pierre Mendès-France, was prepared to come out in the open and say that the only solution to the problem lay in independence for Algeria. In 1956, when the socialist Prime Minister Guy Mollet asked for special powers to put down the Algerian rebellion by force of arms, the Communist parties deputies voted for him.

On his return to power in 1958, de Gaulle was remarkably circumspect. Only once, at Mostaganem on 6 June 1958, did he pronounce the magic words *L'Algérie Française*. But within less than four years of returning to power, he had performed a miracle. By outmanoeuvring the Army, the European settlers and the French right wing, he had managed to give Algeria its independence without provoking a civil war.

Connoisseurs of French Caesarism, especially if they do not happen to be Gaullists, cannot fail to be struck by a parallel. Just as the reigns of the two Napoleons and of Philippe Pétain ended with France being invaded, so the colonial policy of Charles de Gaulle ended in a political defeat for France if not a military one. One million European settlers, who had been promised time and again that France would protect them, discovered that this was not true. In July 1962, carrying their belongings with them, they came back as 'des repatriés' to a France which many of them had never seen. It is true that de Gaulle himself had made no promise to keep Algeria French. The famous 'Je vous ai compris' with which he acknowledged the cheers of the multitude when he visited Algiers on 4 June 1958, were a masterpiece of ambiguity. They did not mean: 'I have understood your desire to remain French and will make sure that you do'. What they did mean was: 'I can see what you want but you can't have it'.

It is also true that France could never have held on to Algeria, and even truer that she was better off without it. Between 1954 and 1962, she had been spending a fortune and employing half a million soldiers to keep down a colonial rebellion which could finally be defeated only by methods which would have made Hitler look like a choirboy. The money could now be saved, the soldiers brought home, and the country of Voltaire and Rousseau freed from the accusation that it was protecting French culture by sending electrical current through the genitals of Arab civilians. The arrival of one million hungry and skilled ex-settlers solved the labour shortage which had been a major factor in preventing French industry from expanding.

France had, nevertheless, still lost another war. French Caesarism had remained faithful to that aspect of its apparent nature as well; as also in the accompanying triumph of the latest Caesar on the domestic front. It was in the 1960s that de Gaulle proved strong enough to defy both French public opinion and the hostility of the six other original members of the Common Market and say 'No' to the British application to join. But the policy of national independence at all costs by which de Gaulle made himself such a nuisance in the 1960s was not in every respect the expression of a new-found strength. It was also very much an

attempt to compensate for the fact that he had, like the three Caesars who had preceded him, not been equally successful in protecting French interests abroad. This is one of the major paradoxes of French Caesarism. Soldiers, after all, are supposed to win battles against foreign enemies, and to do so by force of arms. But the contrast between triumph at home and defeat abroad is perhaps less remarkable than the paradox illustrated by the very existence of French Caesarism as a political phenomenon.

III

It is not that France is the only country to be taken over by a military man. In 1972, Ruth First wrote a book called *The Barrel of a Gun*. It listed 19 African states as having undergone a military *coup d'état* between 1952 and 1969. S.E. Finer's *The Man on Horseback*, first published in 1962, is doomed never to be wholly up to date since a new horseman always upsets the applecart somewhere between the submission of the last *addenda* and the appearance of a new edition in print. In Africa and the Middle East, as in Central and South America, military take-overs are still the order of the day. But France is one of the most cultivated, civilized and technologically advanced countries in the world. It is the home of impressionism, surrealism, existentialism and structuralism, the country of Tocqueville, Proust, Camus and Montesquieu, the land of Pasteur, Blériot and Citroën. Why is there this discrepancy between its intellectual, literary and scientific achievements and the much lower level of political culture which characterised it before the return of power in 1958 of Charles de Gaulle?

This discrepancy must not be exaggerated. Between 1799 and 1969, France was ruled by a soldier for only 48 years; and even then, in a generally fairly relaxed manner. France has not known the equivalent of a Hitler, a Stalin or a Pol Pot. By the side of Franco or Mussolini, Charles de Gaulle looks even more like the model democratic republican that he always was. Even in the Second Empire of Napoleon III, there were regular parliamentary elections, albeit with a degree of government intervention unacceptable by modern standards. Neither does the intervention of military men in French domestic politics have the same result as the seizure of power by a soldier does in other countries. One does not see, in France, the successful general overthrown by ambitious colonels, who are then driven from power by hungry majors, destined in their turn to fall victim to keen-eyed captains whose fate is then to yield power to greedy non-commissioned officers. When a French military man leaves power, he is succeeded by a strictly civilian administration.

The fact nevertheless remains that while France has been taken over four times by a soldier, this has not happened in any of the other advanced industrial countries to whose family she belongs. Neither in Australia, Canada, Sweden nor the United States, has the political system broken down to the point where

only a military man could save the situation. Cromwell, now a rather distant memory, was not a professional soldier in the way that Napoleon I, Pétain and de Gaulle were. He was a country gentleman forced to take up arms and organize an efficient army because there was nobody else around to do it. The idea nowadays of a military man taking over in England seems totally ludicrous. Why is France so different? What is it that makes the country of Tocqueville and Montesquieu so vulnerable to military take-overs?

One possible answer links together Karl Marx and Blaise Pascal. It is easy to see what the latter meant when he said that if Cleopatra's nose had been longer, the face of the world would have been changed. Mark Antony would not have fallen in love with her. He would not then have lost the battle of Actium. The Roman world would not then have been governed solely by Augustus. Christianity would not then have spread with the ease afforded it by a classical world unified under a single Roman administration. Had Henry VIII been able to have a son by Catherine of Aragon, he would not have wanted to marry Anne Boleyn. He would not then have needed to break with Rome, and the Protestant Reformation in England would not have been led from the top.

It is at this point in the series of hypotheses that Marx takes over. The dissolution between 1539 and 1540 of the monasteries and religious houses was an event with vast but understandable consequences. It created a social class with a strong economic interest in preventing the return of the Church of Rome to its former position. Without this class, there would have been no group with the economic power to challenge and defeat the Stuarts' attempt to establish an absolute monarchy. The Puritans would not have risen to a position where they provided the discipline and ideological backbone for the parliamentary armies. The question is not why did France have a series of military *coup d'état*. It is why England did not. The alliance between Pascal and Marx suggests an answer. This fits the Whig theory of history with such ease that one feels quite worried: Protestantism leads to parliamentary democracy while Catholicism supports absolute monarchy. The former deserves the financial and military muscle which enable it to defeat the latter. This is because human progress lies through the accumulation of wealth by those whose industry, virtue and sobriety win favour in the eyes of the Lord.

In France, the monarch had no need to break with Rome, and the Protestant reformation was not led from the top. Indeed the 'affaire des Placards', in 1534, so frightened Francis I that he immediately ceased his brief flirtation with Calvinist ideas. Among the many reasons for the defeat of the Protestants in the French wars of religion was the hostility of the Crown. By 1598, the alliance between the power of the Guise and the determination of Catherine de Medicis to discourage the Protestant cause had so strengthened the hold of Catholicism over the population of Paris that the only way in which Henri de Navarre could become King

was to abjure the Protestant faith.

As the history of Prussia makes clear, Protestantism does not guarantee democracy. But it is, in Europe and America, Catholic countries which are vulnerable to military take-overs, not Protestant ones: Spain with Franco, Italy with Mussolini, Argentina with Perón. Similarly, it is hard to find a non-Catholic country in which parliamentary democracy developed with the same relative ease that it did in England or North America. In France, the growth of royal absolutism in the seventeenth century was not only the result of the work of Cardinals Richelieu and Mazarin. It was also helped by the ideology of the Counter Reformation and the readiness of the Church to support the doctrine of the divine right of kings. The root cause of the violence of the Revolution of 1789, and which opened the way to *Le dix-huit brumaire de Napoléon I^{er}*, was the inability of the French monarchy to reform itself from within. This stemmed primarily from the existence of too many powerful groups with a vested interest in resisting change. But it was also the result of the absence from seventeenth-century French history of any equivalent to the two revolutions which had shaken the English monarchy and made it incorporate a wider spread of interest groups into the running of the country. Like the revolution of 1688, the civil war of the 1640s had been an essentially Protestant exercise. The primary aim of both events was to prevent the establishment in England by the Stuarts of a Catholic-inspired absolute monarchy.

Charles de Gaulle would have been surprised to find himself presented as the long-term beneficiary of the failure of the French State to become Protestant in the sixteenth century. The providence which he saw as watching over France was a different kind than the one underlying the Whig version of history. One of many achievements of de Gaulle was to complete the reconciliation between republicanism and the Catholic Church, a process which had not begun to be a political reality until the creation after the Second World War of the *Mouvement Républicain Populaire*. The enmity between Catholicism and Republicanism went right back to October 1789, when Talleyrand put forward his solution to the financial crisis which had led to the summoning of the Estates General. This was to declare the Church lands 'the property of the nation', and use them as collateral for the issue of the first paper money in European history, the *Assignats*.

The sale was rapid, and proved as little to the advantage of the French State as the dissolution of the monasteries and religious homes in England and Wales between 1536 and 1540 had been to the Tudor monarchy. But it did have a comparable effect. In the early years of the Revolution, some one-sixth of the best land in France was transferred to private ownership. Republicanism, as generations of French Marxist historians have observed, provided the ideology to justify making this transfer permanent, just as Protestantism had done over two centuries earlier in England. The 1905 separation of Church and State was

the logical result of an economic measure which created a quarrel between the Revolution and the Catholic Church which the Napoleonic Concordat of 1804 had merely papered over. The wound was finally healed only when a Catholic general with unimpeachably republican credentials gave France a democratic constitution which worked.

The two most successful of the Caesars to take power in France were unifiers. Napoleon I accepted service from ex-Jacobins as willingly as from sometime royalists. Pétain, the least successful of the quartet, preached unity but sowed discord. By abolishing the Republic and replacing it by *L'Etat Français*, he showed how ready he was to see France absorbed into a Europe of ideologically comparable 'states' under German domination. The resistance movement could not have asked for a better chance to insist on the virtues of its own, rival, left-wing form of patriotism. What Jean-Pierre Rioux has called 'les guerres franco-françaises', had already shown their murderous nature in the Vendée wars of the 1790s, in the 'White Terror' which followed 1815, in the June days of 1848, in the repression of the *Commune* in 1871, in the Dreyfus case between 1894 and 1899, and in the quarrels accompanying the separation of Church and State in 1905.

What Pétain did was to give these wars a new lease of life. Republicans were once again ranged against Catholics, socialists against conservatives. This was made inevitable by the events of 1940. Initially, the replacement of the republican slogan of *Liberté, Égalité, Fraternité* by the conservative insistence on *Travail, Famille, Patrie* received strong support from major figures in the Catholic Church. The rift between republicanism and Catholicism consequently widened, with the reintroduction of religious teaching into state schools adding to the conflict. From the establishment in 1881 of the present French educational system onwards, Catholics had denounced the secular teaching in state schools as creating 'l'école sans Dieu'. They were now getting their revenge, encouraged by Pétain as Head of State. De Gaulle's sense of how to unify by compromise led in 1959 to the *loi Debré*: Catholic schools remained independent of the State but continued to receive subsidies from the tax-payer; the state schools remained secular, which was what most people wanted. It was not until the socialist government of 1981 tried to give force to François Mitterrand's version of 'un grand service laïc et unifié de l'éducation nationale, sans spoliation ni monopole' that the quarrel was, temporarily, re-opened. It was closed again only when the French socialist party realised, in a way that Pétain had never done that there were limits, whichever side you tried to favour in 'la querelle scolaire'.

The careers of the French Caesars emphasize other aspects of French life apart from the often difficult relationship between politics and religion. Bonaparte made his first intervention in French internal politics on 5 October 1795. At the invitation of Barras, he ordered his troops to fire on the royalist demonstrators attempting to take the Convention by storm. The steps

leading into the Eglise Saint Roch still bear the marks left by the 'whiff of grapeshot' by which, as Carlyle put it, 'the quellers of Sans-cullotism were themselves quelled, and the sacred right of Insurrection was blown away by gunpowder'. But it was only a whiff, and not more than a few hundred were killed. When the strictly civilian government of Adolphe Thiers put down the *Commune* in May 1871, 20,000 Parisians were slain.

In December 1851, some 300 people died in the rather aimless shooting which followed the *coup d'état* of Napoleon III. The accepted figure for those executed by the Paris guillotine during the Terror of 1793-1794 is 2,639. Danton, Fouché, Robespierre and Saint-Just were all civilians. William Doyle puts the total figure of those killed in the provinces for political reasons during their reign at 40,000. In French internal politics, military uniforms offer a better guarantee of moderation than civilian clothes. It is a sad reflection on a country which has never wholly learnt to separate conservation from reaction.

There can also be no forgiveness for Pétain's failure, during the four years in which he was Head of State in France, to do anything to protect the Jews. As late as May 1944, his moral authority was so great that one word from his lips would have reduced French anti-semitism from the level of cholera to that of a head cold. He never uttered it. But in what Herbert Lottman called *The People's Anger*, some 10,000 French people were killed by other French people in the hastily improvised tribunals of the liberation. One of the first acts of de Gaulle, on his return to France in 1944, was to put an end to these essentially civilian institutions. Perhaps, perish the thought, the country of Albert

Camus and Simone Weill actually needs the firm slap of military government from time to time to bring civilian politicians to their senses. One shudders to think of the civil war that would almost certainly have broken out after 1958 if a civilian politician had tried to bring about the solution to the Algerian problem imposed by de Gaulle.

If her two successful Caesars are the sign of a Providence watching over France, it is nevertheless one with a remarkable control over bullets. Just as Henry VIII's inability to beget a male child by his first wife set England on the path to a Reformation controlled and directed from above, so the equally unpredictable accident of some bad marksmanship from France's enemies meant that the first Napoleon, Pétain and de Gaulle were there to play their part when their country needed them. Neither are accidents of birth absent from the apparently satisfying patterns of French history. There is an Ambrose Bierce short story of how two British tourists in nineteenth-century Corsica come across a grave with the headstone 'Napoleone Buonaparte, major, 1721-1769'. Burke showed his customary wisdom in predicting early on the arrival of a military dictator once the Revolution of 1789 had run its course. The advantages of hindsight enabled Engels to claim that if Napoleon had not come along, somebody else would have taken his place. But what would have happened if a bullet had killed Bonaparte at the siege of Toulon, or a piece of German shrapnel hit de Gaulle on the spine rather than on the right hand? As different a story, perhaps, as would have entertained the English if Henry VIII had been able to beget as many sons as Priam.

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Poverty

David Marsland

From Welfare State to Real Welfare

Christmas is commonly a 'season of ill-will' against the Government in democratic societies. Especially in Britain, where the theologically implausible alliance between religious leaders guiltily parading their consciences and left-wing pressure groups looking to extend their malign control of social policy thinking is uniquely powerful.

So, just in time for Christmas this year, Church Action for Poverty initiated yet another *jihad* against Government policies, with public meetings and the publication of a fifth gospel, entitled, with disarming sentimentality, 'Hearing the Cry of the Poor'. 'We are outraged', one of their spokesmen is reported as saying, 'by the divisive effects of present policies' (*Guardian* December 4th). According to the same report, Church Action's leaders were due to meet at Westminster Abbey 'to criticise the privatisation of essential services, hospital ward closures, tax cuts, teacher shortages, and trade union and media restrictions'. Remarkably there was apparently no mention on this occasion of the impact of defence spending on orphans, or of the shining guidelines for Christian charity and humanitarian welfare provided by the People's Democracies.

By the lights of these saints and their more fleshly media allies, I have already, in two short paragraphs, condemned myself absolutely as a hard-hearted Gradgrind, a vulpine conservative, and an intellectual foot-soldier in a capitalist army intent on global oppression of the world's poor.

We should reject with contempt the left's mendacious misinterpretation of straight thinking about welfare. For the sake of the truth, for the sake of democracy, for the sake above all of those who genuinely need help and protection, we should dismiss all this *poverty-speak* once and for all. John Moore was impolitic perhaps in his late-lamented speech – but, in my judgement, essentially correct. If we are to continue the improvement of the people's welfare in Britain, we have to think straight and stand firm against the emotional blandishments of sentimental sloganizing.

We should, for example, refuse to be overawed by the spurious imagery of 'Cardboard City' brandished in our faces by well-heeled journalists and ill-kempt academics. Its temporary denizens include the usual high proportions of alcoholics, recent Irish immigrants, and the casualties of personal and domestic tragedy. There are in addition small numbers of mentally ill and handicapped people pitched out of protective asylum as a result of prejudiced left-wing campaigning since the nineteen sixties against 'institutions', and also

young people escaping inadequate families or worse, and prevented from finding the lodgings, which would enable them to take the jobs amply available in London, by decades of anti-landlord legislation. There are serious problems there of course – but none that could not be ameliorated substantially if the intellectual atmosphere allowed rational policy-making, and none that can be brought one whit nearer to a real solution by pseudo-Christian sermonizing, expanded public expenditure, or welfare policies which ignore the moral dimensions of social problems.

Nor, I suggest, should those who are genuinely concerned to find ways of really helping those who truly need help, allow themselves to be gulled or bullied into support for ill-considered welfare policies by top-of-the-market media extravaganzas. For example, in the same week as the announcement of the new press code of practice, the *Independent* (December 2nd) published a characteristically misleading account of contemporary life in Bradford. Under a glaringly sensational headline – 'The hungry poor fail to bounce back' – readers were informed that 'Peter Dunn reports'. Now admittedly 'reporting' is a complex concept, but one might have thought that it necessarily entails balance, and that it unarguably implies the presentation of facts.

Out of 29¼ column inches (pictures excluded) only six inches were allowed to counter-argument and counter-evidence. All the rest – four fifths of the 'reporting' – supported the one-sided headline. So much for balance.

As to facts, the evidence offered was largely uncorroborated hearsay. Readers were not even told how many people live on the ill-starred Brierly Estate, which was the main focus of the article. Neither date nor source was given for the 20% unemployment rate alleged. A section reporting recent distribution of EC surplus food – which was the sole source for the imagery of starvation in the headline – was woefully inadequate. We were not told whether any of the claimants were themselves from Brierly. It was entirely unclear whether any of them needed it, or simply wanted it because it was free. In relation to none of the so-called 'community organizations' which the article zealously defended was any evidence at all provided about how many Brierley people they had ever actually managed to help.

Then, as ever, there were the pictures. They took up three quarters of the whole page devoted to these revelations. Not one of them showed the new developments which the City has entered on to boost Bradford's image and stimulate progress. All five are gloomy and

pessimistic. At least three seem clearly propagandistic in conception and effect. The lead photograph - of an unfortunate gentleman on crutches walking conveniently past a run-down medical centre - seems to be a product of either considerable patience, subtle contrivance, or remarkable luck.

The last word is allowed, unsurprisingly, to Ruth Lister, a tirelessly consistent spokesman for the professional poverty lobby. 'Unfortunately', she is reported as saying, 'poverty just doesn't go away'. Nor will the problems she calls poverty 'go away' until we have more honesty about the manifest failings of the Welfare State, and - instead of apologetics - some open-minded consideration of new policies better calculated to produce real welfare.

Three Assumptions

It seems to me that the new policies which are needed - policies on which I happily admit the Government has already entered to a degree - presuppose three important assumptions - about economic progress, about the poverty lobby, and about the proper values of a free society. These assumptions serve to define the basic principles of welfare policy appropriate to any genuinely democratic people.

First, genuine welfare, including adequate help for those who may from time to time need it, depends absolutely and entirely on economic progress and national prosperity. This in turn requires hard work and enterprising attitudes on the part of the population, and the constant re-vivification of a dynamic enterprise culture. *Anything* which hinders economic progress, threatens national prosperity, or stifles enterprise is an impediment to genuine welfare.

These threats, I suggest, include: remaining nationalized industries; bureaucratic big business; anti-competitive professional associations and trades unions; excessive tax levels; wage regulation; and collectivist welfare policies. If anyone - in the Labour Party, in the centre parties, in the minority wing of the Conservative Party, in the Trades Unions, or in Europe - seeks to defend any of this collectivist baggage while also pretending a concern about welfare, they have to be mistaken.

Secondly, compromise with the poverty lobby must be avoided. Its arguments and influence have to be faced and answered. This largely state-supported network of academics, pressure groups, and media operators is a powerful negative factor in any serious attempt at improving real welfare. Its spokesmen consistently exaggerate the extent of poverty. They disseminate misunderstandings of its nature and its causes. They peddle outdated bureaucratic-collectivist remedies. They deliberately paint the blackest possible picture of social conditions. I find it difficult to be sure sometimes whether they are being less than honest or worse than stupid. Unless their power - here at home and especially on the European front - is controlled, we shall be dragged down to the levels of beggary from

which the socialist world is only now seeking escape.

My *third* principle involves trusting the British people. For despite what is often alleged, the British much prefer self-reliance and self-help to state hand-outs. *They* know, even if the intellectuals and the mandarins don't, that socialism with a human face is a squared circle, that the Welfare State is a treacherous snare, and that the world is a tough place.

The recent Special International Report on British Social Attitudes has been ruthlessly mined by the media for evidence of the population's recalcitrant collectivism. But even in this unambiguously anti-Government document, evidence of natural British Thatcherism is apparent whenever a sensibly formulated question is posed.

For example, asked what factors matter as far as getting on in life is concerned, 84% said hard work is essential or very important, and 80% ambition. Less than a quarter of the sample disagreed with the proposition that allowing business to make good profits is the best way to improve everyone's standard of living. In a series of questions about control of industry, electricity won the highest level of support for outright government ownership - but even this was only 30%. Indeed, even in relation to government spending cuts, while British attitudes are admittedly much less positive than in other countries, not much more than a third of people in Britain were willing to say they were actually opposed to cuts. Again, support for the 'allowability' of nation-wide strikes was as low as 30%. And finally, nearly two thirds of people in Britain believe that financial differentials are an indispensable incentive to hard work, and 80% take the same view about incentives and special responsibilities.

Little wonder, given fifty years of a big Welfare State in Britain, and the collectivist assumptions prevalent throughout the media, if this Report reveals worryingly high levels of support for interventionist government and collectivist welfare. Even so, when it comes to specifics going beyond the level of mere ritual incantation, continuing support for self-reliance and enterprising initiatives is evident. What is needed is clear support for these essential attitudes from political leaders, the media, and educators.

The Moral Hazards of a Hand-out Culture

Current attitudes aside, what matters at least as much are the objective consequences of collectivist welfarism. These are apparent wherever self-reliance has been replaced by comprehensive state welfare provision. They seem to me best characterized in Hermione Parker's concept of the 'moral hazards' of what I would, more vulgarly, call the hand-out culture.

We see these consequences most clearly where collectivist welfarism has been carried furthest - in the societies of 'actually existing socialism', where deep moral corruption of whole populations has been scarcely moderated even by the lingering trace effects of long-established religious beliefs. The renewal of socialist Europe is going to require the education of

persons and rebuilding of institutions for hard work, honest effort, enterprising initiative, self-reliance, and responsible concern for the local community. All this has been destroyed by what we might call 'the nationalization of care' and 'the expropriation of personal responsibility'.

The effects are fortunately not so fearful as yet in the mixed economies of welfare. But as Parker has demonstrated in her books *Action on Welfare* and *The Moral Hazards of Social Benefits*, they are certainly already quite severe, certainly affecting every level of society and every sphere of social life. Welfare by right and on demand inevitably destroys what free and civilized societies have always defined as the fundamental human characteristic - the capacity to make rational moral choices as a basis for independent action.

The Underclass and Welfare Dependency

Not before time, Charles Murray's enormously important work, *Losing Ground*, is at last being brought before large audiences in Britain. Where social policy analysts were somehow able until recently to marginalise and ignore the equally cogent critiques of welfarism provided by the IEA, the Social Affairs Unit, and a few others, Murray's work seems at last to be constraining the attention even of our poverty lobbyist academics and the moguls of media collectivism.

What he shows beyond any doubting is that collectivist welfarism generates helpless dependency in its cowed clientele. While this has damaging consequences for almost the whole of the population, breeding for example irrational deference to doctors and nervousness about their children's education even among the prosperous and privileged, its major structural effect is the creation of an alienated, lethargic underclass excluded by socially engineered incapacity from genuine participation in society.

With Ralph Segalman, I have explored these effects in a comparative study reported in our book *Cradle to Grave*. The evidence is clear: however beneficent the intentions underlying it, collectivist welfare provision damages the economy, cripples the dynamism of enterprise culture, fails to help those who most need help, and worst of all positively harms those it is most meant to help - by creating out of temporary unfortunates among our fellow citizens an underclass of welfare dependents. So long as equality and rights are the underlying watchwords of social policy - and let us be in no doubt that they still are, even after ten Thatcher years - the moral decay of our people will continue and spread. The watchwords we need instead are initiative and self-reliance. These are the only secure foundation of social policies appropriate to a free society, the only principles capable of restoring that essential moral dimension to social policy which in his new study *Why Social Policy Cannot Be Morally Neutral* Basil Mitchell has urged us to retrieve before it is too late.

Movement beyond principles to practice requires

attention, as I see it, to four topics. I will say a word or two about each of them. They are targeting help, reaching beyond help to self-help, and the crucial importance of independent families and self-sufficient communities.

Targeting Help

In my judgement, the Government has acted wisely in making targeting central to its social policy agenda, and a good beginning has been made on improving the accuracy of targeting benefits. This at least, after forty years of dangerous incoherence, is an acknowledgement of the necessity of clear objectives and rational priorities in social policy.

However, this progress has been achieved within remarkably narrow and modest limits. We cannot begin to think honestly and coherently about targeting state welfare unless we include within the parameters of analysis health, education, and other spheres of tax-financed collective provision.

We have, as a nation, allowed equality instead of equity, fictitious rights rather than real needs, and social engineering instead of genuine help to define our social-policy goals. We have swallowed the poverty lobby's nonsensical equation of poverty and inequality: yet another instalment was published only last December by the Child Poverty Action Group. We have encouraged even the prosperous mass of the population to believe it has a right to free, government-provided services. We have allowed the availability of state benefits to spread further and further up the social scale, and wider and wider to ever-increasing spheres of life. The ratchet effect of socialism has gone far further in welfare than it ever went in industry, and it is *still* ratcheting on. The left's new post-Gorbachev talk about 'citizenship', and fashionable suburban chatter about community and the environment, will rapidly carry it even further unless something decisive is done.

Thus, it seems to me that if self-help is the proper bottom-line criterion of genuine welfare in a free society, and if effective targeting of state provided help is a necessary step in that direction, then radical reform of much more than social security is required.

First - encourage the prosperous majority to withdraw from state financed and state provided services - with health, education, pensions, and housing as priorities. Tax allowances are *not* state benefits. They should in my view be used boldly.

Second - define the boundary between the more and less prosperous a good deal more carefully than has become common.

Third - in relation to the less prosperous, make it absolutely clear that state help is a temporary expedient designed solely to restore self-reliance.

Fourth - in relation to targeting, aim at real need rather than saturation coverage.

The politics of such a programme are obviously difficult, to put it rather mildly. But they will *have* to be

taken on sometime by someone, in Britain, in Europe, and in the free world as a whole - or we might as well concede the contest with socialism directly.

From Help to Self-Help

With leadership and luck, we could manage a radical scaling-down of state provision for the prosperous majority, along the lines I have suggested, relatively easily and quickly. The whole range of state financed and state provided services would be financed through genuine insurance, and delivered by private, voluntary, and mutual provision. The benefits, to individual character and to national economic strength would be enormous.

But even this would leave a small, poor, vulnerable minority still subject to the demoralizing and damaging effects of state welfare. So long as this continues, the probability must be - as the experience of the United States demonstrates - that rights-defined collective welfare provision would spread outwards and upwards again.

I believe this can only be prevented if we adopt something akin to the Swiss approach, which we have used as the benchmark of real welfare in *Cradle to Grave*. Briefly put, this would mean attempting the following reforms:

- re-define 'benefits' as 'assistance'
- replace all benefits by loans
- localize the planning and delivery of assistance
- maximize individualizing discretion on the part of welfare assistance workers, rather than leaving decisions to the anonymous, bureaucratic, undiscriminating state
- require of clients responsibilities and obligations in return for assistance
- introduce required advice and practical training
- re-organize social work training radically, to turn social workers away from dependency-generating, rights-demanding ideologies towards firm, caring common-sense
- rely more on voluntary organizations and genuinely voluntary workers. In our unreformed welfare state, voluntary organizations and workers are being corrupted by the very ideas they are supposed to balance.

Independent Families

Increasingly research suggests that stable, unbroken families, with two parents performing the roles of mother and father firmly and with love, are the only reliable source of mature young people, capable of independent moral action in a free society. The implications of this are serious and far-reaching as far as reducing welfare dependency and preventing poverty are concerned:

- We simply must look again at the divorce laws.
- We must avoid at all costs providing incentives for normalizing the one-parent family.
- We must hold separated and divorced fathers (including unmarried fathers) to their financial

obligations to their children, as the Swiss do perfectly well.

- We must look to radical changes in tax allowances to encourage and support marriage.
- We should look for methods of improving the incentives for parents, children, grandchildren, and other family members to take on wider family responsibilities than the nuclear family allows for.
- We must monitor and address destructive anti-family propaganda pumped out by Marxists and feminists, particularly in the education system and the media, and especially where it is state financed. Counter-arguments such as those presented in the Social Affairs Unit's *Family Portraits* should be publicized.

The family, good families, most families, are the primary source of effective learning, positive work attitudes, and moral character. The family must be protected and strengthened if moral inadequacies are not to magnify dependence and poverty. It is where - if anywhere - the capacity for self-reliance is learned.

Self-sufficient Communities

Local communities have been even worse savaged by modern developments than the family. They are too big. Political involvement is slight. Citizenship responsibilities have been absurdly attenuated. Financial subsidy by over-active central government has all but destroyed local pride and municipal good sense.

We cannot, however, afford to write the local community off. Like the family, it is a crucial mediating institution between the individual and the state. It is the optimal arena for effective face to face social control - without which, notwithstanding its unfashionable nature, neither real freedom nor prosperity are possible.

In *Cradle to Grave* we spell out the indispensable role played by local communities in Switzerland in limiting deviance and assisting individuals and families who are in difficulties back towards self-reliance.

Political decay has corrupted localities in Britain almost to the point of no return. Rescue is essential - and feasible. The Community Charge can be the start of a move in the right direction. What is essential is financial self-sufficiency, with elected local leaders accountable for *all* the expenditures they incur. Given this, the moral role of the local community could be restored, and with it a powerful mechanism for blocking the drift of individuals, families, and whole neighbourhoods into dependent beggary.

The Character of Free People: Initiative, Prudence, and Self-Reliance

Would you want a son or a daughter who was not to some reasonable degree a self-starter, capable of his or her own personal initiatives, in work and in leisure? What would even our enemies say of British people if we proved ourselves incapable of looking ahead across

our lives with care, planning for anticipated problems, and preparing for unexpected contingencies? Mutual aid - within the family, between work colleagues, neighbour to neighbour - is patently essential and positively valuable. But all of these rest on and presuppose a capacity for self-reliance in the one now offering - who will later also be receiving - the help. Only socialists or primitive tribalists could seek to make of self-reliance anything other than one of the foremost qualities of good character.

These three virtues - initiative, prudence, and self-reliance - of which all but the very tiniest minority of people are capable - are to be valued, of course, for themselves. But in addition they have an instrumental significance which welfare state living has tempted us to forget. Denuded of these capacities, submerged in

the underclass, men and women cannot long maintain their freedom, and therefore, in any serious sense, their humanity.

The Radical Path

No amount of administrative change, and no degree of economic growth can of themselves save societies like ours from the decay of state monopoly welfarism. Moral change is required, so that the self-reliance of individuals, families, and communities can be restored and strengthened.

Achieving this will require an even braver radicalism than these last ten brave years have shown. It may conceivably be too difficult or too late. If we win the battle in Britain, we may in any case lose it in Europe. And yet we must surely try.

European Legal Union

Charlotte Horsfield

The power and the might of a nation are closely linked to each other, the first being dependent upon the second and the second being to a large extent the exercise of will power.

In 1972 the Parliament of the United Kingdom suffered a collapse of self-confidence and decided, under the leadership of Mr Edward Heath, to pool our power by pooling our assets of food, fish, coal, steel and atomic energy, and hand to the European Commission the responsibility for their administration.

Not being content with this abrogation of responsibility, the Houses of Parliament delegated their own powers to make or repeal important areas of law to the institutions of the Community, and adopted an alien written constitution, the Treaty of Rome, as a basis for those laws. We gave the Commission executive powers, the power to police, to prosecute and to judge whether our national laws conformed with the Treaties.

By adopting the Rome Treaty, Parliament committed itself to an elaborate legislative programme to bring our laws into conformity with the Treaty as interpreted by the Commission. But under the Treaty the nations could invoke the right to reject any Commission proposal on the grounds that it violated a vital national interest. This led to some 400 Commission proposals being stalled by 1985 when Lord Cockfield took up his appointment as Commissioner for the Internal Market.

It was at this point that the more impetuous Europeans became impatient and at the March 1985 meeting of the European Council in Brussels, Lord Cockfield was instructed to produce a detailed programme with a specific timetable for 'the completion of the internal market'. This he did by the following June, in time for the meeting of the European Council in Milan, and its

adoption there, despite Mrs Thatcher's protests. The following February Mrs Linda Chalker went to Luxembourg where she signed the Single European Act and Final Act on our behalf and the legislation, the European Communities (Amendment) Bill, started its passage through Parliament, completing its Third Reading in the House of Lords on 3rd November, 1986.

With the ratification of the Single European Act individual nations lost the right to veto the Commission's proposals, although fiscal policies to a large extent remain with national governments. In future, decisions will be taken by a qualified majority vote (the United Kingdom with a population of 56 millions has 10 votes whilst Luxembourg with a population of 0.4 million has 2 votes; the smaller nations with a combined population of 53 millions can muster 28 votes). Our Parliament has approved all this but the people Parliament represents are largely ignorant of what has been done in their name.

The new procedures have sped up the decision-making process and some 300 of the Commission's 400 final proposals should gain the approval of a qualified majority. By December 1988 half of these proposals had already been approved and the rest are likely to meet the deadlines suggested by Lord Cockfield, and by 1992 this laborious exercise of standardizing Community law will have been completed.

In 1981, at the meeting of the European Council in London, the Genscher/Colombo plan was presented to (and approved by) the assembled heads of state and government. This plan suggested that there should be a two-stage advance towards European Union. First there would have to be a European Act (a draft of which was presented to the 1983 Stuttgart European Council meeting) and five years later, following a general review, there would be a Treaty on the European

Union which would formally adopt any further advances which might have been achieved in the interim. This form of creeping unification was, in fact, a feature of the Single European Act which according to its Article 1 confirmed and supplemented 'the practices gradually established among the Member States.' Another echo from the Genscher/Colombo plan can be found in Article 19 of the Single European Act which gives 1992 as the year of the general review which is to precede the implementation of the Treaty on the European Union.

The President of the European Commission is a member of the European Council, so when the European Council, meeting in Hanover in 1988, asked M Jacques Delors to set up and chair a committee of central bankers to advise on the steps to be taken to achieve European Union, they were putting their own President, the man with the ultimate authority in Europe, in charge of these recommendations. The Delors Report was published on 12th April last year in readiness for the Madrid European Council meeting this June. It is this Report which is causing Mrs Thatcher to express publicly her anxiety over the pace and nature of European integration.

The Delors Report on Economic and Monetary Union in the European Community draws on the Werner Report of 1970 for inspiration and outlines in some detail the objectives of the proposed new Treaty. We are told that it would be supplementary to the Single European Act which 'provides the legal foundation for many of the necessary steps towards economic integration, but does not suffice for the creation of an economic and monetary union.' The Report suggests taking 'discreet but evolutionary steps', each stage representing 'a significant change with respect to the preceding one', stage one starting on 1st July 1990 'when the Directive for the full liberalisation of capital movements comes into force', and 'by the time of the transition to stage two, it would be necessary to have prepared and ratified the Treaty change'.

'The fundamental difficulty inherent in this transition would lie in the organisation of a gradual transfer of decision-making power from national authorities to a Community institution'. The change-over to a single currency, the ECU, would take place during stage three, and would 'clearly demonstrate the irreversibility of the move to monetary union'. 'A new political and legal basis' would be needed. The implications of this Report are frightening and it is not surprising that Mrs Thatcher is anxious; she sees Parliament's last powers over taxation being removed.

Whereas the Delors Report points the way to a Treaty on the European Union, the Dooze Report of 1985 prepared the way for the Single European Act and Final Act. The Dooze Report recommended that there should be a 'gradual establishment of a homogeneous judicial area' based on the European Convention on Human Rights and also, amongst other things, the 'codification of Community law'. This had been foreshadowed in the 1981 Genscher/Colombo plan which had envisaged a Council of Ministers of Justice being

set up to administer the law of the Union, with the European Convention on Human Rights as one of the cornerstones of the 1983 draft European Act. It gave as one of the principal aims 'the harmonization and standardization of further areas of the legislation of the member States in order to strengthen the common European legal consciousness and create a legal union'.

The 1953 European Convention on Human Rights also featured in the European Parliament's 1984 draft Treaty establishing the European Union (Article 4). We find it turning up again in the Preamble to the Single European Act which Parliament adopted in 1986, whilst also adopting the 1965 European Social Charter and the slogan 'freedom, equality and social justice', an English variation of the French 'liberté, égalité, fraternité'.

During the debates in the House of Lords on the European Communities (Amendment) Bill only Lord Denning, who raised the point on 31st July 1986, appeared to notice that we were incorporating into our law the 1953 European Convention, despite the fact that previous attempts to do this had failed to get through Parliament. He said to his fellow peers: 'Can all those difficulties be overcome by the Council of Ministers in Brussels saying that the convention shall apply henceforth throughout the market? That is the question I ask. If so, we have a great new legislative power in Brussels taking supremacy over our Parliament'.

Perhaps it was these remarks which stirred Sir Edward Gardner to introduce to the House of Commons the following December, as a Private Members Bill, a Human Rights Bill based on the Council of Europe's 1953 European Convention for the protection of Human Rights and Fundamental Freedoms. A Private Members Bill, in order to advance beyond the Second Reading needs to have the support of one hundred Members of Parliament. At the Second Reading of Sir Edward's Human Rights Bill the following February, 1987, the Bill attracted the support of ninety-four M.P.s and so failed. It did not win the support of the then Solicitor General, Sir Patrick Mayhew, who spoke against the Bill. He said that if Parliament were to adopt this Convention it would have the effect of politicising the judiciary, and that 'the under-pinning of liberty by law is best achieved by a free Parliament and an independent judiciary'.

It is perhaps surprising to find one of the principal Law Officers of the House so out of touch with developments that he should believe Parliament to be free and the only danger posed to the independence of the judiciary a Human Rights Bill. But Sir Patrick's analysis of how to maintain our freedoms is exquisitely concise.

Although Parliament has delegated its freedom to decide our laws, (its prime activity now being to administer directives), those laws which are being imposed upon us are being interpreted by an independent judiciary, and an independent judiciary can do much to soften the edges of harsh laws, particularly where there is a long tradition of justice like our own on which

to draw.

Under our legal system judges are drawn from the barrister's profession, the Bar, although they are appointed by the Lord Chancellor's Department. Judges run their own courts; solicitors are servants of the court and barristers assist the judges in the interpretation of the law. It is the judges who call a newly qualified lawyer to the Bar and they select who may practise as Queen's Counsel. Our judges are themselves servants of our monarch and on their appointment they swear, with God's help, to 'truly serve our Sovereign Lady Queen Elizabeth II' and also to 'do right to all Manner of People after the Laws and Usages of this realm'. It is not surprising therefore that the judges have complained that the Lord Chancellor's proposals, outlined in his Green Paper 'The Work and Organisation of the Legal Profession' would undermine their judicial independence and give draconian powers to future Lord Chancellors.

He who holds the office of Lord Chancellor holds high office. He is a member of the Cabinet and in the House of Lords he presides from the woolsack, and plays an active role in steering the Government's legislation through Parliament. He heads the judiciary and the department that appoints Her Majesty's judges and may himself preside as a judge.

The present Lord Chancellor, Lord Mackay of Clashfern, was previously Lord Advocate, the principal Law Officer of the Crown in Scotland. As a judge he must truly serve our Sovereign Lady Queen Elizabeth II; as a politician he is bound to implement Community directives. Lord Mackay personifies the dilemma that membership of the Community has always posed. *Must our loyalty lie with the Crown or with the Commission?* The Commission says that Community law is supreme and Parliament says that Community law is supreme because Parliament says it shall be, but what of our monarch?

Sensibly we have kept the administration of justice free from political interference by having a self-regulating legal profession whose members owe allegiance to our monarch whilst they interpret the statutes of Parliament. Parliament in 1972 delegated to the institutions of the Community the right to determine our laws and administer our assets but did Parliament also remove the Crown from our constitution, and if so, when was this done? Was it in 1972 or in 1986 or is it still to be done under the Treaty on the European Union? Are we living in a republic, subservient to a President or is this still to come?

After serving as Prime Minister for ten years Mrs Thatcher is facing a constitutional crisis which has been brought to a head by Community directive L19/89. It is this directive which is the inspiration behind Lord Mackay's Green Paper and which has encouraged him to act in haste, for it must be implemented by 4th January, 1991. The principle involved stems from Article 57 of the Rome Treaty which says that 'the Council shall issue directives for the mutual recognition of diplomas, certificates and other evidence

of qualifications'. Before the Treaty was amended by the Single European Act a directive that applied to legal qualifications would have had to be agreed unanimously. Once the veto went, the Council could agree a directive which could apply to all professions equally and on the approval of a qualified majority. And so, in the peremptory style of such documents, the directive says: 'professional associations and organizations . . . cannot invoke their private status to avoid application of the system provided for by this Directive'. When Mrs Thatcher's opponents criticize her style they should look at the directives that Parliament has to implement. The style is that of an authoritarian Commission on whose proposals our laws are based.

Parliament has retained one important power: the power to repeal the European Communities Act and all its amendments. By so doing Parliament would reclaim control of our assets, restore the Crown to its rightful position as part of our constitution, a Crown that is itself subject to the constant will of God, and furthermore, would ensure that our legal system is based on justice rather than on the arbitrary will of politicians.

The Salisbury Review for Central Europe

In rebuilding their institutions and in deciding on the values which will underpin them, the governments and people of Central Europe will need guidance. The Left in Western Europe is keen to provide it, and has rushed in where the naturally more reticent conservative still fears to tread.

It is very important that the arguments for conservatism are put, and its language re-learned in Central Europe. To this end, the *Review* would like to offer our readers the chance to open a halfprice subscription (£7 pa) on behalf of individuals and institutions in those countries from which the deadening hand of communism has been lifted at last.

The Old Virtues

Rolf Gruner

Since conservatives dislike cant and world-improving schemes, while the present world is full of both, they are regularly accused of immorality, of being 'complacent', lacking in 'compassion', and so on. This need not cause them sleepless nights; the left has always talked as if it alone had a conscience. But still they would do well to see where they stand morally, instead of just relying on moral intuitions *ad hoc*. Some reflections of a more systematic kind might stiffen their backs and in hostile surroundings prevent their intuitions from being undermined; our subverters well know that they have won half the battle when they can give their enemies a bad conscience. And even the best people become tiresome when their criticism, however justified, betrays no sign of being grounded in some positive principles systematically connected with each other.

Obviously any ethics which conservatives could embrace has to meet certain conditions. The emphasis must be on personal conduct and responsibility, or morality must have its basis in individuals rather than collectives. It must be definitive and spare, neither sicklied o'er with relativism nor of the insistent, preaching kind. Now this was also, by and large, the spirit of the ethics of old, at the time when philosophers were not yet intent on supplanting common sense or shaking the common man's moral convictions. The proposals which follow, therefore, are drawn from premodern traditions, though it is unnecessary and would be pedantic to cite authorities on such an occasion.

The first thing to be said is simple: a man's moral status depends on what he objectively *is* ('man' meaning what it has always meant in such a context, ie, any adult human being of sound mind, male or female). As people differ in the state of their health, so they differ in the state of their morality. When danger threatens one man stands his ground, another runs away; other things taken as equal the first is objectively superior to the second, irrespective of other considerations. Even if the second 'did not want' to run away but 'could not help it', he is inferior, although he would still be more inferior if he had not even tried to resist the impulse. What explanations one might find or conjecture to account for such cases, in terms of training, heredity and what not, is irrelevant to this fundamental point.

Consequently no ethics should throw the weight on subjective moral consciousness, on 'meaning well' and 'having good intentions'. Kant's famous dictum that nothing may be deemed good except a good will, is wrong, and the associated discourse in terms of 'oughts' or moral laws, imperatives and commandments is

unnecessary. The word 'duty' should be reserved for cases where duties are balanced by rights, or where it is a question of paying a due or keeping a contract - a schoolmaster has the duty to instruct his pupils to the best of his abilities, for this is what he is paid for; if he does not like it or thinks himself underpaid he must change his profession; he is not forced to be a schoolmaster.

Another dictum of Kant's, that nothing done by inclination is of any moral value, is also wrong. Since it is perverse to value the means above the end, it is also perverse to value the subjective process more than the objective state to which it is to lead, by regarding a person who still tries to be good more highly than one whose endeavour has succeeded. What is more, since 'the essence of virtue consists in the good rather than the difficult' (St Thomas Aquinas), a man who acts in the right way without making any effort or further effort is not inferior but superior to one who continually has to be prompted to goodness by his will. The superior man is not only admired by us, as we admire a work of art which seems to have been produced with the greatest ease, we also place our trust in him. When we have to confide a secret to someone we choose as our confidant a person who will keep it as a matter of course, who does not have to make an effort to keep it. And we would always prefer a person who has to use will-power to do what is wrong to one who has to use it to do what is right. A man's willing is only part of his being and has special importance only because he usually requires his will to set him on the right way, in order that eventually he is able to think, feel and act well without involving his will.

Moralists who have not fastened on willing have often fastened on acting instead, admitting the rest only where it leads to action or is suitable to lead to it. In fact, actions are not privileged either, or have only the advantage of being more public, and therefore more easily known. A utilitarian ethics which puts the emphasis on actions and their consequences for pleasure or happiness is as one-sided as one which puts it on the will. A man with low or depraved desires is inferior to one whose desires are lofty, no matter whether they may issue in actions; and one who thinks noble thoughts is himself more noble than one whose thoughts are vulgar, in independence of actual or possible practical consequences.

Singling out actions goes well together with the idea that morality exclusively concerns the treatment of others, or that moral behaviour is equivalent to unselfish or 'altruistic' behaviour. This will not do either. A good man always ensures that he himself thinks,

feels, wills and acts in the proper way, and in this sense he considers himself first and others are of less importance to him. And one who shows courage, for example, to preserve his own, not another life, or who cultivates his own mind, expands his own capacities, without others benefitting from it, is objectively a better man than one who does none of these things. While many actions solely performed for one's own sake are laudable many unselfish actions are the opposite; we only need to think of cases where heroic deeds are done for vile causes, or where people driven by malice disregard their self-interest and do not mind harming themselves so long as they harm others.

II

Moral rectitude is praiseworthy because of its excellence. The English word 'virtue' derives from the Latin *virtus* which equals the Greek *arete* and means 'manliness', 'goodness', 'excellence'. It is in character with today's moral philosophy that it rarely speaks of virtue, yet the whole task of ethics may be seen to consist in showing what virtue is or what the virtuous man is like, the man who is noble in all his thinking, feeling, willing and acting. No such paragon can be found in reality, but the idea of him is indispensable as a kind of beacon. His opposite is the man of vice, the base or ignoble man.

To be virtuous is to have a certain character and to live and act in accordance with it. And character is formed by habit. Here it is well to remember that the Greek *ethos* signifies 'usage', 'custom', 'habit', as do also the Latin *mos* and *mores* in which our 'moral' and 'morality' are based. One becomes virtuous by developing the habit of doing noble deeds, having noble feelings, thinking and willing what is noble. To develop the habit one has to practise self-control by resisting or limiting one's impulses and appetites. The further one follows this path the easier it is to tread it; thus, by abstaining from certain pleasures one becomes more temperate, and having become more temperate one is better able to abstain. The effort required for virtue, therefore, is an initial effort; as someone in the habit of running a mile every morning becomes so accustomed to it that he would have to overcome himself not to run, so a man who has habituated himself to virtue would have to make an effort not to be virtuous. And those who are able and willing to make the initial effort are objectively superior to those who are not.

Many people today can see no reason for resisting or controlling their appetites when these cause no pain to themselves or to others; some might even see no reason for causing no pain to others where others cannot retaliate. But the virtuous man rejoices in thinking, feeling, willing and acting nobly and in seeing others do likewise, while he is pained by vice. For him virtue is its own reward and has no external end, in this or any other world, as a work of art has no purpose outside itself. As the same time a truly happy life is inevitably a virtuous life, though not *vice versa* since other conditions must all be satisfied. Any talk to the effect

that good men can always expect to enjoy good fortune is empty talk; at most we can say that they will not be overpained by bad fortune nor overjoyed by good. No matter how differently happiness may be conceived, contentment will have to be part of it, and those who lack virtue are unlikely to be contented. Spite, envy, greed, cruel lust and lust for power are incompatible with contentment, and they are enduring states. Someone who commits a crime because he pines for wealth will not be free of greed when he has become rich; greed is not quenched like thirst. Lying, too, is incompatible with contentment since it is prompted by fear or need, including the need to make oneself interesting or imposing. Considerations of this kind are, of course, not likely to make bad people good; but then no considerations are. Pointing out the inconsistency of harming others while expecting not to be harmed by them will not impress a criminal who is out to turn the majority's law-abidingness to his advantage.

Health is single while disease has many shapes; it is the same in morality. There are many ways of vice and only one of virtue. Cowardice on the one side and foolhardiness on the other have numerous degrees, while courage lies in just one place between them, though not exactly in the middle since cowardice is more opposed to courage than foolhardiness. The fact that the middle state may have no name is unimportant; the virtuous man is neither ambitious nor unambitious but we cannot say what he is. In other cases the contrast is with one opposite only, or perhaps with mere absence. Thus we contrast justice with injustice alone, but here, too, there is only one way to act justly in a given case and many ways to act unjustly. So although virtue cannot always be conceived as a mean between extremes it always has to do with due measure and proportion, whereas vice is characterized by imbalance, disharmony and one-sidedness.

III

Prudence, temperance, fortitude, justice: these were regarded as the principal or cardinal virtues and placed in the centre of ethics. They are, of course, interconnected.

Prudence is now often depicted as if it were a vice; some moral philosophers equate 'being prudent' with 'being careful to avoid unpleasant consequences later', and oppose 'merely prudential' to 'moral' because they associate it with selfishness. This is based on ignorance or wilful misunderstanding. *Phronesis* or *prudentia* stands for 'practical wisdom', 'good sense', 'thoughtfulness', none of which is allied to egoism. Prudence is what ensures that a man considers the whole rather than the parts and sets due limits to his thought, feeling and actions. Every other virtue ceases to be one where prudence is lacking; a person with the intention of helping others is merely self-indulgent if he scatters largesse without regarding the need and worthiness of the recipients. Virtue requires making considered decisions instead of rushing headlong into action, or

avoiding action, or oscillating between the two. To be prudent, therefore, one must be able to look reality in the eye and perceive what under the circumstances is desirable and possible, and what means may be used to achieve the desired end. It is obvious that this demands maturity and experience of life, qualities not often found with young 'idealists'.

Temperance or moderation is misrepresented when it is predominantly applied to such things as eating and drinking and abstention from alcohol. For to be temperate or moderate is to rule *all* one's appetites and passions, to prevent them *all* from becoming too strong or from becoming too weak. Although the worst vices are caused by excess rather than deficiency, and unrestricted gratification of desire is the rule, insensitiveness and inappreciation are also bad. There is no call to condemn pleasures as such, no reason why natural desires must lead to excess of their own accord. Usually they do so only when strengthened by the imagination, and nowadays whole industries cater for this. Cases of artificial stimulation are the worst; a man who rouses his sexual appetite by means of pornographic books or pictures is more contemptible than one who is simply lustful. The latter may be incontinent, perhaps brutish, but unlike the former he does not opt for vice deliberately. Continence, on the other hand, is not yet temperance if it still involves suppression of the urges to gratification; in temperance the appetite itself has been moulded.

Contrary to common misconception the low bodily pleasures form only part of the field in which temperance is practised by the man of virtue. There are also the higher senses, the emotions and the pleasures of the mind. Vision and hearing are good when what is seen or heard is good, but even when it is they can be delighted in to excess or insufficiently, with excess being again the norm in this age of wireless and television. Many people view and listen indiscriminately, to the good and bad, if only they find it 'interesting' or 'exciting'; having become used to ever novel stimuli they can no longer do without them, just as they may become addicted to incessant talking whether they have anything to say or not. The best example of an emotion is anger; the temperate man is not one who never gets angry, but his anger will occur on the right occasions to the right extent and be in the nature of wrath rather than indignation. He will not suffer insults meekly but respond with vigour, without letting his anger run away with him or starting to spurt outrage. As for intellectual pleasures and passions of the mind it seems to be a common opinion that in their respect no moderation is required. Yet intemperance in thought easily leads to intemperance in action; a man immoderately fond of some idea will fasten on to it at the expense of others and in the end consider the adoption of any means for its realization. There are fanatics of cognition who, in their intemperate love of knowledge, forget that this passion, too, has to be moderated if there is to be virtue; in the striving for knowledge self-indulgence is rarely recognized.

Fortitude or courage is felt by many to have lost much of its importance while to some it is repugnant because it reminds them of a martial spirit. But changes in circumstances are irrelevant; fortitude is always one of the important virtues. A man who is fully aware of a danger, yet keeps his composure and is neither anguished nor intimidated, is virtuous assuming he takes his stand in no ignoble cause. The coward will call him foolhardy and the foolhardy cowardly. The foolhardy tends to be passionate while the brave man is quiet; he is resolute at the time of action but has no need to inspire himself to courage by braggadocio, therefore does not talk much before or after; and endurance is more characteristic of him than aggression.

Someone who has to overcome himself to act bravely, such as a soldier who trembles with fear yet goes on fighting, is often more admired than one who just is brave. But there is nothing admirable in being distressed. Fear, of course, is a fact of life, not to mention that it would be base not to fear such a thing as dishonour. Indeed, fortitude presupposes vulnerability which is why gods and angels cannot be brave - they are not susceptible to death or injury. There are things rightly feared by all man; the brave will fear them in the right spirit and without being indifferent to his life and the integrity of his body. Choosing death as a way of escape is cowardly, not courageous as is now often said. But since there are conditions on which life is not worth having some suicides are not cowards, for instance, when an incurable disease threatens to make them into cretins or when torture is becoming unendurable so that they may betray their country, family or friends.

As such examples suggest fortitude and its opposing vices may be shown not only in battle, even though they are most typically shown there. It is cowardly to give in to threats and blackmail out of fear for one's safety or reputation or to conceal one's feelings and opinions to avoid unpleasant consequences; not for nothing may we say of a person that he lacks 'the courage of his convictions'. Since one often stands alone on such occasions, and by speaking one's mind may oppose the general consensus of the day and earn the scorn or opprobrium of the public at large, showing 'civil' courage is no minor thing. The virtuous man will bear derision and abuse with equanimity if this is the price he has to pay for preserving his self-respect.

IV

Justice is acknowledged as a virtue by everyone; while many may admit being imprudent, intemperate or cowardly, no one will admit being unjust. But one man's justice is another's injustice, and no word has been so misused as this one. In its wider sense justice equals righteousness; to rob or deceive someone is then treating him unjustly. In the narrower sense which is now relevant it means to judge and allot rightly, to give every man his due - *suum cuique*. But justice stands above positive law in that the latter is often unjust

itself and in need of correction by equity or an appeal to principles of justice.

The goddess Iustitia is traditionally represented with a pair of scales in her hands; this is to symbolize that giving a man his due is to restore a lost equilibrium; and since in our imperfect world such losses occur all the time occasions for exercising justice are never lacking. What is due may be reward or restitution, or it may be punishment or seizure. Therefore, if a guilty person is insufficiently punished, or not at all, he is being done an injustice, in the same sense in which punishing an innocent person is to treat him unjustly. As the innocent has a just claim to be acquitted, so the guilty has a just claim to be punished even if people do not normally speak in these terms. Iustitia is always represented also as blindfolded which is to express the fact that in order to be just it is necessary to be impartial. The just man is no respecter of persons, shows neither favour nor ill-disposition, is not moved to leniency by pitifulness or to severity by arrogance. Since partiality conflicts with justice, a party-man or advocate of some sectional interest necessarily lacks this virtue, though he will usually be the last to admit it.

It is wrong to say that justice is always directed towards other people, for the virtuous man also directs it towards himself. Usually people tend to judge and treat themselves too leniently, but they also may think too little of themselves and be too modest. The just man will neither underemphasize nor overemphasize his claims. It is also wrong to equate justice towards others with justice towards contemporaries. Although the people of the future cannot be known, those of the past can, and there is justice and injustice towards the dead. The just man will treat them as he treats the living in not speaking disproportionately well or ill of them; even in cases where he feels strong sympathy or antipathy he will neither overpraise nor malign. All this may be regarded as no more than being objective, but then this is just what it means to give everyone what is due to him.

What is due differs from case to case and person to person; the just man does not confuse 'to each his own' with 'the same for each'. He knows that to treat different cases equally is as unjust as treating equal cases differently, that justice demands equality only for equals while for the most part people are not equals. If the cry for 'the right of man' or 'human rights' is a demand for equal treatment of all, it is a demand for injustice. Apart from the right to be judged justly there is no right which belongs to a person because he is human. For all other rights are conditional and may be forfeited, including the right to one's life, let alone such current favourites as the rights to the vote, free speech and free assembly. The conditions may often be negative - that one has *not* done certain things or behaved in certain ways but they are still conditions. As for such goods as food, shelter and healthcare, there is not even a conditional right to any of them; for though it is charitable to provide for the needy, a moral or legal *right* to charity is a contradiction in terms.

Since just and unjust acts may be committed unwittingly, it is necessary to distinguish between acting justly or unjustly and being just or unjust. Even an unjust man may do something which is just by accident, while a just man may occasionally act unjustly by mistake or out of ignorance. In some cases, however, justice is knowingly tempered or overridden even by the just man. On the one side this happens by the exercise of mercy, and justice unsoftened by mercy is rightly condemned. But mercy without justice is even worse, and mercy is no part of justice - to be merciful is just not to be just, is just not to balance the scales. On the other side justice is overruled by the *bonum commune*, and the demand that this must not happen is based on wishful thinking; *fiat iustitia, et pereat mundus* - justice be done, and if the world goes to ruin - is the slogan of people who take no responsibility for the common good. There are cases where evil-doers are better not prosecuted because the consequences of prosecution are too damaging, where innocents have to suffer because the welfare or survival of all can be bought at no other price.

V

Some other virtues must be added to these four to give a reasonably rounded picture; three in particular have seldom been omitted, ie, veracity, magnanimity and liberality.

Veracity is obviously essential, though it is also obvious that in this respect, too, the virtuous man can be no zealot. Cowardice or self-interest will not move him to say what is false; he will understate the truth rather than exaggerate it and not affirm categorically what he is not sure of. Knowing that many people are just doing this he regards the assertions of others with some scepticism, not least those of a general or theoretical nature. He will keep his promises and undertakings even when laxity in this respect is general and he will strive not to deceive even unintentionally. Here he will include himself, since self-deception is not a minor failing but a vice which leads to other vices. He will never be promiscuous and always be loyal, although his allegiance will cease should the object prove himself unworthy of it; his loyalty will extend to the dead.

Magnanimity means great-heartedness and high-mindedness; the magnanimous man is above petty feelings and petty insistence to the letter. Although he will not forgive in cases where the offender denies his deed, tries to justify it, or proves himself unreformable by showing no sign of remorse, he will not nurse a grievance, not whine or protest, not compare himself with others to complain that he has been treated 'unfairly'. Resentfulness is a sign of inferiority, and this no less when it is shown on behalf of others; for what prompts it is less the love of justice than the hate of those marked out as unjust; how often today does not envy talk in terms of fairness! The man of virtue has no need to escape from himself, therefore does not lose himself in other people's business or burden himself

with the problems of the world. He may be pained by things he cannot influence but is not anguished by them, no matter how much he might wish them to be different. He does not strain himself to make converts, not even to beliefs most dear to him; he learns from his opponents where he can and otherwise ignores them; he tries to avoid getting involved in disputes as well as defending and justifying himself.

Liberality lies between prodigality and improvidence on the one side, and greed and meanness on the other. The liberal man will not neglect his property or give it away heedlessly but will not be ruled by it either. He will neither hoard it nor be perpetually on the watch for lucrative 'investment'; he prefers owning objects of intrinsic value which yield him no profit. Only inferior people regard wealth as an end in itself and try to increase it beyond that which they can enjoy. Generosity consists in giving the right amounts at the right time to the right people, and he will not be diverted from this by passion, including compassion or pity which always means lack of detachment. But to say for this reason that pity should always be avoided is just as wrong as saying that it is always demanded. Pity as any other passion may be felt too little or too much; it is only self-pity which is invariably wrong, a vice from which other vices flow.

The virtue of liberality takes care of charity in its original simple sense: one man meets another and sees him to be in need of some vital necessity; if he is able to relieve him but does not do so he is contemptible. This simplicity ceases when the needy begins to demand charity as of right, or to take advantage of others' good nature to support his indolence or improvidence, or when it is not only need but many who are not encountered but known by report (including pictures on television). In each of these cases charity has to be modified if it is to be more than self-indulgence. And today's bustle of organized benevolence makes people forget that charity cannot be its own end; feeding the hungry and clothing the naked must presuppose the wish that there would be no hunger and nakedness, therefore no occasion for all this bustle.

Since the poor are always with us charitableness is always necessary for civilized life. But many other things are just as necessary, amongst them courteousness and gentleness, or whatever the opposites of overfamiliarity and aggressiveness may be called. Abolishing all deportment and formality is to abolish mutual respect, even if this is no longer a common view. When all are on first-name terms and slap each other on the back, they are all liable to snarl at each other and kick each other in the teeth. The virtuous man, therefore, will be gentle and keep a proper distance from others, for their sakes as well as for his own, though he will always be unassuming towards those below him on the social scale.

VI

We cannot imagine a person who is just but not

temperate, temperate but not liberal, liberal but not prudent, and so on. Virtue, in other words, is one; the individual virtues are only different aspects of it. The unifying principle may be seen in honour or the desire for self-respect and the fear to be ashamed of oneself. This honour is associated with pride, and there is nothing wrong with that, only with being vainglorious, arrogant and insolent, or for that matter with being obsequious and unduly submissive. Putting up with indignities for no noble end, or thinking it one's duty never to give pain to anyone, is another sign of inferiority. Pride is not opposed to humility; the proud man is the first to admit his culpability, to take the consequences without flinching, to apologize and make amends, even to do penance to cleanse himself; but he will not give excuses or provide long explanations for his actions. Humility is not self-disparagement or self-abasement but the constant awareness that no man is God or like God; it is the opposite of *hubris*.

The virtuous man as a realist will acknowledge the reality of moral evil and not be under the illusion that all people are basically good and only corrupted by circumstances. He will not be fooled by the numerous cases where evil masquerades as good, vice is disguised as virtue, and indulgence of self pretends to unselfishness, in a mixture of deception and self-deception. As an outrageous lie will find credence only when the liar himself manages half and half to believe in it, so these people can only succeed in so far as they can convince themselves of their pure intentions. Today the most unpleasant motives find shelter behind moral indignation, behind protestations of love for peace or nature, freedom or justice, this, that, or the other. The bigger the words and the greater the clamour, the more cause for suspicion.

No man of virtue will regard the steady increase in clamour in the present world as a sign that men are getting better. And he will not share the Kantian view that the faith in mankind's moral improvement is a moral duty. He knows that only individuals as individuals can improve and that this happens but rarely. The common run of men is incapable in this respect, no matter what one may say to them. 'For he who lives as passion directs will not hear argument that dissuades him' (Aristotle).

Even the virtuous man, however, is not proof against shame, not under all circumstances. Situations arise in which any possible course of action or non-action forces the agent to do something dishonourable. It may be less shameful to betray one's parents than to betray one's country, but it is shameful nevertheless. One can only pray for never coming into such a dilemma, and this shows that in the end morality cannot have the last word, that we cannot rest with virtue alone.

Although these remarks leave many questions unanswered, their general spirit would be one which conservatives find recognizable and congenial. Yet doubts may arise even amongst them about practicability: with conduct of the kind here praised can anybody be effective under present-day circumstances?

But then the fact that we have to make our way as best we can in the contemporary world, with its contemporary values or dis-values, obviously does not oblige us to regard good as bad or to redefine these words. Reality constrains our actions, not our moral notions, and reality always constrains, not only in the moral case. Consider a man who wants to make a park round his house and starts with a conception of what, if possible, it should be like – a large lake here, an old statue there, a tall cedar on the lawn; then he discovers that he cannot afford the lake, cannot find any suitable statue, will not live long enough to see the cedar in its glory;

yet although he cannot realize his conception what he eventually will realize is still inspired by it; and if he is no fool he will not confuse the finished result with the original idea. The same here: even where circumstances prevent us from realizing in our conduct our idea of virtue, our idea will inform our conduct, provided we do not start modifying our idea according to our conduct. In addition we must not overlook the power of example; those who practise the traditional virtues even to some small extent will do good to themselves and have some small influence for the good on others; more than this cannot be expected in the moral realm.

Dissidence in Bulgaria*

S. I. Kanikova

Bulgaria has even less of a tradition of 'dissidence' than Romania. The first stirrings of something like a socialist-bloc dissident movement came in the autumn of 1987 when four professors of Sofia University were dismissed for speaking in favour of Gorbachevite reforms. A small student protest followed and a dozen students, all of them Communists, were dismissed. Like the ecology group, concerned with the pollution of the town of Russe, whose members were dismissed from their functions and posts in July 1988, the university professors' stand was a minor example of what is rather comically known as 'reform Communism'. The attacks on the Russe Committee, and on the university professors, demonstrated that there might well continue to be talk of reform, but reform was just a new word in the Party jargon. Essentially nothing would change.

While activities in Sofia were led by professors and a few younger people, the situation in provincial cities was quite different. That difference is demonstrated in the Independent Association for Human Rights. There something like a dissidence appeared. Its creators were people who remembered pre-socialist Bulgaria, some of them even former Communist partisans, who under 'socialism' had neither attained nor tried to attain positions of any influence. Several young people joined them, too, like the young painter Dimiter Tomov or the poet Peter Manolov, who went on protest hunger strike. A chain of dissident hunger strikes still exists in Bulgaria; one week one person, whose strike is taken over the following week by another. The provincial protesters were immediately attacked in abusive language in the official press, but whatever the man on the street's reaction to the official Party attacks, the impulse given by provincial dissidents continues to have an effect among intellectuals, even in Sofia. The provincial protesters declared themselves to be utterly opposed to the socialist system.

Apart from the provincial protesters, the unofficial trades union movement for intellectuals, *Podkrepa*, which has had some minor public impact, is not reform Communist, and is therefore considered anti-nationalist. That is the worst thing one can be in Bulgaria. Even educated, non-socialist, even anti-socialist, Bulgarian intellectuals may use 'anti-nationalist' or 'anti-Bulgarian' as a term of great abuse.

The atmosphere in Bulgarian dissident feeling has changed since the end of 1988; at the same time nationalist fervour of an openly racist type has increased. Furthermore, the general public, including apparently intelligent young and middle-aged people, appear to be beginning to believe the blatant lies of the press.

Still, the so-called dissidents, with one or two exceptions, have very little in common in their aims or their thought with nonconformists in Poland, Czechoslovakia, or even the Soviet Union. Morally Bulgaria has disintegrated so far that any reparation of the Bulgarian socialist disrespect for the individual, for privacy, for personal loyalty, is impossible. Intellectuals speak wisely of the twenty to thirty years necessary to cure Bulgaria of socialism; most of them are unaware of their own moral degeneration. I believe that our genes have been so impaired by three generations of morally corrupt personal relationships, that it will take a hundred years at least to make good the damage. The Bulgarians, who before Communism (with the exception of the members of the Bulgarian Coburg family) have never had an upper class, were a nation of peasants, artisans and traders. They mutely accepted Turkish rule for centuries and even allowed their Church to be taken over by Phanariotic Greeks, while those Greeks were meant to be oppressed Christians just like the oppressed Christians of Bulgaria. What has changed is that once a few people started to speak openly on *Radio Free Europe*, Bulgarian intellectuals started to speak more openly among themselves. Nothing of what was

said by inhabitants of socialist Bulgaria on *Free Europe* or *Deutsche Welle*, or indeed the BBC, revealed anything approaching an independent way of thinking; the background thought processes were essentially reform-‘socialist’, though it is quite possible some of the contributors were not aware of that.

The case of the ten or so *samizdat* collections of verse which have appeared over the last year (they were sold in the streets in the Turkish or *Stand* fashion, or distributed to friends) is not a particularly cheering phenomenon either. These collections were peddled as banned texts, but most of them had been refused by publishers because they were so bad.

Still, there is change, however insignificant it may be in political terms. Towards the end of May 1988, a group of young painters in Sofia organized an exhibition called ‘The City’. They transformed a traditional gallery into a space, which comprised a street, a square, an urban park, a crossroads, a bus station – parts of a contemporary city, a city which did not need a name, because all visitors would recognise it. A filthy, shabby, grey, grotesquely beautified, oppressive city, full of signals of distortion, signals of a command society, signals which impose on the visitor to the exhibition the obligation to move through the space. A city unsuited to living, a city which reminds one of a *chose inutile*. Among dustbins on a street-corner a thin, enthusiastic busker was playing a fiddle. This fiddler, Itzhakh Fintsi, embraced his violin with a sense of happiness before the filthy wall, and played his little tune, and thus remained a human being in the urban landscape. This busker represented the only lovable human object in a totally unlovable, inhuman environment.

The exhibition itself was of little artistic value. It was amateurish and, from most points of view, very old-fashioned. What was new was that provinciality was suddenly seeing itself from outside. The city lay there like a hideous hag seen through the eyes of the beautiful youth she is wooing. The sense of freedom this exhibition transmitted constituted its chief importance. It was a space wrenched out of the drilled-in ‘socialist’ conception of a reality. With all their kitschiness, the amateur painters who exhibit their pictures near the gallery, in the park in front of the Krystal café, create a similar space. These painters received permission freely to exhibit on the streets two years before the ‘The City’ exhibition. The nickname which this park has received expresses well the character of the art displayed there. On ‘Art’ one would meet the same people one could see at ‘The City’ or at the concerts of Itzhakh Fintsi, people who at least searched for the comic side of ‘socialism’ and wished to experience the illusion of minimal freedom. It seems that such illusions are necessary for a consciousness which is constantly under the pressure of its own unfreedom. The authorities permit this illusory experience to release social tension, at least a little. But however illusory the sense of freedom, the experience itself is authentic. Such experiences, however minor

they may seem to someone not brought up in the socialist system, are capable of conserving people’s sensibility and preserving those people from social blindness.

The two new literary-cum-journalistic *samizdat* periodicals *Most* and *Glas* began to appear in 1989, and remind one of the ‘The City’ exhibition and ‘Art’ in front of the Krystal café. The intellectual levels of the two phenomena may be different, but they create a similar space. Both periodicals are published at the editors’ expense and distributed free. The periodicals’ contributors are also its readers. They are of no fundamental literary or political importance.

The chief editors of both periodicals are poets in their thirties. The poet and critic Edvin Sugarev runs *Most*, which is intended to be for the ‘publication of experimental poetry’. The title ‘Bridge’ refers back to a periodical of the 1920s edited by the Bulgarian Modernist poet, Atanas Dalchev. Sugarev wants to publish in *Most* poems which have been refused elsewhere or expurgated, or are completely new. The idea of ‘Bridge’ does not suggest an actual bridging of any gap, but the existence of some way forward; a bridge is being built, but no one has yet decided where the other bank is. Sugarev claims that his *samizdat* periodical is not political, but in Bulgaria it appears to be so.

The poet and translator Vladimir Levchev, who edits *Glas*, which means ‘A Voice’ but is also an allusion to *glasnost*, is the son of the poet Lyubomir Levchev, who until recently was the chairman of the Union of Writers. When Lyubomir Levchev was a young poet, he was considered to be a liberal force in Bulgarian literature, but during the 1980s it was thought that he had sold himself to the regime. Vladimir Levchev intends his periodical as a general literary periodical for original and translated work which would not otherwise be published. He inaugurated *Glas* with a lyrical leader which called for *glasnost*.

Both Sugarev and Levchev are members of the Club for the Discussion of Glasnost and Perestroika. Levchev publishes discussion papers by other members of the Club such as Zhelyu Zhelev’s essay on the meaning of Gorbachev’s policies (Zhelev is the author of a book on Fascism, condemned in Bulgaria for its analysis of ‘socialism’). *Glas* has published articles critical of the literary situation in Bulgaria, statements which could not be published elsewhere. An example of that are the articles by Alexander Kyosev and Mikhail Nedelchev.

At the beginning of 1988 Vladimir Levchev and other young poets and critics formed the 39 Club. This was a reading club which met mainly at Sofia University and soon expanded greatly. The last two numbers of *Most* and *Glas* contain news of the last meeting of the 39 Club, which, under various pretexts, was prevented by the university authorities from taking place. Without the knowledge of the members of the Club the university authorities posted notices declaring that the meeting would not take place for technical reasons. Over twenty poets had been invited to that meeting for readings of their works. Both periodicals

publish open letters sent to official publishers and newspapers, but not published by them.

There were open letters sent to various Bulgarian institutions which were not published in the two *samizdat* periodicals. The majority of them was linked with the Independent Association for Human Rights. After the security forces searched the flat of the Association's chairman Peter Manolov, confiscated the files of the Association and the poet's personal files, Manolov went on hunger-strike. Members of the Association reacted, together with members of the Glasnost and Perestroika Club, and of the intelligentsia who had nothing to do with any so-called or real 'dissident' organization: Manolov's wife wrote an open letter to the Bulgarian Party leader, Todor Zhivkov. One of those letters, which constituted an analysis of jargon and of press manipulation, was signed by ten people, including Edvin Sugarev, the university teacher Alexander Kyosev, the author of this article, and Emil Zakhov, an engineer. These letters were sent to at least five newspapers - with the exception of the Mrs Manolova letter. Other letters were sent to Lyubomir Levchev as head of the Union of Writers.

Another type of unpublished open letter arose when more and more people began to understand that all talk of reforms in Bulgaria was entirely empty. These included so-called 'active anti-Fascist fighters'. Another type is constituted by those written by what one might call independent 'currents' of dissidence, ordinary people who criticised the country's economy. These were written in reaction to various government decrees on the reform of industry and agriculture. These ordinary people wrote that none of these governmental 'reforms' could lead anywhere.

Another such unpublished open letter came from the Glasnost and Perestroika Club, before the new law on passports. This letter was sent to the National Assembly. They demanded a law which would not be simply a Communist reformulation of old laws, but a law which would grant such freedom of movement as existed in the West.

An important small movement was formed at the

end of the spring of 1989, the Committee for the Protection of Religious Rights, led by an Orthodox priest. This movement's aim is to expose the gap between what the constitution declares to be the case - total freedom of confession in Bulgaria - with the reality. They demand voluntary religious education in all schools, and that no one should be persecuted on account of his religious convictions. They also demand that official religious institutions should no longer be run by police colonels. The religious movement is concerned not only with Orthodox Christians, but also with Roman Catholics, Moslems and Jews.

All the so-called dissident movements in Bulgaria, including the Committee for the Protection of Religious Rights, still exhibit a uniformity; they all desire official status. The older people, those who belonged to various pre-1944, pre-socialist organizations, believe, almost mystically, that the old institutions still exist and could take over the ruling of the country at any moment. Another political superstition is that of the former partisans who still believe in a pure Communist ideal. A third is of those who believe in reform and Gorbachevism. A fourth, that of the intellectuals who believe that producing *samizdat* publications for themselves is a more effective act than private creation. Perhaps the most acceptable of the superstitions is Sugarev's, that things of general value should be made public, and that that will influence the state of Bulgarian culture.

Generally speaking, each of these groups respects only its own superstition, and has very little esteem for the superstitions of others. Together the superstitions constitute fabrications which claim that autumn is spring, that something new is burgeoning, when, in fact, what is new is the colour of the decayed leaves. Thus far, however, the Bulgarian soul, which really might be able to do something about the state of affairs in Bulgaria, is in no better a state than the agricultural cooperatives. Only Nature, not Society, could do something about Bulgaria.

* This article was smuggled out of Bulgaria last year.

FURTHER INTIMIDATION

In December (Vol. 8, No. 2) we alerted our readers to the intimidation by his colleagues of Paul Rowlandson, a lecturer at the Polytechnic of East London, following the publication of his article "Gender, Psychoanalysis & Intelligence: the Case Against Affirmative Action" (Vol. 8, No. 1).

Since then, the students' union at PEL has

joined in the campaign for his dismissal. In an article entitled 'Rowlandson is an extreme right wing bigot', it is written that the "students' union will... actively fight not only the views that Rowlandson expresses, but also his continued employment at PEL." *Overdraft*, (25 January, 1990)

The Politics of Charity

Ansel Harris

The White Paper 'Charities; a Framework for the Future' (Cm 694), published May 1989, anticipated new legislation for charities. But unfortunately this legislation will not make 'any substantive change in the present law' (2.4). It will deal essentially with the implementation of the proposals of the 1987 Woodfield Report 'Efficiency Scrutiny of the Supervision of Charities', the financial aspects of the management of charities and their fundraising. That Report was less concerned with the probity of a charity in relation to its declared objectives. But the White Paper did underline the 'need for extensive reform' (1.14).

When a Charities Bill is introduced, it will address the problems of 'the balance between on the one hand proper control by the Charity Commission... and the freedom and corresponding responsibilities of individual organisations to develop' (1.18). The definition of appropriate areas for charity activity will remain to be decided by the courts.

Whilst 'The last major piece of charities' legislation was in 1960', the most significant recent example of the process through the courts was in 1981. In March that year Mr Justice Slade, in the Chancery Division, rejected the Amnesty International Trust's application to be classified as a charity. (*Times Law Report* March 18 1981).

The publication of the White Paper (and the legislation on Charity Law that will surely follow) is an opportunity to examine the recent tendency of some major charities, particularly those involved in overseas work, to become involved in political (non-charitable) activity.

Developments in Oxfam, culminating in the recent publication of its Position Paper Israel/Palestine (PPI/P) are a case in point. The positions taken and statements in this Paper are *ultra vires*. It is mendacious, biased and distorted. It lacks objectivity and recommends a programme of political action.

Before exploring the Paper, one general observation on the Oxfam approach is offered. Their behaviour might not be unlawful but it does demonstrate a further decline in the standards the public have come to expect of the charity, and its attitude to freedom of information.

The PPI/P was adopted in the Autumn of 1988. It adopted a new policy, but concealed it from its supporters who voluntarily give their time and their resources. It adopted a policy, to which, as has now been demonstrated, many of its supporters object. They have shown this by withdrawing their support. But for a whole year they were loyally and enthusiastically supporting the charity unaware that it had adopted new policies to which they took strong exception. The White Paper takes a similar view when it observes 'nor do the government believe that the public would for long continue to display their generosity if charities

were to align themselves to causes with which individual donors might well differ strongly on political grounds' (2.14).

Oxfam's Involvements in Non-charitable Activities

There is no shortage of evidence for Oxfam's greater involvement in political issues over the last decade.

● With the publication of Mr Justice's Slade's ruling in March 1981, I, as Honorary Treasurer of Oxfam, wrote to the then Director General. I urged him to note this judgement, particularly as there was an incipient increase of political activity being pursued in the name of Oxfam. He wrote to all senior members of the charity, trustees and staff alike. He wrote of 'the wisdom of our policy of avoiding the Charity Commissioners for as long as we can, whilst proceeding with what we believe to be consistent with the best interest of our partners overseas and our donors' intentions in this country, even if these do not always allow us to go as far as we as individuals would prefer.' But this caution, as will be demonstrated, was not heeded. A pattern was established, culminating in the current Paper under review.

● On the 14th June 1981 the *Sunday Times* published an article commenting on the report that Oxfam money 'by error or design' had been sent to the guerrillas in El Salvador. Within weeks of that report, Oxfam itself published its Oxfam News on Central America. The centre-spread was blatantly political. It could have done the charity considerable harm, had members of the public been sufficiently concerned.

● In 1982 Oxfam published a number of books which contained many politically loaded comments. In reviewing them in draft form one of the then trustees, the late Sir Willie Morris wrote, 'I have serious doubts about the wisdom and propriety of publication... I believe there is evidence of a degree of political commitment about, for example, the history of imperialism, the evil of the profit motive, the wickedness of multinational corporations... that they are probably in breach of the law on the use of Charitable funds and are likely to draw criticism on Oxfam which will put its sources of revenue at risk'. The publication itself is similarly criticised.

● The Israeli invasion of Lebanon in June 1982 exacerbated the horrors of the unending civil war in that country. It added to the problems of refugees, their homelessness, poverty, malnutrition and ill-health. This invasion provoked The British Refugee Council (BRC), a charity that receives considerable funding from Oxfam (1987/8 £57,000), to publish a series of special bulletins, although it had not been so moved during the previous seven years of the civil war.

Lebanon Bulletin Number 6, September 1983, was funded by Oxfam. The first paragraph of the editorial

read as follows: 'It is 15 months since the Israeli invasion of Lebanon and a year has passed since the massacres in Sabra-Shatila'. The innuendo is clear. But what is unstated is that seven months had passed since, in February 1983, the Israeli Kahan commission published its report on the Sabra-Shatila massacres. The report severely castigated individual Israelis for their insufficient concern and concluded that 'the minister of defence bears personal responsibility'. He was dismissed. Yet seven months later the BRC's Lebanon Bulletin carried the editorial with its heavy political implications and innuendo. Whilst Oxfam cannot be responsible for the editorial, its indifference to the bias of the BRC's publication throws doubt on the impartiality of its own position. It also allows us to ask whether it is appropriate for a charity to dispose of the funds the public has entrusted to it, for public information activities, over the content of which it has no control.

- On June 14 1982 within a week of the Lebanon invasion, ten days after the attempted assassination in London of Ambassador Argov which sparked off that invasion, Oxfam's then Director General, together with colleagues from Christian Aid and CAFOD, wrote to the *Times* of the '600,000 Lebanese and Palestine people homeless'. This statement was subsequently corrected, not withdrawn, and then only in Oxfam News, not the national press.

- The following year in 1983, Oxfam published a leaflet entitled 'The Arms Race Kills'. The Charity Commission subsequently commented: 'We have considered most carefully the views put forward and made clear to the trustees our concern in the matter and the areas in which the charity might be held to be vulnerable. We have stressed the importance of ensuring the activities of the charity are directed to its principal object and that educational material should not stray into the realms of propaganda or contentious political debate'. This comment should have generated some heart-searching and caution. Again the comment was not heeded.

- In 1983 two speakers at a meeting sponsored by the Council for the Advancement of Arab British Understanding (CAABU) at the Central Hall, Westminster were billed as 'of Oxfam'. When challenged on this the Director General advised that as they were only consultants to Oxfam and not employees 'my power of action is pretty limited'.

- In 1986 Oxfam refused a consignment of meningitis vaccine for Burkina Faso for which its Department of Health had appealed. This was refused on the grounds that the organisation could not 'risk a *faux pas* - it would be extremely embarrassing and stupid to receive boxes with the indication "gift of American Jewish World Service"'. Oxfam House endorsed the action of its people in the field, but later apologised. This action however led a large Jewish Foundation in this country to advise 'until our Trustees see Oxfam's deeds speaking louder than its words, the Foundation will continue to reserve its position with regard to support'.

- In 1987 Oxfam part-funded (£4000) the production and publication of the new edition by the educational charity, the Minority Rights Group's (MRG) *The Palestinians* by David McDowall. (McDowall had in the past been retained as a consultant by Oxfam receiving 'a fee and expenses for fundraising from Arab sources'.) In the view of at least one of its trustees 'MRG should not have been published for it was far from objective'. As in the case of the BRC Bulletin mentioned earlier, this dissipation of donors' funds to other bodies who use those funds to publish contentious and political pamphlets, suggest abuse of the donors and the funds at Oxfam's disposal.

- The 1988 Action Plan proposed in the Position Paper (PPI/P) lists a number of campaigning strategies, including the intention to 'continue to respond to and stimulate ad hoc requests to fund films and books in line with our declared position' (13.2). The latest manifestation of this is the tendentious edition of *New International*, September 1989, 'Suffering under David's Star'. In the leader the editor acknowledges Oxfam (and the World Association for Christian Communication) 'who enabled me to travel to Israel and the occupied territories'.

- Another stated aim of the Action Plan is 'to continue helping partner organisations in the occupied territories to address European centres of power on issues arising from their work' (13.6). As the Action Plan is to be informed by the views expressed in the Position Paper itself, it will clearly be political in content.

- Amongst other issues debated in the last few years and on which Oxfam has taken positions and published are Kampuchea, South Africa and Namibia. In 1987 the Council adopted a pro-sanctions policy. Of course not all trustees supported it. In the words of one of them it meant that the Charity would 'risk falling foul of the provisions of Charity Law'.

In 1986 Oxfam adopted guidelines for its education and campaigning programme. The guidelines included the following advice to 'be scrupulously balanced and accurate in public statements and avoid political rhetoric'. The Position Paper under discussion ignores these guidelines, as will now be illustrated.

The Oxfam Position Paper Israel/Palestine (PPI/P)

The Paper does not offer an analysis from which conclusions are drawn. It is more in the nature of a political pamphlet aiming at effecting political change. It is advocacy rather than analysis; it contains neither historic preamble nor perspective; and although in the popular edition published in a recent issue of *Oxfam News* there is recognition that 'the position is complex and tragic', the Paper itself makes no attempt to set the current situation in the relevant perspective.

The Paper reads in many ways like a *precis* of the MRG's publication *The Palestinians*. But it differs in one significant aspect. The MRG's paper calls for the 'empowerment of the Palestinians'. It admits that 'in few historical situations are there so many dilemmas and ironies'. The Oxfam Paper offers no historical

background which would give it and its readers a more objective analysis from which to draw conclusions.

The Charity Commissioners' 1986 publication 'Political Activities by Charities', written 'to provide guidance for charity trustees and others on the extent to which it is permissible for charity to engage in activities which might be defined as of political nature', states in paragraph 4 'the extent to which this (political debate) is proper for a charity depends on the nature of the charity itself; on its trusts; on the public; and on the way in which the charities conduct their publicity or their public intervention'. It is argued that the Position Paper and the intended subsequent publicity do not conform to these guidelines.

The Paper is dishonest and contradictory. It asserts that 'the conflict centred on Israel/Palestine is the only area of major conflict in which Oxfam works where it does not have a well defined communications policy' (12.2). But it does not have one on Northern Ireland, nor on the Sudan nor Ethiopia, nor even on the Lebanon!

It is biased: 'this policy (of even handedness) was phased out in 1977 on the grounds that Israel is not a third world country. The concept of working on both sides was also felt to be inappropriate in this situation' (2.2). This is an astonishing statement in an humanitarian charity. Its role is to work where there is a need and not to take sides. Furthermore in taking sides and ceasing to be even-handed it is clearly making a political statement and taking political action.

It is ambiguous. It speaks, as indicated above, of not working in Israel because it is not a third world country but 'attention must also be drawn to the situation of the Arabs within Israel, especially the Bedouin of the Negev who have hardly any voice in the outside world to draw attention to their plight' (11.5). Its ambiguous position is further emphasized by a statement in one of its current leaflets 'Oxfam in Action' which declares, 'Oxfam has agreed never to exclude totally any country from its list of recipients'. So where does it stand?

It is inflammatory. It accuses the Israel government of showing 'very little respect for due process (of law)', (7.2). We will return to the legal aspects of the paper in due course. But in the same paragraph it supports its accusation that Israel 'uses a variety of pseudo-legal devices' by 'its use of British emergency regulations promulgated for dealing mainly with Zionist terror actions under the mandate' (7.2). These regulations were in fact introduced following the outbreak of the 1936-1939 Arab riots. The Minority Rights Group's publication states 'in 1936 the peasantry of Palestine rose in revolt... it took British troops 18 months to repress the revolt and they only succeeded in doing so by ruthless measures including sacking of villages and the summary execution of suspects'. These actions were under the Emergency regulations. Not only is Oxfam's statement false, it also uses inflammatory language to make it. It is gratuitous in the context. The argument is not advanced by using antiquated termino-

logy redolent of the mandate period forty years earlier. Had the authors of the paper wished to attack Israel's policies in the occupied territories, and there is a place for this in the political argument, it still has to be 'scrupulously balanced'.

Oxfam rightly does continue to work in non third world countries such as South Korea, Mexico and South Africa. It works in a total of 77 countries. Whilst the definition of a third world country is variable, it is worthy of note that the Brandt Commission, 1980, identified 29 'least developed countries'. The United Nations Conference on Trade and Development (UNCTAD) in its 1989 report defines less developed countries as those with income of under \$500 per person per annum. It lists 56 countries in that category. So certainly by United Nations and Brandt definitions some of the countries in which Oxfam is working are not third world countries.

Oxfam has received numerous letters of protest following the publication of this Position Paper. Its standard answer to these protests includes the following observation 'in what everybody recognises is a sad and complex situation...'. Few would dispute this. But one would not appreciate that this was the case from the Position Paper. As Chaim Weizmann observed 'the conflict between ourselves and the Palestinians is not a conflict of justice against injustice but a conflict between two equal rights'. The PPI/P makes no attempt to recognise this reality. There is no attempt to analyse how the 'Occupied Territories' have come into existence. There is no attempt to suggest that the absence of peace is the major inhibitor of development. It is Jordan whose West Bank territories were occupied in 1967 as a result of Jordan breaching the Armistice agreement. But it is Jordan also that still subscribes to the Khartoum 1967 resolution 'no peace with Israel, no recognition of Israel, no negotiations with Israel'.

Lacking in the polemic of the Paper is any recognition of any positive achievement of benefits of the twenty years of Israeli occupation and particularly compared with the twenty years of Jordanian and Egyptian occupation of Gaza and the West Bank respectively. In terms of economic development, the *Wall Street Journal* [20th September 1983] wrote, 'between 1970 and 1975 the real GNP of the West Bank rose an average rate of 14%, one of the highest rates in the world, higher even than Japan'. More recently, the *Financial Times*, [26th September 1989] observed 'the Israeli occupation actually spurred great growth'. Some of that prosperity derived from the repatriated funds from Palestinians working abroad. Some is the result of the involvement with the Israeli economy. This is not to suggest that there is no poverty in the West Bank, but it is suggested that a proper assessment of the conditions on which to base a policy is the first requisite of a policy. This assessment is lacking.

The Paper itself is studded with distortions and omissions, and lacks supporting statistical evidence. Perhaps the most glaring omission is its failure to acknowledge a statement made in a report that Oxfam

itself sponsored. I refer to the Report by the World University Service and the International Commission of Jurists, on 'Academic Freedom under Israeli Military Occupation,' 1984. This report attempts to be objective and in part is severely critical of Israel. Its first conclusion however should be noted. 'It is ultimately to Israel's credit that such an expansion of higher education was in the end tolerated. The emergence of the six main institutions in their present form between 1973 and 1980 is good for the teachers and students concerned and for the West Bank and Gaza as a whole'. In the fields of schooling the following figures are indicative:

GAZA	1976	1987
Number of schools	56	99
Number of classes	815	1881
SAMARIA AND JUDEA	1969	1987
Number of teachers	3887	7697

(Figures provided by Bipac, London)

Under the discussion '4. Health' we are offered the one statistic in the Paper, that 'there is an unacceptably high incidence of infant mortality exceeding 80 in 1000 in some places' (4.1). In figures available from the Israel Ministry of Health report 'Health in Judea, Samaria and Gaza', 1988, the following information is given on infant mortality per 1000:

YEAR	GAZA	WEST BANK
1968	88	33.6
1988	28.1	21

And on medical staff per 10,000

	GAZA	WEST BANK
DOCTORS 1974	2.3	1.8
1988	4.2	3.0
NURSES 1974	7.4	4.6
1988	9.1	8.8

These figures of improvement are certainly not typical of third world health statistics: eg Egypt, 1985, had 2 doctors per 10,000 and 2.7 nurses; Sudan 1984 1.0 and 6.2 respectively.

In April 1989 the United Nations Environment Programme adopted the report of its Executive Director on 'the Environmental Situation in the occupied Palestine and other Arab territories'. It is difficult to reconcile the Oxfam Paper and this report. A few quotations will suffice:

'the general environment has shown improvement over the past several decades'

'water used for agricultural, domestic and industrial uses increased greatly during the last 20 years'

'the West Bank and Gaza (with Israel) comprises one of the few regions in the world in which desertification has been reversed'

'the infrastructure of human settlement in the West Bank and Gaza and the general health conditions of the population have developed and improved over the last 20 years'

Nowhere is the bias and distortion of Oxfam's PPI/P better illustrated than through the above quotations. Few intelligent observers would suggest that the occupation is not fraught with problems and that excesses frequently occur. But the resolution of these problems require a balanced understanding of them, a condition lacking in the Oxfam Paper.

A considerable portion of the PPI/P is taken up with the discussion of the Law. The General Assembly of the United Nations, its opinions and decisions are frequently quoted. Sadly the General Assembly is now a discredited one. In recent months it has again earned opprobrium in its failure to name Syria as the aggressive power creating the carnage in Beirut and engendering new flows of refugees. Another example of its position in this particular debate was the adoption by the 30th General Assembly in 1975 (by 72 to 35 with abstentions) on a resolution equating Zionism with Racism. To quote Ivor Richards, the then chief delegate to the UN in the debate, 'the resolution confuses fascism and racial discrimination with nationalism. Such confusion can only serve to undermine the right of the State of Israel to exist. The United Kingdom categorically rejects and will oppose every such move. The resolution can only add to the difficulties to obtaining a peaceful settlement in the Middle East. The United Nations cannot succeed in an atmosphere of discord. Branding Zionism as racism has created precisely this atmosphere. Capriciously introduced and wantonly pursued, the resolution has proved the most divisive issue of the Assembly. It risks bringing the whole organisation into dire peril. It is exactly the wrong issue raised in the wrong way and at the wrong time'.

And as recently as October 1989 the General Assembly by 95 votes to 35 with 15 abstentions threw out a resolution to unseat Israel. The record on human rights of many of the countries supporting the resolution leaves them open to the severest criticism. But they readily condemn Israel and attempt to banish it from the comity of nations.

The Position Paper devotes about a quarter of its space to the legal argument. And whilst it scathingly talks of 'Israel's pseudo legal devices' (7.2) it must not be forgotten that Israel is in military occupation of some of the territories of Palestine west of the Jordan. A large minority at least of Israel's population and its government are opposed to this and are seeking a secure, moral and peaceful solution. The majority of Israel's population is aware how damaging a military occupation is to the occupiers and the occupied alike, and therefore deplore it. The series of wars with the surrounding Arab states who tried to strangle Israel at its birth in 1948, have led it to feel the need to be powerfully armed and to accommodate its isolation. Yet despite these conditions Israel is a parliamentary democracy. It has an independent judiciary, a free

press, and is a pluralistic society. Within that society there are many institutions vigilant of infringements of the rule of law and excesses by the occupying forces. I refer to, amongst others, the Association for Civil Rights, headed by Chaim Cohen, the distinguished former President of the Supreme Court; the West Bank Data Project, headed by the outspoken former deputy Mayor of Jerusalem, Meron Benveniste (this project is part funded by the Ford Foundation); and the International Centre for Peace in the Middle East, with Mr Abba Eban as its chairman. It was this last group that met with Yassir Arafat in Sweden in December 1988 and encouraged him to move his position, albeit marginally, in a positive direction.

Yet, despite the existence of these bodies and their efforts, and despite the very limited funds at the disposal of Oxfam available to serve the poorest of the poor, it is funding a number of projects in the occupied territories with similar aims. For example in the years 1985/87 it granted \$217,000 to the Law in the Service of Man project (and in 1988/9 allocated a further \$130,000 to it). This type of spending is, in the circumstances described above, extravagant and disproportionate. Particularly so when at the same time the Oxfam general appeal highlights the basic needs world wide that its limited resources prevent it from meeting. '£100 paid for the training of four volunteer literacy teachers to work with the poorest villages in Bangladesh' is one of its relevant current messages.

Many of the Israeli organisations referred to have themselves highlighted and recognised that abuses take place. A parallel could perhaps be drawn between the campaigns by these bodies with that in the UK, taking 14 years, to have the judgements against the Guildford Four overturned.

The Israeli courts have a distinguished record in the same context. Perhaps the most rigorous analyst and vigilant watch-dog of these problems is the West Bank Data Project. In Benveniste's West Bank and Gaza Strip Atlas, 1988, the issue of Elon Moreh was discussed: 'Therefore when the area of Elon Moreh was seized, the representatives of the Administration did not conceal their main intention, which was to establish a permanent settlement there. For that reason alone, the seizure was revoked by the High Court.' In the territories there is the concept of State lands derived from the Ottoman Land Law of 1855. Benveniste indicates that it is 34% of the West Bank area that has been declared state land, not 'more than half' as stated in the Position Paper.

The assertion that Israel does not acknowledge that its control over the West Bank and Gaza amounts to a 'belligerent occupation' (7.1), is not the position of the High Court. To dismiss these decisions of the High Court which the authors of this paper do not like, and to ignore those favourable decisions of which it would approve, is a further demonstration of the partisanship and unreliability of the Paper.

We have therefore traced the increasing political attitudes in and statements by Oxfam over the last

decade of which the Position Paper is the latest example. These have had their repercussions on the finances of the charity.

Education and campaigning spending has risen from £740,000 in 1982/3 to £2.5 million in 1988/9. And a good example of that type of spending is illustrated by the proposed action plan (section 13) of the Position Paper. It pledges to 'continue the process of helping partner organisations in the Occupied Territories to address European centres of power on issues arising from their work'. This clearly political position is in defiance of warnings of trustees and advice by the Charity Commissioners, both referred to earlier. In its 1981 Report, paragraph 54, the Commission offered guidelines which 'may be of help for the general guidance of Charity Trustees'. The guidelines include:

if a Charity's objects include the advancement of education, care should be taken not to overstep the boundary between education and propaganda in promoting that object; for example the distribution of literature urging the government to take a particular course or urging sympathisers to apply pressure to members of parliament for that purpose, would not be education in the charitable sense'.

Oxfam's spending has become skewed and is increasingly diverted from its perceived goals. Looking at its 1989 accounts we learn that its gross income totalled £81.1 million. Of that, its overseas aid programme, excluding the implementation costs, totalled £38.7 million. That is to say only 48% of the gross income went on direct overseas aid - for every £1 collected only 48p was devoted to direct overseas aid.

Possibilities of Remedial Action

It is now appropriate to suggest the possibilities of action by the Charity Commissioners, and other statutory bodies, particularly in the light of the debate sparked off earlier this year by the publication of the White Paper. The position is clearly spelled out in the section of the White Paper 'Political Activities by Charities': '2.39 The Charity Commission's guidance is, broadly, to the effect that:

- governing instruments should not include a power to exert political pressure except in a way which is ancillary to a charitable purpose;
- the powers and purposes of a charity should not include the power to bring pressure to bear on the Government to adopt, to alter, or to maintain a particular line of action, although charities may present reasoned argument and information to Government;
- where the objects of a charity include the advancement of education or the power to conduct research, care must be taken to ensure that both objectivity and balance is maintained and that propaganda is avoided'.

Charity law has a long history. The first Statute was passed in 1601. The most significant piece of case law was the definition of four categories of Charitable

Purpose laid down by Lord Macnaughton in 1891, 'The Pemsel Case'. To quote the White Paper: 'It is not surprising... that the system of supervision under which Charities operate needs some updating'. (1.12).

It is not the purpose of this paper to debate the intricacies of Charity Law. But in the light of the White Paper some observations are appropriate.

It is a pity that the current view is that there should be no statutory change in the law, and that case law should be the vehicle for change. For example the role of the trustee is that of the guardian of the funds entrusted to the charity by the public. However in the larger charities, it is the paid servants of the charity, who, involved professionally in the day-to-day management, evolve the policy. In law, however, it is the trustees who are said to run the charity.

Charities have different ways of selecting their trustees. They are selected by existing trustees often on the recommendation of staff. If trustees are to remain a necessary feature of Charitable Trusts (and this also is debatable) a form of structuring could be devised to ensure that a Council of Trustees is not merely a self-perpetuating establishment. A mechanism for ensuring that the Council is composed of committed members, but from a multitude of disciplines and interests, can be postulated. One can see a model in other voluntary organisations - Governors of Universities and Colleges for example. The application of this model could help ensure that critical, non-partisan decisions are arrived at only after vigorous debate, and that the trustees' watchdog role is fulfilled.

The Amnesty International decision in 1981, the warnings given to Christian Aid by the Charity Commissioners at the same time, the judgement made on Oxfam's pamphlet 'The Arms Race Kills' in 1985, are three examples which indicate a concern about the trends in development aid charities, and the need for change.

Let us briefly examine some of the options available in addition to improving the composition of the trustee bodies themselves. This is clearly a matter for study by the lawyers, but the following are among the possibilities that have been suggested:

- (a) The Attorney General might be persuaded to bring proceedings in the High Court seeking a declaration of a breach of trust where he suspects it has occurred.
- (b) Inland Revenue might be asked to examine activities of various charities and if they find that certain activities were not in pursuance of the charitable objectives, declare the charity to be ineligible for tax relief and the other financial concessions charities enjoy.
- (c) A charity-based organisation, if it wishes to engage in political education and policies to effect political change should be invited to be re-registered. As the 1986 guidelines suggest

(paragraph 5) 'a non charitable voluntary organisation can advocate any cause it wishes... on the other hand a charity is confined to the objects of its trust and to the reasonable advocacy of causes which directly further its objects and which are entirely ancillary to the achievement of those objects. But it must be reasoned argument'.

The considerable financial concessions granted by the community through Parliament to a charity requires it to confine itself to activities that are charitable by law. The public is entitled to be concerned. There is no judgement made here or anywhere else in this article on the social or moral desirability of the causes espoused. But it must be stressed that the issue confronting a charity and the Commissioners is not the worthiness of the causes, but whether their pursuit can legitimately benefit from the financial protection and privilege afforded charities. As Mr Justice Slade observed 'Amnesty International, in striving to remedy what it considers to be great injustices, is performing a function which may well be regarded as being of great value to the community... however the elimination of injustice has not as such ever been held to be a trust purpose which qualifies for the privileges afforded to charities by English Law'.

And those privileges are considerable. For example charities enjoy 'tax benefits estimated at over £500 million a year'. The public is therefore fully justified in wanting critically to ensure that these financial privileges are not abused. These funds become public money because once donated and supplemented by reimbursements from Inland Revenue, 'they are clearly in the public domain' (White Paper 1.9).

The Oxfam Position Paper ends with a statement of 'What Oxfam can do' and 'the Action Plan'. These are both based on the flawed analysis illustrated in the second section of this paper. Furthermore they propose such steps as 'feed material on the Palestinians and the Middle East generally into existing communications', arranging 'a Euro MP to have a motion tabled in the European Parliament requesting Israel to respect the identity of Al-Haq field workers' and 'continue to respond to and stimulate ad hoc requests to fund films and books in line with our declared position' (which, as will be recalled, is that Oxfam cannot be even-handed in its approach to the conflict).

This article has concluded with further quotations from the Oxfam Paper. This is because the Paper is the latest manifestation of a worrying trend. There is an urgent need, particularly in the light of the White Paper, for the debate on charities to be extended. There is clearly a need to re-examine the performance of charities against their charters, against charity law and against the charities' perceived objectives. There is no better place for this than in the media before the matter reaches Parliament.

Sic Transit: A Report from the University

Margaret Brown

In January last year Professor Wallace-Hadrill delivered his Inaugural Lecture 'Greek Culture and Roman Power'. He opened by describing the inauguration of Numa Pompilius as second King of Rome. The lecture filled me with nostalgia for the past, and for my subject. For I am a History graduate, who cleans the Computer Services Centre at Reading University.

The 'Never Had It So Good' era saw the creation of the new universities. 'More will not mean worse' was to be the gist of the Robbins report. Sir Basil Spence designed Pink-Brick Sussex and in 1961 it opened to a fanfare of trumpets. We, the 52 Foundation Year Students, were fêted at Brighton Pavilion and the Metropole. In one day we listened to (or heard) 14 speeches. The Press flocked to us, and our best-looking student appeared on the cover of 'Vogue'. Most of us were the products of relatively privileged backgrounds. What with all this and the shortage of graduates we felt that the world was at our feet. We were the *jeunesse dorée* of our time. However, despite the Brave New World approach, our tutors were dominated by the classical tradition and were determined to transmit its culture and values. My special interest was German History and Literature, particularly that of the Weimar Republic.

In 1968 I went to the London School of Economics. By that time the tide had turned. Unemployment was rising. There was a glut of graduates and History B.A.'s were high on the list of overproduced goods - a list headed by graduates in sociology, whose subject was widely considered to be on a par with alchemy and necromancy. Lord Robbins' chickens had come home to roost. As Chairman of the Board of Governors of the LSE, his lordship had to cope with these chickens, or rather angry young cockerels. I went to the LSE because my then husband was about to embark on a Ph.D course there. So I had a choice between earning £1,000 a year as a teacher in a London comprehensive and £500 a year as a postgraduate student. Could one describe this as 'choice'? Moreover, in the increasingly competitive job market two degrees would be better than one. There were very similar German History courses under two titles, MA and MSc (Econ). I chose the latter because B.A. MSc (Econ) would look more impressive than B.A., M.A. Although I had not bargained for the Year of Student Revolt I was one of the most energetic and determined opponents of disruption and wrote a book about it. The cultural level of LSE students has, alas, been accurately portrayed by Sir Humphrey Appleby in 'Yes, Minister'.

After many vicissitudes, which at least led to my obtaining Russian A-level in order to write a textbook on Russian History, I now find myself in a university

again, this time in a completely different capacity. 'The university of the third age' has acquired several unexpected meanings. Now universities reflect the shift from public to private wealth - just as Athens did when the days of its glory were over. Ruthless economies have been made. The Russian Department has vanished. The sword of Damocles has twitched over the Italian Department. The salaries of university teachers have, relative to the outside world, collapsed. When I said to one staff member, not in the Computer Services Centre, that the A.U.T.'s attitude did not breathe the spirit of St. Thomas Aquinas, he retorted that St. Thomas Aquinas did not receive demands from Thames Water or Southern Electricity or face the community charge. Indeed it would seem that in percentage terms cleaners' wages are rising faster than dons' salaries, which is not surprising as cleaners are as scarce as hens' teeth in the Thames Valley.

Money-saving expedients, once discounted out of hand as unthinkable, are in use or contemplated. The very short term renewable contract is suggestive of pre-war private schools in which teachers were discharged on the last day of one term and then re-hired on the first day of the next in order to save holiday pay or retainers. The vice-chancellor's intention, expressed in his letter of the 19th April, of leaving vacant posts unfilled for long periods, seems taken from King William Rufus's policy of leaving vacant bishoprics unfilled and pocketing their yearly income for the state. The effective strike action, called for by some, must be unbelievable to our old Sussex Philosophy Professor who on our first day told us that students could not go on strike. Now it appears that even dons can.

The decline of classical education and the rise of computers has, oddly enough, been interwoven with my entire career in education. I first heard of computers in relation to culture in my first undergraduate year, when the Professor of European Studies told a lecture audience that scholars had worked out the order in which Plato wrote his books by the changing frequency, as measured by a computer, of the use of the exclamation 'By the Dog!' Ten years later another computer had more impact. All the London teachers had a double salary cheque owing to a computer error. Unfortunately this was 'rectified' the following month by our receiving nothing. This April in Reading University a computer error made all the cleaners' wages a day late. Once working a computer was an esoteric skill; now there is a Brownie Badge for it. But at the top computer scientists are better paid than any other graduates - unless, of course, those computer scientists work in universities. Computation can, of course, provide a channel through which the wealth of the private sector

can flow into the poverty-stricken public sector. Classics have declined, at first imperceptibly. Sussex was the first university to admit to History and Modern Languages courses students without Latin at O-level. Sussex was, to borrow an expression from astrology, born on the cusp. By 1970 universities were offering simple courses in Classics to students with no knowledge of the ancient languages. Now these languages are threatened with oblivion – from which Jack Straw MP, the semi-revolutionary NUS president in the 1970s, is battling to protect them. In January 1989 Professor Wallace-Hadrill ended his lecture with a metaphor drawn from electronic circuitry. Nothing could have illustrated better the influence of the New World on the interpretation of the Old.

Being illiterate is a peculiar sensation. In a society increasingly dominated by Information Technology, I am in awe of those who stare into screens with straight and wiggly lines shifting about on them. Not that this awe produces a desire to learn, despite the Centre's kind offers to help. Perhaps I have had enough of acquiring and adapting skills. For me 'abacus' will always be spelt with a 'c' and 'Pascal' will bring to mind the author of the *Provincial Letters*. However, I am happy to serve this incomprehensible, indispens-

able, inevitable power-house of knowledge, happy in fact to polish the Philosopher's Stone. After all it supports me in a congenial way of life.

So I watch with detachment the present course of events in the academic community in general and here at Reading University in particular. Once universities fed from the Horn of Plenty; now they can hardly afford to keep their premises clean. They are suffering from fits induced by the cumulative effects of years of slow impoverishment. Ironically it is Reading's vice-chancellor who has been at the centre of this year's convulsion. How fortunate that he is the author of a book on manipulation and information! It will be interesting to see if a computer scientist is better, or luckier, at dealing with his university's continuing problems than a historian or an economist. But nothing that happens at Reading or elsewhere will soften the harsh truth that universities are now too poor to do their job properly.

Considering all the circumstances, in particular the government's policy of deferring retirement until the Grim Reaper hoves into view, I expect to attend, as a very old cleaner, scarcely able to tug a buffing machine, Professor Wallace-Hadrill's Valedictory Lecture. King Numa Pompilius reigned for 43 years . . .

Communist Party tactics in the fight against Civic Forum in Czechoslovakia

(instructions to rank and file members of the Communist Party)

- go along with proposals that the Communist Party shouldn't have the leading role in the constitution
- insist that we have learnt by our mistakes, that everything is due to the leadership
- the action programme for the congress on 26.1.1990 will co-incide with the programme of Civic Forum
- talk to Obroda (part of Civic Forum) and get as many party members as possible into it, do the same with Civic Forum, even if you don't agree with all their demands
- don't let Civic Forum get an inch further in towns or countryside
- sow division between the students and Civic Forum
- don't help to speed up changes in the constitution
- base the economic programme only on socialism
- TV to be subordinate to the government (Civic Forum two hours weekly), divide TV into district and national programmes, radio similarly
- insist that Civic Forum is becoming demagogic
- separate other elements off in the national front from Civic Forum
- rely on the USSR, including the representation of 1968
- get party members into every strike committee and Civic Forum committee
- bring about disunity in Civic Forum by founding a large number of left-wing clubs and societies (for example the Democratic Forum of Communists and so on)

Source: Student Strike Committee of Brno University, Moravia.

Quality or Equality in 1992?

Gerard Radnitzky

Half a millenium after the discovery of America Western Europe finds itself at a crossroads. It has the choice between a European Community of sovereign states, competing and cooperating to create a free market place in Europe, and advancing free trade throughout the world, or the development of an interventionist corporatist regime in Brussels.

The 'vision' of those who are committed to a free society is a market-led rejuvenation of Europe, with controls and restrictions lifted and the individual elevated to a position of supremacy - the state being a means to allowing individuals to pursue what they subjectively evaluate as 'happiness'. All citizens would have opportunities to develop their skills and advance their careers, with access to training and retraining throughout their working lives. It is a Europe where individuals would be free to move and work anywhere in the EC on equal terms with the locals.

That vision is the opposite of the socialist and centralizing notions emanating from Brussels and from Delors's 'Social Charter'.¹ Europe must be able to compete with companies based in countries where employers have access to workers with skills approaching Northern levels but where labour costs are considerably lower. The alternative would be protectionism - a 'fortress Europe' - which would hurt Europe's consumers, in the long run hinder adaptation to the world market, and moreover harm the Third World. As, of course, does the Common Agricultural Policy.

Postwar European thinking has been dominated by what Friedrich V. Hayek has called 'constructivist rationalism',² the French influence from Jean Monnet to Jacques Delors. The danger posed by Delors-ism is that under its influence governments might form cartels, impose a monetary monopoly from a central bank cartel, increase the rigidity of labour markets by means of a 'Social Charter', and politicize decision making in all realms of life. Advocates of that 'vision' of Europe legitimize it by a rhetoric of 'harmonization', 'coordination', and political integration. It is an open question whether the constructivists or free market order and evolutionary selection will win, and whether Western Europe will get more freedom and prosperity or less freedom and more politicization.

At the same time those who work for economic reforms in socialist countries face formidable problems. For them too the future is open and highly uncertain. The problems again hinge on the development of institutional arrangements. If a country moves from a more or less centrally coordinated economy to a decentralized economy, it needs institutional arrangements that

coordinate the decisions taken by decentralized agents. And by now everybody knows that the coordination required is of the Invisible Hand rather than the bureaucratic kind. Only the private market can efficiently coordinate the multitude of decentralized decisions. Introducing that order in turn presupposes a change in property rights (including the possibility of bankruptcy) and sound money, which presupposes a working banking system as well as capital and credit markets. In both cases, the same principles govern the possible developments, which will decisively influence the life of Europeans in the near future.

Pure capitalism and pure socialism are of course ideal types. Existing systems always contain elements that are alien to their system. Socialist systems are now attempting to introduce private market elements. Insofar as they are successful, they will become less socialist. If they are not successful, they will remain socialist but lag further and further behind the capitalist West. Capitalist countries have introduced more and more welfare state elements, they have expanded the public sector and turned more and more goods and services into 'public goods'. To the extent they have done so, they have become less and less efficient - and also less and less free. A particular interesting and special case is capitalist Sweden. It may be characterized by the formula 'Enterprises are free, individuals are socialized'. Sweden has become an egalitarian transfer state with an export sector which has been kept intact (because it has to meet international competition) and a bloated public sector (of about 64% of the GNP). The educational system was one of the first subsystems to have been ruined - by Olof Palme as Minister of Education. David Marquand, sometime Labour Member of Parliament, expresses it succinctly when discussing 'public goods'.

But the loss of freedom which takes place when private individuals are compelled to hand part of their income over to the state is still a loss, and has to be balanced against the gains. A society in which 50 per cent of the gross domestic product is spent by the state may be healthier, better educated or more equal than a society in which the state spends only 30 per cent of GDP. But it will also be less free, and it is humbug to deny the fact.³

So far I have focussed on institutional arrangements in the economy. The economy offers the clearest example of the consequences of particular institutional arrangements. However, the same mechanisms and principles that are operative in economic life apply, *mutatis mutandis*, also to the educational sector.

The Characteristics of Wealth-creating Institutions

We know that there are general characteristics that make an institutional framework wealth-creating, independent of whether 'wealth' refers to financial and material wealth or to human capital. If for example, you desire scientific progress, then not only suitable research institutions are needed but also an educational system that does not trade-off quality for quantity as the mass university has done. There is also a clear link between scientific progress and economic wealth. The same factors are required for success in the economy and in the scientific enterprise: science flourished best where its organization was decentralized, where its autonomy and freedom was fostered by the diversity of sources of funding research, the decentralization of invention and innovation, and the ability of those who succeed to capture their rewards - in contrast with the ignominy memorialized in the eponym 'Lysenkoism'.⁴ This requirement has so far proved an insurmountable barrier to the development of high technologies in totalitarian states. Thus, the USSR has been obliged to resort to technological espionage for practically all its military technology.⁵ In short, *those institutional frames will best facilitate the improvement of the human capital that best approximate the private market order.*

Competition functions both as a discovery mechanism and as a selection process; and the private market order provides a link between reward and achievement, so that individuals, firms and politicians, become accountable for their decisions. In science, the intellectual counterpart to free competition in the economic system is unlimited criticism of competing problem solutions. The intellectual counterpart to protectionist measures in the economic system is the tendency towards cartelization within the academic world. In each case, the improvement of wealth - be it economic wealth or human capital - will be impeded; and, if cartelization becomes virulent, progress will be stopped. Protectionist tendencies are, of course, most dangerous in those disciplines where theory formation is only loosely controlled by empirical testing.

The policy implications of the comparative analysis of institutions are obvious: if you desire an improvement of human capital (knowledge, producers of knowledge, etc), then make the institutional frame of the educational system and of research institutes as market-like as possible. Such institutional arrangements secure legal equality as well as the equality of the conditions of competition, because only then can competition function as a selection mechanism; but it emphatically rejects interventionist measures designed to create an equality of outcome, any tampering with fair competition. If, on the other hand, you give priority to equality of outcome, then you must devise equalizing mechanisms, ie, hamper the development of talented people and put pressure on the less talented. The Patron Saint of such an egalitarian policy is Procrustes. Egalitarianism has been and remains a most powerful

ideology in Western democracies. It constitutes the core of Social Democratic values.

In the name of more equality secondary and tertiary education has been severely damaged in most of the Western democracies. This development stems from the way in which these countries have practised the democratic method. Politicians, ie, people that make a living from being elected, have used the inflationary expansion of secondary and tertiary educational systems as a rational means for increasing their popularity and thereby their chances of being re-elected. The enormous increase in the output of the system of secondary and tertiary education has only been possible at the price of a drastic lowering of quality. You can only equalize downward, to the lowest common denominator. Quality has been traded off for quantity, excellence for equality, freedom of choice for regimentation. This trade-off was inevitable, because there is no trade-off between freedom on the one hand and scientific progress and economic success on the other hand. The two are inseparable. Economic growth has come from economic freedom and its corollary, competition; and scientific progress has come from a free market of ideas and theoretical competition.

What holds for the scientific enterprise applies, *mutatis mutandis*, also to the educational system as a whole. The result of the Procrustian policies are free, universal, non-selective formal education, no 'streaming', no elitism, no-fail examinations, open access to universities - a system that hinders the education of those who could profit from it and wastes the time of the rest (who are frustrated when the promises of a career have turned out to be false). The students' unrest has been one of the symptoms. Because in parliamentary democracy the politicians' horizon of planning does not extend beyond the next election, the long-term consequences of an egalitarian educational policy are safely ignored. In the long run such policies reduce the nation's capability to scientific and technological achievement and eventually its capability to retain its position among leading industrial nations.

In Western democracies in the 20th century most 'public goods' or semi-public goods are created as a matter of explicit or implicit social choice.⁶ Which goods are treated as 'public goods' depends on a political decision: which exclusion costs are evaluated as 'too high'. The costs may include, beside financial and material costs, also immaterial costs, 'social costs', and moral costs. In almost all countries education is offered as a 'public good', in spite of the fact that it does not meet the traditional criteria of public goods, ie, non-excludability and indivisibility. One of the legitimizing arguments for the public good treatment is that, if gifted children were excluded from schools because their parents cannot pay the fees, the nation's human capital would suffer a loss. However, such costs could easily be avoided simply by giving gifted children of poor parents scholarships that enable them to profit from the private supply of education. Each parent could still be allowed to buy schooling for his child

privately - to make a selection according to his own choice.

Another argument for treating education as a public good has been the theory of (positive) externalities; allegedly the benefits of an individual's education spill over to other members of society. So far the 'spill-over hypothesis' has not received any convincing empirical support; nonetheless it serves to legitimize an interventionist state educational policy which has deprived parents of their right of choice, undermined the autonomy of educational institutions, and in many cases impaired academic freedom. An additional argument for a paternalistic educational policy has been the claim that parents and students are incapable of making correct use of their freedom of choice. The argument overlooks that parents and students confronted with a state-administrated educational monopoly remain rationally uninformed; while in a competitive educational market it becomes rational for them as consumers to inform themselves about available alternatives, and competing educational institutions have an interest in making information available. Decentralized, competing suppliers of educational services will, in their own interest, contribute to the development of educational information markets.

In an educational system in which supply is steered by a paternalistic bureaucracy, allocative efficiency with respect to human capital is bound to be low. On the other hand, an educational system organized in line with market order increases the freedom of choice for parents, teachers and students, for schools and for universities, and thereby increases allocative efficiency. Hence, state educational policy should only be concerned with establishing a framework, and education should be free from politicization and idealization. Educational institutions should be financed by fees agreed to by consumers in contracts with establishments of their choice. Students could be provided with the necessary funds in the form of loans from their future income tax payments and/or in the form of educational vouchers. The ideal, in short, is an independent education for all - as advocated in Antony Flew's *Power to the Parents*.⁷

Recent and Contemporary History of the University

In almost all Western democracies the educational system has suffered severely from unreasonable expansion, politicization, and bureaucratization. For instance, Sweden is beginning to lose ground in high technologies as a consequence of the educational reforms conducted in the name of 'equality and social justice'. In West Germany higher education has suffered severely from such reforms.⁸ The intellectual climate for this destructive 'reform' policy was provided by the neo-Marxist so-called critical theory of the 'Frankfurt School', the ideas of an 'emancipatory pedagogy', of 'critical social science', and of an egalitarian philosophy.⁹ In West Germany the rhetoric of the 'progressive' forces has attacked 'elitism', ie, quality,

and recommended democratization. This rhetoric has been instrumental in bringing about a new administrative structure, the so-called *Gruppenuniversität*, where decision making has been placed in the hands of the delegates of various interest groups, and self-determination and individual accountability have been replaced by participation (*Mitbestimmung*). Resources have been pooled by establishing a sort of *kolkhoz* system, called *Fachbereiche*, which have replaced the traditional faculties.¹⁰ The result has been 'universities as places where the 'consumers' (students) do not buy, the 'producers' (faculty) do not sell, and the 'owners' (trustees, state boards, etc.) do not control'.¹¹

Originally the main function of the university was liberal education (humanities, the idea of *Bildung*). It was mainly an investment in human capital of a special sort: a small elite of the nation. (As late as the turn of the century the University of Basel had about 300 students and Heidelberg about 400). The production of new knowledge was secondary to access to knowledge already produced, and the desired output was generalists. Then, the university became the centre of pure research in natural science; and at the same time an investment in human capital of a new sort: a small elite of natural scientists but, above all, an institution for the production of new knowledge. Some of that new knowledge turned out, often unexpectedly, to have great technological relevance. This relevance has always been the main argument for investment in pure research. Gradually the function of liberal education faded out. (A symptom of this is the obliteration of the distinction between professional training (*Ausbildung*) and liberal education (*Bildung*) in official German usage, so that eventually the whole system is misleadingly called *Bildungssystem*).

After World War II, the university was assigned the function of training in the professions for masses of students. From an institution devoted to quality, and an emphasis on the production of new knowledge, the main object of the university became training in professions for broad masses. Quality has been traded off for quantity, inevitably leading to a drastic lowering of quality. Another consequence was that a sizable proportion of people with academic qualifications - *inflated qualifications* - became unemployed. In Western Europe this trade-off of quality for quantity, of excellence for equality, has been very pronounced also in secondary education. The traditional *Gymnasium* was practically destroyed in Sweden and in most of the states of West Germany.

Another factor in the decline of academic life has been the politicization of universities, which is a concomitant of the politicization of intellectual life more generally. These changes have been particularly devastating for study and research in the humanistic disciplines, and in the unquantitative parts of sociology and political science, in anthropology and education. In those fields a mixture of Marxism and relativism is common. In West Germany we witness the pernicious influence of the Frankfurt School, with its programme

for 'emancipating' the minds of individuals from the tyranny of the past. The individual thus 'emancipated' is thought by the 'emancipators' to become thereby a socialist. This has resulted in the wearing away of the academic ethic and the estrangement of the university from its original devotion to the disciplined pursuit of truth

From the mid-60s politicians were buying votes by promising to expand the university system and to open the *Gymnasium* to ever increasing broad masses. The campaign for buying votes was accompanied by a powerful rhetoric of 'equality', 'social justice', and 'solidarity' - typical Social Democratic values - and implicitly by a particular image of man, the 'sociological model of man': empty-malleable-reacting man, who is but a product of his social environment.¹²

The introduction of voucher systems met with opposition from vested interest groups.¹³ Vouchers will reduce the power and prestige of civil servants, and the introduction of a voucher system would function as a test revealing whether or not what the state administered education has supplied so far was misconceived - a test which the bureaucrats very understandably fear.

A Way Back from Quantity to Quality?

The conservation and increase of human capital is enormously important. One of the ways in which democracies tend to self-destruct is by nationalizing the provision of educational services, and then allowing the content and quality of these services to be corrupted by ideological and material interests within the bureaucratic-educational complex.

Measures to improve the present situation would include the following devices. Separate institutions (schools) for training for the professors; stratification on all levels according to individual differences in talent, and, in particular, stratification within the university with an effort to redirect the focus onto research and onto the training of researchers; establishment of joint institutes with industry, and of 'technology centres'. In general, this amounts to a plea for a division of labour, the recognition of the great differences in talent and motivation, and for giving priority to quality and to excellence instead of to quantity and to equality.

The main strategy should be the introduction of *more market elements*: decentralization, competition among universities for students and competition among students for admission to institutes of high quality; the introduction of more freedom of choice and, consequently, more responsibility for decisions taken; reprivatization of schools and universities. In Western democracies the reversal of the present trend would involve a restructuring of some of our basic institutional arrangements. This would require a preceding change in the climate of opinion, something which is not likely to happen. A precondition for bringing about such a change in the climate of opinion would be to teach the young generation, ie, the elite - those who are capable of thinking for themselves and who are willing to do so - about the functioning of the economy and about

the consequences of various institutional arrangements. Thereby the delusory rhetoric of 'equality', 'democratization', 'social justice', etc, would be unmasked. This practical task is again an educational task. The university has not made that task its business but various private institutes have, eg, the Liberty Fund, the Heritage Foundation, the Hoover Institution, the Cato Institute, the Institute of Humane Studies, the Fraser Institute, the Institute of Economic Affairs in London, and so forth. It is essential that, already on the level of the *Gymnasium*, the nations' elite learns about the functioning of an economy, that they learn, among other things, that the market order is man-made, but not the result of design, that it has evolved as a spontaneous order because it has made those groups that have adopted it more prosperous than those that adopted other systems of coordination.

It is an open question whether the free society - which is a rare, an improbable, and a fragile species - will develop further or will turn out to have been merely an interlude. The future is open, but it will be made by human agents. After 1992 we may be able to discern the direction in which Western Europe tends to move, and we will also be able to make a reasonable guess whether we are likely to be on the road to more freedom and increased prosperity for all or placed on the road back to serfdom.¹⁴

Notes

1. See *The Bruges News*, July 1989, published by The Bruges Group, London.
2. Friedrich A. v. Hayek, *Studies in Philosophy, Politics, and Economics*, New York, NY: Simon and Schuster, 1967.
3. Marquand, D. 'Inquest on a Movement', *Encounter* 53:8-18 (July 1979); the quotation is from p. 10.
4. N. Rosenberg and L. Birdzell, *How the West Grew Rich: The Economic Transformation of the Industrial World*, New York, NY: Basic Books, 1986, p. 255.
5. Y. Mekler, Soviet Science: How Good is it? *Discovery*, August 1986, pp. 36-59.
6. Anthony de Jasay, *Social Contract, Free Ride: A Study of the Public Goods Problem*, Oxford University Press, 1989. For a review article see Radnitzky, G. 'A cure for the insatiable appetite for public goods', *Cato Journal* 9, Spring-summer 1989, pp. 263-270.
7. Antony Flew, *Power to the Parents, Reversing Educational Decline*, London: Sherwood Press, 1988. See also Antony Flew, *Equality in Liberty and Justice*, London: Routledge, 1989.
8. See Günther Lewy, 'The Persisting Heritage of the 1960s in West Germany's Higher Education', *Minerva* 18, Spring 1980, p. 128.
9. For further see Gerard Radnitzky, 'Science, Technology, and Political Responsibility', *Minerva* 21, Summer/Autumn 1983, pp. 257ff.
10. Hans Willgerodt, 'Die Universität als Ordnungsproblem', *Zeitschrift für Wirtschaftspolitik* 37, No. 2/3, 1988, p. 308.
11. The quote is from James Buchanan; cf. W.W. Bartley III, *Unfathomed Knowledge, Unmeasured Wealth - On Universities and the Wealth of Nations*, LaSalle, IL: Open Court 1989, p. 109.
12. Karl Brunner, 'The Perception of Man and the Conception of Society: Two Approaches to Understanding Society', *Economic Inquiry*, 25, pp. 367-388.

13. Gordon Tullock, 'No Public Choice in State Education', *Economic Affairs* (London), April/May 1986, Vol. 6, pp. 18-22.
14. See Hayek's famous political book of 1944 *The Road*

to *Serfdom*, London: Routledge & Kegan Paul - which is today as topical as ever. See also Friedrich A. v. Hayek (edited by W.W. Bartley, III). *The Fatal Conceit: The Errors of Socialism*. London: Routledge, 1988.

The Burt Affair

Ronald Fletcher

Time passes swiftly, and there must be many, now, who have no recollection of the nature and virulence of the controversy which suddenly exploded about the name of Sir Cyril Burt some 13 or 14 years ago. Throughout a long lifetime of 88 years, Burt had undertaken many surveys - of the nature and distribution of 'backwardness' (not then even satisfactorily defined), of delinquency, of vocational guidance, etc - all of which had been profoundly influential. In all this, too, he had been centrally interested in the measurement and assessment of the abilities of individuals - so that the treatment they received from society should be appropriate to their needs - and this led him directly into issues of education. Always emphasising the ways in which environmental factors could block and hinder, or encourage and favour, the fulfilment of the individual's potential, all his work persuaded Burt, nonetheless, that it was heredity which primarily determined his (or her) level of mental ability - of general intelligence and specific talents - and this it was which led him into educational controversy. All his work, however, was highly regarded, winning him an international reputation. He was the first foreigner to receive the Thorndike Award from the American Psychological Association; the first psychologist to be knighted (in 1946); many other honours followed; and many testified to his character and his work on his death in 1971. Yet, within a few weeks, towards the end of 1976, at the hands of one or two extreme environmentalists, all this seemed to have been brought into total disrepute. Once highly honoured, the name of Cyril Burt was now held to signify the worst possible example of scientific impropriety.

'The most sensational charge of scientific fraud this century.' These were the words, in the *Sunday Times* of October 24th, 1976, with which Oliver Gillie launched the libellous campaign against Sir Cyril Burt - some five safe years after his death. In the *Times* of the very next morning - so soon afterwards that the column must have been written in conjunction with the previous day's piece - Professor Jack Tizard of London University, comparing the seriousness of Burt's fraud with that of the Piltdown Skull forgery in palaeontology, claimed that his work was now 'completely discredited'. A radical judgment, one would have thought, coming so immediately on the heels of the revelation. 'Leading scientists', it was said, were convinced of it, and, from

that sensational beginning - sweeping like a forest fire through all the media: press, radio, and television alike - the story came to be entrenched, and is now taken for granted, in public opinion and in the scientific community throughout the world.

Initially, some of Burt's friends and colleagues protested against these charges, but, by and large, became silent, a few even being converted, when the official biography of Burt - written by Leslie Hearnshaw - was published in 1979. As a historian of psychology Hearnshaw had gained a reputation for reliable scholarship, and his judgment on Burt was assumed to be impartial, fair and balanced. When this judgment - on the basis of apparently detailed documentation - favoured the charges of fraud, the controversy seemed closed. The denunciation of Burt had gained academic respectability.

Having uncovered this one large and highly significant area of error, Joynson, in his book *The Burt Affair*, was led to look into others.¹ One by one, he examined all the well-known charges of fraud: the 'invariant correlations', the 'missing ladies', the supposedly fraudulent nature of Burt's later papers on twin studies, etc. In all of these, too, Hearnshaw's arguments and conclusions were found to be insufficient and misleading. What was particularly damning, however, was the discovery of the nature of some of the evidence he adduced.

Stating, for example, the conclusion of McAskie and Clarke (both of the University of Hull) that certain data reported by Burt were 'in all probability fraudulent', Hearnshaw cited in support an article by McAskie (which was 'awaiting publication'). Having been unable to trace this, Joynson wrote twice to McAskie requesting an offprint - but had no reply. Later, when they happened to meet, McAskie explained this by saying that he must have 'run out of offprints'. Later still, however, he said that the paper had been refused by the *British Journal of Mathematical Psychology* and had not been published elsewhere. Hearnshaw was therefore relying, writes Joynson, 'upon evidence not yet accepted for publication, ultimately refused publication, and not available for inspection.'

Hearnshaw had also accused Burt of fabricating figures of children tested for 1955 and 1965, which, he said, must have involved a 'massive operation' which he could not possibly have carried out - resting his

case on a *Guardian* article. Joynson asked Miss Lander, of Nottingham University Library, to obtain a copy for him, having himself again been unable to trace it. The British Library and the Newspaper Library in London were also unable to find it. Unknown to Joynson, Miss Lander therefore wrote to Hearnshaw himself, requesting a photocopy or a confirmation of the reference. Hearnshaw replied: 'I cannot help you in your enquiry. The reference to the *Guardian* came from a secondary source, but I cannot now remember what it was, and I have dispersed a lot of the rough notes that I collected for my book on Burt. I have checked through my remaining files, but can find nothing relevant.' Joynson concludes: 'Hearnshaw's prime evidence for Burt's guilt in this accusation was a newspaper article which he had not bothered to check. It was not merely second-hand evidence of an obviously unreliable kind. It was third-hand evidence, and he could not even remember where it came from. Yet he had quoted it as if he had seen it himself. If Burt had done this, instead of Hearnshaw, what would the critics have made of it?'

In many ways other than these, Joynson has demonstrated beyond any doubt that the scholarly Hearnshaw has feet of clay. One of the most amusing examples - were it not so serious - is that of Hearnshaw's 'psychologising' of Burt in order to explain the latter 'malfeasance' in his conduct and 'pathology' of his character. What is one to make of an account which roots the fatal 'duality in Burt's personality' in his mixed genetic stock - his father being 'of solid Saxon stock', his mother being 'a more volatile Welsh woman' - coupled with his move, at the age of nine, from a London Board School (where he learned 'the gamin art of survival' from having to mix with 'the mob of pathetic urchins') to 'the medieval peace of an isolated Warwickshire village' and a 'centuries-old grammar school'? It was this 'gamin component of his personality' which 'persisted for the remainder of his life' and which, says Hearnshaw, came to the fore again when Burt had to grapple with the stresses, academic conflicts and enemies of his later years. The account is entirely hypothetical along these lines throughout, and it is beyond belief that it could ever have been taken seriously, and without question, by psychologists. Indeed, it is difficult not to regard it as one of the most conspicuous pieces of comic writing in the whole literature of psychology.

All that, however, is now scattered to the winds. The tables have decidedly been turned. The scandal of the century can now be seen not to lie with Burt at all, but - on the contrary - with his detractors. In this new book by Robert Joynson - of a high level of excellence and supported by the most meticulous documentation - the true nature of both the deliberate initial sensationalism of the journalistic story and the supposed dignity of its subsequent academic blessing has been thoroughly explored and exposed. The outcome reveals a scandal indeed.

Joynson's enquiry began with a simple first step, but - and it is a crucially telling matter - it was a step

which every scientist is commonly supposed to take. Doubtful about one of Hearnshaw's claims, he decided to check the grounds on which it rested. Hearnshaw had condemned Burt for falsifying his account of the history of factorial analysis in order to claim originality for his own contribution and derogate that of Spearman. On checking all Hearnshaw's items of evidence, however, Joynson found - with some initial astonishment - that, in fact, it was Burt's account which was invariably correct and Hearnshaw's which was false. Furthermore, Hearnshaw's errors were so frequent and widespread that they were 'highly likely to be discovered by anyone who sets out to check, wherever they begin their enquiry... they are everywhere. It follows that few if any of those who have publicly accepted Hearnshaw's conclusion can have made any real attempt to verify his case.' The scientists had neglected the most elementary requirement of science. Joynson also noticed that, on this same matter, Hearnshaw had failed to meet certain crucial mathematical criticisms made by Charlotte Banks. Further examination of this proved that Hearnshaw's mathematical knowledge was simply not up to an understanding of the issues involved.

The respectable blessing, the official support, of the fraud charges has therefore been stripped away - and this may well be Joynson's most significant achievement. Under the scholarly and impartial surface, Hearnshaw's official biography was, as Cronbach had long ago pointed out, 'a prosecution brief'.

In the later part of his book, however, Joynson also describes in telling detail how the campaign of journalistic sensationalism was itself co-ordinated and managed. There is evidence (elsewhere, as well as in Joynson) that Jack Tizard was the prime mover behind Oliver Gillie's follow-up, formulation, and launching of the 'story'. The 'leading scientists' (supported by some earlier criticism of Burt by Kamin) turn out to be no more than Ann and Alan Clarke, and McAskie (all of Hull) - whom, evidently, Gillie had consulted at Tizard's suggestion. It is a bizarre story of how a man's entire reputation, and the reputation of the whole body of his work, was wrecked at the hands of a few psychologists ready to support one man influential in the media. And - most damning of all, perhaps - was the fact that the Council of the British Psychology Society, on the most astonishing basis, officially approved the Hearnshaw verdict. 'The bias of the council,' writes Joynson, 'of which Alan Clarke was still a member, was evident in several ways, especially in accepting a one-man inquiry as sufficient, in arranging a symposium which was to take his guilt for granted, and in allotting to Ann Clarke the task of looking for further evidence.'

It seems plain, too, that the tenacious campaign of vilification is by no means over. Those who have attacked Burt's handling of evidence seem themselves impervious to evidence. In *The Independent*, for example (4/8/89), Tom Wilkie devoted three out of the five columns of his supposed review of Joynson to a

parrot-like repetition of Oliver Gillie's early charges; presenting Burt's fraudulence, still, as having been thoroughly proved; and, in the rest of the review, giving Joynson's evidence scant - indeed, negligible - attention. Oliver Gillie, it may be noted, is Deputy Editor of *The Independent Magazine*. Similarly, commenting on a completely reputable review by Claire Burstall in *The Guardian* (15/8/89), Hearnshaw did no more (in an ensuing letter) than complain at having been 'gratuitously insulted'. None of Burt's detractors can ever be brought to meet squarely the evidence against them, or answer the questions arising from it. Scientific testing, the readiness to consider and abide by the evidence - as distinct from journalistic assertion - seems not to lie at all within their purview.

There is clearly a lesson in this affair which - serious though it has been for Burt himself - goes far beyond it. It is the gravest possible warning of a situation where the media intrudes into the realm of serious scientific judgment, establishing positions on insufficient grounds which cannot possibly be checked with sufficient care at the speed of the spread of

sensationalism, and during which, in any case, scientists themselves do not take the trouble to exercise the very first requirement of science: to check the evidence on which claims are made before accepting them. The presentations of the media - not the scrutiny of intellectual discourse itself - seem now, in our modern world, the source of those formulations which pass for truth throughout society, and this, clearly, is a widespread and growing danger.

On the Burt controversy alone, however, the truth needs finally to be established. Justice needs to be done, and be seen to be done. The direction of the scandal has now, without any doubt whatever, been reversed. It is no longer Burt who must shoulder 'the most sensational charge of scientific fraud this century' but his detractors, who must now face the charge of what seems the most outrageous journalistic and scientific scandal of the century. On documented grounds which give a firm and detailed account of the entire sequence of events in the Burt affair, Robert Joynson's book has raised clear questions which they must meet. Let these questions now be answered.

Notes

1. **The Burt Affair**, by Robert B. Joynson, Routledge, 1989, £25. (ISBN 0415-010-39X).

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Finding Central Europe

Since the inception of this review in 1982, each issue has carried an article 'In Search of Central Europe', written by someone forced to endure the realities of 'actually existing socialism'. The column was intended as a memorial to the buried nations of Central Europe, and as a warning to our readers, who - while far from succumbing to the 'totalitarian temptation' - may nevertheless need reminding, from time to time, of the extent of the social and spiritual devastation which the socialist goal encompasses. Since 1982, however, a miracle has occurred - the first result of Father Popieluszko's martyrdom. Those buried nations have one by one risen from the grave, trembling but alive, and with the wisdom of Lazarus within them - the sole privilege of those who have passed through Hell.

One of our contributors - Gaspár Tamás - has now been elected to the Hungarian Parliament. Another - Václav Havel - is President of the Czechoslovak Republic. A third - Ján Carnogurský - is deputy Prime Minister of a country whose 'authorities', two weeks before his appointment, were holding him in prison on charges of 'subversion' (one piece of evidence being the article that he wrote for this journal). Yet another - Pavel Bratinka (who wrote in these pages under the pseudonym of Milos Reichrt) - is a close advisor to the Czechoslovak Minister of Finance. Whatever the influence of the *Salisbury Review* in Britain, we may at least be assured of its influence in Central Europe. Indeed, this review is the only Western journal to have appeared in a regular *samizdat* edition, produced over the last five years in Prague, at the expense and risk of a dedicated circle of Czech conservatives.

In Poland, too, we have found supporters. Translations of our articles have appeared in the conservative journals (*ABC*, *Przegląd Polityczny*, *Libertas*, *Politika Polska*, and many others), which sprung up in *samizdat* during the years of martial law. Our Polish contributors and subscribers now enjoy positions close to power, and a best-selling *samizdat* collection of articles from the review will shortly be officially published.

All this bespeaks a genuine interest in our brand of conservatism. And it is easy to see why. The peoples of Central Europe were enslaved by intellectuals, and do not need to be reminded of the power of ideas. Their law and secular institutions were abolished without remainder, and except for the church (whose mission has been to occupy those inner regions which socialism cannot colonise) nothing of European civilisation remained to them. They looked to the West, hoping that the memory of Europe had been preserved there. And what did they find? Western politicians of all parties hobnobbing with the communist elites; Western

journalists and intellectuals actively propagating the doctrine of 'moral equivalence'; worst of all, a gradually emerging left establishment, whose principal concern was to undermine the history, the values and the identity of Europe, and to denounce the forms of 'capitalist' oppression. One of our Polish contributors (writing under the pseudonym of Marek Kwiecień) described the impact made on him by his Western colleagues, who viewed him with a mixture of consternation and pity. (Vol 5, no 4.) And because Kwiecień is an academic sociologist, dependent upon invitations to Western universities, it is still necessary (he being, in his own words, 'conservative, sexist, anti-communist and reactionary') to safeguard his identity.

Other writers in our series have echoed Kwiecień's astonishment at the posture of Western intellectuals - a posture which they have been able to maintain even during their forays Eastwards, and even in the face of bewildered 'dissidents', whose opinions they listen to with compassion and understanding before pressing on with their unchanged agenda. (See Marek Matraszek, in Vol 8, no 2.) Visiting Prague during the final weeks of communist rule, Harold Pinter gave an interview to Ivan Lamper, the young editor of the *samizdat* periodical *Sport*, and, as it happens, a keen supporter of the *Salisbury Review*. Brushing aside the sufferings of the Czechs, about which he had only a few platitudes to offer, Pinter compared their situation to that of the British under Thatcher, against whom he poured out such a stream of intemperate abuse that Mr Lamper abandoned the interview.

It is not that Western intellectuals have been, in recent years, particularly pro-Soviet. They are not particularly pro *anything*, except when being so is a useful way of being anti-West. This is why, despite the overwhelming evidence that a revolutionary Marxist state will end by impoverishing, enslaving and torturing those under its charge, so many of our intellectuals are pro-Nicaragua, and pro-Swapo, just as they were pro-Grenada (in its Marxist days), pro-Vietnam, pro-Cuba, Ethiopia, China, and - lets face it - even pro-Khmer Rouge. The explanation is in every case the same: the child's rebellion against the father, combined with a moral indifference that knows no equal in the history of mankind, and which stems precisely from the fact of believing nothing. (See the 'Open letter to Susan Sontag', by Jiri Grusă, Vol 6 no 2.)

Here, then, is one explanation of the *Salisbury Review's* popularity in Central Europe. For all our limitations, we have endeavoured to write from the heart, about the things we believe in. Socialism is a disease of belief; its antidote lies, therefore, in the belief

that opposes it. It is not enough to follow the libertarians and the free marketeers, in puncturing one by one the socialist illusions. Such therapy is no substitute for the more fundamental task, of replacing those illusions with beliefs of our own, and of upholding the values and obligations which the socialists set out to destroy.

How does the situation in Central Europe now appear, to those of conservative convictions? And what advice can we offer to those who seek to rebuild what the communists destroyed? We hope it will not be considered impertinent, if we review some of the difficulties that now lie before our Central European friends, and conclude with a few suggestions as to how they might be overcome.

The first difficulty, brilliantly discussed by Petr Fidelius (Vol 2 no 3), resides in the complete destruction of the natural language of politics. Hungary, we are told, has now adopted a constitution in which 'bourgeois democracy and democratic socialism prevail in equal measure.' This strictly meaningless utterance (no two things can 'prevail in equal measure') employs the very concepts that ought now to be rejected once and for all. 'Bourgeois' is a Marxist buzz-word, without application in the modern world. 'Bourgeois democracy' is a term of Newspeak, designed to conceal the reality of constitutional parliaments. 'Democratic socialism' refers to something that never has existed and never can exist. The whole sentence throws a chain around political thinking, tying it to discarded theories and vain, forgotten hopes. If Hungarians go on expressing themselves in this way, they shall never be able to formulate either a clear political intention or a coherent criticism of the actual state of affairs.

It is in Hungary, too, that the so-called reform communists - including their self-appointed leader, Imre Pozsgay - are most active in proposing the 'socialist' objectives. Instead of advocating a free market, they speak of 'market socialism' and the 'social market,' unable to discard the weasel-word 'social' (as Hayek aptly describes it) which extracts all meaning from the terms to which it is conjoined. Nobody in the still ruling (though re-named) party has yet managed to say that Hungary's problems derive from *socialism* or that private property and a free market are essential to any programme of reform. The old shadow boxing continues, using words which denote no real political objectives, other than the temporary needs of power. So long as it is impossible for a Hungarian politician to advocate policies in the natural language which describes them, and to put blame squarely on the Communist Party and its socialist agenda, it will be difficult for real changes to emerge. Empty discourse entails futile policies.

Western leftism consists in a 'culture of opposition', in which alienation is raised into a supreme principle of conduct. Violence, mendacity and nihilism are precisely what should be expected when such a culture transforms itself into a dominant power. The victims of communism know this all too well, and know that communist tyranny is exactly what it claims to be -

namely the political expression of socialist values. Such people are not likely to view with much sympathy the self-righteous gurus - E.P. Thompson, Susan Sontag, Harold Pinter and many more - who visit them in their prison with offerings of moral soup. (See Václav Racek, Vol 1 no 3, and Petr Pithart (writing anonymously) in Vol 2 no 1: Pithart, incidentally, is now Prime Minister of the Czech provinces.

The situation has not been improved by the Western conservative parties, whose attitude to the criminals who ruled over Eastern Europe has been a mixture of indifference and collaboration. Only recently, and following irresistible pressure, have our Conservatives been prepared to say the obvious: that the communist regimes which arose out of the Yalta agreement were all without exception illegitimate, and should never have been accorded the diplomatic recognition that has kept them in being for so long.

Even more distressing to our Eastern European colleagues, has been the failure of conservative intellectuals to take an interest in their plight, or to articulate a vision of society that would provide a corrective to it. Only those of Central European origin (such as Popper, Hayek and Voegelin), or those (such as Alain Besançon) who have themselves been inoculated with the communist bacterium, have had any inkling of the relevance, for conservative philosophy, of the communist experience. English conservatives have either ignored it, or assimilated it to the general and useless category of 'tyranny', on a par with the tyrannies of the Mongols in Asia or the Incas in Peru. Even a thinker of the stature of Oakeshott, whose critique of rationalism is aimed at the very heart of communist ideology, has refrained from addressing directly the spiritual condition which that ideology creates. In general, the stance of conservatism in our time has been resolutely negative: it has been prepared to criticise socialist and liberal ideas, but from a standpoint of scepticism, and with a view to emphasizing the human imperfection which will always qualify our schemes. Salutory though this scepticism may be in times of ideological frenzy, it has proved demoralizing to our friends beyond the Elbe, who have stood more deeply in need of beliefs than any other remnant of once-believing Europe.

The second difficulty is connected with the first, which is but one small, though significant, part of it. This is that the countries of Central Europe no longer have a true political culture. There is no longer that class of educated and active people capable of attracting a following, leading them to power, and afterwards, retiring from power with the dignity appropriate to those who recognize the constraints imposed by their own imperfection. Democracies are not created overnight, nor do they come into being merely because the mass of people desire them. They arise through the efforts of elites, and through the long, unsteady process of compromise, whereby offices are created with an authority that is greater and more lasting than their temporary occupants, and whereby chains of command

and representation are constructed, uniting those at the apex with their supporters below.

The evidence of this lack of political culture is not hard to find. First, in the behaviour of the communists themselves. Despite encouraging signs in East Germany, no communist party has yet been able to assume full responsibility for its crimes and misdeeds. Wherever 'self-criticism' occurs, it tends to take the form of an accusation, levelled at this or that recalcitrant member of the ruling conspiracy, and not at the conspiracy itself. No communist party has been able to survey its own claims to legitimacy and confess to their utter nullity, or to look on the character, ideas, and intentions of the Founding Fathers and describe the appalling truth about them.

But it is in the opposition that this lack of political culture is most tellingly manifested. Real political parties (as opposed to those 'parties of the new type' formed on the Leninist model) are not systems of military command, but systems of compromise and conciliation, whereby real, but competing, interests are able to find partial expression before the court of national sovereignty and to influence the long-term course of events. They are formed through public debate and external criticism; through alliances and renunciations; through small-scale sacrifices in the pursuit of common goals. They emerge from properly adjudicated disputes and focus on personalities and figureheads chosen both for their individual will, and for the interests and attitudes that are represented by them. Where in the vociferous mass of opposition groupings, is the true Polish, Czech or Hungarian party, ready to take power, and to do what is required in order to retain the sympathy and good will of an anxious electorate?

This absence of political culture is, of course, a general problem in countries which have suffered two generations of totalitarian dictatorship. To think that it is an insuperable obstacle to political renewal is effectively to despair of any real and lasting change. And such despair would be unwarranted; for culture, like life, is mysteriously durable, and sleeps in the fissures of destruction waiting always for the chance to rise again. This is why there is far more hope for democracy in Eastern Europe than for democracy in the Middle East. The literature, history, religion, and architecture of Central Europe all speak of that great aristocratic culture which was the prelude to democracy and through which the liberty of the individual and his rights against his sovereign were first asserted. Those brought up in Czechoslovakia and Hungary still find their tribal memories stirred by their surroundings, and by a national literature which recalls the great days of the Habsburg empire and the historical movement for national liberation. They understand the need for leadership, for institutions and offices, and for the ordered public debate without which parties can neither form themselves nor adopt responsible policies. As we have seen in Poland, the communist tactic of constantly decapitating every opposing group or movement cannot

forbid the emergence in a new generation of the social and political elite necessary for the country's renewal. Lech Walesa was a surprise, but not - given Poland's Catholic culture and embedded resistance - a miracle. The problem that Poland now faces is the problem of turning a social movement of opposition into a political party, or a series of political parties, capable of holding office defeasibly. Nevertheless, the presence of a political elite is enough to give hope that this problem can be overcome; and the development of a new political culture in Poland may encourage similar developments elsewhere in Central Europe.

This brings us to the most serious impediment to the democratization of the once communist states - namely, the absence of a rule of law, and of that law-abiding spirit which enables people to settle their conflicts without a fight. It cannot be sufficiently emphasized that European and American democracy grew from the rule of law, and from the frame of mind which law establishes. And when people call for democracy, it is often legality that they are really seeking. Indeed, the confusion between these two ideas is responsible for much empty rhetoric and for much misunderstanding. There can be no democracy without a rule of law, though there can be a rule of law without democracy. And if there is a rule of law, then power is automatically accountable, offices cannot be systematically abused, and all citizens have rights, against each other and against the state.

The rule of law requires three things which communism has endeavoured successfully to destroy: the subjection of all individuals and all corporations to the law; the administration of justice by an independent judiciary; and a legal system which extends to all adjudicable conflicts. In all three respects, communist legal systems have been deficient - so deficient, in fact, that it is only by a certain stretch of the imagination that one can describe them as systems of law. (See, for example, the article by Jan Korda (alias Petr Pithart) 'Prostitution in Czechoslovakia' in Vol 3 no 4).

First, the party and its agents have been *de facto* if not *de jure* systematically exempt from the law. This is partly because the party has had the right to issue decrees which cancel the effect of any law deemed to be 'counter to the interests of the working people' (i.e. of the party). But it is also because the administration of justice was so corrupted by the party - which could eject judge, prosecutor and defense lawyer from office without regard for any legal procedure - that it was impossible to enforce the law against the party itself. Moreover - and this is a defect which has still not been remedied even in Poland and Hungary - the legal *status* of the party is obscure. On paper, the Communist Party is a corporate person. But can it be sued in civil law by those whom it has injured? Can it be prosecuted in criminal law for the crimes which it has committed? There are no known instances. If it were possible to take legal action - either civil or criminal - against the party *itself*, as a corporate agent, not only would all its assets be confiscated at

once, but the party itself would be disbanded as a notorious criminal conspiracy. As it is, the party stands outside the law and can be brought to account for none of its actions – *despite* the fact (and also because of the fact) that it is the greatest agent of civil and criminal wrongdoing. One reason for being sceptical of recent reforms put forward by Gorbachev is that they seem designed precisely to reinforce this extra-legal character of the party, to ensure, in other words, that it is never the party itself that is arraigned before a court of law, but always some ‘mistaken’ or ‘criminal’ element within it. This is the root cause of the party’s lack of accountability.

Secondly, there has been no independent judiciary in the communist states (despite mendacious claims to the contrary in communist ‘constitutions’). The party has controlled the appointment and dismissal of judges and imposed upon them not only the peculiar ideology of ‘proletarian’ or ‘revolutionary’ justice, but also a form of secret obedience which made it impossible to act freely in any case in which the party had an interest. The party even controlled the interpretation of the many vague and contradictory statutes – issuing secret directions to the judges as to how particular statutes were to be interpreted, so as to entrap particular classes of its ‘enemy’. Until recently, judges had to be party members, subject to the discipline of ‘party-mindedness’; and in political trials even defense lawyers were under an obligation to put the interests of the party before those of their clients.

Thirdly, and most importantly, communist law is deficient in scope. Not only is it crucially vague in all matters which concern the party’s need for obedience; not only is there a vast accumulation of decrees, often unread and usually in conflict among themselves; not only is there no accurate record of decided cases and no public attempt to render the law precise and knowable; there are also whole areas of human conflict where the law is silent. Laws of tort and contract, for example, of trusts and corporations, barely exist. The citizen who wishes for compensation for an injury, injunction against a nuisance, enforcement of a contract, granting of a beneficial interest, or an action against a corporate wrongdoer, often cannot even begin his case. The result is that such conflicts tend to be settled extra-legally and in the interest of the stronger – which in the past has invariably meant in the interest of the party and its agents.

The re-introduction of a rule of law is a formidable task. To complete it a full programme of reform would be necessary, involving all of the following steps and more:

- the incorporation of the communist party, and of all other parties, in the full legal sense, so that the party becomes liable in law for *all* of its trespasses
- the end of party immunities
- the abolition of all legislative and quasi-legislative powers presently vested in the party
- the end to party instruction of judges, and the forbidding of judicial activism on behalf of a party

interest

- the restoration of legality – which means the Roman law systems of Eastern and Central Europe – in all those areas where law is uncertain or nonexistent.

These measures are now being taken. Only when they are complete, however, will it be possible to re-institute parties of the old type – parties which are separate from the state and subject to its sovereignty – in place of the ‘party of the new type’ invented by Lenin and which is designed precisely to control the state and to replace legality by unaccountable power.

But this brings us to the heart of the matter. Just what is the ‘party of the old type’ and what are its prospects in Central Europe? If Western democracies are fragile it is in part because the old kind of party is fragile and suffering from the disease of our epoch. The old type of party is characterized by certain features which are fast disappearing from the world but which are essential to its democratic function.

First, it is elitist. By this we do not mean that it forbids entry to those from lower down the social scale, or that it consciously strives to confine its membership to a particular class or stratum. We mean that it tends to attract people of calibre and education who are distinguished from their fellows by power of thought and decision, and who enter politics as their natural terrain and without any desire to occupy it in the interests of a ‘higher’ purpose. Paradoxically, it is this aristocratic nature of the old type of party that guarantees its democratic practice. For it neutralizes the effects of agitation and silences the clamour of the ‘interest groups’. Someone whose social position is secure and who is neither fired by a cause nor stirred by a resentful passion is able to consult the interests of everyone – and, indeed depends upon doing so if he is to enjoy the serene self-image which is the inner reward of power.

Secondly, the old type of party is unified, not merely in the pursuit of power, not merely in the exercise of power, but most strikingly in the loss of power. The leaders step down from office with dignified resignation, precisely because they know that the office will endure undamaged, that things long established will not be put in question, that whatever mistakes their successors might commit, the basic structure of law, administration, and government will remain intact; so that when the time comes – as it surely must – to reassume the burden of office, it will be the very same burden, attached to the very same benefits as the party now is laying down.

Thirdly, the old type of party is without an ideology. There is no system of belief, no doctrine or language, no unitary goal imposed upon its members. They come together out of a broad sympathy with each other’s views and interests, out of a shared desire for congenial government, and out of a vivid conception of specific piecemeal reforms. It is based on alliances, compromises, and concessions, and attracts votes less for its explicit goal or vision than for its intrinsic character as an assembly of human beings.

Parties of the old type are possible only in special conditions. First, there must be a healthy 'civil society' outside the control of the state - a sphere of free association and autonomous institutions, through which common interests are formed and protected, and in which the elite receives its self-confidence and education. Secondly, there must be a broad agreement within society concerning the *limited* character of the political process. Not every question is political; and not every problem admits of a political solution; and, even where political solutions are possible, it may be unwise to look for them and better to trust to the equilibrating devices of society. Thirdly, there must be a respect for the fundamental social and political institutions - including the structure of law and those codes and conventions which make up the constitution. Parties may question this or that part of the political dispensation: but if everything is put in question, nothing makes sense, not even the question. Parties of the old type exist against a background of consensus, which limits both the questions they may ask and the answers they may propose for them. And this consensus embraces the enduring features of the *polis* - those institutions and conventions which form the unalterable matter of that 'partnership between the living, the unborn, and the dead' (as Burke famously expressed it) whose continuation is the necessary condition of a stable and fulfilled society.

In England and America, parties of the old type were for a long time the norm. However, two serious questions may be raised concerning the ability of such parties to survive in the modern world. One of these questions is most vividly suggested by the British experience, the other by the American.

The first question - which bears directly on the case of Central Europe - is whether there can really be a *socialist* party of the old type. The British experience suggests that there cannot be. For, while the Labour Party has, from time to time, held office with a semblance of respect for the social order and for the political process of our country, it has done so only by ceasing to be socialist. During its socialist periods - which, happily, tend to coincide with its absence from office - the party jettisons the constraints implicit in the old type of politics and begins to move in the new direction. First, it begins to 'organize' itself, driving consensus politicians from its ranks, and replacing them with activists. It then endeavours to establish a new unity, defined by doctrines and goals rather than by the steady jostling of alliances. It proposes radical changes which are not merely reforms of the existing order but projects to overthrow it, usually in favour of some half-baked but vehemently advocated ideal of an 'equal' and 'classless' society. It ceases to recognize any limit to political activity and seeks, on the contrary, for a 'total politicization' of the social order, a universal mobilization by means of which people stampede together to their uncomprehended goal. Nor does it recognize a sphere of 'civil society' outside the control of the state: industry and commerce become targets for

'nationalization'; schools are forcibly subjected to equalizing policies by the state, and the state assumes the right to abolish any and every association at will - from private schools to fox hunts - should they be considered alien to the collective purpose. Such a party loses its intrinsic respect for law and constitution: the judiciary are castigated as agents of the 'bourgeoisie', and the law is brought into disrepute as an instrument of 'class justice'; proposals are entertained to bypass the courts in favour of industrial 'tribunals', to grant legal immunities to those engaged in the 'struggle for socialism' and to abolish such symbols of the old order as the monarchy and the House of Lords. For such a party, *everything* can be put into question - even our collective survival. Defence, for example, can be abolished, should the ruling party choose - and proposals to render the country defenceless before its enemies are constantly on the Labour Party agenda.

All this amounts to a repudiation of the old type of party, in favour of a party justified by doctrine: the party of the new type advocated by Lenin. Of course, the first result is that the party finds itself unable to win an election. But this too constitutes a threat to the democratic order. It is bad for the country that there is no effective parliamentary opposition, and bad that the people have no second party with the ability to take power, to preserve power, and to lose it again without damage to the political order or to its own self-esteem. And the danger is always present that the Labour Party will take power as a party of the *new* type, and so find itself without the character, the leadership, and the decencies which would enable it to relinquish office gracefully. When that happens, vast and irreversible changes (which the Labour Party has been promising in recent manifestoes) may well consign our country to the condition of Hungary, from which we will return only with the greatest difficulty.

The second question is whether a party of the old type can really survive the double impact of 'media hype' and modern pressure groups. And here, the American experience offers another warning. Rule by the media is mediocracy. It also entails an over-emphasis on politics and on the personalities who sit at the pinnacle of power. A politician is always a 'story' even if he is merely trying, like President Bush, to catch a fish. And this leads to the converse idea, that every story is really political and, therefore, that every area of human life is a proper object of political interest. There follows the same over-extension of politics that in Britain has resulted from the socialist programme - the same sense that politicians may have not only the right but also the duty to legislate on every aspect of society, directing resources, redistributing income, banning, curtailing, and commanding in every sphere where some human interest has staked its presumptive claim.

This process is exacerbated by the rise of the organized pressure group. The honest way to obtain an advantage is to work for it - to sow and reap with one's own hands and without encroaching on one's

neighbours. But honesty is hard, and the dishonest person now has an easy way to appropriate his neighbour's capital and the fruit of his neighbour's industry: namely, by persuading Congress to endow him with an unearned income from the public purse. The cunning and deceitful, gathered together in a group of lobbyists, can live off the fat of the land, once they have commanded that small minority of votes which will ensure that a congressman is returned to office, or ejected from it, at their behest.

Of course, this possibility has always been there, and the great periods of Western democracy were not entirely free from such abuse. Now, however, the pressure group has a novel and all-powerful weapon – the media, which recruit from the parasitical class and speak always in its favour. The result is a gradual increase of public expenditure and the creation of an immovable class of state dependents – the very same class that is the natural result of socialist policies.

The most interesting consequence of this lies in the effects on the constitution. The American democratic process makes explicit that dependence on a settled constitution which is only implicit in the proceedings of the British parliament. But for that very reason it exposes the constitution to constant re-interpretation by a Supreme Court which the pressure groups scramble to influence. The class of state dependents and their liberal champions can now effectively control the political process by dictating what the constitution means. Its meaning is no longer fixed by those great men who first devised it, but by the little men of the Harvard Law School, who advance the interests of the

parasitical class by speaking out for the real and imagined victims of the system. The result is a kind of disenfranchisement of the majority, whose moral values and social expectations are publicly held up to scorn and legislated into extinction.

It would be wrong to be too pessimistic about the future of democracy. Nevertheless, it seems to us that, just as the totalitarian states have destroyed the political culture necessary to re-establish it, so are we destroying the habits and decencies necessary to retain it.

In both parts of the world a new spirit is needed – one which sees that democracy is an achievement, and one which requires patience, renunciation, and modesty. It survives only because we are prepared to ignore it, and devote our labours to endorsing and amplifying those quieter institutions on which it depends: institutions such as the law and the 'little platoons' of civil society where virtue is learned and leaders formed. But when democracy becomes the all-embracing cause, it means little more than a universal scramble for advantage, an attempt by each and everyone to secure for himself and his kind the maximum share of the 'social product.' 'Democracy' is then a name for theft, and politics no more than a battle to control the majority, in the name of the majority but in the interests of the few.

So if we have a word of advice for the aspiring politicians of Central Europe it is this: do your best to ensure that politics in general, and democracy in particular, are of no overriding importance in the lives of the people. Take as your goal not a particular kind of politics, but the depoliticization of society. Only in a depoliticized society is the practice of politics possible.

Letters

Sir,

Two recent articles in the *Review* on the present state of English literary criticism, by Professor Norman Fruman and Mr David Pryce-Jones (September, December 1989), may have given readers something of a jolt. As a non-academic with a robust esteem for Joseph Conrad and Henry James, I found the pieces disturbing; yet they confirmed what one had for some time suspected, from the nature of those weighty introductions now assisting the student of the standard works, that literature along with history has been subjected to a fierce assault by politics.

When Conrad said 'This is a jolly cold world' he spoke not merely for Joseph Korzeniowski but for all of us. When James said 'I have in my own fashion learned the lesson that life is effort, unremittingly repeated' he had arrived at a truth that is valid everywhere. Before the spiritual might of such universalists sectarian posturing is an irrelevance.

Nevertheless the crabbed intellectual may travel far on high arrogance. Sartre held 'Flaubert and Goncourt responsible for the repressions that followed the Commune, because they wrote not a single line to prevent them'. Such *folie* has fuelled the marxist crusade throughout the past hundred years, and when after 1917, the tenets of the creed were given flesh, there arose a maleficent symbiosis: western theorists were sustained by seeing their ideas put

into effect on the world stage, eastern practitioners fed on the flow of words emanating from academic armchairs. Now all is changing. Socialism, when made to stand on its own feet, collapses. How long can our progressivists survive without their fraternal friends?

D.G. Holliday,
Maidenhead.

Sir,

In noticing 'The Idler' (December 1989) you say that Canada's 'Conservative Party' has incorporated the word 'liberal into its title lest anyone accuse it of believing in something'. This is strictly incorrect, since that party describes itself not as Liberal Conservative but as Progressive Conservative. And it would be hard indeed to speak too harshly of the Mulroney administrations: which, internally, threw away their chance to effect an anti-socialist counter-revolution; and which, externally, have aligned themselves with the Third-worldly drive to establish a Marxist-Leninist regime in South Africa.

Professor Antony Flew,
Reading.

Sir,
Beverly Halstead's excellent article, 'Is Science Racist?' (December 1989) reveals the extent of the damage done to our universities by people who proclaim themselves to be democrats. Respected professors and lecturers are intimidated by people posing as seekers after 'equality' and racial peace. We are in a deep crisis which may lead to the silencing of divergent opinions, and so to the end of scientific research.

Twenty years ago in the universities of the U.S.A., when the debate about IQ and racial differences broke out, brilliant scientists such as William Shockley, Arthur Jensen, Hans Eysenck and Richard Herrnstein were accused of 'racism' only because they argued that IQ has more to do with heredity than with environment. They were stigmatised as 'fascists'. Professor Shockley was shouted down at public lectures and had his university lectures cancelled. The Harvard University Action Group and the Harvard Students for a Democratic Society formed the nucleus of a protest against Professor Herrnstein. His lectures were disrupted by the 'democratic' students. At the University of Iowa he was frightened away by a mob of radicals awaiting him in the auditorium (*Science* 6 July, vol 181, p. 36).

These incidents reveal a will by some to impose an ideological monotony on university institutions. They show that the person who tries to think and act outside the ideological norms which these 'democrats' impose, is in danger of being characterised as 'fascist', 'racist', 'elitist', or even 'unfit to think in a proper way'.

The 'democrats' of today are the enemies of free speech, unwilling to tolerate, never mind discuss, opposite points of view, and scornful of excellence in intellectual endeavour. They have as their dogma the words of Roy Hattersley: 'the pursuit of equality of opportunity has to be replaced by the pursuit of equality itself'.

Michael Danikas,
Switzerland.

Sir,
National Socialism's first casualty was truth, and unfortunately truth is also a casualty in the article 'The Moral and Occult Roots of Nazism' in your December issue. For many things are told there which have no basis in fact, for instance, that 'apart from Goebbels all the men who were to become Nazi leaders were heavily involved in occult practices', that Goebbels ordered a copy of *Mein Kampf* (published in 1925, not 1923) to be placed 'on every church altar', that he 'exhorted all Germans to pray for Hitler' and had children 'school'd to pray for him', that people lit candles in front of Hitler's picture and credited him 'with supernatural powers', that S.S. men 'were compelled to attend courses on occult topics', and that 'the Nazis suppressed a prayer traditionally said after Mass'. The German elections of 1932 took place in November, not December, of that year, and the N.S.D.A.P. gained one third, not three eighths, of the vote. Nor is it true that 'no single body' protested 'against the regime's inhumanity', for the programme of killing off the insane had to be abandoned because of protests by the Roman Catholic Church, while on the other hand the assertion that 'National Socialism made little headway in Catholic areas' is equally unjustified - Bavaria and Austria were certainly Catholic. It also would be interesting to know where in the *Secret Doctrine* Madame Blavatsky speaks of the 'Teutons' as a 'master race', or which 'historians, philosophers and myth-makers' after the victory of 1871 (not 1870) were 'enlisted' by the 'authorities' to 'create a national ideology'.

Many other assertions, if not outright false, are pointless or misleading. Three examples may suffice.

1. It is useless to connect the 'spiritual vacuum' at the end of the nineteenth century with the rise of nationalism and

occultism when the vacuum was a general European phenomenon. The tendency 'to equate Germanness with everything that was best in the world' was mirrored by a corresponding tendency as regards Englishness or Frenchness. And when one speaks of the 'Vril Society' one should mention that the word and concept 'Vril' was introduced by Bulwer Lytton, an Englishman, in his romance *The Coming Race* of 1871.

2. If National Socialists saw 'two distinct principles of good and evil fighting for domination in the universe', then this was not specifically connected with Gnostics, Manichaeans or Cathars, and such a belief, is held by many liberals, radicals, communists and other kinds of people as well.

3. As for the 'moral decay' and 'sexual licence' in the years before Hitler took power, they were generally confined to one place, Berlin, and did not affect Germany at large. And contrary to what is stated in the article the National Socialists did suppress them; 'drug-taking' did *not* flourish in Weimar and Nazi Germany, and in the Third Reich known homosexuals were only found in concentration camps.

R. Gruner
Newton Stewart
Wigtownshire

Sophist's Corner

(This letter appeared in the *Sunday Telegraph*).

YOUR leader 'Why no shame on the left?' (December 24) is a travesty of historical malfeasance as ill-considered as it is flawed in reasoning.

The whole point about the revulsion in which the extreme right is held is because of its association with the evils that result from fascism, Nazism or totalitarian dictatorship.

The historical hypocrisy that prejudices your article is the lack of understanding that 'communism' in its proper sense has never been practised as a system of government because those who became party members made themselves into an élite so that they had no other recourse than to ape the right, invoking those shining examples of 'authority and obedience' you hold to be vital to the respectability of right-wing, namely Tory, thinking.

Another thing you seem to be unable to understand is that socialism is different from communism. The deliberate confusing of the terms in which you and your ilk so love to indulge merely allows you to peddle your hate over a wider spectrum. You will no doubt remember when the term 'democrat' was regarded by those of your persuasion with the same fear 'communist' now seems to inspire.

Baldwyn Abithel Davies,
Dolruddyn, Guilsfield,
Welshpool, Powys.

Book Reviews

TRIALS OF ULSTER *Alistair Cooke*

Ulster: Conflict and Consent, Tom Wilson, Basil Blackwell, 1989 £9.95 pbk., (06311-62453)

Everyone is familiar with the basic characteristics of what generally passes for the 'fair-minded book about Ulster': in it the Ulster Unionists are rebuked, the policies of the British Government are castigated and excessive tenderness is displayed towards the cause of Irish Nationalism, as long as it is not sullied by violence. The emphasis given to the different elements may vary, but the formula itself does not alter very much. The British Government can escape censure only if it imposes reforms on the Ulster Unionists; and the latter will earn a grudging word of praise if they accept those reforms (which they are not famed for doing). In all this there is rarely any motive other than a genuine desire to help establish a fair and liberal society in Ulster. However, progress in Ulster is not often attained by exerting pressure on the Unionists and the British Government alone. Traditionally, that has the effect of encouraging the Nationalists in Dublin and Ulster - whose attachment to liberal British values is likely to remain in serious doubt - to increase their demands, perpetuating uncertainty and making political stability even harder to achieve.

The written work that can seriously help bring about progress in Ulster falls into a quite different category. Its distinguishing characteristic is a deep concern to remove misunderstanding about Ulster's constitutional position. That involves repeating *ad nauseam* the elementary facts about Ulster's history - still too little heeded - which keep the Province British. It also involves participation in specific discussions designed to assist the continuing search for a form of government capable - first and foremost - of satisfying the Unionist majority while at the same time making adequate provision for the non-Unionist minority. Unless the Unionists are given pride of place at the negotiating table (and the pretensions of the minority to equality firmly resisted), it is unlikely that agreement will be reached.

The contrast between the two methods is marked. The first (which has been only slightly caricatured) provides support for the extremely dangerous tendency, seen often in Ulster policy-making, to allow the agenda for discussion to become almost entirely open-ended, thereby exciting intense suspicions about the ultimate aims of the British Government. The second method seeks to establish with some precision the limits within which political change can prudently be permitted to proceed. Sadly, this approach has had few adherents, but it has now been powerfully reinforced by Tom Wilson, a distinguished Ulsterman who was for many

years Professor of Political Economy at Glasgow University. His book fulfills its purpose admirably, basing its detailed policy recommendations firmly on the lessons of the past. The tone throughout is calm and restrained. Yet rarely has quiet, determined advocacy been more effective or persuasive.

Wilson has little difficulty in answering those who reject all constraints on policy because they object to the very existence of Northern Ireland and want to prepare it for union with the South. Anyone who turns aside from Nationalist fantasies and glances even casually at the actual historical facts (summarised by Wilson with great clarity) is unlikely to agree that Ulster belongs naturally in a united Irish state. It is not hard either to demonstrate that Irish Nationalism reacted to the resistance it encountered in Ulster not by modifying its pretensions there but by restating them unchanged with even greater vigour. Indeed it would have been surprising if a movement, filled with passionate intensity and imbued with a mission to liberate the whole of Ireland from Britain, had allowed itself to be deflected from its purpose by a dissenting minority, however large. Unionism naturally matched it in intransigence. Nevertheless there remains in this country a substantial body of opinion ready to support initiatives in Ulster which ignore the practical limitations on policy that the past has created. It is only through little history lessons, like those provided by Professor Wilson, that the problem can be tackled.

Having sketched the essential historical background to partition in 1920, Wilson moves on to a detailed analysis of subsequent events in Northern Ireland, which forms the prelude to his practical political proposals. Like most experts in the matter, he is not greatly enamoured of the Stormont system. However, he firmly dismisses the more extravagant charges brought against it. The extent of the discrimination suffered by the Catholic minority is examined with scrupulous care. Wilson concludes that abuses certainly occurred, but on a much smaller scale than might have been expected in a deeply divided community in which the Unionists had so many opportunities to exploit their position. Rarely has so high a political price been paid for so little corruption. The sins which cost Stormont its reputation were essentially venial, and could easily have been purged. But the damage is done and that system cannot be revived.

As a highly pragmatic Unionist concerned above all with economic progress, Wilson has no objection in principle to a devolved government based on power-sharing. He served both Stormont and the 1974 power-sharing executive as an economic adviser. The latter was 'able to deal smoothly enough with its devolved responsibilities, more smoothly than some Cabinets in Britain based on majority rule have been able to do'. But, as he readily admits, this admirable practical co-operation was fatally impaired by Nationalist

politicians who extracted political and constitutional concessions at the Sunningdale Conference which precipitated a mass Protestant revolt and destroyed power-sharing. Since the Nationalists have increased their demands since 1974, Wilson concludes that agreement on devolution is now unattainable. He subscribes to the verdict pronounced by Airey Neave eleven years ago: that devolution on the basis of power-sharing is no longer practical politics. Yet even on economic grounds which have often been emphasised, the demise of devolution need occasion no great regret. Stormont was never equipped with the financial resources it needed. 'Less assistance was provided than that given to other poorer regions within the UK - a fact that has not usually been observed'. In economic terms Ulster fares infinitely better under direct rule than it did under Stormont.

What then does this emollient and scholarly champion of the Union think should be done? In the final section of the book, he sets out a programme of action which will appeal strongly to those who believe that Ulster should be brought into a closer relationship with Britain. The principal ingredients of that programme are proposals for the re-establishment of an upper layer of local government in the Province (absent since 1972), and for the introduction of arrangements in Parliament to enable Ulster's legislation to be dealt with in the same manner as Scotland's. These steps would be accompanied by strenuous efforts to increase the Province's prosperity, and to improve security possibly through the introduction of internment.

Such ideas are not new; indeed they hark back to an earlier version of Unionism associated with Carson. They may never be incorporated in the policy of any of the major Parties. But even if they do not dominate the debate about Northern Ireland, they can help make it infinitely more fruitful. The overriding objective of all Unionists in that debate must now surely be the destruction of the liberal consensus which refuses to fix any clear boundaries for change in Ulster. That is essential in order to create the conditions in which opinion in Britain can at last come to terms with its responsibilities in Ulster, and correct the impression which it often gives now 'not so much of any deep attachment to regional democracy, as of a desire to start the process of complete withdrawal', as Professor Wilson puts it.

OLD HISTORY FOR NEW

A. W. Purdue

The New History and the Old, Critical Essays and Reappraisals, Gertrude Himmelfarb, The Belknap Press of Harvard University Press, 1987. £7.25 pbk. (0-674-61581-6).

Gertrude Himmelfarb's ideal society is one composed of independent and rational individuals in which

politics is both the supreme activity and a process by which decisions are taken on the basis of thought directed disinterestedly to the public good; she is also wedded to the view of history as progress. She belongs therefore, to a noble tradition, but it is not a conservative one - rather, that of classical liberalism. It is not surprising that Professor Himmelfarb's work has concentrated upon Victorian Britain, upon a society in which liberalism achieved such an intellectual ascendancy; nor is it surprising that she is such a doughty defender of the 'Old History', the history of politics, ideas and individuals, which was developed as a discipline in the nineteenth century, against the 'New History'.

What is the new history? It is certainly no monolith and much of it is not very new. Himmelfarb has a fair shot at describing her enemy and the characteristics that separate it from the old history:

Thus the new history tends to be analytic rather than narrative, thematic rather than chronological. It relies more upon statistical tables, oral interviews, sociological models and psychoanalytic theories than upon constitutions, treaties, parliamentary debates, political writings, or party manifestos. Where the old history typically concerns itself with regimes and administrations, legislation and politics, diplomacy and foreign policy, wars and revolutions, the new history focusses on classes and ethnic groups, social problems and institutions, cities and communities, work and play, family and sex, birth and death, childhood and old age, crime and insanity. Where the old features kings, presidents, politicians, leaders, political theorists, the new takes as its subjects the 'anonymous masses'. The old is 'history from above', 'elitist history', as is now said; the new is 'history from below', populist history.

The 'new history' is definable in terms of what it is not and constitutes a series of schools, many of which have nothing in common.

The New History and the Old brings together a number of Himmelfarb's essays first published between 1975 and 1984 in which, like a skilful and experienced shot, she brings down these new histories: high-fliers from the Annales school come fluttering down; a covey of low-flying social historians bite the dust; both barrels are used effectively on quango-historians and psycho-historians; the British group of Marxists are quickly despatched. Her game book makes interesting reading. An erudite and distinguished scholar, Himmelfarb writes well - unlike the historians she discusses, with their penchant for sociological jargon. She also argues cogently, cutting through the ponderous pretentiousness to expose the banality of the assumptions that underpin so much of the new historical 'scholarship'.

Conservatives will find much to admire and to sympathise with in this book: its defence of the role of individuals, of the fundamental importance of chronology and of the centrality of politics, ideas and

administration, together with its exposure of the limitations, the present-mindedness, the philistinism and the intellectual poverty of much that is now written in the name of history. The variety of Himmelfarb's targets is such, however, that the reader is not always clear whether she is complaining of excesses or whether she considers all the genres of the new history to be irredeemably misguided. Of course, some are: unless one shares their quaint ideology and perverse theory, then one has to consider the work of the British group of Marxist historians an intellectual cul-de-sac. Feminist history, as opposed to history with women in it, is of no interest because of its dependence on contemporary radical feminist assumptions; it merely ransacks the past in order to bolster those assumptions. It is difficult, however, to object in principle to the historian who, aided by his computer, spends his time counting; and the only reasonable objection to 'quanthistory' (or cliometrics, as it is sometimes called), can be to the extreme claims made for it by its more arrogant practitioners. Similarly, to object to social history *per se* would be as Himmelfarb grudgingly admits, obtuse – although the inverted snobbery of some of its practitioners and their desire to separate social life from political life and ideas makes them fair targets for her scorn.

How far can the conservative go with a liberal historian like Himmelfarb? He will share her contempt for much of the new history and her fears that it is becoming the new orthodoxy. He will be concerned that, as its subject matter and assumptions move from universities to the school curriculum, a generation may grow up that, far from being able to question the importance of Queen Anne, has never heard of her, and which knows a little about social conditions in the nineteenth century but nothing about Gladstone or Disraeli. Her essay 'Is national history obsolete?' would make useful reading for those concerned with the national curriculum. But the conservative cannot go the whole way with a classical liberal whose fondness for the history of politics and ideas is based on her view of man as a rational political animal and of history as something which possesses shape and meaning, a shape and meaning that go under the name of progress.

The conservative is more likely to see politics as reflecting rather than directing the social order, and to see political decisions and developments as arising out of interests, loyalties and customs as well as ideas. He is most unlikely to view history as progress – though he will probably discern improvements and gains as well as losses. It is not surprising that Himmelfarb finds the views of conservatives often as dangerous and unsettling to her philosophy of history as those of socialists. Few conservatives adopt quite the uncompromisingly bleak attitude towards the past as Michael Oakeshott with whom she takes issue. For Oakeshott '... the past is dead and irreproachable, the past is feminine. He [the historian] loves it as a mistress of whom he never tires and whom he never expects to talk sense'. But if Oakeshott's is an extreme stance, most

conservatives would disappoint a liberal who exalts the rational and the political and sees politics as essentially about ideas. In a sense Sir Lewis Namier's *The Structure of Politics at the Accession of George III* is part of the new history, but an impeccably conservative part. Maurice Cowling's *1867 Disraeli, Gladstone and the Revolution*, and other works by the high politics school of British historians, must be found wanting from Himmelfarb's viewpoint; for they see politics taking place within a context which qualifies its possibilities and its nature – a sort of structuralism without the guff. If the conservative historian finds the world of politics and administration, of kings, prime ministers and bishops important and interesting, there is no reason why he should disdain social history, family history or the history of popular culture; such studies can do much to buttress conservative interpretations of history. Jonathan Clark's *English Society 1688–1832* demonstrates that social history, in its widest sense, can be conservative history indeed.

Despite such qualifications, one must applaud Himmelfarb's defence of the importance of political history and her exposure of the absurdity and the danger of much of what is called the new history; for what was merely absurd becomes dangerous as it becomes an orthodoxy. The absurdity of denigrating the centrality of political history is best demonstrated by the importance which many of the denigrators attach to contemporary politics. How often one has heard groups of left-wing historians earnestly bewailing the influence of Mrs Thatcher and 'Thatcherism'; an individual has, so it seems, brought civilisation, as *they* knew it, to an end. Yet these very same historians are likely to profess the view that historical change is a matter of great impersonal forces and that individuals, politics and ideas are mere 'cockleshells', to use Fernand Braudel's phrase, tossed on the waters of history. Either they cannot tell a cockleshell from the Gulf Stream or from their own mouths their experience confounds their thesis.

A FARAWAY COUNTRY

Robert Pynsent

A History of Czechoslovakia since 1945, Hans Renner, translated by Evelien Hurst-Buist, Routledge, pp. 200, £25.00. 1989 (0-415-00363-6).

Life in Czechoslovakia since 1945 has generally been unhappy and unturbulent. The Czechs (not the Slovaks) voted the Communists into power and there is no reason to believe that they were not aware that the

Communist parties of those days had no intention of ever relinquishing power – they had their historic mission. Furthermore, as the Czech-born Renner points out, Czechoslovaks had been betrayed by Great Britain and France in 1938, had been liberated from the Germans largely by the Red Army and also had had more than a hundred years' Russophilia trickling in their veins, and so it had seemed sensible to render oneself up to Stalin.

The history of Czechoslovakia in the 1950s and 1960s, the political trials, the executions, the prison camps, the ever-increasing dissatisfaction of the Czechs and Slovaks with their leaders, has already been well documented in English, by Skilling, Kusin, Wallace. Renner adds little to what they have said. He certainly under-estimates the sheer contempt in which Czechs, not only Slovaks, held Novotny. Certainly Czech intellectuals, especially writers, played a large part in preparing the so-called Prague Spring, but they had also played a large part in imposing Stalinism. Nezval, the one major Communist writer not to have been expelled from the Party in 1929, expurgated his works from the 1920s and 1930s so thoroughly that they were often tamed into empty elegance. At the end of the 1940s, Majerová omitted the central female character from her pre-Great War novel, *Place de la République*, because that character was a Russian anarchist contemplating emigration to New Zealand.

Renner's assessment of the once hero-worshipped loser, Dubček as a 'kind and decent' man without 'a progressive past', who in the end was all too ready to 'accept compromise' and 'had no clear conception of how to master the new situation' after August 1968, is hardly profound, though it is just. Renner is doubtful about the very possibility of reform Communism, though he does not go as far as to state that the very notion might be compared to reform Nazism or reform monetarism. Thank heavens, recent events have overtaken communism in all its forms, and reform is no longer on the agenda.

The failure of reform Communism and the subsequent Party purges led 655,000 Czechoslovaks to join the Party between 1971 and 1981, and 90% of these were under thirty-five. In 1975 three major Czech writers, Holub, Hrabal and Sotola, published recantations in the Party weekly. Czech writers had one periodical in the 1970s, *Literární měsíčník*, and almost no one read it. Although things appeared to be changing in 1988, particularly in September, Czech intellectuals had lost their political position in society, just as they had lost public esteem.

Indeed in general the Czech intelligentsia stopped reading Czech writers who published in Czech publishing houses. At least in the 1970s and early 1980s books issued in samizdat or by émigré publishers were as uncritically devoured as serious (usually young) 'official' writers were ignored. And still today a situation exists where books are bought for their 'bold' contents (drugs, prison-life, black-marketeering, corruption among Party functionaries) rather than for

their artistic value.

Renner ignores these circumstances and over-emphasises the importance of Charter 77, which acquired broad political significance inside Czechoslovakia only in January 1989, when it became a point of focus for the new generation of young protesters. Renner also under-emphasises the extent to which corruption spread over Czechoslovakia in the 1970s and, thus, fails to point out that the main reason for Strougal's losing his post was not that he was a reformist, but that he was renowned as the most corrupt of all contemporary leaders.

Strougal's dismissal constituted the Czech contribution to the cleaning up process which followed the Slovak corruption trial. Renner spends some time on this trial in a long footnote, but his book went to press before its consequences were realised in full (the dismissal of two Slovak leaders, Chnoupek and Colotka). The Slovak establishment had understood the trial as an organised attack on them by the Czechs.

Just as Renner barely mentions Czechoslovak relations with the West (or indeed with the East after 1971), so he almost entirely omits the Slovaks from his history. Where he otherwise frequently teeters on the brink of journalism, his omission of the Slovaks from the 1970s and 1980s is just bad historiography.

Though things are settling down now, anti-Slovak feeling among the Czechs grew fast in the 1970s. Slovaks who had to work in Prague as a result of the new federal constitution. (1.1.69) became less and less popular. Highly placed Czechs in the military and in the StB (State Security), as much as ordinary Czech would-be yuppies, complained more and more that Husák was putting 'his' Slovaks in 'all the good jobs'. Concurrently with these developments, Czech and Slovak intellectuals have come closer to each other, perhaps, than they have ever been since 1918.

Even dissidents like Vaculik and Havel read, apparently with pleasure, 'official' Slovak authors. What Renner writes about the Slovak Minister for the Arts, Miroslav Válek's 'wreaking particular havoc among the writers', is false. Many writers were banned in the Bohemian Lands (not 'the Czech countries', as Renner has it), but very few in Slovakia. The early to mid-1970s were, to be sure, almost as bleak in Slovakia as in the Bohemian Lands, but even then fine literature was appearing. Certainly, some writers published no new books until the end of the 1970s. Since the mid-1970s, however, Slovak authors, particularly of fiction, have produced a large number of highly original works. Unlike today's Czechs, today's Slovaks have a literature which does not need political or social sensations. In general, modern Slovak culture is bright, sceptical, and tends towards the self-ironic and metaphysical, where modern Czech culture (*pace* Havel and Provazník, perhaps also Berková and some female poets) is dour, cynical, and tends towards the sarcastic and physical. Slovak literature is normally more critical than Czech. The Slovaks had their first novel comparing Stalinism with Nazism in 1956 (Bednár) and in

1989 (Vilikovský) they have a novel satirising Slovaks, Nazis, spies, secret police, all historicist ideologies – and Jaeger underwear as worn by Roumanian agents posing as chambermaids.

Renner's run through Czechoslovak history is far from racy, though the bovine style is perhaps the translator's rather than his. I am not sure whether the statements like the following: Benes 'died on 3 September of the same year [1948], just in time to get a state funeral' are manifestations of humour or mistranslation. On top of that Renner is slow to offer interpretations and, on the rare occasions he speculates, he usually wilts into waffle.

VELVET REVOLUTIONARIES

Barbara Day

Samizdat and an Independent Society in Central and Eastern Europe, H. Gordon Skilling, St. Antony's/Macmillan, £35, pp. 293. (0333-43-577X)

This book is dedicated to the President of Czechoslovakia, to its Foreign Minister, to the Rector of the Comenius University of Bratislava, and half a dozen other distinguished figures.

Nobody needs to be told that when *Samizdat and an Independent Society* went to press, the dedicatees – Havel, Dienstbier, Kusý and their colleagues – did not yet hold these positions. Indeed, Havel and Kusý still had prison sentences to face. Gordon Skilling's book is splendidly topical as a source for discovering the inspiration behind the East European revolutions. For although Skilling unashamedly favours Czechoslovakia (devoting four out of nine chapters to this country), he also discusses the 'independent society' in Poland, Hungary, East Germany, Roumania, the USSR and even China. The collected essays, published at various times in various journals, are here revised and published with full notes and index as a detailed chart of the underground streams which (in Europe at least) eventually flooded the land.

Such a chart is not easy to draw, especially at the time when Gordon Skilling was working on it. One of the tensions of the independent society was whether its activities should be secret and carefully guarded, or as open and public as possible. The dangers of the latter approach were that participants would quickly be identified and isolated, and thus forced into a 'ghetto culture'; of the former, a continual fear of exposure and the distortion of a hidden life. In the end, some pursued one course and some another, often remaining in the same network. In retrospect, one can see that both streams in the end flowed together. The obstinate resistance of those who tried to live as though there were no secret police, no interrogations, no laws forbid-

ding freedom of speech, eventually broke down the fears of those who crowded Wenceslas Square and Letna plain. At the same time, the world has been taken by surprise by what, to quote *The Independent*, 'seems to have been a gang of informed and intelligent people ready to move into government'.

I doubt if Gordon Skilling was surprised by their existence. In chapter 3, 'Dissent and Charter 77', he quotes from Václav Havel's essay, 'The Power of the Powerless', concerning: '... people who try ... to express and defend the real social interests of the working people, to return real meaning to unions or to found independent unions ...' Within Czechoslovakia, the Communists depicted Charter 77 supporters as some kind of masochistic criminals; abroad, they dismissed them as isolated idealists. They succeeded in misleading even experts on Czechoslovakia, many of whom held that the only 'real' culture was that which appeared officially. Until November 1989, few people realised how far the 'independent society' had disseminated itself through the country. In fact, by the mid-eighties many so-called 'dissidents' had a network of contacts in university departments of computing, newspaper offices, ecology institutes, theatres, printing firms ... The authorities, convinced that they could retain control by locking up the 'troublemakers', seemed to be unaware of its existence. In the trial of the Jazz Section, for example (described by Gordon Skilling in chapter 4, 'Other Independent Currents'), the authorities never asked *how* the Section had managed to arrange events and print and disseminate literature, long after it had been banned from doing so.

This was one of the reasons for the 'gentleness' of Czechoslovakia's 'velvet' revolution. Those who came to sit on Civic Forum committees were not some unknown mafia; they were neighbours and colleagues from both sides of the 'official' divide who were already used to working together – although not previously in public. They had already co-operated on complex and sensitive projects, and were familiar with compromise solutions and flexible working procedures. And the Communists in their ignorance, believed that they could inconspicuously infiltrate these committees!

Samizdat and an Independent Society continually foreshadows the issues of the East European revolutions. In chapter 8, 'A Second Polity: contrasting Patterns of Reality', Gordon Skilling notes that the word *občanský* – 'civic' or 'civil' – 'was widely used in Charter [77] documents and became part of the vocabulary of Chartist discussion'. Now, of course, the whole world knows about 'Civic Forum'. In the following (and final) chapter, 'Towards an Independent Society', the word recurs – or rather, its root word, *obec* – 'community'. *Obec* is a word which has powerful reverberations in Czech history and literature: it was used by the author of the fourteenth-century *Dalimil's Chronicle* to define the identity of the Czech-speaking countrymen who resisted – or failed to resist – the encroachment of their German-speaking neighbours. Václav Benda, the Catholic philosopher and mathe-

matician (now founding a new political party, the Christian Democrats) used the term *obec* as synonymous with the Greek words *polis*. In 1978 Benda wrote an essay called 'Parallel *polis*', in which he analysed the concept of the parallel community - referred to by others as the 'independent society'. 'This embraced, in his mind', writes Professor Skilling, 'the second culture, the information system, popular music, unofficial education and scholarship, the second economy, etc., and could be expanded further to form a genuine parallel community'. The essay aroused debate not only in Czechoslovakia but also in Poland, and in the mid-eighties (whilst this book was in preparation) Gordon Skilling turned to Czech, Slovak, Polish and Hungarian dissidents for an expanded analysis of the meaning of the 'independent society'.

The response to this enquiry makes this final chapter more topical and engrossing than most of the newspaper reports of the last few months, even for those who may have found the detail of the earlier chapters difficult to digest. In particular, the formulation of long-term goals is amazingly consistent with what actually happened. Václav Benda again, on aims: 'to prepare people for the next great crisis, so as not to repeat missed opportunities of 1938, 1948, and 1968; if there was once again a failure of the political (and military) representation, to replace the latter with people of authority and prepare the majority of the population to articulate its will clearly.'

The crisis did come, and with it the enormously successful results of all the laborious work of the last ten years, so carefully chronicled in this book.

FIGHTING THE FRAUDS

Richard Ramsbotham

Fraud - Literary Theory and the end of English,
Peter Washington, Fontana, 1989. £4.99 (000-086-1385)

Fraud is a powerful attempt to discredit four major trends in recent literary criticism, namely structuralism, deconstruction, Marxism and feminism. More particularly, it is an attack on the view, whoever may hold it, that literary criticism can be effectively political. Washington adheres to the Kantian notion that the appreciation of art depends precisely on our detached disinterest. He states clearly that he would equally strongly attack criticism biased to the Right or the Centre, only that these have not been so influential, and therefore do not demand such urgent attention.

Fraud is a triumph of common sense. John Bayley is quoted on the front as saying: 'On every page he opens our eyes and makes us feel what literature is really about'. This is not true. Washington is addressing literary criticism, not literature itself. What is certainly true, however, is that on every page our eyes are opened

to the confusions and contradictions in the works of the literary critics. The experience is of an awake common sense, set loose amidst the madness of literary criticism, revealing that madness on every side. This makes *Fraud* exhilarating reading. It is to be recommended to many, like myself, for whom the very complexity of the arguments may have been a bar to such a clear understanding.

In the last chapter of the book, Washington outlines his own views for the continuation of the study of literature. There is one of these, which is actually the underlying basis for the whole chapter, which should be sounded far and wide to every literary department. It is the call for the reinstatement of writing (composition) in the syllabus, beside reading (criticism). Washington sees these as necessary complements, and reminds us that they always were thought to be so in the past. On the one hand this would add a practical side to the course, without which the study of literature might well come to seem purposeless. On the other hand, possibly more important at present, it would serve to gravitate criticism, relating it far more closely to the actual practice of art. Washington draws apposite parallels with the study of art and music, and the chapter, a disciplined eight sides, deserves to be read in full.

It is a joyous experience watching false regimes crumble. In one connection Washington points to the nonsense of Marxist criticism asserting the victory of History, while Marxist politics all over Eastern Europe self-destructs. But it is one thing to knock things down, and another to create something valuable in their place. Washington's scheme to re-introduce writing is helpful, but even by his own admission: 'does nothing to remedy the questions posed by theory'. These questions, it seems to me, often reveal a search to understand the imagination as an instrument of truth. It is an understanding Kant never attained, but Goethe did. This enabled Goethe to be both artist and scientist. An understanding of his approach might do two things. It might lead to the actual re-enlivening of art, which the mere re-introduction of writing, by itself, could never do. It might also show that far from treating art politically, it is time we started treating politics artistically.

PLEAS FOR PLANNING

Graham King

Cities of Tomorrow, Peter Hall, Basil Blackwell, 1990, £11.95, (0631-175-679)

Peter Hall has always been something of an enigma within the planning profession. He is a man of strong social conscience prescribing collective action; yet it was his idea for areas of economic free-for-all that encouraged the Conservatives to introduce the

Enterprise Zones in 1980. Hall has a speed and nervous energy that dazzle. A self-styled synthesiser of others' material, it is the breadth of his grasp and the speed of his conclusions that make one suspicious.

In *Cities of Tomorrow*, he argues that the development of modern cities can be traced back to the ideas of a few visionaries reacting against the ills of the Victorian city; and that in the process a 'monstrous perversion' of history took place, as their ideals foundered in reality. Hall exposes the two chief ingredients, so closely related, of the twentieth century dream become nightmare. On the one hand the technological dreams (Hall's 'motor of progress') and on the other the libertarian dream (Hall's trawl of anarchist ideas). Through the one, man would achieve a golden age of power, freedom and efficiency through machines, mass production and complete scientific mastery (including planning) of the environment whereby poverty would be eliminated. And through the other, the libertarian dream, man would be released from all the conventions and superstitions of the past and be free to seek the good life. The anarchist believed the truly free individual would be good and that mankind is better without any form of government. For the Marxist, too, the state would one day wither away. The hollowness of the dream is now apparent. Hall over-inflates anarchist ideas, forgetting that abstract liberty, like other mere abstractions, cannot be found in the real world. Personal freedom has to be exercised in a civil society subject to the rule of law. His 'monstrous perversion' is surely a monstrous red herring, the heartfelt cry of the humanist aghast at the non-delivery (in modern parlance) of the Enlightenment promise. In psychological terms it is a classic case of the denial mechanism, with the projection of blame from man onto society.

This I believe helps to explain a number of omissions and misconceptions in his text, particularly concerning the importance he attaches to Patrick Geddes' principles of regionalism, and survey before plan. Hall completely overlooks Geddes' early appreciation of Bergson's thought on intuition which he would have assimilated through his friendships and visits to France, and the later correspondence he established between such ideas and Greek wisdom. Above all Geddes nourished the acceptance of a moral (not moralistic) dimension to the increasingly technical and intellectual nature of planning. To ignore such connections in a work on the intellectual history of the foundations of British town planning is strange, and helps to explain, I believe, why Hall so undervalues the message of Prince Charles concerning 'the intuitive ability of our forbears' (from his Civic Trust speech) or the danger of 'emphasising the rational element in our humanity to the exclusion of the intuitive' (from the TV film).

Why, too, exclude the fundamental historical link between Le Corbusier and the French rationalist Descartes, cited in Mumford's *Culture of Cities* (which Hall describes as 'his greatest and most influential work')? It was Descartes' promotion of scientific method

applied to our towns, to our technology, and finally to ourselves, that has expressed itself through countless rational administrations, and professional and technical specialisms.

The Prince of Wales well understands these cultural strands in intellectual thought. In his recent reference to Romania, for example, choosing his words carefully, he describes how entire communities have been swept away regardless of 'intellectual merit, religious significance or symbolic importance'. Despite Hall's many lucid insights and explanatory power, this essentially religious dimension of understanding is missing from his book. The final chapter, seeing no remedy for contemporary problems, ends on a downbeat: 'research as yet provides no answer. Here this story ends'.

Nevertheless, *Cities of Tomorrow* is an immensely readable and provocative book. It should be read not only for what it tells us about modern cities, but also for what it tells us about modern professors.

THE POSSIBILITY OF DIGNITY *James de Candole*

On The Look-Out: A Partial Autobiography,
C. H. Sisson, Carcanet, 1989, pp. 235, £14.95.
(0-85635-758-8).

'It could', writes Sisson in the Preface, 'have been called a straightforward piece of autobiography, but for the fact that the story was told backwards'. The autobiographer is a boastful creature, and by telling the story in such a way Sisson avoids superimposing on his life a spurious progress: '... if anything can be concluded from this book,' he writes in the last chapter, 'it is that I was born'.

Part I, 'Pretensions', describes Sisson the commuter, church-goer and civil servant, and his patient fulfilment of the obligations such roles impose. His obedience to the habits of the ordinary social world does not prevent him, however, from prodding the vanities of his contemporaries and protesting against the shallowness of their ways.

Sisson felt the absurdity of the life of a commuter, herded up each day 'From one of the cages on the periphery' to Charing Cross: 'One assumes', he writes, 'that what is left, when the morning train moves out, is the society for the maintenance of which this daily voyage is undertaken.' At the weekends, he could be counted on by his parish church to cut the grass, to read the lesson, and even to serve as the Vicar's warden. But he walks out of sermons nevertheless, 'unable to stomach any more'. His parish he describes as one 'to make papists laugh, and Anglicans weep unless, like me, they expect comedy in the Church Militant. So I go on amongst these straggling grotesques.'

This 'lunatic of sobriety' rose to the rank of under secretary in the Ministry of Labour by suppressing his private interests. Sisson the poet had to be squeezed into the daily round - on the train, walking to work and on Friday evenings between the office and home when he went to the pub to meet poets - 'in such moments as are missed by the forces which organise my life as administrator and *père de famille*'. Sisson is patient with those who, unlike himself, put the business of being poets or painters first. Individuals who have abandoned all for art are themselves easy to abandon: of Brian Higgins, 'self-proclaimed proletarian poet from Batley via Hull and Ankara', Sisson writes, 'he had no right to disregard the rules of social responsibility so completely; it was very inconvenient for his friends.'

Escaping his room in St James's Square to take up a fellowship in the Department of Government at Manchester University, Sisson had the chance to examine in theory what he had so far only practised. Here, says Sisson with scornful delight, he had the expert hand of an 'eminent authority, not merely on government, but on the civil services as well', to guide him in his research. This learned Projector, however, was expert only in explaining 'how justice could be secured for the people of England by almost any device which ran counter to the habits and traditions of the country'. He was 'a corrosive substance, eating away at the prejudices on which our institutions are based...' Sisson's definition of the modern university is exact: 'A great garden in which there are no weeds' - all that grows there is good. His work as a civil servant meant a tedious round of international conferences in Geneva and his descriptions of these bureaucratic *fantoccini* and the world of pseudocommunication and obfuscation that they inhabit show Sisson at his mordant best.

Part II, 'One Eye on India', describes the two and a half idle years Sisson spent in India during the war as an OR, much of it wandering to and fro in search of his unit. His aimlessness, temporarily relieved by a stint as sanitary corporal responsible for latrines and drains, matched the aimlessness of the administration he served. The British 'no longer knew what they wanted in the country. If they had still a function to perform, the statesman who could inform them of it had not yet appeared'.

Part III, 'To the Beginning', starts in 1942 in the Intelligence Corps, and infantry training in Ulster. The loss of purpose which Sisson felt in the British administration in India is repeating itself today in Northern Ireland, in our 'determination to forget the Anglo-Irish': 'It is as if that western island of the once united kingdom, first a gaping wound, then a tetchy area that was apt to itch, has at last been cured or gone numb, nobody knows which, anyway it is no longer noticed.'

From County Tyrone and the daily stripping of a Bren gun, Sisson travels back in time, to his admission into the civil service and the year spent in France and Nazi Germany after university. Returning to West

Germany soon after the war, he was struck by the evaporation of sympathy for an ideology so recently deposed yet in support of which so many had been so fervent. The young Nazis he had known a few years earlier as a student in Hamburg and Frieberg had vanished, swept up in a great collective about-turn. The sweeping away of communism in Central Europe is no different in this respect. It is for 'Democracy' that the collectivity now clamour. But democracy is nothing apart from the institutions of Christendom which civilise it, and it is to these that the people of Central Europe must now return.

A nation derives its character and moral sense from established institutions and the prejudices which underpin them. Destroy them and you destroy the only sure foundation of individual character. It is the progress of their destruction which Sisson feels so painful in his own country and which runs like a black thread through his 'partial autobiography'.

SPOTLESS LEPPARD

R. J. Stove

Authenticity in Music, Raymond Leppard, Faber & Faber, 1989, £4.95, (0571-100-880).

'Authenticity in music' once meant hirsute but harmless eccentrics turning out handmade viols in Haslemere; it is now an entire movement - the 'original instruments' brigade and its counterparts in the field of vocalism. That its current preoccupations are wholly or largely musical is a claim which even its most obstreperous adherents can seldom bring themselves to make with a straight face, so intent are they on hortatory proclamations of their revolutionary fervour. Musicians outside its orbit are so uniformly dismissive of the movement that its capacity for intelligible preaching to the unconverted is almost non-existent.

A widespread if inchoate awareness that even its strictly musical ideals are unattainable in any circumstances - it cannot very well advocate reintroducing castrati, for instance, though the authenticity-guru Nikolaus Harnoncourt is on record as publicly wishing that it could - has further impaired its ability to interest the Great Unwashed on artistic grounds. Which is not, of course, a reason to ignore it: students of twentieth-century millenarian thought will be aware that the mere fact of an ideology being bankrupt and derided even by its own followers in no way diminishes its destructive power.

Among the more pernicious errors committed by the *authenticists* is their repeated denunciation of Raymond Leppard. Leppard is the harpsichordist, musicologist and conductor who did more than any other individual to revive the operas of Monteverdi and Francesco Cavalli: but for him, these pieces would remain mere names in textbooks. It was precisely the pioneering nature of Leppard's efforts in this area which became a

weapon to attack him. After a re-hearing of Leppard's incandescent Cavalli recordings for the Argo label (*L'Ormindo*, 1969; *La Calisto*, 1972), or of his 1984 Monteverdi videocassette (*L'Incoronazione di Poppea*), the mingled anger and scorn which greeted all three productions on their initial appearance - 'syrup and spangles' was a representative description of Leppard's style - seems more absurd than ever. How, one asks in baffled despair, could anyone in full possession of his faculties fail to appreciate the blazing drama of these realisations, whatever fault might be found with passing details?

The news that Leppard had produced a book, explaining more of his musical philosophy than the space limitations of LP sleeves permitted him, inspired fresh hopes that he would put his enemies to flight and vindicate his admirers' unfashionable stance. In the upshot his volume is too brief: at eighty pages it is liable to be branded a *causerie* by those whose modish sensibilities it offends. That said, within these eighty pages there is enough pungent commonsense to enthrall any cultivated reader: Leppard's *opusculum* deserves to become a heterodox classic, in the noble tradition of Constant Lambert's *Music Ho!*

Leppard demonstrates that the authenticists' intellectual origins are not primarily artistic, but religious. He reveals how the desire for total musical authenticity emerged from the collapse of musical teleology: of the Whiggish attitude that Wagner represented an improvement on Beethoven, Beethoven on Mozart, Mozart on Bach, Bach on Palestrina, and presumably Palestrina on Cro-Magnon man. He has dug around long enough to be able to furnish a vast and blood-curdling collection of Whig musicological nuggets: mostly from the alarmingly prolific Sir Hubert Parry, whose efforts as a historian suggest that he should have stuck to writing unofficial national anthems. Leppard traces the decline of blatant musicological Whiggery to the decline of blatant Whiggery in other fields: tracing that, in turn, to the damage Hiroshima inflicted on beliefs in progress among all but simpletons, and the crumbling-away of the confident Christian foundations on which Whiggery rested.

It is in an increasingly desperate search for firm cultural values - 'to seek confirmation that what has endured for years... would seem to suggest a sort of permanence' - that the early music industry has come into being. Leppard might have made his case still stronger had he more firmly emphasised that the authenticists' whole way of thinking, quite as much as their origins, is inextricably bound up with religious impulses. The authenticists' appeal lies in their combination of musical Calvinism (only the righteous - that is, the authenticist - can be saved) and musical antinomianism (those righteous, having been guaranteed salvation, can proceed to get away with blue murder). This fact serves to explain how even the most amateurish performers of early music never lack job offers, and in several instances - the Cententus

Musicus ensemble and Jean-Claude Malgoire's *La Grande Écurie et La Chambre du Roy* group are two - attract critical plaudits in direct ratio to their incompetence. Were early music bands required or expected to recruit regularly from outside their own ranks, their shortcomings (atrocious intonation, obsessively fast tempi, phobic avoidance of *legato*) would be less readily tolerated; but as Leppard observes, their extreme reluctance to play at standard concert pitch confines their membership very largely to specialists, ensuring what amounts to a closed shop. 'Too often the less good players hide their technical and musical deficiencies under the mantle of "authenticity" and sit behind their "original" instruments bristling with insecure dislike of their colleagues in the professional mainstream' (p. 31). Leppard willingly concedes that there are some players in the authenticity movement who are a credit to the musical scene. Unfortunately a handful of genuinely able musicians does not make a convincing aesthetic doctrine.

As well as discussing the authenticists in broad terms, Leppard describes at considerable length the difficulties faced by performers in mounting three specific stage works from before 1800: *Poppea*, Handel's *Acis and Galatea*, and Gluck's *Orfeo*. With *Poppea* and the similarly flamboyant operas of Cavalli (who may well have himself collaborated with Monteverdi in *Poppea's* composition), Leppard stresses the exiguous state of the surviving manuscript copies. Anything resembling a present-day full score was unknown to the early seventeenth century's opera composers. 'The libretto was set to music mostly on two staves... Occasionally there is a *ritornello* in three or five parts, sometimes begun but not finished, sometimes indicated perhaps by a *segue ritornello* but with no music'. *Acis* and *Orfeo* pose the opposite problem: a surfeit rather than a shortage of source material. Both operas exist in several versions, tailored to the demands of widely different audiences. With *Orfeo*, Gluck not only changed the title role's *tessitura* from soprano to high tenor (reluctantly: he said that his tenor's voice 'sounded like sawing through bones') but had the whole libretto translated into French, the better to please his former singing student Marie Antoinette. When the composer's own intentions are in as constant a state of flux as Gluck's and Handel's were in these (and many other) compositions, it becomes clear that the quest for dogmatic authenticity is as useless to embark on as it is disagreeable to behold.

After lucidly expounding the awkward responsibilities which *Poppea*, *Acis* and *Orfeo* all force upon their would-be rescuers, Leppard outlines his own sane and disabused musical credo. Chiding the musical purist, he both accepts and rejoices in the need for musical compromise. His judicious counsel is unlikely to make the authenticists' lunatic fringe see reason. Already Bach, Handel, Haydn and Mozart are regarded by Prom concert organisers as largely out of bounds for non-'authentic' ensembles. Beethoven, it is safe to assume, will soon go the same way; and we may yet

achieve the Elysian state envisaged twelve years ago by a Pierre Boulez apologist, who solemnly announced that Boulez's alleged masterpiece *Le Marteau sans Maître* should be performed on the 'original instruments' of 1954.

IMPLANTED HISTORY

David Watkin

The Londonderry Plantation 1609-1914, James Stevens Curl, The Camelot Press Ltd., Southampton, 1986. £50.

The problems presented by artificially created states such as Israel, Ulster and East Germany are of very different duration. East Germany is dying after only 44 years, but Israel and Ireland continue to cause pain and resentment. Ulster, as the oldest of the three, may have acquired, through the passage of time, the greatest right to survive.

In this monumental publication of over five hundred pages, based on six years of research into numerous sources including the archives of the City of London livery companies, Professor Curl describes the architectural consequences of the occupation by the English of northern Ireland for three centuries from 1607. He reminds us how the newly-invented Tudor nation-state of England with its home-grown church, was fearful that Ireland might be the base for invasion of the mainland by Counter-Reformation forces, both Irish and Spanish. Curl shows how the flight of the Ulster Earls in 1607 left much territory forfeit to the Crown

which persuaded the City of London to colonise it with loyalist settlers who would suppress any future rebellion.

It is not a pretty story, particularly in view of the bloody suppression of revolt in the seventeenth century, but Curl tells it with a scholarly detachment which contrives to be sympathetic both to the colonists and to the native Irish resistance. Clearly, a book of this scale is a labour of love, and it is clear that Professor Curl, as an architectural historian, is primarily motivated by a wish to record and preserve the buildings put up by the colonisers, mainly in the seventeenth and nineteenth centuries. This is an ambition with which, regardless of his political opinions, no one would disagree, though it can scarcely be denied that the buildings are in general extremely modest. They consist for the most part of small towns and villages, often with central squares (or Diamonds), regular planned streets, and attractive if modest churches. Surviving fragments can be seen in towns such as Coleraine, Londonderry, Moneymore, Bellaghy, Limavady, Macosquin, Ballykelly, Banagher, Draperstown, Eglinton and Kilrea.

In an extensive text, accompanied by nearly 400 illustrations, Curl provides an astonishingly painstaking study of an understated architectural style which is the product of 'The sage that links 55 Companies of the City of London with a large tract of one of the most beautiful parts of Ireland'. This judiciously written book is, in the author's words, 'a tale of coercion, of heroism, of disaster, of failure, of noble aspirations, of ineptitude, of perfidy, or perjury, of cupidity, and of remarkable achievements against considerable odds'. It is, sadly, doubtful whether many in Ireland would agree with his claim that 'the [architectural] legacy left by the Planters is now as much a part of the Irish heritage as are the great monuments of Gaelic antiquity'.

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Reading the Signs, Towards a Nation of Illiterates, Jennifer Radford, Derbyshire Parents Association, Poplar Farm, Hognaston, Ashbourne, Derbyshire. £1.

In this clearly argued pamphlet, Jennifer Radford sets out the case against the methods now used to teach literacy in schools, shows their absurdity, and advocates a return to traditional methods. The currently accepted 'look and say' method, based on the recognition of *Gestalten*, and endorsed by countless liberal sages and commissions, has been shown to be a fraud - not only here, but in extensive studies carried out by the United States Secretariat of Education. All university teachers know that teenagers can no longer spell, and read and write far more slowly than their recent predecessors. Functional illiteracy is everywhere on the increase, and in America firms now spend a vast amount of their resources in teaching their employees the skills that they should have learned at school.

It seems that ten years of compulsory education produce, for vast numbers of children, *nothing at all*. Mrs Radford recommends an urgent enquiry into the situation, but stops short of recommending the radical solution - which is to abolish compulsory education entirely, and allow children instead to go to the places (coal mines being only one of them) where they might pick up at least a scrap or two of knowledge, and also the discipline which modern schooling expressly refrains from providing.
(R.S.)

Descent into Chaos: Yugoslavia's worsening crisis, Marco Milovojevic. Institute for European Defence and Strategic Studies, £4.50. (0-907967-086).

Not only did Britain help to put Tito in power but our intelligentsia has held up Yugoslavia as a model of 'market socialism' worthy of imitation ever since. It was tourism and independence from Moscow that created the myth of a happy and prosperous country.

Milovojevic demonstrates the fallaciousness of the argument that Yugoslavia's problems today are due to its rulers' inability to follow Tito's skill in holding the different nationalities together. He points out that Tito's shortlived success was founded upon massive economic aid, mainly from America. He shows that the much admired break with Stalin is another myth: Stalin broke with Tito. And he insists that human rights in Yugoslavia have been violated more systematically than in any other European country, apart from Roumania and Albania.

This pamphlet is full of useful information on the

historical background, and explores in detail the possibilities and opportunities ahead.
(M.C.)

Limited Government: a Positive Agenda, John Gray, IEA, 2 Lord North Street, SW1, £5.00 (0-255-36221-8).

In this bold and admirably succinct booklet, John Gray - one of the most formidable intellects among British political scientists - rehearses the case for limited government, diagnoses the expansion of government under recent administrations (including that of Mrs Thatcher), and proposes a radical agenda for the restoration of social and economic freedoms and the reduction of the power of the state. Unlike many free marketeers, Gray bases his philosophy on conservative principles: among them, the Hobbesian argument for sovereignty, as the unique solution to the prisoners' dilemma posed by a state of nature; and the Hayekian argument for 'spontaneous order', as the principal vehicle of complex social knowledge. His master, however, is neither Hobbes nor Hayek, but Oakeshott, whose philosophy Gray places in a striking and novel light. Gray rescues Oakeshott from the ponderous Oakeshottians and sets him fair and square in the context of modern Britain: the result is not cloudy metaphysics but crystal-clear politics, much of it highly persuasive.

Gray introduces the reader to the new 'Hobbesian dilemma'. Government, which emerges as the sole solution to the dilemma posed by a state of nature, becomes in modern conditions, the cause of another prisoners' dilemma: subjects are constrained to compete for centralised resources, and to appropriate by political means as much as they can of the income and capital of their fellow citizens. The state can be an arbiter between them, only by cancelling the powers on which its subjects have acquired the habit of feeding. Gray shows the extent to which the 'government of interest groups' has caused Mrs Thatcher to continue to centralise powers. He makes trenchant criticisms of the inherited patterns of British administration: the centralised educational system, the inequitable system of taxation, and the welfare state itself, which he regards as the principal cause of the ills that it offers to remedy. Many of Gray's solutions are original; some are objectionable (in particular, his adoption of J.S. Mill's suggestions concerning an inheritance tax - suggestions which can only damage the habit of saving across generations). But all his arguments need to be attended to, and he has done a remarkable service not only by presenting the liberal-conservative case, but also by applying it to our present situation, in less than 100 pages.
(R.S.)

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