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GOOD NEWS & BAD NEWS

I am afraid that *The Individual* has recently resembled nothing less than a register of deaths of our friends. We lost Professor Peter Campbell in 2005 and the previous issue of this journal was taken up with remembrances of Paul Anderton and Dr Chris Tame. And then, out of the blue in May 2006, came the death of Eric Forth, the MP for Bromley & Chislehurst.

Eric's general biography and political activities were covered in the many obituaries and tributes that appeared in the mass media. Less well known is that in recent years Eric had been a good friend to the SIF. He had hosted a number of House of Commons luncheons and few who were present will forget his stirring talk at the 2005 event. Last year he formally joined the SIF as an Ordinary member and we had hoped for fruitful co-operation. Alas, it was not to be. Eric was not an out-and-out libertarian so much as an unreconstructed Thatcherite of libertarian inclinations. However, it is vital that those of us who despair at the continual erosion of our liberty should stick to-

gether rather than obsess and squabble over specific issues.

Eric will be much missed. Our condolences go out to Eric's widow, Carroll, and SIF chairman Michael Plumbe has written to Carroll on behalf of the Society.



Those who read Ann Granville's wonderful Celebration of the Life of Paul Anderton in the previous issue of *The Individual* will have noted that Paul requested that donations should be sent to the SIF. On behalf of the SIF, I would like to thank the following friends, relatives and colleagues of Paul's for their generosity: Marshall Hazzan, P.R. Hirst, Reverend & Mrs Johns, P. Leming, J. Lovell, W. Simpson and Mr Smith.



There are some pieces of internal house-keeping on which to report. Winter 2005/2006 saw the SIF finally regularise its

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IF YOU THINK FREE EXPRESSION IS POLITICALLY EXPENSIVE, TRY CENSORSHIP

Robert Henderson

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And though all the winds of doctrine were let loose upon the earth, so truth be in the field [and] we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and falsehood grapple; who ever knew truth put to the worse, in a free and open encounter... [Milton, *Areopagitica*].

- (1) You either have free expression or you don't

Strange thing, free expression. Most people say they want it but precious few put their words into practice. Many are so intellectually confused that they make statements along the lines of 'I believe in free expression but of course it has limits', 'I believe in free expression but of course one must take care to respect the views of others' and 'I believe in free speech but I really don't think that should be published'.

Such statements are a literal nonsense. Sadly, even the most prominent and intellectually able defenders of free expression can fall into this error. The Victorian philosopher John Stuart Mill is still frequently treated as the high priest for the philosophical defence of freedom of expression. His contention, which is part of his general defence of liberty, is that a person may say whatever they want provided it does not harm another. This is a worthless dictum in practice because there is no objective means of deciding what is harmful and under it the opportunities to deny free expression would be legion. For example, it could be argued that mental harm in the form of unhappiness generated by unwanted words

should be reason for censorship. If accepted that restriction would mean that nothing critical or contentious could be said. Mill is unwittingly arguing for a gross breach of free expression. (Defenders of Mill will argue that attempts at censorship are harmful and should be resisted on Millian principles, but that claim solves nothing because it clashes with Mill's dictum which says that harm should not be caused. At best Millians are reduced to forming a hierarchy of harm which being subjective is worthless as a general guide to what may be permitted).

Logically there is either free expression or a range of permitted opinion. If the latter, the general argument for the right to defend any position has been lost because once it is accepted that one thing may not be said no other thing can be absolutely protected. All that can be done is to argue for or against any particular idea or fact being excluded or included in the range of permitted opinion.

The acceptance of a range of permitted opinion has profound implications. Everything is potentially at risk of censorship and language lies at the mercy of political elites and any group willing to pose a threat through violence if their demands for censorship are ignored. Current examples are political correctness (elite power) and the Muslim demands for no insult to be offered to Mohammed (group threat).

From the politicisation of language flow other ills. What is permitted is dependent upon that which the elite deems to be acceptable. Yet it is not a fixed menu of permitted expression but rather one constantly in flux because circumstances change and ideologies in practice always evolve organically. This means that the individual is left in a state of uncertainty about what is permitted at any one time and even the most conscientious adherents of the official ideology can be caught out if the official line changes.

In Orwell's great political novel *1984* there are two lesser characters, Parsons and Syme. Parsons is a stupid unquestioning follower of The

"... there is either free expression or a range of permitted opinion."

Party. Syme is also an enthusiastic party member but he is an intellectual, a leading practitioner and developer of Newspeak. Both are equally helpless in the end. Parsons is denounced by his 7 year old daughter for the thought crime of shouting Down with Big Brother in his sleep, an act which gives Parsons a weird sense of pride because it shows I brought her up right. Syme is simply quietly liquidated for being too intelligent, too intellectually aware. These qualities meant that Syme is seen as a danger to the Party because he is, like all true intellectuals, all too likely to be led by his love of ideas to deviate from the true ideology. There was simply no safe way to behave in 1984. This fictional nightmare is made real in states such as the Soviet Union.

In our own time political correctness creates much the same general situation as that found in 1984 or the Soviet Union. It is a totalitarian ideology because it meets the two criteria needed for such a classification. First, it intrudes into every aspect of life because sexual and racial discrimination can be made to refer to all aspects of life. Second, the ideology says there is only one right or acceptable view of anything when it is presented in terms of political correctness. And just as no one in the Soviet Union could ever be sure of what was the right party line of the moment, so political correctness is forever shifting the goalposts as the ideology becomes ever more extreme.

The pc ideology is a soft totalitarianism but it has all the features of the totalitarian state: laws to make expressions of opinion a crime, political commissars in functionaries such as race equality officers, ideological enforcement institutions such as the Equal Opportunities Commission, the Campaign for Racial Equality and a politicised police. The state does not as yet regularly imprison let alone kill people for holding the wrong ideas although we are rapidly moving towards the political will to imprison but people are already likely to lose their jobs or have their careers severely harmed if they are judged to have committed a pc crime. Such people, particularly if they have a high public profile, also risk a campaign of vicious media abuse. Even those with no public profile are constantly at risk as many public servants have discovered.

Because political correctness is the ideology of the liberal left and this group currently holds the positions of power and influence in Brit-

ain, they are, as a group, content to allow the suppression of free debate which their ideology requires. However, a few members of this political persuasion do recognise the pernicious nature of political correctness. Anthony Browne recently (January 2006) launched an attack in a Civitas publication *The Retreat of Reason: Political Correctness and the Corruption of Public Debate in Modern Britain*. He sees pc as a heresy of liberalism (p.2) in which a reliance on reason has been replaced with a reliance on the emotional appeal of an argument (p.6) to produce a dictatorship of [putative] virtue which drives out all contrary opinion. Mr Browne deserves unqualified praise for his courage.

(2) Free expression doesn't harm

A favourite argument of would-be censors is that some speech will incite violence or other harm against those to whom it is directed. There is precious little if any evidence for this. For example, the liberal-left often say that some views must be suppressed because otherwise horrors such as the Holocaust will occur. This argument fails because such horrors have only ever taken place where a ruling elite has managed to suppress free debate and made their voice the only one to be heard in public. Take the example of Hitler. Nazi electoral fortunes before gaining power rose and fell with the economic circumstances of the country down in the late twenties as the economy improved, up after the Wall Street Crash clear evidence that the anti-Semitic material of Weimar Germany was not a major force in making them the largest party in the Reichstag.

What allowed the Holocaust to happen was the passing of the *Enabling Act* of 1933 which permitted Hitler to rule by decree and to consequently end free debate. Notwithstanding that, the Nazis in power were extremely nervous about their treatment of the Jews, even in relation to Germany. Hence, the placing of the Death Camps well to the East and out of the sight and mind of most Germans. It is not unreasonable to conclude that had the Nazis been forced by contrary public argument to explain their policy of genocide to the German people the Holocaust would not have occurred.

A more recent example is the massacre in Rwanda. Again this was the consequence not of free debate but of the control of the media by one side and, even more, of their superior-

“... there is only one “right” or “acceptable” view of anything when it is presented in terms of political correctness.”

ity in military force. There was no free debate in Rwanda, merely one side using the media, in this case the radio, to incite their ethnic population to turn on the other ethnic population. A society only becomes wholeheartedly tyrannical when censorship allows no effective opposition.

Because there is no hard evidence that words alone incite people to commit crimes, laws relating to incitement are questionable. Concern for liberty is heightened by the generally very broad terms of such laws. For example, the *Oxford Dictionary of Law* [1996 edition] defines incitement thus: Persuading or attempting to persuade someone else to commit a crime. If the other person then actually carries out the criminal act, the inciter becomes a participator in the crime and is guilty of aiding and abetting it. If the other person does not carry out the crime, the person who attempted to persuade him to do so may nonetheless be guilty of the crime of incitement. Incitement may be by means of suggestion, persuasion, threats or pressure, by words or by implication; for example advertising an article for sale to be used to commit an offence may constitute an incitement to commit the offence. (In principle, a person could be tried for attempting to incite but failing to incite someone to commit the crime of incitement.)

As it stands the English law on incitement gives frightening leeway to the state to prosecute for political reasons. But even if it was more tightly drawn some of that danger would remain simply because it is impossible to conceive of any law of incitement which would not give room for government abuse.

There is a further reason to object to the law of incitement: it greatly diminishes the personal responsibility of the individual. Ultimately, a person has to decide whether they will do something. Without incitement the entire responsibility for such a decision should rest with the individual. Allow a claim of incitement and that responsibility is of necessity diminished.

Freedom generally and free expression in particular would be on firmer ground if no law of incitement existed. What would then be done about those who advocate criminal behaviour? The answer lies in the law of conspiracy. Clearly there are instances where the connection between words said or written and crime is so strong that it is reasonable to assume a connection between words and third party

actions. A Muslim cleric who is a member of a coherent group over which he exercises considerable influence and who advocates murder is essentially engaged in a conspiracy to murder. The fact that the call to murder may be a general one against Westerners, Jews or Britons is irrelevant. The cleric is essentially in the same position as the IRA hierarchy who issue instructions to subordinates to murder indiscriminately by exploding bombs in public places. Neither the IRA leaders nor their subordinates have chosen their victims individually yet they are still guilty of murder. The same applies to an Imam and the Muslim suicide bomber who kills at his urging. The important point here is that there must be a reasonable expectation that the words uttered or written will in effect act as a command to someone. That qualification means that saying a crime should be committed is a necessary but not sufficient condition for the law to intervene.

Of course there are instances where words accompany threatening behaviour such as an argument outside a pub. The law actually allows someone to treat this as assault provided they sincerely believe the person is about to attack them and they have no means of running away. But it should be noted that in this instance it is not the words alone which matter but the words combined with the addition of threatening manner and general circumstances. The words alone could be uttered safely.

Another classic objection to free expression is the example of the person malicious shouting of FIRE! in a crowded auditorium where there is no fire, with the risk of causing death and injury from the ensuing panic. Properly analysed any criminal sanction or civil penalty which is exacted is not the punishment of what was said but the punishment of reckless behaviour. The word FIRE! shouted in another context would be perfectly harmless. What the person is being brought to book for in the auditorium case is equivalent to the person who leaves a baby unattended for hours. It is criminal negligence through recklessness or malice. (The real answer for such behaviour is to create an offence of reckless endangerment such as exists in some American states.)

The essence of free expression is that what someone wants to be said, broadcast or written may be said, broadcast or written, although not always in every situation. Censorship is the general prevention of something being said

"A society only becomes wholeheartedly tyrannical when censorship allows no effective opposition."

or written for public consumption under all circumstances. The number of circumstances which need to be restricted are very few. In particular, these should never include the fear of public disorder resulting from the anger of those opposed to what is being said or is proposed to be said. However difficult, censorship for this reason must be resisted because otherwise what may or may not be said in public will depend simply on the willingness of a group to engage in violence. Of course, if a serious public riot ensues the police have to act, but they should only do so to remove those attempting to disrupt a demonstration and the force of the law should be directed at those people not those who were in favour of those speaking.

The essence of free expression is that what someone wants to be said, broadcast or written may be said, broadcast or written, although not always in every situation. Censorship is the general prevention of something being said or written for public consumption under all circumstances. The only circumstance in which someone should be prevented from speaking is where a riot has actually started or there are reasonable grounds for believing one is about to start. Even then freedom of speech should only be prevented for as long as it takes to bring the riot or threatened riot under control. Where words are written or broadcast without a studio audience, there are no grounds for even temporary censorship.

(3) The urge to censor is natural

It is human nature to see the censorship of those with whom one disagrees as tolerable. Just as businessmen do not in practice welcome economic competition, so most human beings prefer not to have the competition of ideas.

If the power to prevent free debate is with those with whom one agrees, the temptation to support censorship is for most next to irresistible. But to succumb to the temptation is a serious error even at the level of self-interest. Just because your side is in the ascendant does not mean it is safe to censor because no political group remains dominant for very long even the Soviet Union lasted less than 80 years and elites will change their thinking without shame when they are scared. Your side can be top dog today and bottom dog tomorrow. Some day it will definitely be bottom dog. If an elite suppresses the views of its

opponents, those who support such suppression have no moral or general philosophical case when the ideological regime changes and they are under attack.

Hard as it is for most people to accept, it is more important to defend the rights of those of whom one disapproves than those of whom one approves for a very simple reason: if they are not defended the natural consequence is the subordination of the minority by the majority. Worse, in the modern state, the power of those who rule is so vast that they can suppress at least publicly any view with which they disapprove. Unless there is a culture that all views are permitted a society has no guard against such behaviour. The hard cases require the firmest defence because they are the weak link in the free expression chain. Free expression is a natural sentry against tyranny because no tyrant can stand against free criticism.

(4) Accepting the rules of the democratic game

Free expression lies at the heart of democracy. Politics enters into every sphere of life. Prevent free debate on any issue and democracy is dead because the avenue to the democratic process is blocked. At that point political violence in principle becomes legitimised because those whose views are banned are left with no peaceful means of political engagement.

Of course, democracy can produce censorship just as it can be a vehicle to carry to power those intent on outright dictatorship. That is the paradox of democracy: undemocratic outcomes issuing from the democratic process. But such policies are not democratically sanctioned. Rather, they are breaches of what might be called the democratic covenant.

Democracy requires not merely the willingness to play by the democratic rules before gaining power, but a willingness to play by them afterwards. Those rules are at a minimum the allowing of free debate and the holding fair elections every few years.

A Parliamentary vote to restrict free expression or to abolish elections would not only disenfranchise those who have voted against a party standing on such a platform, but all those who have voted for the party but who later change their mind and all future generations of voters.

"It is vitally important to realise that there is a difference between legitimate and legal."

A party which stands for election on a platform of abolishing democracy, as an Islamic Party did in Algeria a few years ago and won, should never be allowed to run because they have not accepted the democratic covenant. Such people belong to the one class who should be excluded from democratic politics: the class of those who refuse to play by the democratic rules.

It is vitally important to realise that there is a difference between legitimate and legal. Something may be technically legal because it has passed through Parliament and come out as a law. That does not make it legitimate, merely legal. A law passed by a dictatorship is legal, but not legitimate. Legitimacy comes from the democratic will and the implied necessary accoutrements of democracy. Free expression is one of those implied accoutrements.

Just as a political party which refuses to play the democratic game must of necessity be disqualified from participating in the democratic process, it is reasonable to restrict the access to public debate of those who would deny free expression to others because should such people ever have power they would use it to censor. Such a restriction is obviously open to political abuse so let me closely define what I mean. It would be impractical and oppressive to stop a person speaking as he or she wished in private, at public meetings or publishing on the web (incitement to crimes amounting to conspiracy is a different matter which I deal with in section 2). What could reasonably and practically be denied to the person who does not accept free expression is access to the mainstream media. That would be a potent restriction because public debate in the modern world requires reasonable access to the various mass media. Without that free expression is an empty shell for, as wise dictators have always known, two shepherds on a hillside defaming the government is nothing, while a hundred thousand people demonstrating in the capital city or a television station broadcasting criticism of government is much.

(5) Censorship by omission

Mao's definition of propaganda included all human utterances. This might seem at first glance absurd. In fact, Mao was saying something rather significant. Suppose two peasants are going to work in the fields and one said to the other 'What a fine day!' For Mao that was what might be called negative propaganda because the peasant could have been saying

something ideologically sound such as 'How can we improve the cabbage harvest?' or 'How wise is the Great Helmsman!' Saying one thing meant something else could not be said in the same time. In short, speech and ideas are a form of market. Mao was, consciously or not, applying an idea akin to the opportunity cost of economics to language (opportunity cost is the expressing of the cost of one thing in terms of another. For example, X has £10 to spend. He can buy a book or go to see a film. If X sees the film the opportunity cost is the foregoing of the book and vice versa). The propaganda value (opportunity cost equivalent) of saying 'What a fine day' is the absence of saying something else instead.

Mao's notion has considerable relevance to our own time where much of the censorship is conducted through a simple refusal by the media and mainstream politicians to allow certain ideas into the public arena. The media does this by their control of choice of programme subjects, the time allotted to a subject, guests and presenters. Politicians achieve the same effect by developing similar policies, a process which is very advanced in modern Britain where there is no longer any real choice for the voter on all the major policy areas because all three major parties have policies which are merely variations on a theme.

(6) Censoring the past

Any censor is faced with a nasty problem: what do you do about the past? One solution is the 1984 one of re-writing the past. But that is never entirely successful because knowledge of the past cannot be completely obliterated, a fact truer today than ever before because of the Internet. Even at the level of the living individual there is danger for the totalitarian state because there are always people like Winston Smith who remember before.

Huckleberry Finn is an excellent example of the problems which await the pc censor. Mark Twain is considered by many good judges to be the father of American literature. *Huckleberry Finn* is similarly considered the first great American classic. Yet the book is liberally splattered with the N word. For those who do not know the book Huck is a backwoods boy who runs away and takes up with a runaway slave called Jim. He is also the book's narrator. Here is a representative example of Huck's narrative: he is describing Jim's success as a storyteller: Jim was monstrous proud about it, and he got so he wouldn't notice the

"... censorship is conducted through a simple refusal by the media and mainstream politicians to allow certain ideas into the political arena."

other niggers. Niggers would come miles to hear Jim tell about it, and he was more looked up to than any other nigger in the country. Strange niggers would stand with their mouths open and look him all over, same as if he was a wonder. Other characters use the word in much the same free way.

To take away the liberal use of nigger in the book would make a nonsense of it, for the word is an integral part of the rhythm and colour of the book. So the would-be pc censor is left only with the alternative of ignoring the work. Thus, the past is distorted and great works allowed to moulder.

(7) What about pornography?

Any decision by a government to prevent its citizens looking at images or text must be suspect both because it is treating the citizens like children and because it establishes that the state may censor not only political opinions it does not like but anything.

Making pornography illegal means that no Briton who is not especially authorised by the state may legally judge the nature of what is being censored. Worse, it is by no means clear where the boundary between legal and illegal lies with adult pornography. A law which is ambiguous is a bad law.

The position with child pornography is seemingly legally clear cut: all pornography involving children under the age of 16 is illegal. In practice it is not so clear-cut because what constitutes pornography is not easily defined. For example, the police have investigated a number of instances where shops specialising in either photographic reproduction or computer repairs have called the police on finding naked photos of children taken by their parents which were perfectly innocent.

Few people would dispute that children should not be used to produce pornography, but even that is not a straightforward issue. Modern computer technology allows photos to be manipulated with ease, which in turn means pornography can be created without the participation of the subject. Not only that, but computer generated images of fictional people are now pretty convincing. In addition there is hand-drawn art. So what actually constitutes child abuse? The active involvement of children? The manipulation of photos? The creation of computer images which involve no one

but which it is alleged may incite paedophile behaviour?

Somewhere in a free society the line has to be drawn. I would draw it at the people who produce child pornography with the active involvement of the child. That is clear abuse of the child. Anything else and we move from child abuse to simple moral disapproval of that which realistically harms no one and that should never be the determinant of what is illegal. The argument that a child's privacy is breached even if they had no part in producing pornography, i.e., unbeknown to them an innocent image of them was computer manipulated, lacks force because of the general improbability of the child ever seeing the manipulated image or those viewing it of recognising the child. Moreover, even if there was a general risk of such viewing and identification the child's privacy has to be balanced against the wider consequences for liberty and the practicality of protecting it. That brings me to the other great problem with criminalising pornography, namely, the practicality of policing and enforcing the law.

The British police Operation ORE dealt with 8,000 cases from one child porn site in America. These were all cases which needed to be investigated as the law stands because the US police had stripped out all the credit card details of those who used the site. The idea that the police had the resources, human and IT, to investigate 8,000 people is ludicrous. And that is just one website. Public policy should always take into account the consequences which arise from it. Clearly, that has not been happened here.

Attempts to stop pornography of all kinds has always been futile. All that can be done is to pick at the margins of the behaviour. With the advent of the Internet the very idea of controlling pornography is absurd because of its international availability and immense quantity.

(8) What should be done to establish free expression?

Britain has never had free expression but it has had a very wide range of permitted opinion until recently. The rot set in with the first *Race Relations Act* in 1965 and has become progressively worse until now we have a situation where the public expression of anything other than the politically correct view is dangerous, indeed, may result in criminal charges.

"Attempts to stop pornography of all kinds has always been futile."

We should begin the creation of free expression with a bonfire of the legal restraints. Libel (including criminal libel) and slander should be replaced by a statutory right of reply. The cost of libel and slander suits is so vast that such laws can be, in practice, open to only the rich or those backed by the rich because it would be impossible for legal aid to be extended to libel and slander because of the vast number of legitimate cases. Hence, a strong right of reply (RoR) is the fairest practical solution to defamation. There might be insuperable practical problems with a RoR in the case of books, but I can see no reason why the press, web publishers and broadcasters could not accommodate such a system without it causing impossible inconvenience. In the case of books, they generally reach far fewer people than press or broadcast material and the people who are libelled in them tend to be those with greater power, wealth and influence than those libelled in the press and by broadcasters. Perhaps libel could be retained for books. Those who lost financially from a libel or slander by the press or broadcasters could still sue for loss of earnings.

The equal opportunities and race relations statutes should be repealed *in toto* for they not only restrict free expression but in practice abrogate the principle of equality before the law; blasphemy and obscenity should depart on the grounds that no group has the right to constrain another simply on the grounds that something is offensive to one side.

Legal restrictions relating to confidence and the *Official Secrets Act* should be replaced by a law of contractual confidence which clearly states any obligations placed on the person accepting an overt (not implied) contract of employment. No other law of confidence should exist. The law of confidence should not cover any unlawful activity, i.e., if illegal behaviour occurs the law of confidence should not apply.

On the other side of the government secrecy coin, we need a truly powerful *Freedom of Information Act*. There are precious few official facts which require secrecy: police investigations and legal proceedings whilst they are in the process, battle plans perhaps but what else? Precious little.

Action is also required to strip out the institutionalised political correctness within public service and any organisation, commercial or otherwise, which it funds in full or in part.

This means removing from public service all regulations, rules, codes of practices and so forth which do not arise from a legal requirement and the withdrawing of public funding from any organisation which overtly or covertly promotes political correctness, for example, organisations which promote the claims of any group which sees itself as separate from the population as a whole or pressure groups such as those which campaign on pc issues such as gun control.

The laws which give the legal basis for political correctness can be repealed and all the institutions and functionaries employed to enforce political correctness disbanded and sacked, but the pc mentality may remain because of the placing of the ideologically committed in many influential posts. Consequently, another new law is required giving employees legal ground for an action for damages, ideally through Employment Tribunals, against employers who continue to attempt to enforce politically correct rules which discriminate against those who are deemed either politically incorrect or less deserving within the terms of political correctness. For example, a man would have a case for damages if he could demonstrate that he has been overlooked for promotion despite having equivalent qualifications to a promoted woman regardless of whether the supposed correct quota of women employed at that level has been reached. This would reverse the present position which in practice privileges those favoured by political correctness.

Something more is needed. We require both a guarantee that free expression will be protected by law and action to open up the media. In *The Retreat of Reason* (see section 1 above) Anthony Browne suggested this programme to do just that, viz.:

Free speech should be protected with an equivalent of the first amendment to the US constitution.

A binding referendum should be called on any proposal if supported by a certain percentage of the population. Such citizens initiatives return power to the people, encouraging ordinary citizens to re-engage with the political process.

Un-PC groups should be formed and promoted to oppose PC flag-wavers like left-wing charities. A taxpayers alliance could argue for lower taxes; a homeowners association could

“the equal opportunities and race relations statutes should be repealed...”

campaign on issues affecting homeowners, like council tax and crime.

There should be more objective teaching of the history of the West. Foundations should be set up to preserve and promote the Western heritage and values (pp. 86-7).

We sorely need a constitutional guarantee of free expression. It should include criminal and civil penalties for those who attempt to interfere with an individual's free expression. The penalties would remedy the weakness of constitutional provisions such as the First Amendment which guarantee free expression but provide no mechanism for penalising those who do not respect the guarantee.

I agree unreservedly with the proposal for citizen-generated referenda. They are a prime means by which democratic control can be exerted, both by putting decisions in the hands of the electorate and by allowing policies to be considered which would never be brought forward by the political elite.

Browne is also correct when he says we require groups to put the non-pc view in the media. However, the notion of creating such groups is a dubious idea akin to saying the state decrees there will be more people engaged in useful hobbies. Happily, they do not require creating for such groups already exist, for example, The Campaign for an English Parliament and The Campaign Against Political Correctness. The problem is that they are studiously ignored by the media. What is needed is a law which will force the media to give access to such groups. There are obvious dangers in state regulation of the media, but they could be thwarted if the law is framed to simply ensure entry to the media of groups and individuals of varying opinions. For example, the law could state that on any political issue both sides of the argument must be put by those who unambiguously support one of the sides. This law would of course need monitoring and enforcing but not by those drawn from the mainstream political classes and their fellow travellers. I would suggest panels of monitors drawn from members the public who have no professional political experience. These should be selected by lot to ensure that no political party could control the panels. They would in effect function as juries.

At present the press are under no legal requirement to be balanced or non-partisan and are

not regulated by law, while broadcasters are regulated by law and in theory have to provide balanced coverage. Is that distinction reasonable? The principle argument for it is that the press provides much more varied political fare than do broadcasters. There is some force in this, although it lessens all the time with the growth of satellite and cable. To that argument can be added three others. First, there is no limit in principle to the number of newspapers and magazines which can be published in print or on the web, while there is still a limit to the number of broadcasters this may change within the foreseeable future with the development of webcasting. Second, arguably people have a different relationship with the paper they read regularly than they do with the broadcast media. That relationship is more personal, more subject to disruption by changes in the paper's tone than broadcasting. Force the press to publish much which does not fit with the profile of the paper and they could lose rapidly readers. Third, newspaper readership is steadily dropping and the broadcast media is growing in influence. It is not unreasonable to see broadcasters as the prime conduit of political ideas and debate to the public. For all these reasons I would on balance not force the press to publish material beyond that necessitated by the strong right of reply, an innovation which would of itself introduce a greater variety of views into the written media.

The broadcasters should be subject to a legal requirement both because of their prime importance in our political system and because of their differences from the press. To the differences described above can be added another, unlike the press political broadcasts rely on those from outside the media to make the programmes, most notably through interviews. Unlike the press their very mode of operation lends itself to easy public participation.

Supporters of freedom will instinctively recoil against the intrusion of the law into the freedom of the media. The problem is we do not have a free media. The press in fact and the broadcasters in practice are not subject to much if any political control. But that is only one half of what makes a free media equation. The other half is that those in the media should not censor in their own ideological interest. This is what happens now. Unless a law is enacted forcing entry into the media of non-pc views nothing will change because, as experience shows, the mainstream press is too well entrenched for a new newspaper to chal-

"I agree unreservedly with the proposal for citizen-generated referenda."

lenge the existing papers and the granting of licences for broadcasters is dependent upon members of the elite who, of course, support the prevailing elite ideology of political correctness.

I have difficulty with Browne's fourth suggestion, his call for the objective teaching of Western history and the creation of bodies to promote and preserve Western heritage. What exactly is objective teaching? What constitutes Western heritage and values? How exactly would one create bodies to promote and preserve Western culture? Who is to make the judgement? How would such bodies be financed except by state funding? This is surely a recipe for getting another form of elite ideology imposed upon the masses. For these reasons I am against it. But Browne is correct in identifying political correctness's hatred of Western civilisation as a cultural death wish and something must be done to nullify the suicidal impulse. My solution lies in two things: the effect of the action I recommend above and changes to the school curriculum.

The school curriculum should not be determined by the law in the sense of saying this is the line you must teach. What the law can safely do is insist that the curriculum covers such and such material and how much time is to be devoted to each general area of study. For example, the law could decree that the history taught in English schools must be predominantly English, cover the period 600 to the 20th century and must be taught so that pupils have a strong sense of chronology.

(9) Conclusion

Censorship is always an admission by the censor that the views which he or she espouses cannot stand the heat of debate. Those who censor are saying we have no case to argue, hence we will prevent the need to argue for it. Anyone confident of their case will argue it. Indeed, those who are confident of their case and their ability to debate will positively enjoy doing so.

Free expression is not about being easy or pleasant. To be meaningful it must be predicated on the idea that no man has the right to expect another to believe as he does or expect him to pretend to respect that which he does not respect. Rather it means that another's opinions must be tolerated unless they are such as to breach the free expression of others. This means, for example, that the religious deserve

to be tolerated only in so far as they do not attempt to interfere with the lives of non-believers or those of other faiths.

Compromise and free expression cannot live together. If a group, for example those Muslims who wish to force Western societies to bow to their demands on the depiction of their religion, insist that this or that may not be written or said, no compromise can be reached because any compromise will result in an abridgement of free expression.

The abridgement of free expression dissolves democracy because in a democracy nothing can be out of bounds since the essence of democracy is the placing of ideas in the political marketplace and the selling of these wares to the electorate. Once speech is limited democracy does not exist.

The temptations of power will of course make those who hold it more likely to want to censor than those who are in opposition because it is in the power holder's interest to censor and the opposition's interest to have debate. That is simply human nature. But anyone who sincerely believes in the value of democratic control must of necessity defend the right to free expression regardless of whether they are in power.

There is also self-interest in defending free expression for all. By defending those of whom one disapproves you strengthen your own position because it increases both your moral authority and strengthens the ground for defending your right to speak as you will.

The Leveller John Lilburne had a simple and most effective exhortation to rally support when he was being unlawfully persecuted by the state: What they do to me today they may do to any man tomorrow. That is an eternal and potent truth. What is done to the BNP and its leader today maybe done to any party or person tomorrow.

Politically, everything flows from free expression. It is only when it does not exist that elites can really misbehave. Free expression will not, of course, guarantee the most humane treatment, but it will stop the worst excesses. That is so because public argument does not merely stop evils such as genocide or gross authoritarianism when they are on the brink of being put into effect. Rather, it prevents such ideas ever gaining momentum. This is because pernicious ideas rarely spring fully formed into the public arena. Rather ideas

**"Politically,
everything flows
from free
expression."**

evolve, becoming more extreme through an absence of public opposition. Even where extreme ideas do come to the debating market they will almost certainly remain the beliefs of those without power if they are subject to opposing argument.

Anything other than free expression is a recipe for political manipulation and social disorientation. Free expression suffers none of these

ills. It is the social antiseptic which best keeps a society free from the germ of authoritarianism and elite abuse.

All historical experience shows that the best guard against tyranny is free debate and the free flow of public information. Freedom of expression is every man's best guarantee of freedom.





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ADDICTIVE DISEASE

Dr Robert Lefever

"... health and welfare and education are of such importance that they are the very last subjects, rather than the first, that should be trusted to government control."

Politically I am a Libertarian. I don't like governments. They are domineering and expensive and frequently counter-productive. Whatever their good intentions, they tend to achieve the opposite. They get in the way of imagination, enterprise and individualism. They promote a culture based upon influence and graft rather than achievement. An all-powerful Civil Service takes to itself the implementation of the laws of parliament, as it is required to do, and the population, from front line worker to board room director, have to do as we are told. It is arguable that the army and the police force need this level of centralised management but there are some who believe that even these sectors of our society sectors should be privatised. I myself believe that health and welfare and education are of such importance that they are the very last subjects, rather than the first, that should be trusted to government control.

I hope that this introduction establishes my Libertarian credentials. At one time, I was on the board of the Libertarian Alliance but left (amicably) on the issue of whether or not the use of addictive substances and processes is a lifestyle choice or, in some people, an illness.

There is a danger in believing that experience brings knowledge. However, there is also the opposite danger in believing that one has knowledge when one has no experience. I myself am an addict and over the last twenty years I have treated over four thousand addicts on an inpatient basis. On the subject of addiction I have both knowledge and experience. None the less I recognise the obvious challenge to my belief that addiction is a disease: well you would believe that wouldn't you? This may imply that I believe that saying addiction is a disease absolves me and others like me from responsibility for our behaviour. I do not believe that at all. I believe the opposite: awareness that one has an illness should give

one a sense of responsibility not to exacerbate it and thereby harm oneself or other people.

To use a simple analogy, I acknowledge that, relative to most other people, I am short-sighted. I therefore accept the responsibility of wearing glasses. I am short-sighted whether I wear them or not: they do not cure me of a disease that is genetically inherited. I wear glasses in order to be functional, in order to read books and drive my car. If I fail to take the responsibility of wearing my glasses when driving my car, declaring that it is my free choice not to do so, and then cause an accident that injures myself and other people, I believe that I would be culpable. I would not be responsible for being short-sighted in the first place but I would be responsible for the damage that I cause through my arrogance and self-will.

In the course of my work with addicts of all kinds I have come to believe that the tendency towards addiction is a genetically inherited disease mediated through a chemical defect in the neuro-transmission systems in the mood centres of the brain. Indeed, considering the complexity of brain biochemistry, it would be absolutely incredible if there were not genetic defects associated with this function: nobody questions that my short-sight has a genetic origin yet optics are a much less complex function than neuro-transmission. Nobody questions that Downs Syndrome is a genetically inherited disorder of intelligence. There should equally be no surprise in considering that sometimes the emotional functions of the brain could also be genetically impaired.

The problem with accepting that an addictive tendency is a disease comes as a result of two attitudes. Firstly, people tend to have a fairly narrow sense of what constitutes a disease. Infections, cancers and deteriorations such as heart attacks are all generally accepted as diseases. But what about congenital defects on the effects of old age and the results of sports injuries? Nobody would question that these are worthy subjects for the attention of doctors but that doesn't necessarily make them into diseases in a narrow sense. Similarly, doctors deal with the consequences of bereavement, unemployment, marital break-up and many other emotional traumas. These might be called dis-ease but not disease.

Contraception would be considered to be a personal responsibility and certainly not a disease yet doctors have no second thoughts

about providing it. In other words, the concept of a disease cannot be defined by whether or not a doctor is prepared to spend time on it. Interestingly, however, many doctors reject addicts precisely upon the grounds that they consider their problems to be self-induced, a personal responsibility, merely an emotional problem or a social rather than clinical problem. They don't mind dealing with the physical consequences but they do not see that dealing with addiction itself is a medical responsibility. This can lead them to be very angry when the term addictive disease is applied to addicts because they feel that clinical practice is being usurped by people and conditions that do not deserve to appropriate the word disease. Secondly, people, including doctors, wonder what sort of a disease addiction might be. They can see the consequences of addiction medical, financial, social, educational, marital, emotional and all the rest but they still find it difficult to call the origin of all these problems a disease. As with seeing the carnage caused by an elephant, they may not see the elephant (or disease) but they can see where it has been. Often the people who most resent addiction being called a disease are those who have been damaged by addiction in someone else in their family or work place. They are happy to be sympathetic towards people with cancer or heart attacks but may be very resentful towards the person who caused them so much pain and resentment if he or she could hide behind the concept of having a disease.

A further difficulty comes from trying to distinguish addicts from non-addicts. Many people drink alcohol but that doesn't make them alcoholics. Alcohol is an addictive substance but different people react to it in different ways. Correspondingly, some cigarette smokers are able to give up when they put their minds to it but others find themselves repeatedly drawn back to it. As Mark Twain said, giving up smoking is easy I've done it nineteen times. People who become significantly obese do not appear to have a stop button in their relationship with sugar and white flour, the substances that cause craving for more and more. Compulsive gamblers, workaholics, shopaholics, exercise addicts and sex and love addicts have behavioural addictions that are just as destructive as many substance addictions such as alcoholism or drug addiction, yet they are resented and mocked if they ever refer to themselves as addicts. Again, it is assumed that they are weak-willed or stupid or that they are making excuses for personal inadequa-

“... I have come to believe that the tendency towards addiction is a genetically inherited disease...”

cies. Yet studying these people does not reveal them to be weak-willed at all. Often they are far too strong willed interminably trying to prove that they can manage something sensibly when all the evidence of experience says they cannot.

At PROMIS we find that addictive tendencies tend to go in clusters. First there is what we call a hedonistic cluster (alcohol, recreational drugs, prescription drugs, nicotine, caffeine, sex and love addiction, gambling and risk taking), second there is what we call a nurturant of self cluster (food-bingeing, vomiting, starving, purging-exercise, work, shopping and spending) and the relationship cluster (using other people as if they were drugs or using themselves as a drug for other people). Some of our patients have all their addictive tendencies channelled into just one of these clusters, some have two and some have all three. Our belief therefore is that each of these clusters may be mediated by one gene. It is no surprise to me that a gene for alcoholism has not been discovered. I cannot see the evolutionary benefit in having such a gene. However, I can see the evolutionary benefit of a hedonistic gene. Hedonists maybe highly energetic and creative and give something to society but then destroy themselves in the process. Similarly I can see the evolutionary advantage of a nurturant of self gene or a relationship gene. Each of these has potential benefits to society even while forcing the individual to fall apart at the seams.

Paradoxically, people with addictive behaviour of one kind or another very commonly believe that they are expressing their right to individual freedom of choice. In fact, as addiction takes hold, they achieve the exact opposite: entrapment. Furthermore, they become indistinguishable from other addicts. By trying to be individualistic, they become standardised. When you have seen one alcoholic or drug addict or anorexic, you've seen them all not as individuals but as representatives of their addictive group. The tragedy is that the individual characteristics of addicts that distinguish them from each other become progressively less apparent. As the consequences of their addictive behaviour and the progressive losses mount up, they lose all their individuality.

A further reluctance to allow the term disease to be applied to addiction is that it is assumed (just say no) that treatment is in the sole hands of the sufferer and there is nothing anybody else can do. This is true, as countless

doctors, social workers, probation officers, health visitors and Uncle Tom Cobble can testify. Many a professional has been brought to tears by recognising that his or her sincere intentions and best efforts have come to nothing in trying to help addicts. They have a self-destruct process that does not respond to reason or to encouragement. Any material support is taken for granted or squandered. Addicts with perfectly good brains as seen in their professional work and other aspects of their lives turn them off when they have an opportunity to use an addictive substance or process. The understanding of this feature of addiction is crucial: addicts do not have a disease of their intellect; they have a disease of their feelings. Samaritans estimate that 30% of all suicides are in alcoholics alone.

Other estimates are that 95% of all suicides are in addicts of one kind or another. This seems bizarre when the people who kill themselves have often had significant privilege, a great deal of love and support and many opportunities to make use of their intellectual and practical skills. Still, they have a dreadful sense of inner emptiness, an involitional melancholia which bears no relationship whatever to their personal circumstances. It is small wonder that their lives are irrevocably changed when they are introduced to mood-altering substances or processes. Suddenly life is bearable, manageable. Why ever would they want to give up these substances and processes that provide such solace? The sad fact is that most of them don't: they die. In the UK, three hundred nicotine addicts die every day, one hundred alcoholics die each day and fifteen drug addicts die each day. Estimates for the number of people killed by sugar and white flour are difficult to determine but two hundred deaths a day seems likely.

Addicts have to be distinguished from idiots. Lots of people get drunk or take cannabis or have a pork-out but this doesn't make them addicts. If we sweep the streets for people who are drunk late at night, many will turn out to be students, doing what students do. Some of those students will be alcoholics but it is very difficult to make that diagnosis at the time when they are horizontal alongside their peers. The Shorter PROMIS Questionnaires (www.promis.co.uk) are based upon addictive characteristics that are quite separate from social factors. All the questions are based upon one principle: why? None of them relate to how much? , when? , which type? or other questions like that. For addicts there is

"Addicts have to be distinguished from idiots."

only one goal: alteration of mood. Other people may have a bit of fun, do a bit of retail therapy, get slaughtered once in a while, or whatever, but for addicts the basic purpose of mood-alteration is to lift the black dog of depression and stay alive.

In fact I believe that depression and addiction are synonymous, the same condition before and after treatment with a mood altering substance or process. Sadness is something altogether different: the normal human response to an unfortunate circumstance. Sadness should be treated with understanding and support and time. It resolves on its own. Depression/addiction should never be treated with antidepressants because these are addictive substances in their own right in people who have addictive tendencies. The correct treatment is the Twelve Step programme, first formulated by Alcoholics Anonymous. Ultimately the substitute mood-altering process that works for addicts is when they take the focus of their attention off themselves and put it onto other addicts. When A reaches out to help B, it is A who gets better. The process wears off (just as drunkenness wears off if one stops drinking) and therefore one has to repeat the process which is the precise purpose of attending regular meetings of Alcoholics Anonymous and reaching out to help newcomers. Nowadays there are a whole range of Anonymous Fellowships covering a whole range of addictive substances and behaviours. At times, the range is too broad and people who are not addicts at all try, for some bizarre reason best known to themselves, to try to prove that they are. Presumably they want to avoid taking responsibility for themselves. Recovering addicts (those who work a Twelve

Step programme on a continuing daily basis) do not at all want to avoid responsibility. They accept it with open arms. They acknowledge their addiction (just as some of us have no choice but to acknowledge our short sight) and they do what they can on a continuing basis to keep it at bay so that they do not get the long term consequences for themselves or inflict them upon other people.

Thus, addictive disease in my view has both a cause and a treatment. Open meetings of Alcoholics Anonymous and other Anonymous Fellowships exist in order to increase understanding in those who may not be addicts themselves but who genuinely want to develop an understanding of addictive behaviour and see what can be done about it. There are now 2,400 groups of Alcoholics Anonymous meeting each week in the UK. Yet the basic ideas of a Twelve Step programme are not taught in British medical schools, nor are there any Minnesota Method treatment centres (based upon the principles of the Twelve Step programme) in the NHS. It is small wonder that doctors and other healthcare professionals resent the word disease being applied to addictive behaviour. They know nothing about it.



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“... addictive disease... has both a cause and a treatment.”

(Continued from page 1)

membership subscriptions. For some years we had been operating an honour system of subscription renewals, relying on members to remember or to take note of the occasional please pay up urgings in the pages of *The Individual*. This resulted in the SIF having a number of notional members who had not paid for a long time. Over the winter, we finally did something about this. The exercise met with generally successful results. A number of lapsed members renewed with many paying more than the minimum fee of £15 and some of these took the opportunity to move over to paying by standing order. Regrettably, however, we have had to remove from our books a number of names. How-

ever, with our now somewhat increased and more predictable income we have decided to maintain the print run of *The Individual* and use the new surplus to send complimentary copies to more journalists, think tanks etc.

Regular readers of *The Individual* will note that this issue is 16 pages rather than the normal 20 pages. (The 12 page April 2006 issue was, for obvious reasons, an unusual issue.) This is the last issue of the journal before the Royal Mail's new and partly size-based pricing scheme comes into force, and therefore our last chance to take advantage of the current second class 60g letter rate of 23p which a 16 page issue just scrapes under. From August the charge will rise to a minimum of 37p for publi-

cations of A4 size, even up to 100g. That's a 61% (!) increase in postal costs and will hit hard smaller organisations that publish newsletters and journals of more than a few pages.

In any event, add on the cost of printing the journal and this means that *The Individual* is the SIF's single biggest cost item. This begs the question: Should we continue to publish and distribute in hardcopy at all? After all, our website receives hundreds if, alas, not yet thousands of hits each month and of these many download the PDF version of *The Individual* that we make freely available. This comes at a comparatively small cost to the SIF.

Despite the undoubted drawbacks of hardcopy publishing, my response to the question is an emphatic 'Yes'. There are a number of reasons. Firstly, I know that many of our members do not have and probably do not wish to have regular access to the Internet. This may come as a shock to some, but there you have it. We are a membership-based democratic organisation and the needs of our members take priority. Next, I know that I am not alone in finding it very hard to read large amounts of text online. Entries in blogs and

suchlike are fine, but much beyond that and it becomes tiring on the eyes. This leads on to the simple physicality of hardcopy journals and books: the way that we hold them, can flick back and forth through pages and so on. We are in the realms of psychology here, but I firmly believe that physically holding a book or journal adds to the reading experience. Moreover, I confess to being old-fashioned in some respects. I am never convinced that something has been *properly* published until it is printed and bound.

Finally for now, there is the issue of contact and its consequences. There is something qualitatively more personal about a real journal being delivered through one's letterbox than a PDF of it arriving in the Inbox of an email application. As such, I believe that the publication's recipients feel more engaged with the publication and the organisation that produces it. I know from experience with other organisations that people are more likely to continue to support an organisation if they receive fairly regular hardcopy mailings. At least I hope so!

Nigel Meek

"I am never convinced that something has been properly published until it is printed and bound."

Other organisations and journals that might be of interest to readers...

Total Liberty: A "journal of evolutionary anarchism" featuring individualist writers from a variety of perspectives including Joe Peacock and your own editor, Nigel Meek. Subscription of £8 payable to 'J.P. Simcock' and sent to *Total Liberty*, 47 High Street, Belper, Derby, DE56 1GF.

Campaign Against Censorship: Promotes freedom of expression in all its forms. Membership subscription of £5 payable to 'Campaign Against Censorship' and sent to CAC, 25 Middleton Close, Fareham, Hampshire, PO14 1QN. Website at www.dlas.org.uk.

The Cunningham Amendment: An anarchic blast against "a world increasingly weighed down by sterile bureaucracies". Printed on old-fashioned machinery, each issue is a work of art. Suggested cash-only donation of £5 to TCA, 1005 Huddersfield Road, Bradford, West Yorkshire, BD12 8LP.

Free Trade League: Supports just that! Membership subscription of £20 sent to D.D. Wedgwood, 21 The Barons, Twickenham, TW1 1AP.

Home Computer Repairs: If you live in south-east England and are having computer problems, then your editor can recommend Home Computer Repairs based in Kent. HCR is run by the SIF's own webmaster, Howard Hammond-Edgar and focuses on one-to-one support for (appropriately enough) the individual home user. They do repairs, upgrades and tuition. What's more, this is done in the comfort of your own home! For more information see the HCR website at www.hcrweb.co.uk or email HCR at upgrades@hcrweb.co.uk or talk to Howard directly on 07838 236325.

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The SIF's Aim:

*To promote responsible
individual freedom*

The SIF is a classical liberal organisation that believes in the economic and personal freedom of the individual, subject only to the equal freedom of others.

The SIF promotes...

- ✓ The freedom, importance and personal responsibility of the individual.
- ✓ The sovereignty of Parliament and its effective control over the Executive.
- ✓ The rule of law and the independence of the Judicature.
- ✓ Free enterprise.

SIF Activities

The SIF organises public meetings featuring speakers of note, holds occasional luncheons at the Houses of Parliament, publishes this journal to which contributions are welcome, and has its own website. The SIF also has two associated campaigns: Tell-It, that seeks to make information on outcomes of drugs and medical treatments more widely known and available to doctors and patients alike, and Choice in Personal Safety (CIPS), that opposes seatbelt compulsion and similar measures.

Joining the SIF

If you broadly share our objectives and wish to support our work, then please write to us at the address on this page, enclosing a cheque for £15 (minimum) made payable to the Society for Individual Freedom.

The Law of Equal Freedom

*“Every man has freedom to do all that he wills,
provided he infringes not the equal freedom of any other man.”*

Herbert Spencer, *Social Statics*, 1851