

In this issue:

- Individual freedom: a different perspective.
- Has the Labour leopard changed its spots? The 'Old' and 'New' assessed.
- What price the free movement of peoples?
- Third world debt and arms sales: not just a Leftist concern.
- An armed citizenry as a bulwark of liberty.

INDIVIDUAL FREEDOM: BEYOND 'LEFT' AND 'RIGHT'

Having produced a drugs and healthcare 'special' for the October 2002 issue of *The Individual*, we now return to more mixed fare. Indeed, anyone reviewing the table of contents below might be tempted to mutter "very mixed indeed!" In particular, side-by-side, we present Mr Richards' defence of the British monarchy and Mr Peacott's exposition of individualist anarchism. Unlikely bedfellows most would say. And yet...

For all the very real differences between them, a closer reading of the articles indicates that they can just as plausibly be seen as extreme 'wings' within a common area on the political 'map', and in both cases are examples of the very thing that the SIF exists to promote: the defence of individual freedom against the many forms of collectivism.

Indeed, the historically-minded reader may care to know that the connections between Mr Peacott's brand of anarchism and the SIF itself are quite strong. One of the leading lights of one of the SIF's predecessor organisations, the great classical liberal philosopher Herbert Spencer, was a long-time if informal associate of Benjamin Tucker, one of the most important figures in the history of individualist anarchism. Between them and their allies, it might be argued that they represent amongst the best of nineteenth century 'Right' and 'Left' individualism respectively. Although the SIF undoubtedly leans towards the former, both are important components of individualist thinking.

Returning to the present, Mr Henderson makes the point that individual liberty is meaningless without the ability to defend it on an individual basis. Accordingly, he supports the right of individuals to keep and bear arms. This would be an important

topic at any time, but events here in England such as the New Year's shootings in Birmingham have propelled the issue back onto the front pages. As Mark Steyn pointed out in the *Sunday Telegraph* (5th January 2003), according to the United Nations the UK now has amongst the highest rates of gun crime in the developed world whilst at the same time also having some of the most Draconian legislation. Mr Steyn goes on to say that this is the result of the police and government deciding to "cling ever more fiercely to their core ideology: the best way to deal with criminals is to impose ever greater restrictions and inconveniences on the law-abiding." (In any case, as Mr De Santis also notes in this issue, attempts by the authorities to 'do good' against the will of the public often backfire.)

Just exactly *who* is committing much of this increased gun and other violent crime, and what we ought to be doing about it, is something to keep in mind when reading Mr Browne's timely book. I know from other reports that Mr Browne has been smeared as a 'racist', the usual treatment given to anyone who dares challenge the Establishment view that open-ended immigration and multiculturalism are unarguable benefits to the common weal.

We start this issue with an important essay from Professor Flew who analyses the nature of New Labour ideology. His conclusion is that, however changed in presentation, in substance it remains wedded to Old Labour collectivism and State control with all the attendant ill effects.

In the meantime, whether our opponents are called 'Old' or 'New', 'Left' or 'Right', the Society for Individual Freedom remains committed to exactly what its name says, no more and no less.

DISCLAIMER & PUBLISHING DETAILS

Views expressed in *The Individual* are not necessarily those of the Editor or the SIF and its members, but are presented as a contribution to debate.

Only policies or opinions that have been approved by the SIF Management Committee, and are noted as such, can be taken as having formal SIF approval. This also applies to editorial comments in this journal.

Edited by Nigel Meek. Published by the Society for Individual Freedom. For contact details, see back page.

Inside this issue:

<i>The Third Way: Where To, and Between Which?</i> - Professor Antony Flew	2
<i>The Right to Self-Defence</i> - Robert Henderson	5
<i>Do We Need Mass Immigration?</i> - Anthony Browne/Civitas	11
<i>A Libertarian Approach to Third World Debt and the Arms Trade</i> - Nigel Meek	13
<i>Long Live the Monarchy</i> - Peter Richards	14
<i>An Overview of Anarchist Individualist Thought</i> - Joe Peacott	16
<i>Higher Taxes and More Crime: The Case of Tobacco</i> - Giuseppe De Santis	19

THE THIRD WAY: WHERE TO, AND BETWEEN WHICH?

Professor Antony Flew

There was a great deal of thinking about desirable government policies before the Conservative victory in the General Election of 1979. For shortly after her election as the Leader of the Conservative Party Margaret Thatcher, with the assistance of Sir Keith Joseph, organised the Centre for Policy Studies (CPS). This was from its beginning in 1974, as it remains today, a Conservative Party think-tank; and the thinking about policies to be put before the electorate began from the day it opened. Throughout the whole period of Conservative rule the CPS was continuously engaged: both in trying to influence Ministers directly; and in producing pamphlets for a hopefully wider readership. Certainly too both Thatcher and Joseph were already admirers of the works of F. A. Hayek, who had inspired Antony Fisher to found the strictly non-party political Institute of Economic Affairs (IEA) in London - to say nothing of several successors elsewhere.

The ideas actually promoted by these two think-tanks were and are, apparently, what on the front page of the Report of the Commission on Social Justice⁽¹⁾ are described as “the bankrupt dogmas of the free-market economy.” This Commission was established in 1992 at the instigation of the present Prime Minister’s immediate predecessor as Leader of the Labour Party. Tony Blair himself, as successor Leader of the Labour Party, commended the Report of that Commission as “essential reading for everyone who wants a new way forward for our country”, and asserted that “it would inform Labour’s policy making...”

That policy making resulted in what was supposed to be a Third Way between putative extremes, neither of which seems ever to have been consistently and authoritatively described. In particular Anthony Giddens, who was at the time of his writing *The Third Way* (London: Polity, 1998)⁽²⁾ both, putatively, Tony Blair’s guru and, certainly, the Director of the London School of Economics, was apparently either unable or unwilling to tell us either what, if anything, he would concede to have been right about Margaret Thatcher’s policies of privatisation or what, if anything, he would admit to have been wrong with Clause IV socialism – “the public ownership of all the means of production, distribution and exchange.”

The importance of providing answers to these two questions ought to have been obvious to anyone trying to formulate policy for a party which was hoping to win power in a subsequent General Election; and, in the event, did. Yet the Labour Party has yet to provide an official answer to that

second question. Indeed there is every reason to believe that Clause IV was deleted from the Party Constitution, simply and solely because the membership became, whether rightly or wrongly, persuaded that without that deletion it could never hope to win another General Election.

That this was indeed the main if not the only reason for that ostensible abandonment of socialism becomes clear the moment we begin to consider the case of the two remaining major, state-monopoly⁽³⁾ nationalised industries, namely the provision of health services and of educational services. In neither case did the incoming Labour administration of 1997-2001 show the slightest indication of any realisation of the reasons for the economic collapse of the Union of Soviet Socialist Republics and of its imperial dependencies in Eastern Europe.

The reason for that collapse, as the Leaders of the Labour Party would fairly easily have learnt if only they had been prepared both to admit and to learn from their own mistakes and to recognise the understanding and the achievements of their political opponents, was that the Soviet Socialist command (as opposed to market) economic system was egregiously, incredibly, unbelievably unproductive. Whereas in the 1930s J. V. Stalin had misguidedly boasted that it is “Not abstract justice but socially necessary labour time which justifies socialism” President Reagan in the 1980s realised that the productivity of labour in the USSR could not even begin to match, much less exceed, that in the USA. So he was able to declare to a horrified group of *Washington Post* journalists: “that he intended to win the arms race with the Soviet Union, because America’s resources greatly exceeded those of the USSR, so that Soviet leaders would ultimately be forced to the bargaining table to begin reducing their threatening nuclear arsenal and scale back their international aggressions.”⁽⁴⁾

To the equal disbelief and disdain of many, he likewise said on more than one occasion that we were seeing the last days of the Soviet union, which could not take the combined strains of their own counterproductive economic system and foreign military adventures.

It has become a substantial national misfortune that New Labour appears to have learnt nothing at all from the collapse of the Soviet Socialist economic system. On the contrary; the few tiny steps forward with regard to these two remaining major nationalised industries made by their Conservative predecessors - in this misguided as they

“the Soviet Socialist command ... economic system was egregiously, incredibly, unbelievably unproductive.”

surely were by "the bankrupt dogmas of the market economy" - were, once (professedly) *New Labour* had achieved office, reversed immediately.

Take first the case of the supplying of primary and secondary educational services. Whereas a previous Conservative administration had established the institution of the Grant Maintained School - a school such as that chosen by the Blairs for their sons - this institution was forthwith abolished by the incoming Blair administration. This was done despite if not because of the facts that becoming grant maintained had enabled schools to govern themselves independently of any local Education Authority, and that those which had become grant maintained had acquired this status as the result of a ballot of local parents, a ballot initiated by the schools and the parents of the children attending those schools themselves.

Again, when Sir Keith Joseph was Minister of Education in the second Thatcher administration he tried but unfortunately failed to persuade his colleagues in the Cabinet to introduce, if at first only in some limited area, education vouchers. These are (in this case) tax-financed certificates of entitlement (enabling their parental bearers to purchase educational services for their children from the suppliers of their choice). Since this idea appears to have been first developed in pamphlets published by the IEA, and since it was promoted by the Education Group of the CPS from its beginning⁽⁵⁾, it certainly would be dismissed by all unreconstructed socialists, if perhaps not in exactly the same words, as one of "the bankrupt dogmas of the free-market economy."

So far from encouraging or even permitting any measures of devolution to the schools 'New' Labour has instead vastly increased the flow of directives from Whitehall, while substantially diminishing the powers of Heads to manage the schools for which they are held responsible. Thus in the year ending March 2002 the Ministry - it is hard to keep up with its ever changing titles - sent down to schools documents totalling 4,440 A4 pages - equivalent to seventeen A4 pages for each working day. When the National Association of Head Teachers appealed to the then Education Secretary, Estelle Morris, to stem this flood of paper she dismissed this appeal with characteristically unsympathetic incomprehension: "I say to the House of Commons and to heads that sending teachers less paper will not raise standards." Apparently still an unreconstructed socialist she could not even begin to see anything wrong with having a state monopoly system of school education and running it by a torrent of commands from Whitehall.

But in addition to imposing a vastly increased bureaucratic burden on Head teachers, and hence of course indirectly also upon all other teachers, Labour by introducing the 1998 Education Act un-

dermined the authority of Head teachers and Boards of Governors to set and maintain standards of discipline in their schools. For that Act mandated the establishment of panels to which pupils excluded for disruptive behaviour could appeal. And since its passage a third of all exclusion decisions have been overturned by these newly established panels.

The importance of the enormously increased burdens upon teachers of all ranks can perhaps best be demonstrated by referring to the findings of an enquiry established by the National Union of Teachers (NUT) to discover the main reasons given by the teachers for wanting to abandon teaching in favour of some alternative occupation. Until quite recently the NUT would have hoped and expected that to any such enquiry a massive majority of its members would have given the emphatic answer 'comparatively low pay'. And, in the event, the NUT would not have been disappointed. But in these New Labour days things are different. What the inquiry sponsored by the NUT revealed was that the answers given fell into three almost equally numerous groups. The largest group complained of pupil indiscipline, the second largest group complained about the burden of bureaucracy, while only the third largest group complained of the comparatively low pay.

Members of the SIF who at this point, very understandably, merely call to mind the most outrageous offences against school discipline which they saw or heard about in their own schooldays, have to face the fact that today the situation in all too many schools is appallingly different. For instance, my wife was informed by a fellow student in one of her evening classes that he had taken early retirement from his school-teaching job because he could no longer stand being abused throughout any working day by the foul mouths of his pupils. I myself heard recently from a young woman teacher that during her first term on the job she had been attacked by a pupil wielding a knife. Fortunately she was not injured. But the young offender was subjected to the maximum legally possible penalty - Three Days Exclusion from school. That is a penalty which would have seemed to me at his age more like a reward - but for the fact that, subjected to it, I should have had for those three days to face an angrily disapproving Father!

We come now to the second case, the supplying of medical services. The first two steps taken in this matter by New Labour after attaining office were to abolish the 'internal market' in the NHS and to withdraw the tax relief on health insurance premiums paid by taxpayers over sixty years of age. No supporting argument appears to have been offered for either of these measures. Presumably the very idea of competition in a market and of any measure of choice for consumers was seen as one of "the bankrupt dogmas of the free

"... a state monopoly system of school education [run] ... by a torrent of commands from Whitehall."

market economy”, and hence as unacceptable to a still socialist party.

The truth appears to be that before the 1997 election no one in the Labour Party believed that there was anything wrong with the NHS other than its supposed underfunding by Conservative administrators. But since the financial year 1997-1998 tax-funded spending on the NHS has increased by nearly 40 percent. But where is the promised improvement? Opinion polls tell us that roughly 80 percent of the population believe that the NHS has either stayed the same or got worse!

It is high time and overtime for everyone in the UK to stop claiming that the NHS remains, even if it once was, the envy of the world; and at last to recognise that the provision of health services is one of the things which they really do handle better in some of the other countries of the European Union (EU). Austria, for instance, although it is one of the lowest spenders on such services, nevertheless has one of the highest levels of satisfaction among patients: less than 5 percent of patients say they are dissatisfied with the service, compared with 40 percent in the UK.

The Chancellor of the Exchequer recently announced his intention to impose formidable tax increases in the tax year 2003-4. These are intended to yield corresponding improvements in the output of the NHS and the state-maintained school system. But, in view of the demonstrated failure of that earlier 40 percent increase of funding to produce any discernible improvements at all, the only certainty is that these increases will constitute a substantial measure of ‘harmonisation’ of UK taxation up the much higher levels of the EU; which are, of course determined by France and Germany.

It should always be remembered, and never forgotten, that the purpose of such EU ‘harmonisation’ is to prevent effective, and therefore *ipso facto* ‘unfair’ competition with those two leading countries. Thus the reason given by (German) EU Commissioner Bangeman for imposing metrication on the UK was that it was a competitive advantage for the UK, and therefore unfair, that the UK should continue to share a system of measurement with the USA rather than with the EU. Again Commissioner Jacques Delors complained that the opt-out from the Social Chapter achieved by John Major made the UK “a paradise for foreign investment”;⁽⁶⁾ a very reasonable objective, surely for a British Prime Minister concerned for the prosperity of the UK rather for that of the EU and its two leading - not to say master - countries.

Certainly the present Prime Minister would claim that he shared his predecessor’s concern. Thus, in a highly publicised article in *The Sun* just before

the 1997 election, he declared that “New Labour will have no truck with a European superstate. We will fight for our independence every inch of the way.” The Labour manifesto promised “Retention of the national veto over key matters of national interest such as taxation, defence and security, immigration, decisions over the budget and treaty changes.”

Of course, as we now know, these promises were not kept. What is not so widely known is that their maker never had the slightest intention of keeping them.⁽⁷⁾ Many must have wondered how Blair became the recipient of the Charlemagne Award in 1999, almost immediately after he had been elected, and before he had time to break any of those election promises. For that award is given for services rendered to the project of establishing a single, centralised pan-European superstate.

The answer is that those responsible for choosing the recipients of this award knew their man. They knew that Blair could be relied on, absolutely, to break all these promises to the British people at the earliest convenient opportunity. They knew this because they had been able to listen to, or to read, the speech which he made at Chatham House (under ‘Chatham House rules’) in April 1995. This was the first foreign policy speech which he made as Leader of the (New) Labour Party.

After repeated professions of patriotism⁽⁸⁾ he then and there proceeded to promise the unconditional surrender of social, environmental industrial and regional policy to the foreign power of Brussels. Shortly after taking power Tony Blair used the Amsterdam Conference, designed to review the pace of integration, to argue for a *quicken* of the pace. He sought to extend majority voting and the weakening of the British veto in several areas only to encounter resistance from, of all people, former Chancellor Helmut Kohl. It has been given to few to outdo that man in his devotion to the ideal of “one country, Europe”. But that distinction, a distinction without honour, goes to Tony Blair.

Notes

(1) *Social Justice: Strategies for National Renewal* (London: Vintage, 1994). By the way, ‘social’ justice ought to be, but very rarely is, very sharply and very clearly distinguished from old-fashioned, without prefix or suffix, justice.

(2) I will not refrain from sharing a little treasure of Giddens’ Third Way thinking: “The democratisation of democracy first of all implies decentralisation - *but not as a one-way process*” (*ibid.*, p.72: emphasis added).

(3) To the tiresome objection that, since they ca-

“Many must have wondered how Blair became the recipient of the Charlemagne Award in 1999, almost immediately after he had been elected...”

ter for something slightly less than 100 percent of their particular markets they are not, strictly speaking, monopolies, the sufficient response is to ask whether there is any anti-monopoly legislation anywhere in the world which would not be activated long before any suppliers were catering for such huge proportions of their possible markets; and that even without taking account of the fact that these two suppliers operate policies of predatory *not*-pricing?

(4) Dinesh D Souza *Ronald Reagan: How an Ordinary Man became an Extraordinary Leader* (New York: The Free Press, 1997).

(5) One piece of work produced in this group

was my pro-voucher *Power to the Parents: Reversing Educational Decline* (London: Sherwood, 1987).

(6) This revealing treasure was borrowed from Bernard Connolly *The Rotten Heart of Europe* (London: Faber, 1997).

(7) Indeed it was only a few months after Blair became PM that his immediate predecessor felt the need to publish an article complaining about the systematic mendacity of his successor.

(8) Blair was later to become the first British Prime Minister in my lifetime, and probably ever, to feel a need to assure the public that he is a patriot.

THE RIGHT OF SELF-DEFENCE

Robert Henderson

The Current State of Things

If there is such a thing as a natural right it is surely the right to self-defence, for any organism will defend itself when attacked. To deny a man the right to defend himself when attacked would be literally inhuman and, of course, in England we have that right in law. We may defend ourselves even to the extent of killing another if it is to save ourselves or another who is threatened. The problem is that our law has become so hemmed about by conditions and restrictions, that most people are both confused about what is permitted in practice and fearful of the consequences of using force in their defence. This is scarcely surprising when cases where burglars have been killed, such as that of Tony Martin, have resulted in the victim of burglary going to prison, while lesser cases which have resulted in non-fatal struggles all too frequently seem to result in the person who was attacked being punished.

At the same time as this confusion over the law exists, the British state is growing ever more paranoid about the private citizen owning and carrying weapons. Guns are so severely restricted that few people will go to the trouble of applying for a licence for anything other than a shotgun and there is a law against carrying a knife of any sort, even a pocket knife, with a blade of more than 3 inches in a public place without good cause, e.g. for the purposes of work.

The third piece in the jigsaw of our uncertainty is the increasing failure of the police to provide protection to the private citizen, especially in country districts. This was the prime cause of Tony Martin's action in illegally arming himself with a pump action shotgun to defend himself in his remote

farmhouse. (Martin knew from past experience that he regularly was subject to intruders which the police could not or would not do anything to prevent.)

The failure of the police adequately to protect people breaches the implicit contract between the state and the individual in relation to personal safety: the individual gives up his right absolutely to control his personal security on the understanding that the state will provide both physical security and meaningful redress for injuries which the individual may suffer from others. Small wonder that people take things into their own hands on occasion. The police failure to protect also makes the need for weapons more necessary to the individual for self-defence.

The Right to Self-Defence in English Law

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

"If there is such a thing as a natural right it is surely the right to self-defence..."

What is Reasonable Force?

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

To these disparities of size, sex, age, and mental and physical competence, we may add others. Someone who is assaulted does not know whether an assailant is going to restrict themselves to simple assault without a weapon. They may be armed for all the victim knows. Nor need this be obvious. Take a fairly recent and well-publicised case, that of Kenneth Noye who was convicted of murder in a road-rage incident. Noye carried a knife when he got out his car to confront his victim, but he only produced and used the knife when he began to get the worse of things as the two fought. (Noye is also a good example of the effect of age on the ability to fight. He was 48 at the time of the murder. His victim was in his twenties. Noye was a career criminal with a reputation as hard man. Yet until he produced a knife, he got the worst of a fight he might reasonably have expected to win. Age had caught up with him). It is also true that even if an assailant does not have a weapon, the victim cannot know how far the assailant is likely to go. Will he restrict himself to punching? Or is the assailant the sort to put the boot in when someone is on the floor? No one can know. Perhaps even the assailant does not know.

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

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

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

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

What is a Reasonable Law of Self-Defence?

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

"The law as it presently stands effectively ignores human nature."

answer. I would also remove from an attacker who suffers injury any opportunity to take civil action against his victim.

The great danger with such a law is that murder could take place under the guise of self-defence. I would make two responses to that. Firstly, murder is very rare in Britain: approximately 800 murders take place in England and Wales each year. The majority are 'domestics', i.e. the murder of a sexual partner. Murder for purely criminal reasons, e.g. robbery, is rare. Murder has also been rare historically. The Canadian criminologist Elliott Leyton published a study of murder in England a few years ago entitled *Men of Blood*. He found that throughout history murder in England had been abnormally low, so low as to be inexplicable except in terms of the social norms of the society. In other words, there are good sociological reasons to believe that few murders would take place under such an amended law.

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

I would introduce one further criterion to determine whether self-defence was proved, namely was the threat offered by the assailant credible. For example, most people have encountered the mad old lady who suddenly for no apparent reason sets about people in the street with a newspaper or some other equally inoffensive instrument. Clearly, such a person would not present a credible threat to anyone other than another old lady or a young child. It would be ridiculous for a fit, younger adult to be able to claim self-defence against such an assailant. If on the other hand that same old lady entered someone's house uninvited in the middle of the night and was struck down and killed by the householder in the dark under the apprehension that she was a burglar, that would be self-defence.

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

My proposal would also accommodate perhaps the most contentious part of self-defence, namely pre-emptive action. An assault that results in physical action against someone is clear-cut. But the law does not say that to commit assault physical violence has to be used. A person may believe themselves to be in imminent danger of being

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

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

The Right to Own and Carry Weapons

The right to self-defence is intimately connected with the right to own and carry weapons. If a man or woman cannot keep a weapon, in many circumstances he or she will be effectively defenceless. The problem in Britain is that the possession of any weapon by the private individual is being made increasingly difficult, ostensibly on the grounds of public safety, but in reality from of a desire by those with political power to control the general population. This elite behaviour is merely conforming to the historical norm.

The desire to restrict the possession of weapons has always come from those who wished not only to monopolise power but to do so on their own terms. When the crossbow was invented, the medieval nobility attempted to ban it because it reduced the effectiveness of the armoured and mounted knight. Failing in that, they attempted to restrict, with some success, its ownership to people they could control. The Samurai in Japan enforced ruthlessly their rule that only Samurai should carry swords. When the demobbed conscripts of British Army returned to Britain after the First World War, the British government passed the first serious laws regulating gun ownership not because they feared that the British would begin to murder one another in great numbers but because they feared Red revolution.

As things stand in Britain, legal gun ownership has become so onerous, that many long time li-

"The desire to restrict the possession of weapons has always come from those who wished not only to monopolise power but to do so on their own terms."

licence holders have given up. The effort in obtaining a licence and in maintaining it is considerable, because of both the Draconian storage conditions required by the police and their eagerness to engineer the revocation and denial of licences. Even if you legally own a gun, woe betide you if you are spotted openly carrying it in a public place. Assuming you are not gunned down by over-excited policemen, you will not merely have your licence revoked but probably end up in court as well.

As for other weapons, if the police want to pick you up for possessing an offensive weapon there is a fair chance they can do so even if you do not mean to carry one. Forget about knives or coshes, which are complete no, nos, you are conceivably committing an offence if you have an aerosol of hairspray about your person or a hammer, for the 1953 Prevention of Crime Act creates a general offence of possessing an offensive weapon in a public place, an offensive weapon being anything from a gun to a piece of wood or stone or a kitchen knife which is made, adapted or intended to cause physical injury to a person.

Is There an Historical Basis for Private Weapon Ownership in England?

This is an impossible question to answer categorically. It is undeniably true that weapons were held widely by private individuals. Feudal military obligation was in fact built on the private provision not merely of men but of arms and equipment. In late medieval times, statutes were enacted to encourage longbow practice. The Spanish Armada that attempted to invade England in 1588 was repulsed by a mixed English fleet of private and Royal ships.

Yet although weapons were commonly held by private individuals for many centuries, the right of the individual to hold weapons, especially guns, was far from being absolute or accepted by authority. The Bill of Rights passed after William of Orange came to the throne in 1689 stated:

- *“By causing several good subjects, being Protestants, to be disarmed, at the same time when papists were both armed and employed, contrary to law.”* (Clause 6 of the Bill of Rights 1690.)
- *“That the subjects which are Protestants, may have arms for their defence suitable to their conditions, and as allowed by law.”* (Clause 7 of the Bill of Rights 1690.)

There are four points to note. First, Catholics were not thought to have the right to have arms. Second, the clear implication is that Protestants were to be armed to defend themselves against Catholics. Third, the very fact that such a clause was included means that the right to weapons was not so much part of English life that it was taken for granted. Fourth, it uses the phrase “suitable to their conditions”. This must mean that the

right to weapons was limited and not limited merely in the sense that a private individual might not have a cannon but might have a musket.

It is also illuminating that when the US Bill of Rights was created a century later it ran:

- *“A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.”* (American Constitution Second Amendment.)

The American Bill of Rights was based firmly on English tradition, the founding fathers of the USA considering themselves to be preserving English liberty when it had fallen into corruption in England. Yet they did not say that a man has the right to bear and keep arms full stop. They say he has it because of the need to maintain a militia.

Nonetheless, the 1690 Bill of Rights does grant a right to bear arms of some sort. Leaving aside the question of what arms are permitted, does the Bill of Rights have any force today? The problem for those who would say it has is that the Bill of Rights is simply an Act of Parliament. It has no special constitutional status, any more than does any other British law with constitutional implications. As such, it is difficult to see how it can not have been amended by the subsequent passing of laws restricting the ownership of weapons. It is true that none of those laws specifically nullifies the Bill of Rights, but it is a long established practice in English law that the passing of a new Act which contradicts a previous law is treated as automatically nullifying the earlier law. Whether this practice is entirely sound in law is perhaps debatable, but I cannot imagine the Lords overturning the de facto principle retrospectively simply because of the immense implications of doing so - if the illegitimacy of the practice was allowed, all past laws not explicitly repealed by later Acts would have to be considered ‘live’ where they clashed with later Acts. The result would be legal chaos. The best that could be reasonably expected from Government is an Act making any future legislation require the specific repeal of Acts or clauses where a fresh Act contradicts the original Act.

It is true that the judgement in the recent so-called ‘Metric Martyrs’ (2001/2) case appeared to create two levels of law and sanctioned the idea that later ‘ordinary’ Acts do not implicitly repeal, through simple contradiction, the earlier, superior ‘constitutional’ Acts. However, I believe that the judgement was a literal absurdity. As stated previously, in Britain there is no such thing as a constitutional Act in the sense that it has any superior status to any other Act. What we have are Acts that deal with constitutional matters. Consequently, I cannot see that judgement has any basis in law or customary British practice.

“Much better to rest the argument [for the right to bear arms] on the twin reasons of self-defence and the means to resist an intolerant and oppressive state should one arise.”

It is also argued by some people that a Common Law right to bear and own weapons exists because in the past men were permitted to own and bear arms and a Common Law right developed accordingly. Whether this is true or not is irrelevant. A Common Law right can be removed by statute and indeed the vast majority of our law today is Statute law. Our present gun laws are all statute based.

The position with regard to history is clearly confused and contradictory. Resting a claim for a right to bear arms on it is pointless because those who resist such a thing will simply point out the lack of certain evidence and the evidence that contradicts the idea. Much better to rest the argument on the twin reasons of self-defence and the means to resist an intolerant and oppressive state should one arise.

What the Position Should be in a Free Society

In my perfect world, a man would be able to purchase a gun and ammunition in England as easily as he might buy a pound of potatoes. Similarly, a man should be able to carry any other weapon or implement he chooses. He should have the right to keep and carry weapons not merely for self-defence, but because otherwise arms are left in the hands of governments and criminals and denied to the ordinarily law-abiding citizen. Not only should a man be able to own a gun (or any other weapon) he should be able to do so without accounting for it to the police.

What, you say, anyone able to own a gun and no licences to boot? Would not that result in Britain being turned into the Wild West? The answer is no. Consider this, at present there are plenty of guns in private hands in Britain, whether held illegally or legally, yet gun crime remains pretty rare: less than 100 gun murders in 2001.

Even if all guns were made illegal, there would still be a large and by all accounts increasing number of illegally held guns in private hands. Now comes the clincher. The vast majority of gun crime is committed with illegally held guns. In other words the present wearisome system of licensing and the penal conditions of security under which guns must be stored on private premises have next to no effect on solving gun crime.

If guns were allowed to everyone without restriction, the situation would be essentially the same as it is today. Gun crime would be committed with weapons that were unregistered. But would not more guns mean more gun crime? That presumes there would be a massive increase in gun ownership. This is far from being certain. Before serious legal restrictions on gun ownership in Britain were enacted, gun ownership was not the norm. Nor does the ownership of a gun mean the owner will habitually carry it any more than the near uni-

versal ownership of lethal knives has meant that most people carry such knives. It is also worth reflecting on the fact that even criminals in Britain rarely use guns, despite their widespread availability in our larger cities. If criminals do not routinely use them to kill and wound, why should we believe the law-abiding citizen will?

Generally, it does not matter if people are not policed because, Man, being a social animal, will not normally act in a fatally harmful way to others. Moreover, in a very law abiding society such as ours, there is less chance of seriously socially disruptive behaviour than in most, perhaps all, other societies.

As mentioned previously, the English have a remarkably low murder rate generally (about 800 a year in a population of 60 million) and always have done. The paucity of English murder is not the result of a careful control of weapons through the ages, especially guns, for as mentioned above for much of our history weapons were available. The only rational explanation for it is that there is something in the English character and society, that has made extreme personal violence rare. If any people can be trusted to own weapons the English can.

That guns do not equal mass homicide can also be seen from the example of Canada where seven million guns are owned legally in a population of 30 million. They have a higher rate of gun killing than England, but it is still very low. Switzerland with its citizen army with all males of military age having a gun at home is another example of widespread ownership with a low gun crime rate.

What weapons should people be allowed? Should private individuals be allowed to have anything from a revolver to nuclear bombs (as Michael Moore suggested in *Bowling for Columbine*)? Well, there is a compromise that is self-policing. The individual should have any weapon that the state is willing to use against the individual.

If you want a lethal weapon you can always get one quite legitimately because there are so many things which will do. The Government bans commando style knives? No problem, you just go to your local hardware store and buy a decent 6-inch blade cook's knife. Or why not make yourself an old-fashioned cheese cutter out of cheese wire with a couple of pieces of wood to act as grips and Bob's your uncle once you have the wire wound around someone's neck. The state trying to outlaw lethal weapons is like the state trying to outlaw pornography in the age of the internet.

"The state trying to outlaw lethal weapons is like the state trying to outlaw pornography in the age of the internet."

TO BE GOVERNED...

"To be governed is to be watched over, inspected, spied on, directed, legislated, regimented, closed in, indoctrinated, preached at, controlled, assessed, evaluated, censored, commanded; all by creatures that have neither the right, nor wisdom, nor virtue... To be governed means that at every move, operation, or transaction one is noted, registered, entered in a census, taxed, stamped, priced, assessed, patented, licensed, authorised, recommended, admonished, prevented, reformed, set right, corrected. Government means to be subjected to tribute, trained, ransomed, exploited, monopolised, extorted, pressured, mystified, robbed; all in the name of public utility and the general good. Then, at the first sign of resistance or word of complaint, one is repressed, fined, despised, vexed, pursued, hustled, beaten up, garrotted, imprisoned, shot, machine-gunned, judged, sentenced, deported, sacrificed, sold, betrayed, and to cap all, ridiculed, mocked, outraged and dishonoured. That is government, that is its justice and its morality!.. Oh human personality! How can it be that you have covered in such subjection for sixty centuries?"

Pierre-Joseph Proudhon (1809-1865)

"Government
means to be
subjected..."



**Libertarian
Alliance**

Take your brain for a walk...

www.libertarian.co.uk

**One of the world's largest libertarian web sites with more
than 700 publications available on-line.**

DO WE NEED MASS IMMIGRATION?

Anthony Browne/Civitas

Editor's Note. A copy of Mr Browne's very interesting book was sent to the SIF for review. Although, as always, the SIF does not necessarily endorse any or all of its contents, with the permission of Civitas it was felt more appropriate to reproduce the accompanying press release. Ordering details for the complete book can be found at the end of this article.

Introduction

Britain should have a policy of zero net immigration, with equal numbers of people arriving and departing, according to a new report from the independent think-tank Civitas. The study is the first comprehensive look at the economic, social, demographic and cultural impact of mass immigration to Britain as it now occurs following the abandonment by the Labour government of the Conservatives' goal of zero net immigration.

Immigration is at record levels

The UK is experiencing the highest levels of net immigration in its history, quadrupling the rate of population growth and adding 543,000 to the population in the last three years, and 1.02 million to the population between 1992 and 2000. Unless immigration declines, it will add more than 2 million people every ten years. The Government Actuary Service estimates that with immigration of 195,000 a year (very close to the present level of legal immigration), the UK population will grow from 59.8 million in 2000 to 68.0 million in 2031.

Do We Need Mass Immigration? argues that immigration at current levels is turning Britain into a country very ill-at-ease with itself. It imports poverty, creates parallel communities and increases social tensions, crime, and public health problems such as TB and HIV.

Anyone concerned about social inequality should be worried about immigration

Current immigration increases inequalities in the UK, because it causes a massive redistribution of wealth from those who compete with immigrants in the labour market (who tend to be poor, and suffer lower wages), to those who employ them (who tend to be rich, and enjoy lower costs and bigger profits). This effect is well documented in the US. In addition, in the UK with its tight property market, those who win are those who already own property, particularly those who rent it out; and those who lose are those who rent their homes, and those trying to get on the prop-

erty ladder. Again, this is a generally a redistribution of wealth from poor to rich.

Current immigration is totally unlike earlier waves

It is a completely different phenomenon from earlier waves of immigration, such as Huguenots, Jews and Ugandan Asians, all of whom were forced to leave their country of origin, and were limited in number, so that the immigration had a natural conclusion.

False accusations of racism have suppressed legitimate debate

However, the imperative to combat racism has resulted in a concerted campaign to convince the people of Britain that immigration in such record numbers is in their own interest. This has created a number of widely believed immigration myths that are simply untrue:

- Britain does not have a declining population - more babies are born each year than people die, and this is expected to carry on for another twenty years. The Government Actuary Service predicts that, with zero net migration, the population will grow very gently from 59.8 million in 2000 to 60.3 million in 2020.
- Britain does not have a declining workforce, but the fastest growing workforce in Europe. This is largely because of the increase in the retirement age of women from 60 to 65 between 2010 and 2020. The Government Actuary Service predicts that, with zero net immigration, the workforce will grow by 1.2 million by 2020, from 36.89 million in 2000 to 38.127 million in 2020.
- Britain is not suffering a demographic time bomb, with an unsupportable burden of pensioners on the working population. Rather, the ratio of economically dependent children and pensioners compared to the working age population is expected to get more benign over the next twenty years. The Government Actuary Service predicts that the number of children and pensioners per thousand people of working age will fall from 620 in 2000 to 583 in 2020.
- Britain is not suffering from generalised labour shortages - according to the Labour

"False accusations of racism have suppressed legitimate debate..."

Force Survey there are 1.55 million unemployed in the UK, with an extra 2.3 million who are out of work but want to work but don't look for work largely because they don't think they will be able to get jobs that pay well enough.

- As recognised by every authority and study on the issue (including the Government Actuary Service, the Home Office, the Council of Europe and OECD), immigration is no 'fix' for an ageing population, because immigrants grow old too. An ageing society is utterly inevitable, and Britain will have to take policies to adjust to it, irrespective of whether there is immigration or not.
- Immigration does boost GDP, but there is no evidence that it raises the level of the one measure that matters, GDP per capita, and unskilled immigration that leads to immigrant communities with high unemployment rates and low incomes may actually lower it.
- Immigrants overall do pay more in tax than they receive in benefits and consume in public services, but only because immigrants from North America, Japan and the EU pay so much more than their fair share. Immigrants from the Third World - who make up the entire net immigration to the UK - are on average less well educated, suffer higher unemployment, claim more of most forms of benefits, and make more demands on public services such as schools and hospitals, and almost certainly do not pay their way on average. There are no figures for the UK, but official studies in the US show that the average adult Mexican immigrant will consume throughout their life time \$55,200 more in services than they contribute in taxes. The studies show that each immigrant without high school education consumes \$89,000 more in benefits and services than they pay in taxes. Households in California, where most Mexican immigrants arrive, have to pay on average \$1,178 more in taxes each year to subsidise them.
- Immigration is culturally enriching, although there are decreasing economies of scale to this in that doubling the amount of immigration doesn't double the amount of cultural enrichment. There is also little evidence that British people actually want to be culturally enriched by immigration from around the globe, any more than the people of Nigeria, India, Saudi Arabia or China do.

Anthony Browne, author of the report and himself a journalist, knows the fear of false accusations of racism that many of his colleagues feel. But, he writes: "*My career as a journalist gives me too much respect for freedom of speech to let fear of the inevita-*

ble accusations of racism make me silent. History shows that silence only serves the devil. Modern liberal democracies were built on debate." (p.xvii)

The poor are often the losers

The scale of type of immigration currently being experienced in the UK can also be damaging to the interests of many groups of people in the UK, although there are winners and losers:

- Those who benefit from immigration are those who employ immigrants - such as companies who like plentiful cheap labour, and people who like cheap cleaners; those who lose from immigration are those who compete with immigrants, most notably unskilled workers and those from British ethnic minorities. The US government estimates that about half the decline in wages of unskilled workers in US is because of competition from unskilled immigrants.
- The immigration-led rapid growth in population sharply increases the demand for new houses and, if it carries on at current rates, will increase demand for homes by 2 million by 2021, pushing up the pressure to build on green belt land, pushing up house prices, and adding to congestion, overcrowding in the South East, and pollution.
- Large-scale immigration without integration causes social fragmentation. This is increasingly seen in northern towns such as Bradford, where official studies suggest that segregation and alienation between communities is getting worse. Immigration at a slower rate gives more time for integration.
- Immigration is not a substitute for a development policy. It deprives many poor countries of their most educated and entrepreneurial, often devastating health and education systems essential to development, and depriving developing countries of tax-paying and politically stabilising middle-classes. One third of educated Ghanaians and Sierra Leoneans, and 75% of educated Jamaicans, live abroad. This is mitigated by remittances, but dependence on remittances encourages developing countries to become remittance economies based on exporting their educated rather and does nothing to stimulate their economies in ways that make people want to live there rather than leave.

A balanced and sustainable policy

A rational immigration policy must explicitly identify its aim, the ways to achieve that aim, and then it must be enforced. It must be rational enough to withstand open debate, and to attract widespread public support. The immigration policy

"Large-scale immigration without integration causes social fragmentation."

"Since Britain is one of the world's most crowded countries ... the optimal level of net migration is zero..."

should balance the humanitarian (asylum and family reunion), and some limited economic ends such as filling specific skills shortages.

Since Britain is one of the world's most crowded countries, with a naturally growing population, the optimal level of net migration is zero or mildly negative. Zero net migration does not mean 'fortress Britain' - it means equal numbers coming and going.

Immigration, in allowing people to move to where they can maximise their welfare and get maximum return on their skills, is a definite force for good in the world, so long as it doesn't lead to unbalanced, unsustainable and destabilising population flows. Therefore, the UK government

should aim at policies that allow as free movement of people as is compatible with having balanced and sustainable migration, as has been achieved within the EU. Britain should initiate negotiations on having an open border policy with other high income countries such as Japan, where migration flows are likely to be limited, balanced and beneficial.

Do We Need Mass Immigration? The Economic, Demographic, Environmental, Social and Developmental Arguments Against Large-Scale Net Immigration To Britain, by Anthony Browne is available from Civitas, The Mezzanine, Elizabeth House, 39 York Road, London SE1 7NQ, telephone 020 7401 5470, www.civitas.org.uk, ISBN 1-903 386 23 3, price £6.95 including p&xp.

A LIBERTARIAN APPROACH TO THIRD WORLD DEBT AND THE ARMS TRADE

Nigel Meek

The cancellation of Third World debt is a hardy perennial amongst many Leftists (and many Christians, of course). This is perhaps why it is often not taken seriously by libertarians and conservatives. The following is a brief thought on why libertarians in particular should think again.

Starting with Third World debt, my own view is perhaps even more extreme than the 'usual' one. I would argue that Third World countries, as and when they obtain at least semi-civilised and enduring social systems and governments, should (a) simply default on debts owed due to the actions of the kleptocrats, state-socialists, and psychotics that used to lord it over them, and that (b) libertarians should actively support them in doing so by putting commercial and media pressure on financial institutions that attempted to enforce the debt, even if that does indeed mean some penalties for those with money invested in these same institutions.

Note what I am *not* saying: that Western banks and/or governments should 'cancel' or 'forgive' the debts, no doubt anyway at their customers' and citizens' expense respectively. The loans and subsequent debt were never legitimate in the first place. Let me explain.

From a hardline libertarian position, all non-voluntary 'government' is wrong. Nevertheless, even within our mixed-economy Western nations, there is something that seems particularly wrong about government financing its activities out of anything other than current or at most short-range future tax revenues. The latter can be justi-

fied to the limited extent that some of the citizenry had a notional say in electing the government doing the spending. However, financing it out of borrowing disgracefully shifts the burden of repayment, implicitly in the name of some fictitious and open-ended 'social contract', onto those who lacked any say at all in who the government was and what it/they did. I can see no difference at all between such activity by a government and me demanding at gunpoint that my neighbours repay my MasterCard bill. This, of course, applies even more in the case of the luckless inhabitants of the world's more benighted regions who have been saddled with the results of the (at best) folly and (at worst) evil of their former rulers, something in which they had no say at all.

(In the meantime, in the world 'as is', in the cases of those countries still under the sway of the uncivilised but not wholly stupid, I accept that external debt may provide some leverage with which to try and make them ameliorate their behaviour.)

I confess that I have a loathing for the banks, governments, and other institutions and companies - or rather, of course, the real individuals who make the decisions - of supposedly civilised Western nations who loan the money in the first place and/or who do things such as authorise or sell arms which cannot be afforded and which anyway will mainly be used for internal oppression or the pathetic yet lethal self-aggrandisement of the world's despots. To offer another domestic analogy. Some people have in all innocence sold their cars to others who turned out to be terrorists wanting a vehicle for a car bomb. Few

would lay any blame on the deceived vendor, but instead direct it unequivocally at the terrorists. However, what if the vendor, although not himself actively inclined towards the commission of terrorist outrages or even necessarily sympathetic to the cause espoused by the terrorists, knew full well what the buyers intended to do with the vehicle but sold the car anyway in indifference to its ultimate use? Would we then hold that the vendor had at least some blood on his hands and is deserving of at the very least public condemnation and probably punishment? I think we would.

So too, surely, with the financial institutions who knew and know full-well the nature of the individuals and regimes to which they lent money, or in turn others who sold arms and other equipment that could reasonably be held to ensure the continuation of the despotism. To promote the interests of someone you have very good reason to know is a psychopathic gangster – except perhaps in the limited situation where your own survival is at stake and self-preservation as an individual or a community might be called upon as justification – is an inherently immoral act. It may be that they have broken no law and so cannot be punished in any formal sense, but the individuals who were and are the controlling hearts and minds of institutions and commercial companies – and, oh my word, governments too! – who have knowingly dealt with such people deserve at the very least public exposure and censure.

“... commercial decisions have a moral dimension...”

One final thought about the relationship between for-profit business – i.e. what is usually known as ‘capitalism’ – and libertarianism. Capitalism is entirely compatible with libertarianism; indeed that notion that it ever could not be would seem ridiculous to many. However, the pursuit of financial profit to oneself and/or one’s shareholders come what may can sometimes definitely be incompatible with libertarianism. Libertarianism rests on certain strictures – whether derived from natural rights or utilitarianism – which in some shape or other tend to come down to some variant of the ‘non-aggression principle’, which is itself a reformulation of the old (properly called) liberal concept of complete individual (negative) freedom subject to the equal (negative) freedom of others. The relevance of this to the paragraphs above should be very clear. Actions that clearly contravene the non-aggression principle are necessarily incompatible with genuine libertarianism. Therefore, engaging in direct business relationships with individuals and governments that you have good grounds for knowing will use their ‘receipts’ from that relationship in the furtherance of what are essentially aggressive/coercive criminal enterprises must itself be incompatible with libertarianism.

One does not have to believe in the ersatz-socialism of so-called Corporate Social Responsibility to believe that commercial decisions have a moral dimension and that businesses should act responsibly.

LONG LIVE THE MONARCHY

Peter Richards

The Queen’s Golden Jubilee last year has made the constitutional monarchy once more become a subject for debate. Some journalists used the occasion as an opportunity to express their republican views. One such journalist was Jonathan Freedland, a columnist for *The Guardian*, whose article on 31st January 2002 for *The Mirror*, makes clear that he is looking forward to a time: “when we can say goodbye to this fairytale throwback once and for all”.⁽¹⁾ In short, he is advocating the abolition of the monarchy.

It should be remembered that this has been tried before and it didn’t work. There was a period in English history when the monarchy had been abolished. On January 4th 1649, England was declared a Republic. In the same year Charles the First was tried and executed by Parliament. This Republic, or Commonwealth as it was known, lasted from 1649 to 1653. This was followed by the Protectorate under Oliver Cromwell and then later under his son Richard. This lasted until

1660. It was at this time that the mood of the country changed. General George Monk, Commander-in-Chief of all the forces was convinced “that the mass of the English people were tired of constitutional experiments and longed for the return of the monarchy”.⁽²⁾

Sir Winston S. Churchill in his *A History of the English Speaking Peoples* explains what happened: “It was most plainly the wish of the people that the king should ‘enjoy his own again’. This simple phrase, sprung from the heart of the common folk, also made its dominating appeal to the rank and fortune. It was carried, in spite of Major-Generals and their myrmidons, on the wings of a joyous melody from village to village and manor to manor.

*Till then upon Ararat’s bill
My hope shall cast her anchor still,
Until I see some peaceful dove
Bring home the Branch she dearly love*

*Then will I wait, till the waters abate,
Which now disturb my troubled brain:
Else never rejoice till I hear the voice
That the King enjoys his own again.”⁽³⁾*

The point is that the Restoration of the monarchy was brought about because of the will of the common people and not in spite of it. This is in stark contrast to our current integration into a European Superstate. Can you imagine a popular song being sung, up and down the country, about wanting a European President? No, nor can I.

Many of the arguments, both for and against the monarchy, centre on the idea of symbolism. One argument used against the monarchy is that it represents a feudal society. It is claimed that it is a symbol for a society of hierarchy and deference. I reject these symbols as outdated.

It is more appropriate in my view to recognise that the monarchy is a symbol of national identity and cohesion. The living monarch provides a tangible link in the chain of history that goes back a thousand years, providing a very real sense of continuity. The monarchy can also be seen as a symbol of ancient liberty which the Queen or King is entrusted to protect. Especially at this particular time in history, because of the danger of the country being swallowed up in a Euroland of regions, where England doesn't even appear on the map, it is important to recognise the need for a symbol of national sovereignty. The monarchy satisfies that need.

An important feature of constitutional monarchy is that it stands above politics. The Head of State provides a figurehead for national focus, without being political. As a Conservative, I would be deeply unhappy if Tony Blair was Head of State, just as I imagine Labour supporters would be equally unhappy with a Conservative President. The Honours System, for the same reason, is more effective if it is separated from politics.

The monarchy also gives a permanency that outlasts political changes, providing stability to the country. The Queen does not interfere with individual freedoms that affect our everyday lives but she is in a position to select a caretaker government in the event of a national crisis. Without her, we would be in danger of sliding into a dictatorship by some 'control freak' of a political leader when our freedoms could be lost.

Prior to the most recent elections in Zimbabwe, President Mugabe allegedly threatened to use the armed forces to ensure he retained power, even if he lost the election. This situation could not arise in Britain because the armed forces swear allegiance to the Queen and not to a politician. We need to recognise that the existence of a constitutional monarchy prevents the creation of a totalitarian State. It should not be forgotten that both

Stalin and Hitler came to power in post-monarchist States.

No discussion about the monarchy would be complete without the mention of finance. The Queen attracts many foreign tourists to Britain and the resulting tax revenue I believe outweighs the cost to the British taxpayer. We should also bear in mind that Presidents don't come free of charge.

The events of the last year have confirmed that the Royal pageantry of the British monarchy is still truly impressive to all who witness it. Its ability to stir the emotions of patriotism ensures its popularity. No other nation on earth has anything to match it.

I would like to take a moment look at this quotation from William Shakespeare's play *Richard the Second*, in which John of Gaunt makes the following speech.

*“This royal throne of kings, this sceptred isle,
This earth of Majesty, this seat of Mars,
This other Eden, demi-paradise;
This fortress, built by nature for herself,
Against infection and the hand of war;
This happy breed of men, this little world,
This precious stone set in the silver sea,
Which serves it in the office of a wall,
Or as a moat defensive to a house,
Against the envy of less happier lands;
This blessed plot, this earth, this realm, this England.”⁽⁴⁾*

If we delete all the royal references from this passage, it loses some of its magic. I believe that if we abolish the monarchy, England too will lose some of its magic.

And finally I would like to leave you with the words of John Grigg, historian and author, whose appreciation of constitutional monarchy is unequivocal. “The British record for inventiveness is undeniably good, in the arts (above all in literature), in philosophy, in pure science, in engineering and technology, and in the evolution of law and government. In this last respect, one of the greatest of all British inventions is constitutional monarchy, though too often it is either disregarded or taken for granted.”⁽⁵⁾

References

- (1) Jonathan Freedland, *The Mirror*, January 31, 2002, p7.
- (2) Winston S. Churchill, *A History of the English-Speaking Peoples*, Cassell & Co. Ltd., London, 1956, Vol. 11, p259.
- (3) Ibid., Vol. 11, p259. The verse sub-reference is: *Oxford Book of Seventeenth-Century Verse* (1934), p584.

“Can you imagine a popular song being sung, up and down the country, about wanting a European president?”

(4) William Shakespeare, *King Richard the Second*, 11.i., 40-50.

(5) John Grigg, *The Monarchy*, Featured in *British Greats*, Cassell & Co., London, 2000, p142.

AN OVERVIEW OF ANARCHIST INDIVIDUALIST THOUGHT

Joe Peacott

Introduction

Anarchists all hold two principles in common: the rejection of involuntary social organizations and structures and the advocacy of individual freedom of thought and action. But they have always differed among themselves on many issues, especially on economic questions and ways of arriving at the new society. Various libertarians advocate any number of alternative modes of ownership of property, ways of managing enterprises, methods of achieving social change, and processes for making decisions. This diversity of thought has led to a number of distinct branches within the anarchist movement.

The predominant tendency among libertarians is that of the social revolutionaries. They are generally either anarchist communists, who believe everything should be owned in common and that all decisions should be made collectively and democratically, or anarchists syndicalists who envision a world based on labor unions and democratically controlled work places, with planning and decision-making taking place in various committees and councils. These social anarchists reject individual private property and believe that individuals' needs and desires are best realized through groups, collectives, and communities.

At the opposite end of the anarchist spectrum are the anarchist capitalists, who envision a form of capitalism without the state, which would bear little resemblance to the economic system which goes by the same name today. They argue that the inequities associated with capitalism are not the result of profit, interest, rent and other unearned wealth, but are caused by the government's favoring of some corporations at the expense of others by means of corporate welfare and legal restrictions on competition and access to credit. They believe that with the abolition of government everyone would have the ability to form their own capitalist enterprise should they so choose and that competition and a real free market would enrich virtually everyone and eliminate poverty.

The Individualists

There is, however, another group within the anarchist movement that rejects both communal and

capitalist economic arrangements. These are the individualists, who originated in the United States in the 1800s. From the 1820s to the 1860s, Josiah Warren and various associates engaged in a number of economic and social projects based on the concepts that cost should be the limit of price, and that profit, interest, and rent are forms of theft that exist only because of government promotion and protection. These endeavors ranged from a 'Time Store' in Cincinnati to intentional communities in various places, including the anarchist village of Modern Times on Long Island. While all of these enterprises were considered at least limited successes by their participants, demonstrating the viability of the anarchist individualist idea, none of them were long-lived.

While the experimental phase of the individualist movement ended with the demise of Modern Times, a number of individualists continued to agitate for social change through such publications as *The Word* and *Liberty*, and organizations including the New England Labor Reform League, and the Boston Anarchists' Club. This movement faded out when *Liberty* ceased publication in 1908 and its editor, Benjamin Tucker, left the United States. While there were individualist writers, movements, and groups in France, Italy, Russia, and Germany, the American movement was by far the largest and most influential.

These organizations and publications were 'rediscovered' in the 1960s and 1970s, with both capitalist and some non-capitalist anarchists tracing the origins of their modern movements to the old American libertarian individualists. The anarchist capitalists, however, reject a key part of the thought of the individualists, that wealth is created by individual labor and that rent, interest, and profit are ways to steal this wealth from its rightful owners. Their support for capitalist economic forms puts them outside the tradition of these staunchly anticapitalist anarchists.

What Anarchist Individualists Believe

Anarchist individualists argue that the initiation of force is always unjust, and that groups of people are entitled to no more freedom of action than are individuals. Activities that are unacceptable when engaged in by one person do not become tolerable when they are engaged in by a group of

"... individualists argue that the initiation of force is always unjust, and that groups of people are entitled to no more freedom of action than individuals."

people, even if that group constitutes itself as a government. If it is wrong for my neighbor to steal from me or reduce me to slavery, it is just as wrong for the state to do so in the form of taxation, the military draft, or compulsory education. Governments of all sorts are based on force, robbery, and the mandatory compliance of their subjects with the laws and regulations of the rulers.

Like all other anarchists, individualists think the way to maximize human freedom and happiness is to abolish the state and all other involuntary relationships, organizations, and institutions. They believe that all people should be free to choose with whom they associate, what kind of work they do, how they dispose of the products of their labor, where they live, and what kinds of recreation in which they engage. The only limit on someone's freedom of action should be the equal freedom of others to live their lives unmolested. In other words, the area in which someone may freely swing their arm ends where the nose of another person begins.

Where individualists differ most from other anarchists is in the area of economics. Unlike communist anarchists, individualists advocate the private ownership of property and individual retention of the products of one's labor. This means the *whole* product of one's labor. Individualists reject profit as an unjust theft of the product of the labor of another, and therefore have as little in common with capitalists as they have with socialists.

Individualists support tenure of land based on use and occupancy and believe rent is simply another form of profit-taking by the unproductive. People should have title only to the amount of land they can use and work themselves, but would be free to pool their resources in order to engage in larger scale operations for the sake of efficiency and greater productivity. The parties to such cooperative arrangements would still be entitled to the full product of their labor, thus generating no profit.

Because the government's monopoly on the issuance of legal tender and chartering of banks artificially restricts the supply of money and increases the cost while decreasing the availability of credit, individualists advocate an entirely new banking and currency system. Mutual banks or other credit institutions would be free to issue their own forms of money and would compete among themselves for customers, thus driving down the costs of obtaining credit to the those associated with the bank's operating expenses and the salaries of the bank workers. Members of such institutions would thus be able to obtain credit without having to repay loans at the crippling interest rates now current. Interest, like rent and profit would no longer exist, as free people with real choices would not be required to pay tribute to

those who now control the money supply.

Social Relations in an Individualist Community

Individualists maintain that people should be free to associate with whomever they choose and avoid whatever interactions and institutions they prefer to keep clear of. While collectively-oriented anarchists envision participatory democracy and representative committees of various sorts as key parts of their libertarian societies, individualists tend to foresee few permanent 'public' institutions and bodies. People would come together on an *ad hoc* basis to solve specific problems or deal with certain projects, and then separate again to go about their independent lives. Individualists see no need for committees, councils, or other standing bodies to oversee the day-to-day relationships of people. The spontaneous order generated by the social and economic interactions of free individuals would produce all the structure necessary to sustain community life.

Contracts between individuals, whether explicit or simply understood, would play a key part in interpersonal relations. Unlike governmental 'social contracts', constitutions and laws which purport to bind people who have not, in fact, consented to be governed, individuals in a stateless world would have to spell out for each other their expectations in all social and economic interactions. New social norms would have to be constantly negotiated and renegotiated as people and their desires change. While this may seem cumbersome compared to the relative ease of going along with received social rules and customs, the vastly increased freedom of action which individuals would attain would more than compensate for the inconvenience of having to make up our own minds about things.

Individuals and voluntary groups would produce whatever products people wish to acquire and exchange would take place in an unrestricted marketplace, where true free competition would keep prices down to the level of the actual cost of production. The regulations and licensing schemes that now restrict the supply and increase the costs of certain kinds of products and services would be done away with resulting in increased access to many services and products, like health care and drugs, that are scarce and expensive now primarily as a result of government meddling.

As with everything else in a society without government, individuals would have to make their own provisions for self-defense and the security of themselves and their property. While people in a freer society with less social and economic inequality would likely encounter less crime and violence, interpersonal nastiness would surely still exist. People would be free to protect themselves with whatever weapons they choose when the

"Individualists maintain that people should be free to associate with whomever they choose..."

governments and laws that attempt to disarm the populace are done away with. They would also have the option of forming voluntary groups for joint self-defense or purchasing defense services from others willing to provide them for a fee.

All of the new freedoms experienced with the abolition of the state would also entail new risks for individuals. An unregulated health care market would allow anyone to offer themselves up as a healer, the elimination of gun laws would increase the supply of lethal weapons, and potentially dangerous drugs would be freely available. Without the supposed safety net of government rules and regulations and state welfare programs, we would all have only ourselves and our chosen associates to rely on to keep out of harm's way and deal with the consequences of our mistakes and misjudgments. People would have to take it upon themselves to become informed as individuals about products, services, and other people, and try to make wise decisions in dealing with their new-found freedoms. Freedom is a risky business, but its benefits far outweigh the risks.

How to Get There from Here

Means and ends are inextricably connected for the anarchist individualist. Thus, it is important to choose methods of pursuing social change that do not conflict with libertarian values and do not violate the freedoms of others. While individualists often see themselves as abolitionists, in that they advocate the immediate abolition of all government and laws and welcome any diminution in the power of the state, they recognize that social change in a libertarian direction will come about gradually.

While some individualists are pacifists, rejecting any form of violence, others support individuals' freedom to defend themselves against aggression using force if necessary. While condoning such force in self-defense, however, libertarians oppose any initiation of violence and advocate the use of non-violent direct action as the primary method of changing society and abolishing government.

Viewing capitalist economic relations as forms of legal theft, individualists support workers who occupy their workplaces and continue to run the operations as worker-owned and run cooperatives, including farmworkers who take over and cultivate tracts of land currently held by profit-making corporations. But, in addition to such direct confrontation with state-supported economic institutions, anarchists advocate setting up alternative organizations and cooperatives to take the place of and/or compete with conventional businesses. Ranging from worker-initiated and run small enterprises to intentional communities to local currencies, such endeavors can substitute, at least for their participants, a libertarian arrangement for some of the most exploitative relation-

ships in the mainstream economy, as well as provide an example to others of the possibilities available to self-directed individuals and groups.

As for abolishing political institutions, the individualist anarchist approach is to encourage people to withdraw their support for the state whenever and wherever possible, eventually forcing the state out of business by starving it of money, personnel, and deference. Tax avoidance/evasion, draft resistance, refusal to vote, public denunciation of government war-making and international meddling, withdrawal from government schools, and circumvention of state rules and regulations all help weaken and lessen respect for government power. As in the case of the economy, it is also important to set up alternatives to state-provided 'services' that many have come to depend on. Homeschooling networks, private charitable hospitals and clinics, and food pantries and shelters on the model of those run by groups like the anarchist Catholic Workers can take the place of government-provided miseducation, illness care, and homeless 'services'. These alternative efforts instead offer a humane, respectful, and caring substitute model for the hierarchical, invasive, and judgemental way in which governments herd and warehouse their young, infirm, and unlucky subjects.

Besides supporting and participating in alternatives to capitalism and the state, libertarians need to publicize their efforts, explain the individualist outlook and approaches to others, and continuously point out the shortcomings and evils of the political, economic and social institutions to which we are all subject. This requires the use of all communication methods available, including print and broadcast media; public demonstrations, lectures, and discussions; and the internet. Unless other people become aware there are alternatives to the current set-up, and come to see change in the direction of liberty as desirable, there is no way an anarchist society will ever come about.

The individualist anarchist methods of promoting social change discussed above will not bring about a new world quickly and will require a great effort on the part of individualists. But they are the only means by which such change can be accomplished without compromising anarchist principles and endangering the lives and freedoms of others. And the protection of life and the promotion of liberty are the whole point of the anarchist individualist project.

Joe Peacott is a healthcare professional from the USA. He is a leading figure in the BAD Brigade whose website can be found at <http://world.std.com/~bbrigade/>

"Freedom is a risky business, but its benefits far outweighs the risks."

HIGHER TAXES AND MORE CRIME: THE CASE OF TOBACCO

Giuseppe De Santis

Governments try to interfere in many aspects of our lives, and smoking is one of the areas most affected by State meddling. Smoking is certainly dangerous. On average, it reduces life expectancy, with smokers more likely to catch serious diseases such as cancer and to have strokes, all of which increase the financial burden on the NHS. Because of the high financial - at least £1 billion per year for the NHS - and social costs of smoking, successive governments have attempted to discourage it by various means including by increasing the taxation on cigarettes: the idea being that the more expensive they are, the less likely are people to smoke. (Of course, the additional revenues are welcomed in order to boost spending in other areas that have nothing to do with smoking or healthcare.) In addition to this, many pressure groups have attacked tobacco companies on a 'moral' level for making huge profits at the expense of smokers' health. (No matter that people decided to start and to continue smoking of their own free will.)

Unfortunately for politicians, the facts indicate that high tobacco duties translate into an increase in smuggling without reducing the number of smokers. The reaction: an increase in the effort to tackle smugglers with more sophisticated devices to be installed in ports in order to check every container to see if it contains tobacco products, 520 more investigators to detect and break up smuggling rings, tougher penalties for anyone dealing in illegal tobacco, and so on. These measures appeared in the budget prepared in the 2000 by the Treasury. After three years, the situation is unchanged. Only a little while ago the same Treasury revealed that tobacco smuggling is costing it £3 billion in lost revenues and announced yet more measures to tackle it. In Britain, the average price of a packet of cigarettes is £4.20 (76% of this being taxes of various sorts) whereas in continental Europe it is only £1.70. Small wonder that organised crime finds smuggling so attractive: when successful it is lucrative and when unsuccessful the punishment is relatively mild compared to those caught smuggling narcotics.

Common sense would suggest a reduction in tobacco duties in order to eliminate the incentive for smuggling. A situation like this indeed did happen in Canada a few years ago when tobacco was being brought in illegally from the USA because of Canada's higher duties. Smuggling ceased only when Canada dropped indirect taxation on cigarettes. However, a proposal like this here in the UK would spark strong protests from politicians, health activists, and all those individu-

als and organisations who claim to be devoted to public health. They would certainly have some arguments on their side, but we need to look at the facts.

For example, the police admit that 20% of cigarettes smoked in the UK have been smuggled in, as has probably the majority of loose tobacco. Every attempt to prevent people from smoking by increasing taxation has done nothing but lead to an increase in smuggling. The police might be able to arrest more tobacco smugglers but, amongst the public at least, few care about such people when compared to those responsible for violent crimes. How many people would really prefer that the police gave a higher priority to tobacco smuggling and illegal retailing rather than to the perpetrators of crimes such as burglary and violent assaults of all types? By following the Canadian example noted above, more police - and other law enforcement agencies where appropriate - would be available to patrol our streets and neighbourhoods and to investigate what most people would consider to be more serious crimes, with huge benefits in terms of better quality of life (with better prevention and detection of serious crime) and lower financial costs (with no need to hire more police to combat present crime levels).

Of course, the government would face an increase in healthcare spending which furthermore was no longer covered by the high duties on tobacco. Except, of course, as we have seen above, keeping the high duties means that the government does not collect the tax in the first place! In short, scrapping the present high duties would not change the situation.

Yes, more people would probably catch smoking-related diseases, but it is important to remember that smugglers and retailers of illegal tobacco often provide tobacco that is more dangerous - e.g. with a higher nicotine content - than legitimate tobacco. Scrapping the current high taxes would increase the proportion of higher quality, lower nicotine tobacco that is smoked, bringing lower health risks in the long term. In addition, the higher healthcare costs generated by any increase in the number of smokers has to be weighed against the drop in social security expenditure since, if more people die young, the less government has to spend in retirement pensions. This last point may seem to be taking actuarial honesty too far, but on an individual level balancing risk and rewards is the sort of decision that people should be allowed to make for themselves without paternalistic 'help' from the government.

"... the facts indicate that high tobacco duties translate into an increase in smuggling without reducing the number of smokers"

Society for Individual Freedom

6 Swan Terrace
Hastings
TN34 3HT
United Kingdom

Phone: 01424 713737
Email (general): chairman@individualist.org.uk
Email (editorial): editor@individualist.org.uk
Email (Tell-It): tellit@individualist.org.uk



*The SIF's Aim:
To Promote Responsible Individual Freedom*

The SIF believes...

- ✓ That the individual, rather than the State, is the primary source of morality and authority.
- ✓ That private citizens should have the freedom to act as they wish provided their actions do not harm others, and that the law should exist principally to guarantee such individual liberty and not to act as a paternalistic guardian; in the primacy of freely negotiated contract; and in Parliament as the supreme law-making body in the United Kingdom.
- ✓ That an efficient free-market economy benefits all, and that the State's economic function should mainly be limited to the prevention of violence and fraud and similar obstacles to honest competition and co-operation.
- ✓ That taxes in the United Kingdom are far too high and erode individual responsibility and enterprise; and that in a truly free society citizens, with the benefit of higher post-tax earnings, would be free to decide upon their own priorities, with usually temporary government assistance concentrated upon cases of unavoidable hardship.
- ✓ That justice shall be administered by courts that are not subject to political pressure; and that government decisions have no validity unless founded on clear legal authority.
- ✓ That to preserve the liberties of private individuals we need more independent-minded Members of Parliament, a stronger Second Chamber, and more effective parliamentary control over the executive.
- ✓ That there is too much influence on government from pressure groups that call for legislation of an unnecessary and restrictive nature, thus not only adding to the material burdens on individuals and corporate bodies but reducing one's capacity to learn personal responsibility, self-reliance, and voluntary co-operation.

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 always 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.

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.

Could You Write for *The Individual*?

We are always looking for contributions to *The Individual* corresponding with some aspect of the aims and beliefs of the SIF. These can range from referenced essays of an academic nature to personal opinions, experiences, and insights.

The subject might be almost anything that you can think of. It can be something of your own or in response to another's contribution in *The Individual* or elsewhere.

Length can range from a few hundred words to several thousand. Submissions should preferably be in electronic format, although this may not always be essential.

If you have never written for publication before, then don't worry. We are happy to give

advice and will never publish anything without the author's final approval.

As well as being published in hardcopy form, *The Individual* will also be uploaded onto the SIF's website.

We also welcome letters in response to articles printed in *The Individual* or other aspects of the SIF's activities.

If you think that you might be interested, then please contact us using the details on this page.

The Editor of *The Individual* and the Management Committee of the SIF reserve the right not to use any submission.