

KEEP POLICE, PRIESTS AND POLITICIANS OFF THE CAMPUS

Academic freedom has been the claim and boast of universities for many years, but events have proved it to be a freedom which is largely "academic"; this view is expressed by the National Secular Society in its submissions to the Council for Academic Freedom and Democracy. The Council, which was launched at a meeting in London three weeks ago, has invited organisations to submit their views on the general unrest in the sphere of higher education. Colleges of Education with a religious foundation make up a third of the total, and the NSS declares that "there are indications that non-believers are less likely to be offered a place at such a college than are believers. It seems likely that these colleges also practice such discrimination against those who apply to them for teaching posts. We recommend that all Colleges of Education should be free of religious influence, and we urge the Council to support any lecturers or students who are discriminated against in this way".

The Police on the Campus

The NSS refers to investigations by the Special Branch into the activities of students and staff, and describes these intrusions into university and college life as a threat to academic freedom.

"We urge the Council to give maximum publicity to these cases, in an attempt to arouse public concern and support. There is, however, good reason to suppose that this will not discourage the secret police from their campus activities. In the 1950s it was revealed that dossiers were being compiled on the personal habits and outside activities of students. Despite this publicity, the police seem to have subsequently intensified these investigations.

"One of the disturbing aspects of these investigations is the readiness of some staff and students to supply information about their colleagues. Whilst some of these informers are politically motivated, a great number are placed in a genuinely difficult position by police approaches, particularly when coupled with pressure from the Vice-Chancellor or Principal. We recommend that the Council (making use of its links with the National Council for Civil Liberties) should offer advice and support to those who are approached in this way."

Hornsey and Guildford

Interference by local councils in the affairs of colleges is condemned, and Guildford and Hornsey are cited as extreme examples of what can result from such interference. "Local councillors frequently exercise their powers over these colleges in an atmosphere of ignorance and obscurantism", says the NSS, and urges an investigation of ways in which the colleges could be removed from local authority control.

"It is in these colleges that the most authoritarian régimes are to be found. In some colleges the Principals have almost absolute powers over the staff and students. Rules and restrictions are often archaic. There is no justification for the intrusion of the college authorities into the private lives of staff and students. We recommend that the Council should investigate the disciplinary procedures of these colleges: we particularly deplore the practice of college authorities in disciplining students and staff who have been convicted by the courts for trivial offences (e.g. on

political demonstrations). In colleges which have Disciplinary Committees these often include local councillors and this represents the further insidious influence of the local authorities."

Extension of Democracy

The NSS welcomes CAFD's endorsement of democracy in higher education. The statement continues: "We urge the Council to recommend that students should have full, democratic rights in the running of their colleges. At present, student representation at the real levels of power is largely illusory, not only because the numbers are so minimal, but also by virtue of exclusion clauses which mean the barring of student representatives from some of the most crucial discussions. We recommend that students should have at least 50 per cent representation, with full rights, at all levels of college and university government".

Free copies of the submissions are obtainable from the National Secular Society, 103 Borough High Street, London, SE1.

SECULAR MORALITY REPLACING CHRISTIANITY

Baroness Wootton said in London last week that we now live in a society whose morality is derived from two moral codes, one of which is demonstrably gaining on the other. The first embodies traditional religious precepts and relies upon religious sanctions.

Baroness Wootton, who was delivering the first of three Voltaire lectures continued: "The agnostic or humanist, on the other hand, recognises an alternative secular morality which claims no supernatural authority. For him the question of the morality or immorality of any action is simply a matter of its social effect. Actions which in way damage someone else are immoral; and this is the only relevant criterion.

"I said just now that of the two contemporary systems of morality one seems to be gaining on the other—and I

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WHEN THE SAINTS GET MARCHING ORDERS

R. J. CONDON

On Sunday, Pope Paul VI will canonise 40 English and Welsh men and women who were done to death under England's penal laws between 1535 and 1679. The Roman Catholic Church claims that "the canonisation is in no way intended to stress the differences between Roman Catholics and Anglicans, and the Catholics in St Peter's will have in mind the martyrdoms of Protestants who died for their faith under England's Queen Mary". Whatever we may think about the futility of their deaths, the martyrs were certainly men and women of rare courage. And there must be quiet satisfaction in the Vatican on one important point: it is fairly certain that Edmund Campion, Richard Gwyn, Margaret Clitherow really existed.

These new arrivals in the Catholic pantheon are never likely to have the popular appeal of some of the saints who were recently ejected from it simply because they never existed.

Take our own St George, for example. Alban Butler, in his *Lives of the Saints*, says of him:

He was born in Cappadocia of noble Christian parents . . . He was strong and robust in body, and having embraced the profession of a soldier, was made a tribune, or colonel, in the army. By his courage and conduct he was soon preferred to higher stations by the Emperor Diocletian. When that prince waged war against the Christian religion, St George laid aside the marks of his dignity, threw up his commission and posts, and complained to the emperor himself of his severities and bloody edicts. He was immediately cast into prison, and tried, first by promises, and afterwards put to the question and tortured with great cruelty; but nothing could shake his constancy. The next day he was led through the city and beheaded.

St George is usually painted on horseback and tilting at a dragon under his feet; but this representation is no more than an emblematic figure, purporting that by his faith and Christian fortitude he conquered the devil, called the dragon in the Apocalypse.

So Butler says; but St George was originally the Egyptian god Horus, shown on monuments contending with the sun-god's enemy Typhon in the form of a dragon. Lance in hand, he pierces the evil beast, pinning it to the ground. Similarly dealt with is the serpent Apep, a form of Set or Satan.

St Christopher, also demoted, is said to have been a pagan named Offro, who made a vow to serve the greatest king in the world. But that king feared the devil, so Offro served the devil, only to find that he in turn feared Christ. Seeking to serve Christ, Offro met a hermit who told him he could do so by doing the work for which he was best fitted. He became a ferryman, carrying travellers across the Jordan on his shoulders. One day a child appeared and asked Offro to carry him. As he waded across the river Offro's burden became so heavy that a superhuman effort was needed to reach the other side. The child then announced that he was Christ, and that Offro had borne all the sins of world on his shoulders. After that he became known as Christ-Offro, or Christopher.

That is the legend. J. Coulson (*The Saints*, Burns and Oates, London, 1958) writes that "the scholars have nothing but doubts about the facts of his life. He died a martyr, probably in Lycia, in the persecution ordered by the Emperor Decius in 250. The rest is legend and speculation. . . . His legend appears to have been formulated first in the east in the sixteenth century and to have reached the west some three centuries later . . . one tradition says that before his conversion he had the head of a dog". St Christopher did indeed have a dog's head before his "conversion" to Christianity. His Egyptian prototype was the

dog-headed god Anubis, who is pictured, staff in hand, carrying the infant Horus, the Christ-child of Egypt.

A Pious Infant

St Nicholas, or Santa Claus, was a reputed Archbishop of Myra in the fourth century, but his existence is also doubted. It is difficult to imagine that familiar red-robed and bewhiskered figure as ever having a been a baby. But baby he was, and a precociously pious one at that. Butler assures us that "in his infancy he observed the feasts of Wednesdays and Fridays, refusing to suck the breasts on those days. Happy are those who, from their infancy and innocent age, are inured to the exercises of devotion, penance, and perfect obedience".

The popular image of Santa Calus as a bringer of gifts seems to have originated in the story of three young virgins who, says Butler, "were exposed through distress to the danger of falling into vicious courses". St Nicholas, "for three successive nights, conveyed to them through the window a competent sum of money for a fortune for one of them, so that they were all portioned and afterwards happily married". The saint's alleged bones were deposited in the Church of St Stephen in Bari, Italy, in 1087: "On the first day 30 persons were cured of various distempers".

Well, there they are, three of the most edifying characters who never lived. It does seem unfair to remove them from the calendar merely on account of non-existence. After all, the Holy Family are still there.

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meant, of course, that the permissive legislation of the past few years reflects the erosion of religious belief in our community, and the substitution, in its place, of a purely secular social morality, which recognises no absolutes and no supernatural sanctions, and for which the wicked action is the one that injures, and the virtuous action the one that benefits, others. This, it would seem, is the judgment of the collective conscience that led Parliament to pass the legislation that I have described."

Secularisation and Religious Decline

Baroness Wootton spoke of growing secularisation of society in Britain. She declared: "However much further we may travel along the permissive road, there can be little doubt as to the speed with which the secularisation of the community it proceeding. The decline in religious observance is both visible to the naked eye and well-attested statistically.

"The Church of England in particular is threatened by a 'staggering drop' of nearly 59 per cent in five years in the number of recommended candidates for ordination.

"This decline in the influence of religion undoubtedly represents one of the most significant social changes between this century and its immediate predecessor.

"On these issues, in short, a secular, socially based standard of morality is gradually establishing itself. But regrettably, by contrast, in relation to personal economic greed, no standard at all, not even hatred of Mammon, has yet placed any restraint on total permissiveness."

The Voltaire lectures are being sponsored by the British Humanist Association.

THE EMPIRICISM OF RICHARD CONGREVE

ERIC GLASGOW

Even though we may accept many of the notions of the 19th century rationalists as old-fashioned and inadequate, the fact remains that we still have a great deal to learn from them. Perhaps, too, it may well be no illusion to discover, amongst the great thinkers of the Victorian period, qualities of courage, integrity, dignity, humanity, and tenacity, which it is hard to find emulated today, at any rate within the life and the work of the single individual. Their names are many and great: from Darwin and Huxley, to Sidgwick, J. M. Robertson, H. T. Buckle, and Charles Lyell: but one of them, who is more easily and widely overlooked, is Richard Congreve (1818-1899), whose thoroughly traditional education failed to prevent or to eclipse his subsequent emergence, into strange seas of thought and avowal.

He was born at Leamington, Warwickshire, on 4 September, 1818, and educated under the great Thomas Arnold at Rugby. He joined Oxford University, as a scholar of Wadham College, in 1837—the year of the accession of Queen Victoria—and graduating BA (1840) and MA (1843). At Oxford, he was secured, for a period of ten years, as Fellow and Tutor of his College; and by all accounts he was a good teacher, exercising over his pupils the kind of high moral surveillance that was completely in keeping with what Arnold himself had envisaged, for the perfect example of the English “Christian gentleman”. Congreve might have placidly and rather inconspicuously continued as an Oxford teacher of firm but completely unoriginal ideas had he not chosen to visit Paris, shortly after the Revolution of 1848.

Meeting With Comte

There he met a number of very advanced French social and political thinkers, including Auguste Comte (1798-1857), then a teacher at the Ecole Polytechnique, and already fully committed in his acceptance of the gospel of “positivism”. This rejected the certainty of any mode of knowledge which had not been attained by the methods of the empirical sciences. The results of these encounters were quite devastating as far as Congreve’s outlook and academic future were concerned: once back in Oxford, he soon espoused practically the whole of Comte’s creed (somewhat uncritically as it turned out) and reached a position of such intellectual radicalism that he felt obliged to leave Oxford, as well as to resign his Fellowship at Wadham College (1855).

Instead, Congreve migrated to the greater and less rarefied urban needs of London, where soon he gathered together his own little group of disciples, and proved the earnestness of his new calling, by studying medicine with so much devotion and success that he was admitted MRCP in 1866. By that date, too, his serious incursions into the hazards of 19th century authorship had already included his edition of *The Politics of Aristotle* (1855), of which there was a second edition in 1874; his essay on Gibraltar (1857) which suggested that the British should leave the Rock; his essay on India (1857) which similarly advocated the abandonment of India. And there was a somewhat curious and devious book, called *Elizabeth of England* (1862). Even from the bare comments, on such ensuing texts, it is evident that Congreve’s mind and motivations had already—at least from 1855—begun to make their into remote and unfrequented subjects, which certainly contrived to draw him completely out of the familiar, academic paths of the Arnold and Oxonian traditions in which he had been reared and nourished.

Once he had gained his medical qualifications, Congreve became the more useful and influential in his consuming and self-imposed task of offering to London some of the practice, as well as the theory, of “positivism”. By 1878 he had proclaimed himself the independent leader of London’s particular version of Comte’s creed, so severing the irksome servility towards Paris. He was joined and supported in London by other “positivists”, some of them very distinguished and enduring ones, such as Frederic Harrison (1831-1923), a barrister, also from Wadham College, Oxford; E. S. Beesly (1831-1915), the Professor of History at University College, London, from 1860 to 1893; and J. C. Morrison (1832-1888), who published his “positivism essay” *Service of Man*, in 1887.

High Priest of Positivism

All of them were manifestly much more than great names: they were deeply dedicated and earnest men, enamoured of knowledge, truth, and justice, and firmly resolved that their inability to accept the ruling orthodoxy of theological dogmas should increase, rather than diminish, their moral sense of social and humanitarian obligations. As such, they are entitled to our abiding admiration and respect: they still indicate how the creed of “positivism”, whatever its inadequacies and its sheer mundane obtuseness, produced a strong and potent fervour for social reform and improvement. If the old notions of another world could no longer be accepted, by the honest or the intelligent, so it became the more incumbent upon Congreve and those who could accept such a challenging concept of reality, to devote all they could muster to the creation of a better and truer society here on earth.

It was still a dream of course as it insisted upon the sole, ultimate validity of the findings of the empirical sciences. Nevertheless it was a very acceptable aspiration, and as an illuminating account of the “religion of humanity” which should not escape our notice and appreciation even today. Congreve himself—with too much enthusiasm for some of his more sober supporters—developed the creed of “positivism” into new and less Gallic directions; giving it, from his London headquarters in Lamb’s Conduit Street, what soon amounted to a form of ritualistic worship, with himself as the high priest. Richard Congreve endeavoured to inject feeling and aspiration into the dry bones of science, in a fashion which was, perhaps, not unjustified. He died, in Hampstead, on 5 July, 1899.

Although Congreve had become isolated and heretical in relation to the conventional orthodoxies of his Oxford years, he had shown himself to be utterly fearless because of his ability to accept and to absorb even the most devastating and disconcerting of doctrines, he was able to make his original and creative contribution to the development of secular thinking in Victorian England.

It should be possible both to continue to value the pioneer labours and intellectual insights of Richard Congreve, and also still to read—with something more than faint amusement—his book *Human Catholicism*, which he published in 1876. It is one of those classics of 19th century secular thinking in England which I am always very delighted to find amongst the dusty resources of any obscure and forsaken secondhand bookseller. This book is the source of considerable and welcome insight, as well as the surviving symbol of the last endeavours of one of the most remarkable and easily overlooked of all the British protagonists of secular thought during the last century.

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editor: WILLIAM McILROY

103 Borough High Street,
London, SE1

Telephone: 01-407 1251 (editorial)
01-407 0029 (business)

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ANNOUNCEMENTS

National Secular Society. Details of membership and inquiries regarding bequests and secular funeral services may be obtained from the General Secretary, 103 Borough High St., London, SE1. Telephone 01-407 2717. Cheques, etc., should be made payable to the NSS.

Humanist Postal Book Service (secondhand books bought and sold). For information or catalogue send 6d stamp to Kit Mouat, Mercers, Cuckfield, Sussex.

Humanitas Stamps: Help 5 Humanist Charities. Buy stamps from or send them to Mrs A. C. Goodman, 51 Percy Road, Romford, RM7 8QX, Essex. British and African speciality. Send for list.

EVENTS

Irish Humanist Association and Northern Ireland Humanist Association. Rostrevor Hotel, Rostrevor, Co. Down, Saturday, 31 October and Sunday, 1 November. Second annual conference; theme: "Remember Your Humanity". Speakers include Margaret Knight and John Hewitt. Programmes from Basil Cooper, 46 Cadogan Park, Belfast BT9 6HH.

Conway Hall, Red Lion Square, London, WC1. United Nations Day, Saturday, 24 October, 7 p.m. Public meeting on South Africa. Speakers include Professor Julius Lewin; sponsors include National Secular Society.

South Place Ethical Society, Conway Hall, Red Lion Square, London, WC1, Sunday, 25 October, 11 a.m. John Lewis: "Marcuse". 3 p.m. "The Tragedy of Southern Sudan". Tuesday, 27 October, 7 p.m. Colyn Dauris: "The Future of Smaller Businesses".

Leicester Secular Society. Secular Hall, Humberstone Gate, Leicester, Sunday, 25 October, 6.30 p.m. F. H. Amphlett Micklewright: "The Law, Religion and the 20th Century".

North Staffordshire Humanist Group. Cartwright House, Broad Street, Hanley, Friday, 30 October, 7.45 p.m. Tom Bailey: "Common Ground".

Worthing Humanist Group. Morelands Hotel, Worthing (opposite the Pier). Sunday, 25 October, 5.30 p.m. Ronald Mason: "The Novelist as Prophet".

OBITUARY

R. W. Morrell writes: Arthur J. Statham who died recently aged 76 was a *Freethinker* reader and supporter of Secularist activities for many years. He was active in the Independent Labour Party and managed their Nottingham bookshop before opening his own. His bookshop was the only one in Nottingham where Secularist material was sold, and there was also a stock of Left-wing publications.

Mr Statham was a founder-member of the Thomas Paine Society. He lectured and broadcast on Paine several times. He was also a member of the Board of Directors of Nottingham Playhouse Company.

NEWS

THE CRUMBLING ROCK

The turmoil and setbacks being experienced by the Roman Catholic Church are by no means confined to Britain, Holland and the USA. The waves of atheism and secularism sweeping across many parts of the world are now lapping against the walls of the Vatican itself. When the campaign for divorce in Italy started five years ago the prospects for the reformers seemed bleak indeed. Despite an unprecedented campaign by the Church and its supporters inside and outside Parliament, it is now fairly certain that the Divorce Bill will become law before the end of the year. Pope Paul's annual Christmas message will, no doubt, be the familiar whine about declining standards of morality and family life. In other words, even the docile pew-fodder on his own doorstep are no longer willing to let the Church order their lives.

The recent death of Salazar, the Catholic fanatic and dictator of Portugal, deprived Holy Mother Church of one of her most devoted sons. The régime in Portugal is secure for the time being, but internal dissatisfaction, together with revolt in the colonies, may drastically alter the situation by the middle of this decade.

Relations between the Portuguese Government and the Vatican are already strained because of the Pope's reception of three African leaders and presentation to them of copies of *Populorum Progressio* which calls for the right of colonial peoples to determine their own future. The RC Church has another problem in Portugal: during the last 25 years the number of young men studying for the priesthood in seminaries has fallen by over 50 per cent.

The situation in France is not too bright either. It has been revealed by the French Minister of Culture that 18,000 churches and chapels, mostly Roman Catholic, have been closed. Some are falling into ruins and others are being used for secular purposes. In Lisieux, the 15th century church of St Jacques, is being used for flower shows and concerts. What used to be Our Lady of Lourdes chapel is now a restaurant, and other churches have been converted into garages, cow sheds, schools and post offices.

The priests' training college at Quimper in the Catholic stronghold of Brittany has been closed, as have others in Bayeux, Contances and Sées. And it is likely that many convents and monasteries will close within the next five years.

IAN PAISLEY

The Australian Government's attempt to dissuade the Rev. Ian Paisley from going to Australia during the other Pope's visit is both silly and impertinent. Even if he doesn't set foot on Australian soil, the Australians, by their timidity and naiveté, have turned the whole business into a highly successful public relations exercise for Paisley.

Certainly, Ian Paisley's presence in Australia at the same time as the Pope's will cause many problems, and may even result in violence. But that is no excuse for trying to keep out a British citizen who doesn't even require a visa to enter the country.

Of course every effort must be made to protect both Christian leaders from being injured, or even assassinated, by their fellow-Jesuites.

AND NOTES

AMERICANS IN BRITAIN

It is estimated that there are 100 deserters and other Americans who do not wish to join the armed forces living in Britain. It is not possible to take a census of them because of the readiness of the British authorities to extradite deserters. There is an organisation known as the American Exiles in Britain, and understandably, they are bitter about this. In handing over deserters and draft resisters the British Government is acting in accordance with the provisions of the North Atlantic Treaty and the Visiting Forces Act, 1952. But there is growing concern about this, and an attempt is to be made in the House of Lords to amend the 1952 Act.

When citizens of Communist countries seek political asylum in Britain it is usually, and rightly, granted. If the applicant is well known, their decision is usually greeted with approval and much ballyhoo. It is acceptable for a Russian to settle in Britain in order to write or dance. But the principles which govern political asylum do not apply to young American servicemen who have moral and practical objections to killing or being killed in Vietnam.

We could well take a leaf out of Sweden's book and act with greater compassion and realism in this matter. The British Government's action may be legally sound, but in practical terms it could have serious social consequences. Because they are living furtive lives in this country, American deserters are being forced to take what jobs they can get as dishwashers and labourers. They are easy prey for the unscrupulous, and in these circumstances there is considerable danger of their involvement in criminal activities. Many of them have university degrees and their abilities could be utilised to the full if the threat of extradition were removed and they could live openly.

No doubt the brass hats and armchair warriors in Pall Mall will strongly resist any attempt to amend the Visiting Forces Act. Let those who are anxious to keep the Stars and Stripes flying in Vietnam volunteer for service; no one will be killed in the rush to recruiting offices. If only middle-aged patriots were sent to the front, the world would be a more peaceful place. Meanwhile, let us welcome those who have had the courage to defy the military authorities; and let us also welcome the realisation by so many young people that joining the American army is likely to make a dead man of you.

UN DAY MEETING

United Nations Day (Saturday, 24 October) will be observed in London at a public meeting to oppose the sale of arms to South Africa. The speakers will include Humphry Berkeley, Lord Soper and Professor Julius Lewin. The latter will be representing the National Secular Society, one of the meeting's sponsors. Lord Brockway will be chairman.

The meeting takes place in Conway Hall, and will commence at 7 p.m.

NSS SPONSORS ABC

The National Secular Society is one of the organisations supporting the Admit the British Campaign which was announced last week. Martin Page, general secretary, is a member of its organising committee. The ABC will be campaigning for the admission of Kenyan Asians to Britain, and in a Press statement urged the Government to repeal Clause One of the Commonwealth Immigrants Act, 1968.

The betrayal of British passport holders in East Africa was a shameful act by the last Government, and has caused much distress and degradation. At the present time thousands are competing for the 1,500 entry vouchers available each year. As they are increasingly deprived of the right to work, study or trade in East Africa, our refusal to honour the pledge inscribed in their passports is creating a *de facto* stateless people.

Husbands living in the United Kingdom having a statutory right to bring their wives to this country cannot do so because air companies will not transport them. Those who are desperate enough to leave without an entry voucher are deported and re-deported. Those who are admitted have their visas so endorsed as to prevent them getting proper employment.

The honorary secretary of ABC is Jill Gibson, 26 Parliament Hill, London, NW3.

PARDON ME WHILE I THROW UP

"I do know that he is a missionary of light in a dark time", said Malcolm Muggeridge, when he presented Cliff Richard with the Award of the National Viewers' and Listeners' Association (honorary secretary, Mrs Mary Whitehouse), for his "Outstanding Contribution to Religious Broadcasting and Light Entertainment".

MEMORIAL EDITION
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BOOK

LAW, MORALITY AND RELIGION IN A SECULAR SOCIETY by Basil Mitchell. Oxford Paperbacks, 7s.

In 1859 John Stuart Mill, disturbed by "an increasing inclination to stretch unduly the powers of society over the individual", published his famous essay *On Liberty*. It is remembered more for its historical importance, pellucid style and the high esteem of its author than any attempt to use it as a blueprint for action. Its central message was: "The only purpose for which power can be rightfully exerted over any member of a civilised community, against his will, is to prevent harm to others". The precise scope of this declaration is a matter of controversy. Does "harm" mean physical harm, psychological harm or the even more elusive "moral harm"? But many jurists of the day, not to say churchmen, questioned whether, however broad the interpretation, this was enough to cover the scope of law. Should not the individual be protected from himself? asked critics who pointed out that consent was no defence to sadistic punishment or duelling. Should not the individual be restrained from spreading false or "wrong" ideas? asked critics who pointed out that prosecution under blasphemy and other censorship laws did not depend on a demonstration that actual harm had resulted. The possibility was simply presumed, or the "offence" given by the ideas to God or to "right-thinking men" was the yardstick. Contradictions within Mill's essay were gleefully pointed out, and in 1873 Mr Justice Stephen's *Liberty, Equality, Fraternity* (unfortunately omitted from Professor Mitchell's bibliography) had little difficulty in showing that Mill's *Utilitarianism* (1863) implied just that sort of legislative paternalism he had formerly objected to. For in its libertarian zeal *On Liberty* had come out against state-provided education and what we now call the Welfare State. Mill died before he could reply but Morley came to his defence.

By this time the issue had been popularised in the form that the law should or should not (Mill) uphold morality. Then it lapsed for a century. In 1959 it broke out again. Mr Justice (now Lord) Devlin had given evidence to the Wolfenden Committee in favour of legalising homosexual acts (apart from buggery) between consenting adults in private. In 1957 he accepted the committee's recommendation that all such acts should be legalised, and set about seeing how other prohibitions against "private immorality" could be similarly removed. But, as he explains in his introduction to *The Enforcement of Morals* (1965), he came to feel that he was wrong. The law of marriage, libel, "corrupting" minors and living off "immoral" earnings all presupposed some public recognition of morality against whose breach there were sanctions, quite regardless of the theological argument that Britain was a "Christian country" and so in some way committed to Christian morals. He first put forward these traditionalist views in a Macca-baeen Lecture of the same name in 1959, which provoked an immediate storm on both sides of the Atlantic. Most notable of his opponents was Professor H. L. A. Hart, whose first *riposte* was "Immorality and Treason" (*Listener*, 30 July, 1959). The title was prompted by Devlin's observation: "There are on theoretical limits to the power of the state to legislate against treason and sedition, and likewise I think there can be no theoretical limits to legislation against immorality". Hart was disturbed that, while the liberal recommendations of the Wolfenden Report were not implemented, its harsher line against "street offences" was. He was even more disturbed in 1961 when,

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during the *Ladies' Directory* case (*Shaw v. DPP*), the House of Lords confirmed that "conspiracy to corrupt public morals" was still a common law offence and that the courts were "the *custos morum* of the people". So he returned to the fray, producing, *inter alia*, *Law, Liberty and Morality* (1963) and *The Morality of the Criminal Law* (1965).

While following a logic of its own, *Law, Morality and Religion* does not immediately make clear the historical importance and practical implications of the controversy outlined above. The author is more anxious to set out the battle lines, where Glanville Williams, P. F. Strawson and Richard Wollheim team up with Hart, and Norman St John-Stevan and Eugene Rostov with Devlin, than to fire any shots of his own. It is a field where definitions are likely to be lost in gun-smoke and more casualties than converts made. All the protagonists he deftly identifies as liberals of a kind, but he detects three markedly different forms of liberalism to which they subscribe. In trying to clarify the nub of the dispute he refers to specific issues like laws against bigamy, which have been variously seen as theological, quasi-theological, paternalistic or expressing concern over "the offensiveness to others of his public conduct". To me, however, the strongest moral argument in favour of these laws is the manifest injustice to poor men if bigamous marriages were to become at all common (assuming wives are happy to share an affluent husband, though monogamy seems to grow in favour as women round the world approach equality with men). Further, in a community where family law and taxation are conceived on a monogamous basis any deviation would be "contrary to public policy"; just as in a country where the Highway Code involves driving on the left people are not at liberty to drive on the right as a *jeu d'esprit*.

The closest Professor Mitchell comes to taking sides in the dispute are his observations "there appears to be no necessary connection between the claim that the law may be used to enforce morality and moral conservatism" and "one does not have to be a Christian in order to believe that a human being in the making is to be treated differently from any other organic growth". While these statements are, I believe, true, we may assume that as the Nolloth Professor of Philosophy of the Christian Religion at Oxford he shares the predilection of Lord Devlin (educated at Stonyhurst) for Christian theology and morality. In reviewing his book I should maintain the same ostensible impartiality. But if I may end on a controversial note I have to confess that, while agreeing with the specific law reforms of the "progressives", I have come to accept the central argument of the "conservatives". After reading most of the source material relevant to this dispute, and extensive reflection, I have found no way of distinguishing between "private" and "public" immorality. Nor can I find any principle behind the humanist movement's championing of social legislation—which includes restrictive things like the breathalyser, Race Relations Acts and anti-blood-sports as well as libertarian proposals in the fields of sex and censorship—other than the use of law to defend morality. But, as I have tried to show in a forthcoming book, this entails a redefinition of morality to relegate much of what is now called "immoral" to the field of personal taste.

DAVID TRIBE

REVIEWS

PAMPHLET

THE NEW POLITICS: A SOCIALIST RECONNAISSANCE

by Anthony Wedgwood Benn. The Fabian Society, 8s.

Asked to name the most heartening victory over bureaucracy in recent years, many people would give the campaign waged by the victims of the new Westway in London to get themselves rehoused by the Greater London Council. Motorway blight is a classic example of the damage done by technology's unconcern for human welfare, and of the chronic indifference all too often displayed by public bodies to human rights. Without strong and determined opposition from the resident of the affected part of North Kensington, the GLC and the Ministry of Transport between them would not have lifted a finger to rehouse those living alongside the new motorway. Just as they never even bothered to consult those people whose homes and way of life were being bulldozed down for the new roads slicing their area in half.

Anthony Wedgwood Benn's new Fabian pamphlet asks some searching questions about the kind of society we have that allows—indeed, almost institutionalises—such appalling inequity. Most Labour politicians, assuming as they do that to end social injustice is automatically to call in the State, pay little attention to the resulting sense of oppression felt by ordinary people; weighed down by the pressures of large organisations, both public and private, which appear totally impervious to public opinion, people feel hemmed in by the all-pervading “them” whose last word it always seems to be. Paradoxically, there then arises the demand that the government of the day should “do something” about bad housing, bad education, or whatever; we have a vicious circle in which bad social conditions call for government intervention, yet for a variety of reasons such intervention is often too late and indecisive, creating a general feeling that “nothing can be done” unless, in some unspecified way, the very same government does it. Thus it is that the “alienation” of people from their government proceeds apace, which is of course a threat to democracy itself let alone, as Benn points out, to the traditional socialist ideal of redistributing power in society.

It is not Benn's purpose to supply specific policies to deal with these problems; rather, he draws attention to them to suggest (rightly) that their resolution ought to be high on the agenda of a future Labour Government. It is therefore disappointing that in a quick bird's-eye sketch of major British institutions, Benn devotes precisely two paragraphs (in a 28-page pamphlet) to the role of the Labour Party itself, which would presumably have to be the main agent for implementing his desired reforms; and in those two paragraphs, Benn says precisely nothing apart from a few harmless bromides to the effect that the Labour Party needs to re-examine its own structure and rôle, etc. As those who have worked in a local Labour Party know, it is the devil's own job to make a constituency Labour Party leave its committee rooms and fight alongside such groups as SHELTER for the poor and oppressed; and the North Kensington Labour Party's total silence over the

Westway issue is, sadly, a case in point. If a future Labour Government is ever to shake itself out of the party's corporate inertia, Benn and others who sympathise with him will have to do much more ruthless campaigning inside their own party than they have so far been prepared to do. Which may, or may not, endear them to a future Labour prime minister.

Other than this pussy-footing over the Labour Party itself, Benn's general argument is unexceptional. Pointing out that the average citizen of today can potentially wield a great deal of power (through parliamentary and local elections, affluence, better education, bargaining power through his trade unions, and pressure on the government and his MP), Benn advocates that people should be helped to realise their power, through a general decentralisation of decision-taking and diffusion of responsibility—he even mentions the old syndicalist dream of “workers' control” and actually says that “the case for a strategy of confrontations with bureaucracy is very strong, and indeed without it is hard to see how we can ever liberate ourselves”. True, but one wonders whether Benn and his Mintech officials would have welcomed direct action against the ruinously expensive and useless Concorde which is now inflicting noise damage on the West Country without a shadow of pretence of “consultation”. A case of “Physician, heal thyself”?

Regrettably, this pamphlet's general case is weakened by the tissue of muddles and confusion which surrounds it. Thus, on the one hand Benn can call for “less” government (maintaining impeccable contact with the Right-wing Tories he elsewhere decries) and, on the other, for “supremely good national and international management of complex systems” and a far higher degree” of organisation. Admittedly, Benn does recognise that this need to organise society more efficiently has to co-exist with the need to decentralise decision-making, but whether these trends actually clash is not discussed; nor is it adequate to say that the answer lies in better communications between government and governed. For either decisions are in fact decentralised, or they are not. If they are, then surely Benn has to explain, which he does not, how his top managers are going to pass their time. If they are not, then Parliament (or, more likely, the government) will continue to take all the most important decisions—such as whether to go into the common market—and the fact that the decisions may be put across to the people slightly better is not going to satisfy those who, following Benn's advice, seek a direct clash with the bureaucracy over precisely this issue.

Clearly, it would be a good idea (as Benn observes) to bring policy discussions out into the open a lot more than Whitehall now does. It would be a good idea to increase dramatically the range of views expressed in the mass media. It would be desirable to develop ways of consulting people about major decisions before they are actually taken, as in the current planning experiment in South Hampshire in which local residents are being asked to say which of four possible development schemes for the area over the next 30 years they favour. Yet, despite the strong case which Benn develops for greater participation, one remains unconvinced that this is going to be the issue which, in future, will win or lose elections. It is unfortunately true that people do not, in general, want to run their own affairs—they would rather leave government to the politicians, provided that such government does not lurch from

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TELEVISION: A MIXED BAG

PETER COTES

The recent *Omnibus* film *Heart of Britain* showed Humphrey Jennings, the film director best known for his wartime documentaries, as a sad, complex and bewildered talent. His death in Greece 20 years ago was a dreadful waste of a creative director the cinema could ill afford to lose. Robert Vas wrote and directed, and Peter West matched a skilful production with an editing job far above the average. The essence of Jennings, a freethinker, was caught nicely by the film's makers. His own idealism and deeply emotional work were illustrated in a series of telling clips from his all too short career, and there were interviews with those near to him in his lifetime. Paul Daneman provided one of the best, because it was one of the most selfless, commentaries heard in recent months.

Macbeth was an accomplished television drama production. Nevertheless, I would have preferred to meet this Thane of Cawdor (as well as the three witches) on any dark night and any "blasted heath" to being confronted with Clive Jenkins whose *One Pair of Eyes* (BBC-2) the previous evening created a distinctly disagreeable impres-

sion of a trade union leader who came across as both petty and self-important. Perhaps that's the image they want to put across, but I have an idea that Mr Jenkins in his *White Collar Worker Who Came in From the Cold* is better than he seems. The plodding script did not help a seemingly unsympathetic personality.

Tony Palmer's film on the National Youth Theatre (BBC-1) was a surprise coming from this particular producer-director. It does seem a shame that Michael Croft's truly lively experimental company has had such a raw deal from those who dole out subsidies to the arts. Croft and company have bravely done a lot of pioneering in their field and are entitled to at least as great a show of practical support from the authorities as the present incumbents at the new Young Vic. This TV director's style did not obscure the point, and was not, mercifully, jazzed-up.

Spike Milligan's new BBC-2 series is titled *Oh—In Colour*—to which I can merely echo "Oh?".

CINEMA

CATCH 22. Paramount, London, W1.

This film is a strange mish-mash of surrealism, which like the world-famous book, succeeds in capturing the horrifying situation of the wartime conscript. Joseph Heller's book is the classic model for the new breed of anti-war novel and has never really been surpassed. This is primarily due to Heller's totally individual ability to portray a nightmare in terms of comedy or even farce. To translate an author whose writing is so individual into celluloid is bound to be impossible—as impossible as translating Picasso into opera. It would be better to give the film a different name and acknowledged the debt to Heller—but then the box-office is still the supreme consideration.

But this is not to discredit the film, which is nonetheless the most penetrating and serious indictment of war to appear in British cinemas. It goes way beyond the commonplace picture of young men slaughtered for a cause about which they understand nothing; and way beyond the commonplace portrayal of the frightening change which can come over a man who is compelled to kill.

We join these aircraftmen in the middle of the second world war when most of them are already by our peace-time standards mad, and in short, we follow their madness as it gathers momentum and leads to the hero's end. Our hero, the bomber pilot Youssarian, played by Alan Arkin, displays with the use of Heller's surrealistic satire and pathos the grotesquely twisted and inhuman qualities of the predicament of a man trapped by power politics between an insane camp commander and death. As much lunacy is shown to stem from the everyday activities of this combat aircraftman, as from the more obvious emotional crises of his being ordered to bomb a village peopled only by civilians or his having to comfort a young compatriot as he dies on his first mission.

The overriding motive of all war, namely the commercial one, is sublimated in the activities of a man, played with cheerful innocence by Jon Voigt, who unceasingly converts the company's goods into something more valuable. Thus the pilots are without parachutes because the silk was traded for a collection of stone statues.

Freethinkers will also be amused by the antics of the chaplain, who amongst other things is ordered by his commander to create a prayer to be read before the pilots fly off on their bombing missions; a prayer which is to have qualities so individual that the commander will get his photograph in *Picture Post* as some other camp commanders have contrived to do.

This film is well worth seeing primarily because, despite the impossibility of the task, a worthwhile amount of Heller comes out in it, and secondly because Alan Arkin's portrayal of an intelligent and indeed brave man, forced into war and its attendant bedlam, is memorable.

DAVID REYNOLDS

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pillar to post as did Mr Wilson's administration. What people *do* want, I think, is not regular, institutionalised consultation and all the delays this would involve in the decision-making process, but the chance to express their point of view (and, more importantly, to expect those in authority to take notice) when some issue crops up. I don't know if the Westway campaigners will read Mr Benn's Fabian pamphlet, but I suppose we have to be grateful that at least one prominent politician recognises the importance of what they were trying to say.

PHILIP HINCHLIFF