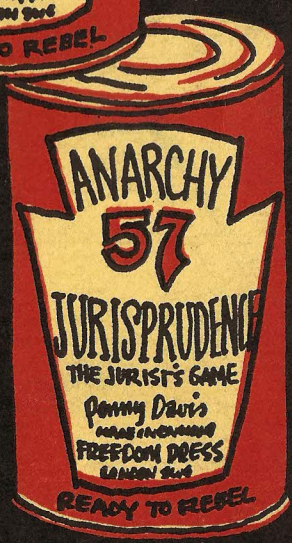
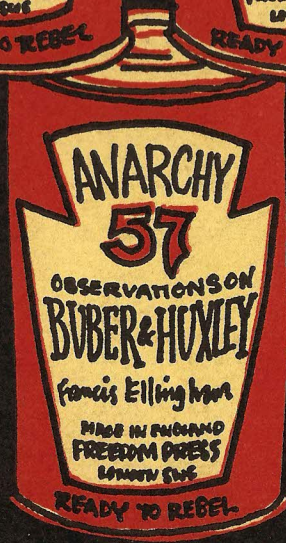
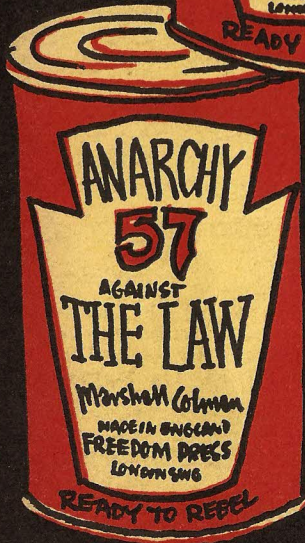
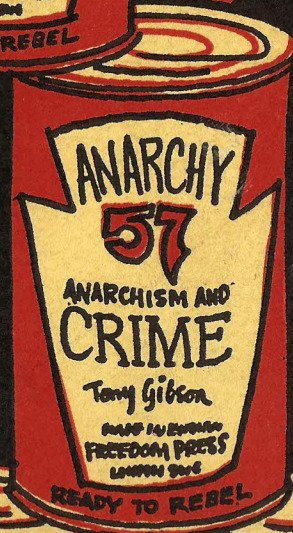
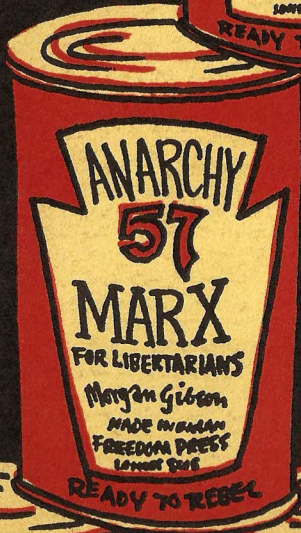
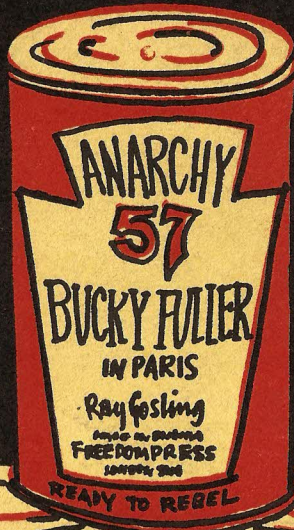


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"Whosoever admits the necessity of separate, chosen members of society for the special function of distributing punishments to those who have broken the law, needs a body which enacts these laws, codifies them, establishes standards of punishment—needs special schools for teaching the manufacture and interpretation of laws—needs gaols, gaolers, police, hangmen and army—needs the state."

PETER KROPOTKIN, *"Organized Vengeance called Justice."*

Jurisprudence : the jurists' game

PENNY DAVIES

TO AN ANARCHIST, the question "what is law?" will perhaps present little difficulty; for the jurist it is a question of immense complexity. As the majority of jurists have devoted their attention to supplying the answer, I intend to emphasize the trends of their various definitions in this article and only deal incidentally with other aspects of their theories.

Let us turn first to the definition of a philosopher, and not a lawyer. Kant summed up law as "the aggregate of the conditions under which the arbitrary will of the individual may be combined with that of another under a general inclusive law of freedom". Kant believed no deductions could be made from actual legal systems, that one can only discover the nature of law in the realms of pure thought. His is essentially a theory of what the law ought to be, not what it is; the spheres of morality and law are distinct, however, in that morality is a matter of the internal motives of the individual, while legality involves conformity to external standards imposed by the law. The jurist Stammmer upheld the Kantian method, describing the philosophy of law as "the theory of those propositions about law which have universal validity".

In contrast to the formal abstract definition, stand those which refer to both the purpose and the machinery of particular systems, to positive law as opposed to Natural Law. We find the first clear distinction between these concepts made in Greek philosophy, especially by Aristotle. Positive law is laid down as law, whether just or unjust, but Natural Law is a body of principles of justice, based on human nature everywhere and at all times. (This division was utilised outstandingly by the Roman jurists, who recognized the existence of the "jus naturale" while having a set of positive laws for Roman citizens, the "jus civile"; a third system, the "jus gentium", arose for people

of all nationalities and bore considerable resemblance to the Greek idea of Natural Law.) It is noticeable that Aristotle's definition relates to positive law: "laws are something different from what regulates and expresses the form of the Constitution; it is their office to direct the conduct of the magistrate in the execution of his office and the punishment of offenders". No reference is made to the source of these laws.

St. Thomas Aquinas (1225-74) gave the more comprehensive summary of law as "an ordinance of reason for the common good made by him who has care of the community and promulgated". He regarded it as the duty of the individual to submit his judgement to that of the state, to obey state law; for the state was a natural, God-made institution, with the function of promoting the "common good". The distinction between positive law and Natural Law was maintained by Aquinas; but the medieval concept differed from the Greek and Roman theories of Natural Law in that it was now viewed as emanating from God and perceptible to man through his power of reason.

We now move briefly to the era of Hugo Grotius (1583-1645), Thomas Hobbes (1588-1679) and John Locke (1632-1704) and the growth of Natural Law theories,¹ especially those of the social contract and natural rights. Both Grotius and Hobbes stressed the necessity of a strong state and the idea of the social contract—to subject oneself to the law of the state; Grotius' juristic work is perhaps more outstanding for its other feature, his discussion of the new theories of international law. Locke developed the philosophy of the natural rights of man, of life, liberty and property.

The violent reaction to the metaphysical and abstract character of natural Law of Jeremy Bentham (1748-1832), hailed the new school of analytical jurisprudence and legal positivism. Bentham tested all laws by his principle of utility, the latter being "the property or tendency of a thing to prevent some evil or to procure some good". In his "Theory of Legislation", he defined the main function of law as follows: to provide subsistence, to aim at abundance, to encourage equality and to maintain security. His disciple, John Austin (1790-1859), though a utilitarian, only developed the analytical side of Bentham's philosophy, for Austin was not concerned with the ends of law but with law as it "is"; he too scorned the Natural Law theories. He defined a law as "a rule laid down for the guidance of an intelligent being by an intelligent being having power over him".

The better known Austinian definition, however, is that law consists of a sovereign giving commands backed by sanctions. His criteria for identifying the sovereign was that of the highest authority habitually obeyed by a body of people, but not habitually obeying a like superior. Austin said he was concerned with general jurisprudence in the "ampler and maturer" systems of law and that all these had a sovereign; in England it is the "Queen in Parliament" but it is not clear, for example, who is the sovereign in the United States of America. Austin made a useful distinction between proper or positive law and improper law or positive morality; the latter he

divided into law by metaphor—the law of gravity, for example—and law by analogy—conventions of honour and fashion, international law (which angered the international lawyers, but within Austin's system this was logical, for there are no real sanctions nor a sovereign in international law). Here we have the first systematic analysis of law, with its bias against ascertaining the purpose of law and therefore static character. Let us compare this with another theory of law formulated in the early twentieth century, Hans Kelsen's Pure Theory of Law.

Kelsen, like Stammler, was a Kantian; he aimed to produce a scientific and unified definition but, unlike Kant, to give a definition of what the law is and not what it ought to be. He saw law as a hierarchy of "norms", with the basic or "grundnorm" as the highest and most abstract point; this would usually be the constitution. The Pure Theory of Law operates with this "grundnorm" as an "initial hypothesis", presupposing it to be valid, with the other legal norms depending upon it for their validity. A process of "concretization" runs through the hierarchy of norms, from the most abstract, through to the judicial decision and thence to the final norm imposing an obligation on the individual; the latter can be either individual—A kills B, therefore A shall be punished—or general—if anyone kills, he ought to be punished. This "ought" of the legal, as distinguished from the moral norm, is a sanction, though not necessarily following from every legal norm; but Kelsen does not accept Austin's command theory. The legal norm is not a command, which implies a will, but a relation of condition and sequence.

Kelsen rejected the idea of subordinating state to law or law to state. To him the state and law are the same things; although while law cannot exist without a legal order, that order may take forms other than the state and therefore international law can be created. The weakest part of the Pure Theory of Law is Kelsen's attempt to fit international law into the theory. He decided finally to make the norm of international law superior to that of the individual states; both national and international laws are coercive positive law systems—the sanction in international law supposedly war and reprisals, which are no longer legal, and the "grundnorm" being "treaties are binding". An impurity—what a dilemma!

The critics of Kelsen—like those of Austin—while praising his attempts at a scientific understanding of law, object to the exclusion of sociology and ethics from jurisprudence. "Kelsen's method does not even give us a true picture of law, for jurisprudence must go beyond the formal hierarchy of norms to study the social forces that create law".² Let us turn back now to a school which saw the authority of law not in sanctions but in its sources, the Historical School.

F. K. von Savigny (1779-1861), the founder of historical jurisprudence, set out the school's programme in 1814, with the central question: "how did the law come to be?" Savigny concluded that law is found, not made, and the growth of law is essentially an organic and

unconscious process, the product of a particular "Volksgeist" or spirit of a nation. Law is first developed by "custom and popular faith, next by jurisprudence, everywhere therefore by internal silently operating powers, not by the arbitrary will of a law-giver". The lawyer or jurist is merely the organ of popular consciousness; and last in importance is the legislator, who must simply present the "Volksgeist" with no deviation from it, in legislative form. It is noticeable that no fundamental definition of law was sought after by Savigny; he denied that laws could be of universal validity and application. Yet his theory of the "Volksgeist", partly the result of a surge of nationalism at the end of the eighteenth century, is too extreme; he failed to take into account the imitation of one legal system by other systems, especially the importation of Roman law into European law. His rejection of the possibility of law created by the "arbitrary will of a law-giver" and through the work of judge and jurist was most certainly unrealistic.

The Historical School was the forerunner of sociological jurisprudence. Rudolf von Ihering (1818-92), the first sociological jurist, defined law as "the sum of the conditions of social life in the widest sense of the term as secured by the power of the state through the means of external compulsion". He believed that there is "no volition without purpose"; that the interests of men, being the basis of all social life, need to be balanced. In his theory of social mechanics he put forward the principle of leverage, that is, that society achieves its ends by stimulating the purposes of the members of that society through the use of four levers or motives. These are the two inferior or egoistic levers of reward, as used in commerce, and coercion, the primary lever of the law; the other two are the altruistic levers of love and duty.

Ihering started a revolution in European juristic thought; a reaction set in against analytical jurisprudence and jurisprudence of concepts. This is characterized in the extreme by the work of Eugen Ehrlich (1862-1920), who emphasized that law is useless if studied in a vacuum; it can only be studied in relation to its effect in society, for the "centre of gravity of legal development lies not in legislation nor in juristic science, nor in judicial decision, but in society itself". Ehrlich built upon the ideas of Savigny the broad theory that law depends upon popular acceptance and that each group creates its own "living law" which alone has creative force. He regarded the legal norm as always being derived from social facts anchored in the conviction of a body of people. Protection by the state through coercion is never necessary; the essential body of legal rules is always based upon the social "facts of law", the four major "facts" being usage, domination, possession and declaration of will. Hence Ehrlich, in stressing the study of society as a whole, is considered to have gone beyond the bounds of jurisprudence.

The distinction should here be made between the sociology of law as practised by Ehrlich, which attempts to create a science of life as a whole and regards law as a mere manifestation of society, and sociological or "functional" jurisprudence, which concentrates on law and

considers society in relation to it. The latter was the work of the American Roscoe Pound (1870-1964). He regarded as futile any attempt to give an exhaustive definition of law and in his "Legal Essays" points out the difficulties of giving simple, clear-cut definitions. Pound put forward a theory of "social engineering" similar to that of Ihering, in which he saw law as the necessary factor in balancing interests. Therefore one needed to analyse the law to facilitate progress and expansion.

The definition of law as a social fact was undertaken by Léon Duguit in the 1930's; he defined law as necessary for "social solidarity", "a rule which men possess not by virtue of any higher principle whatever—good, interest, or happiness—but virtue of and perforce of facts, because they live in society and can only live in society". This stands in sharp contrast to the approach this century of the American jurists, who defined law in terms of the judicial process.

John Gray, though an exponent of the analytical school, modified the teachings of that school considerably. He stated that to "determine rights and duties, the judges settle what facts exist, and also lay down rules according to which they deduce legal consequences from facts. These rules are the law." In other words the judge is placed in the centre of the law. Gray admitted the great influence of personality, economic and social factors in making law and thus laid open the way for a more sceptical approach. This was made articulate by Oliver Wendell Holmes, who gave an entirely empirical definition of law in an essay of 1897; "the prophecies of what the courts will do in fact, and nothing more pretentious, are what I mean by law". It should be pointed out, however, that Holmes never really adhered to this statement (he called it "one-sided" and "exaggerated" and stressed the need for legal theory, in another essay); but this definition was seized upon by the exponents of the new American realist movement.

The realist movement, which arose in the 1930's, distrusted the approach of formal logic; it turned to the sciences studying human behaviour in society, especially economics, criminology, sociology and psychology, to evaluate the factors making law and the social results of law. Realism was similar to positivism in that it embraced the study of law as it "is", not as it "ought" to be; however, it was different from analytical jurisprudence in that it did not use a single method of logic. Thus the programme of realist jurisprudence has been almost unlimited.

The two major figures in American realism were Karl Llewellyn and Jerome Frank. Llewellyn, in "The Bramble Bush", stated: "this doing of something about disputes, this doing of it reasonably, is the business of the law. And the people who have the doing in charge, whether they be judges, sheriffs, clerks, jailers or lawyers, are officials of the law. What these officials do about disputes, is, to my mind, the law itself." He was particularly interested in the effect of the personality of the judge in the appellate court system. Like Frank, he believed decisions were unpredictable but could be made more pre-

dictable by studying cases on the lines of sociology and psychology.

Jerome Frank similarly treated the law as the decision of the court in relation to a particular set of facts, not as a body of rules. The idea of certainty of law was to him a myth. He explained the origin of this myth in psychological terms; namely that the desire for certainty of law is akin to the infant's craving for an infallible authority, a father complex. Thus lawyers hide from themselves that every case is unique. Frank's ideal was the "completely adult lawyer" who has a "constructive doubt", like Wendell Holmes; this should enable him to develop the law in accordance with advancing civilization. He further suggested training judges and prospective jurors in fact-finding, evaluation of prejudices and the psychology of witnesses!

The approach of the realists, particularly in relation to their insistence of the uncertainty of law, have, of course, been attacked in such terms as that it "may lead to juristic pessimism on the part of the students, and . . . even more dangerous, that it will induce an emotional rather than a rational approach to legal problems" (Goodhart). Indeed this would be a bad thing!

Now we come to the present-day dispute between H. L. A. Hart, Professor of Jurisprudence, University College, Oxford, and L. L. Fuller, Professor of Jurisprudence at the Harvard Law School. Hart maintains the view in his book, "Concept of Law", that although law and morals are related in that the law has been "profoundly influenced" by conventional morality, one cannot assume that a law or a legal system, to be valid, must exhibit specific conformity with morality or justice. This is the doctrine of Legal Positivism, the opposite of Natural Law, the latter holding that there are certain principles ascertainable by human reason, which man-made law must embody. However, there is a minimum content of Natural Law, relating to man's desire to survive, to which, says Hart, the positivist can assent. This can be summed up in five truisms; namely, that humans are vulnerable and therefore a common part of law and morals lies in forbearance from physical harm; men are approximately equal, therefore sanctions can be imposed; there exists a limited altruism which admits of a system of forbearance and compromise; only limited resources are available and thus the institution of property has arisen; most men conform and obey for a variety of reasons—the welfare of others, respect for law, coercion through legal sanctions.

Without separation of law as it is and as it ought to be, men will be blind to the true nature of law and the law will be brought into disrespect. The legal positivists follow the prime reason of Austin and Bentham for this separation: "to enable men to see steadily the precise issues posed by the existence of morally bad laws, and to understand the specific character of the authority of a legal order". Laws are not invalid because of their iniquity, but if a law is so abhorrent, one has a moral duty to disobey and resist it.

Fuller criticises Hart for not making more clear his definition of law and for leaving untouched the question of the fundamental rules

governing the procedure for law-making—that they come not from law but from morality. He is concerned that the positivists do not tackle this question, for in the drafting of a new constitution a basic procedural frame with as little substantive law as possible should be established. Fuller's approach is essentially that of the Natural Lawyer; he believes that one should ask "what is good law?" and that "moral confusion reaches its height when a court refuses to apply something it admits to be law" because it thinks that law is iniquitous. Fuller further supports the charges of Gustav Radbruch that the positivist philosophy, previously of immense influence in Germany, made the path smoother for Hitler's dictatorship. (One cannot help but wonder whether any legal system would have hindered the Nazis; indeed, law is surely the helpmate of dictators.)

What, briefly, then can we conclude is law? Paton suggests that it is a body of rules in a community, "backed by some mechanism accepted by the community by means of which sufficient compliance with the rules may be secured to enable the system . . . to be seen as binding in nature". He adds that "a mature system of law usually sets up that type of legal order known as the State, but we cannot say 'a priori' that without the State no law can exist". This may well be a good working definition for the lawyer, but is it satisfactory for the anarchist? I think not, at least for propaganda purposes. Paton's definition is rather like the visible part of an iceberg; underneath there's all that machinery, summed up in Kropotkin's words at the beginning of this article; there is the power of this weapon of the state, this defender of the rich and cunning. But of all the jurists whom I have surveyed, I believe the American realists have made the most valuable contribution to jurisprudence in stressing the uncertainty of law, the best feature of law for the power-seekers.

¹See D'Entrèves, "Natural Law" (1963, 7th impression), Chap. 3; the whole of this small book is worth reading.

²G. W. Paton, "Jurisprudence" (1964, 3rd ed.).

Anarchism and crime

TONY GIBSON

"The problems of the social misfit may not be a one-sided problem—who is misfitting what? Why do we always think about bringing the individual into line with the system? May not the modification of the system, as a system, be another way of dealing with our problems? Perhaps it is easier to study individuals than to study systems? Or, maybe, the power rests in the system and the system has a self-preservation and self-perpetuating factor? Is bureaucracy as malevolent as some writers suggest, or is it merely muddled?"

L. T. WILKINS
1964

IT MAY STRIKE SOME READERS as odd that an essay on crime published by anarchists should begin with a text taken not from Godwin, Kropotkin or any of the classical anarchist theoreticians, but from a man who worked, for a time, for the Home Office Research Unit. It may be that the questions he posed as the result of his experience in Home Office employ, made it inevitable that he should have moved on to seek a freer field for the exercise of his talents. Certainly there are no possible answers to the questions he posed within a system which is committed to both "self-preservation and self-perpetuating".

Many people think that the question of crime in society is a great stumbling-block for anarchist theory. The carping critic thinks he is producing a trump card when he objects, "But what would you do about criminals? We will always need policemen and all the apparatus of the law to protect us from criminals". But here the critics' trite objections are very weak, for in no other field are the anarchists in quite such a good position to demonstrate the falsity of the assump-

TONY GIBSON's article is reproduced from a pamphlet just published, *ANARCHISM: Six Essays by Members of the London Anarchist Group* (obtainable from Freedom Bookshop, 17a Maxwell Road, S.W.6, at 1s. 6d., postage 3d.). The other essays are *Anarchist-Communism* by Jack Stevenson, *Anarchism and Agriculture* by Alan Albon, *Anarchism and Industry* by Bill Christopher and Peter Turner, *Anarchism and Education* by Brian Leslie, and *War and Peace* by Albert Meltzer.

tions which authoritarians make about the nature of society. Anarchist theory, and anarchist alone, makes clear the nature of the dilemma of societies which produce, as a regular phenomenon, a population of "criminals". It is an issue which has never been effectively attacked by political theorists of any other kind.

While the "pure" Marxists continue to reiterate their dogma that in the sweet bye-and-bye when "Capitalism" has been replaced by "Socialism" the phenomenon of crime will disappear, the more successful "bastard" Marxists, the followers of Lenin, have found that an alternative form of capitalism (call it socialism if you will) has as great or greater crime rate than the systems they claim to have superseded.

Reactionary social theorists are at least realistic in that they do not expect there to be any end to the age-old pattern of crime and punishment. The reactionary view-point is sometimes expressed in some sort of faith in original sin—that there will always be "wicked" people who need to be punished by the righteous. In criticism of the calm acceptance of criminality being due to peoples individual "wickedness" one may compare the numbers of people in prison in different countries. Thus for every 100,000 people in the population we have the following figures:

United States	(1960)	200 in prison
Finland	(1960)	153 „ „
Norway	(1960)	44 „ „
England & Wales	(1920)	29 „ „
England & Wales	(1960)	59 „ „

If the number of people in prison today is to be taken as any sort of crude measure of "wickedness" then we find that Americans are about five times as "wicked" as the Norwegians, and in England and Wales we are about twice as "wicked" as we were forty years ago! Such an absurdity hardly needs discussing: the obvious explanation of the different incarceration rates of different societies does not lie in differences between individuals, but between the social systems. If the term "wickedness" has any meaning at all (perhaps we might use the term "unhealthiness" or "corruption") it must be applied to the States and not to the individual people.

Sometimes the reactionary viewpoint is expressed in a more sophisticated manner, as the theory propounded by Durkheim, that not only are criminals an inevitable product of society, but the fact of punishing them confers a special benefit to society. The punishment may do no good to the criminals (who may be regarded as expendable material) but as an endlessly repeated ritual it helps to clarify and emphasise for society just what acceptable social norms are.

Durkheim's view of the inevitability of criminality, while being more rational than that of the religious and quasi-religious moralists, is only relatively true.

Suppose we consider a very badly organised factory, in which the machinery is not properly fenced in and the workers not properly

trained. Such a factory will have a yearly toll of accidents, and as long as nothing is done about its ineffectual organisation, one may confidently predict an *inevitable* accident rate as a by-product of that factory. One may say that certain individuals are “clumsy” or just “unlucky”—the ones who get taken to the hospital or mortuary—but it would be idle to pretend that their injury and death added anything positive to the factory’s useful functions. These maimed workers would be expendable material of the badly run factory, just as a lot of men who clutter up the prisons in modern societies are the expendable material of badly organised social systems.

It must not be thought that anarchists envisage a sort of society where human behaviour is ethically perfect. There are no grounds for such an illusion, but we do postulate a society in which there would be no *criminality* and this is not at all utopian. In every society there will be social deviance, and in every healthy social group there will be controversy about what forms of behaviour are social, a-social or anti-social. But *criminality* is a legalistic invention implying a machinery to perpetuate vengeance, deterrence and reform (reform to the idea propounded by the ruling group). By the proscription of certain classes of behaviour as criminal, and the employment of automatic sanctions against deviant groups, such groups are continually alienated from the main body of society, and so more deviant and subject to increasingly severe sanctions; thus a vicious circle is formed which tends *towards an ever worsening rate of criminality*.

The rational ideal of a society is not to outlaw deviant behaviour but to tolerate it; some of it will be found to be actually beneficial, like the scientific activities of the medieval heretics, some to be a-social but harmless, and some to be anti-social but useful as a danger signal indicating maladjustments of the social process.

Do-gooders and liberal reformers are out to humanise the prison system and to “adjust” the poor benighted criminals to respectable society. They hope to achieve this end by the employment of psychiatrists, social workers and key-jangling screws who occasionally don the white coats of the groups’ councillor over their dark blue uniforms (metaphorically at least). They are all jumping on the band-wagon of the outward semblance of reform. With such a programme the anarchists can have no sympathy whatsoever.

The existence of criminals in society (i.e. those of us who are foolish enough to carve our way out through the jungle the clumsy way—and get caught with it) is a symptom of what is wrong with the system. The system is unhealthy and so it erupts with numerous little boils. We will not remedy the disease in the system by putting disinfectant on those ugly boils.

Against the law

MARSHALL COLMAN

I AM AGAINST THE LAW instinctually because, quite simply, I don’t want to be told what to do; I don’t want my life run for me. But as we live in an authoritarian society my standpoint is not only an odd one, but one that evokes horror in law-abiding citizens; so I am obliged to justify it. Because I feel life to be something of beauty and value I want to explore its possibilities to the full. I want to make my own life according to my own design, my own wishes. Thus I demand that I should not be hedged in by restrictions, laws and moral codes, and that the feelings, ideas, values and principles that inspire should be genuine—that is, my own.

Most people, of course, regard law as so essential that they couldn’t conceive of a society without it. They are so dominated by the legal way of thinking that the fact that something is “against the rules” precludes for them all discussion on the matter: “That’s the law. There’s no point in arguing the toss about it”. This is often very useful as it obviates the need to consider one’s life at all. All that has to be done is to consult the oracle. No thought or initiative is called for at all. The way of behaving and the values are all there in the code, inspired by the doctrines of Church or Party—and all quite hollow. Those in whose souls law is firmly seated tend to have rather Hobbesian assumptions about the nature of man and society. Men are brutes and must be protected from one another. It is to perform this task that governments are instituted among men: “Pray for the welfare of the government, since but for the fear thereof men would swallow each other alive,” as the Talmud says. The men given this task make the laws, and so what is conceived by a ruling minority to be desirable, and acceptable to the majority—that acceptance being sometimes forcibly procured—is enjoined upon everybody, whether or not they accept the mythical contract that our ancestors made giving lordship over to their protectors. To make sure that we accept the behaviour enjoined on us by law the consequences of not doing so are made undesirable in varying degrees—from the confiscation of a few shillings to forcible confinement or death by various nasty means. The result is that there are more opportunities for and occurrences of brutishness under Civil Government than one could possibly imagine there would be in the Natural State. The Social Contract, it seems, hasn’t been much use at all.

It will be objected, then, that I, like everyone else, need law. I am a brute who doesn’t know what’s good for me and who can’t live “properly” unless I’m coerced. But isn’t it usually so that the people who think we need government, and are prepared to fulfil that need,

are the ones who are unable to co-operate freely because they have little respect for others, that lack of respect being shown in the activities of governments? And that those who object to being forced to behave as others order them belie the Hobbesian myth by having sufficient respect for others to be at least on the way to co-operating freely? This prophecy about human behaviour seems to be self-fulfilling: "All men are beasts—look at me!"

But *I* do *not* need coercion to prevent me from swallowing my neighbour alive. Because I feel the value of life, I am sufficiently aware of other people and their desires to allow my behaviour to be influenced by consideration for them. Total liberty—a complete absence of any influence on one's actions—is an impossibility; but I wish my behaviour to be self-determined as much as possible: I don't wish to have forced on me a course of action that I haven't chosen myself.

The problem of crime as such is not one that really concerns me, for a criminal act is, literally, one which is against the law. The problem of crime is one created by law itself, and so it could get rid of crime by getting rid of itself. Crimes consist of anti-social acts of various kinds, violations of property and subversive activities. That I do not consider all crime a problem can be seen from these categories. As to the first, I am concerned about violence—illegal *and* legal—but not with people wearing fancy dress within three miles of Charing Cross—*always* illegal. The violation of property concerns me only to the extent that it is harmful to those that own it. For example, I would be far less concerned with someone pinching a sixpenny bit of rubbish from Woolworth's than with someone raiding the till of a little old lady's sweet shop. I don't share the obsessive concern for property that makes it for many almost as important or even more important than people. You can rely on it that if you steal £2,600,000 from a train you'll have a far worse punishment meted out to you than if you beat your baby to death. Putting people in jail for over a fifth of a century is far more anti-social than stealing two and a quarter million pounds. Crime in the last category, the subversion of the state, doesn't concern me at all. The only problem about it is that there's too little of it.

The intention and usual effect of law is the influence of our choice of action. This is done, as I suggested, by making undesirable consequences of breaking the law. More effective than more force is the sanctification of the law and the encouraging of a legal attitude. To sanctify the law the governing authority asserts its right to govern by claiming sovereignty according to the current political myth, the ideological justification of power, whether Divine Right, The Will of the People or Dictatorship of the Proletariat. The result of the legal attitude is that one acts in accordance with the law not so much because one believes that what it enjoins is good, nor even for the fear of not doing so, but simply because it is the law, and to go against it is regarded as evil in itself.

More rationally, I am against law because it can never lead to

people being responsible: one can no more be *made* responsible than one can be *made* free. Simply, responsibility consists in being answerable for one's actions. This necessitates that one's actions proceed from choice. If I do something because I'm told to, and I think that the authorities know best, and if, in any case, I'm afraid to do otherwise because of threats of hell-fire or six months in the nick, I can't be answerable for what I do: I didn't choose to do it; "I wasn't paid to think". When the fact that there is a choice of action is obscured by law, responsible action is hindered. If I act legally I can't act responsibly. If I insist on acting responsibly I can't act legally; I choose to be responsible *for my actions* rather than *to those in authority*. I am, in fact, "a law unto myself".

Responsibility, then, is inseparable from freedom, the awareness and exercise of choice. Laws hinder freedom by imposing restrictions on our actions; the legal attitude hinders freedom by imposing restrictions on our minds, trying to prevent us from even considering our actions; we are presented with a code of behaviour that is not open to question, someone else's idea of the right thing to do. Only a few manage to survive this process and become free—their thoughts untrammelled by moral codes, their action determined by themselves as much as possible while there is coercion. In the case of someone who is not responsible or free, laws certainly won't encourage him to be so by taking choice out of his hands.

But law does not aim at this responsibility. By responsible, those who love the law mean conforming, law-abiding and submissive. So the person who is legally irresponsible, who doesn't regard himself as answerable to those in authority, may be responsible in the sense that he has liberated himself from the bonds law seeks to impose on him. What is the value of the responsibility the law aims at? What worth in submissive citizens with little independence of thought and action? To the person concerned with the individual—none; to the state—a great deal, for, in the words of Clemenceau, "They will follow when the band strikes up!" Those who expect law to foster freedom and responsibility are expecting the impossibility of the state subverting itself. The state has never subverted itself; it has never made a step towards "withering away". On the contrary, all states, especially in the last 150 years, have gone from strength to strength, and there is no reason to suppose that they will ever turn back.

* * *

A moral code imposed from without is hollow because for values to be genuine they must grow out of the nature, feelings, experience and thought of the person who holds them. They are essentially personal. One only has to look at the diversity of values which people hold, the moral codes that they pay lip service to or the variety of things they think are most important or worthwhile in life—from making models of town halls in matchsticks, to the adoration of God—to realise this. Not *all* values can be absolutely right, and one man's priority in life can't be made to be another's. Even such universally

held values as "murder is wrong", and the value that only a few cranks and extremists hold, that "killing is wrong", have no *objective* validity. But lawmakers must assume that the values that inspire their laws—when they are inspired by values—are absolutely right. The modern state, however, is quite innocent next to the Churches in the imposition of values and codes to be accepted by their members. But at least membership of the Churches is not compulsory. States and Churches have to assert their absolute right to make edicts, and, where those edicts have implicit or explicit values, assert the absolute right of those values, because any independent thought on the part of their subjects would challenge their power.

Not only is the idea of absolute right mistaken—it is also dangerous. Through it can be justified the most outrageous violations of liberty; it is a weapon made use of by all Inquisitions, whether Roman Catholic, Nazi or Communist. How absurd it is to try and claim that the aim of punishing the criminal of conscience is reformatory, in any sense, was aptly pointed out to me by a friend when he said, "If I believe I was right, then punishing me is useless. If I believe I was wrong then there is no need to punish me." It will be objected that most people aren't concerned with whether they're right or not, only with their own interests. Quite so; the law-abiders should consider the implications of this with regard to law, something which I shall go into later. But just now let us consider whether law is even any use with the criminal of self-interest.

What Henry Thoreau said of philanthropy can equally well be said of law: "There are a thousand hacking at the branches of evil to one who is striking at the root, and it may be that he who bestows the largest amount of money on the needy is doing the most by his mode of life to produce that misery that he strives to relieve." Can law ever hope to eliminate activities that show a lack of respect for people when the underlying attitudes are fostered by the society that law strives to protect? In a society dominated by the motive of material gain, where one man is set against another and where wealth is unequally distributed, it is vain to expect that people won't attempt a short cut to wealth through theft. The Labour Party Study Group's Report, "Crime—A Challenge To Us All", observes that "A society which fails in its obligation to many of its citizens must not be surprised if some of them do not keep its rules".

In an acquisitive society, it is only to be expected that most people will try and make as much money as easily as they can. The most effective way is to profit from the labour of others. In the consumer society the profits can be kept up by creating demand by high pressure advertising, and "satisfying" it with the latest five-minute trash. "More production!" "More exports!" These are the slogans. Never mind about the quality of the goods—keep on churning them out.

Less effective is to sell your labour to others. As most people care more for their own comfort than for that of others, wealth remains in the hands of a few. (A Communist Party pamphlet claims that half of Britain's wealth is owned by one per cent of the population.) The

idea of some people deserving more or less than others is no more than an excuse for this. People's needs are very similar; is this not more important than a scale of deserts according to status and authority? The high status jobs *aren't* necessarily the most important ones. Won't the doctor in a well-paid private practice admit that the work of refuse disposal and sewage men is as important to health as his? Where would the directors of a building company be without the workers on the site? Managers essentially depend on the workers they manage. The workers depend on the managers only because the managers and directors can hardly be expected to encourage an independence that would lead to a desire on the part of the workers to manage themselves, submitting only to the authority of knowledge and experience and not to the authority of power. Acquisitive workers who keep demanding more money are far more in the directors' and managers' interests than those who get such terrible ideas into their heads as working for nothing, mutual aid and distribution of resources according to needs and not "deserts" or "worth". As for the Workers' Paradise across the Urals: "The party consistently follows the principles of material incentives at work, and emphatically rejects wage levelling." (Nikita Krushov: *Report to the 22nd Congress of the Communist Party of the Soviet Union*, 1961.) The change of leadership has brought no rejection of this; it has even brought the introduction of the profit motive!

A third way of making money, and the quickest, it to take it. This may be done because you're starving, because you're greedy, or just for the heck of it. But whatever your reasons, when you're caught you'll get the same treatment—in theory, at least. While there is economic inequality, legal equality is a farce. Whether you live in a Hilton apartment or a Gorbals tenement you mustn't steal. Vagrancy is illegal whether you're a company director or an ex-prisoner with no job and no home to go to. Where acquisitiveness and a lack of concern for other people is encouraged, theft is inevitable. Mammonism and the sanctity of property is as responsible for theft as is the thief; the robbed may be as guilty as the robber.

In many cases, a more basic cause of anti-social behaviour may be the unsatisfactory nature of people's lives—not only material hardships, but unstable homes, boring jobs and unsatisfactory relationships with the people around them. During a meeting of a discussion group for married couples that was started in Holloway Prison some time ago, one woman said, "I think the basis of all the problems and troubles is lack of communication. People just can't sit down and talk about it, and they fly off the handle and do something they are sorry about afterwards. Even when things go really wrong they still can't go and discuss it, and the next thing that happens is that they land up in court." Her husband admitted, "I've always been the heavy-handed type. If I thought anything was wrong I'm the sort of fellow who'd give her a clump." She went on, "I couldn't talk to him because I was frightened of him. It was a vicious circle. Because he couldn't talk to me it made me worse." The blindness and futility of punishment in situations like this is obvious.

Boredom is certainly one of the reasons for the Mods and Rockers battles at the seaside on Bank Holidays. How, without even trying to understand why people behave as they do, magistrates hope to solve the problem escapes me. Perhaps they don't hope to. I suppose the elimination of crime would not be in the interests of the legal profession and the Police Force, as their members get a fair packet out of it, especially with the average increase of 25% in the salaries of judges announced in July. Just as it is argued that we have to have war and nuclear weapons to keep people employed, so it is true that we have to have crime to keep judges, magistrates, lawyers, policemen, etc., employed. (v: FREEDOM, July 1965: 'Crime DOES Pay!')

After the disturbances of Whitsun 1964, George Simpson, chairman of the Margate magistrates, pontificated: "these long haired, unkempt, mentally unstable, petty little hoodlums—these are the Sawdust Caesars who act like rats and hunt in packs". Edward Hayser, before him, charged with carrying an offensive weapon, to wit, a newspaper in a two-inch wide roll with copper coins in the middle, protested that he was only carrying a piece of paper. Dr. Simpson told him, "I don't suppose you were using this newspaper to further any literary ambitions." Mr. Hayser said, "I'm sorry, I don't understand." Dr. Simpson replied, "You'll understand what I'm going to say now: pay a £50 fine." The attitude of the magistrate, I'm afraid, is as unconstructive as that of the fighting youths. Most people involved in the execution of laws don't seem to be aware of the fact that crimes don't happen without *causes*, and that by merely suppressing the symptoms they'll get nowhere towards eliminating the causes. Magistrates may talk in terms they know Mods and Rockers won't understand, but unless they try and understand the Mods and Rockers there'll be fighting on the beaches from now until Doomsday.

Rather than imposing fines and sending people to detention centres magistrates should try and understand this, from a Mod's bird, as she called herself: "We like life the way it is now. We want to go on and on like this. We don't want to plan for the future. We want to live today. For here, for now, not next week. Marriage and babies are for grandmas. Our parents are O.K. They don't care. They knew we were coming here, but they didn't try to stop us. Well they couldn't could they? We're old enough to do what we want. And where the boys go, we'll go. People get hurt down here, but that's the way life is. . . . You've got to get your kicks somehow. You've got to make up for all that boring time you're going to spend at work next week." At least this girl has a vitality that's lacking from too many people; I can even feel more sympathy for her attitude than I can for the pompous magistrates'. All punishment will do to her and those like her will be to extinguish this spark of vitality quicker than her boring job would have done anyway. Probably most Mods and Rockers will eventually settle down to a more acceptable conformity, and in twenty years they might be saying, "These youngsters! The way they behave! They've got no respect for law and order and other people's property." Their rebelliousness doesn't seem to be deep

seated, not far reaching; the Mod's bird said nothing about changing a society where jobs are bossed and boring. And law, of course, won't encourage a constructive approach to society, for that's as dangerous as a worker who isn't interested in getting as much as he can out of the wage system, but wants to see it swept away completely.

As unsympathetic as the magistrates in 1964 was Harold Gurden, Conservative M.P. for Selly Oak, Birmingham, who, on 27th April, introduced a private member's bill into the Commons containing proposals relating to the treatment of hooligans. The day before introducing the bill he said, "The public are looking for stronger action. I think all sections of the community want to make life untenable for these hooligans. Punishment still works. Whatever was wrong about the Victorians they were right about that." In the course of the debate he said that more should be done to teach young people the difference between right and wrong. "It's all right to demand 'A' levels in arts and sciences, but what about some 'O' levels for moral behaviour? Can't we see to it that these teachers have the ability to teach this?" How, to start with, does Mr. Gurden know "what the public wants", and the attitude of "all sections of the community"? Isn't he referring, in fact, to what *he* wants? For this is what public opinion usually is—the opinions of oligarchy impressed on the rest of the community. Also, I would differ with him over the Victorians, as I believe that whatever they were right about, they were wrong about punishment. However, there are two rather unconventional Victorians whom Mr. Gurden has overlooked who had something of value to say about the treatment of offenders. The first, Julian Harney, the radical Chartist, observed on the treatment of rioters in 1841, the year of the beginning of the terrible depression of that decade, "This is the good old remedy for social ills—give 'em more church—give 'em more parsons—more Bibles—and more bullets—they are the remedies warranted, like Morrison's Pills, to cure all popular diseases." With the decline of religion and the rise of "compulsory miseducation" we have Mr. Gurden advocating, instead of parsons, teachers with certificates in moral behaviour imposing an approved code of right and wrong on their pupils, allowing them no liberty to arrive at their own understanding of right and wrong—in fact suppressing their development as individuals. In the debate on Mr. Gurden's bill a plea was made by Leslie Seymour for the return of corporal punishment. His father, he said, believed in the Victorian method of spare the rod and spoil the child. The second Victorian overlooked by Mr. Gurden, George Eliot, has a few words that are worth more than all the Victorian repression that the two gentlemen quoted seem to approve of: "Men do not become penitent and learn to abhor themselves by having their backs cut open by the lash;" she said, "rather they learn to abhor the lash." This applies equally to all punishment. How can Gurden claim it "still works"? If he means it succeeds in eliminating crime, what need is there to introduce his bill? There are enough laws to cover everything done by the Mods and Rockers. We know that most people don't enjoy being punished, but we know equally well that it doesn't stop them repeating criminal

acts. It even *encourages* them. Prison, after all, is the university of crime. As to making life untenable for hooligans, perhaps it already is; if it wasn't, they wouldn't be hooligans.

* * *

A society based on violence will no more be able to prevent criminal violence than one based on acquisitiveness will be able to prevent criminal acquisitiveness. All nation states rely on violence for their survival, both from the enemies within and the enemies without. For those within there is law; for those without—war. Several of the violent old, shocked by the behaviour of the violent young, want birching brought back to curb their violence. At the same time they're being encouraged to join the armed forces. In spite of what the posters suggest, the *raison d'être* of the armed forces is not to teach a trade and show the world to lads bored with civvy street—it's to teach them to kill. Perhaps the effect of this equivocal rejection of violence will be shown by two quotations from articles that appeared in the same edition of the *Evening Standard* in 1964. The first is by a First World War veteran: "The government must bring back conscription and call up these long-haired louts if only to give them a civilised [sic!] outlet for their excess energy. The army did me no harm in '11." The second is by the leader of a group of Rockers: "I like fighting. . . . It worries me that we might upset other people, but when you see Mods you can't resist getting them. You know, like in the war—when they saw any Germans they had to get them."

The Labour Party Study Group's Report states that "analyses carried out by the Home Office indicate that the children born between 1938 and 1944—the 'pre-bulge children'—are markedly more delinquent as a group than their predecessors." Statistics for England and Wales show that whereas in 1938 the number of convictions for offences against the person was 1,583, in 1961 the number was 11,519—an increase of 628% against a population increase of 10½%. Among juveniles alone in the same period convictions for crimes of violence rose from 116 to 1,717, an increase of 1,380%! The effect of living, as a soldier or as a child, in an atmosphere where violent attitudes are encouraged and violence is glorified is obvious.

* * *

The great shibboleth of our democratic society is Justice, so were I publicly to denounce it for the sham ideal I consider it to be, all those without sin would probably clamour to cast the first stone at me. If we examine it we will see why it is a sham ideal. Even if it is admitted that law can never eliminate crime, let alone encourage responsibility, people will still maintain it is necessary, and claim that it is *Just* that a wrongdoer is punished. Also it will be said to be *Just* when someone who does good is rewarded. And *why* should the bad be punished and the good rewarded? Because they *deserve* it. If, however, an innocent man is hanged or a petty thief sentenced to thirty years imprisonment this will be condemned as unjust. Also, if a rapist gets a ten-shilling fine it will be said to be unjust. With

reward, when Ferranti made their enormous profit many condemned it as an unjust gain, and if the labourers on the Victoria Line, up to their knees in mud in temperatures of around 100 degrees, only got an average of five pounds a week, most people would say it was an unjust wage. In all these cases of injustice people haven't got as much as they deserve, or they've got more than they deserve. Justice, then, is the distribution of rewards and punishments according to deserts. What's so marvellous about that? In the realm of reward I've suggested that the purpose of Justice—*income* according to deserts—is to uphold a system of economic inequality.

Peter Kropotkin can speak for Justice in the realm of punishment:

"So called Justice is a survival from past serfdom based, for the interest of the privileged classes, on the Roman law and on the Ideas of divine Vengeance."

"Every legal punishment is legalised vengeance, vengeance made obligatory, and we must ask ourselves what is the use of vengeance? Does it help maintain social customs? Does it ever prevent the small minorities of breakers of good custom from doing so? Never. On the contrary, to proclaim the duties of vengeance is simply helping anti-social customs."

Perhaps the urge to revenge is a natural one. If it is, one can understand a man smashing someone who smashed him first. But even it is, when revenge is taken by an impersonal machinery that has no possible interest in and feels nothing about the case, there can be no justification for it at all. Freudians may venture an explanation as to why revenge has been taken into the public sphere. We wish to make a scapegoat, they might say, for the guilt we feel at being unable to come up to the demands of our super-ego. This might explain why criminals are treated as a different kind of being from the non-criminal: we hate to acknowledge that the only difference between them and us is that they have dared to go against the rules but we have not. It would also explain the self-righteous outrage people feel about crime. Would it not be more honest to say, "He has done something I dislike," or, "He has dared to do that forbidden thing that I desire to do; I will be revenged," or, "I will put my guilty feelings onto him and send him out into the wilderness," than, "He has done evil, therefore he must be sorely punished"? Friedrich Nietzsche said bitinglly of the virtuous, "Alas, how ill the word 'virtue' sounds in their mouths! and when they say 'I am just [gerecht]' it always sounds like 'I am revenged [geraecht]'."

Nietzsche was one of those who believe that the urge to revenge is not a natural one. "Reward and punishment," he said, "have been lyingly introduced into the foundation of things—and into the foundation of your souls, you virtuous." His highest hope was "that man may be freed from the bonds of revenge". Mohandas Gandhi expressed similar convictions about punishment:

"As we are now, we are partly man and partly beast, and in our ignorance and arrogance we claim to fulfil the purpose of our kind faithfully by exchanging blow for blow. We pretend to believe

revenge is the law of our lives. Non-violence is the law of our kind as violence is the law of the beasts. Non-violence stands high above violence. To forgive is more manly than to punish."

For those who prefer scientific to ethical convictions, a biologist and research psychologist in a lecture to the Edmonton groups of the Peace Pledge Union and the Fellowship of Reconciliation (v: *The Pacifist*, May 1963) established the fact that violence was not an innate factor of man's nature, but was an acquired act, conditioned by learning and environment. It would, he said, be overcome as society progressed and learned non-violent ways of dealing with difficulties.

Attempts to justify punishment as ethical will not stand up to much critical investigation. It may be said that punishment is right because it tries, however ineffectually, to stop people from doing wrong—the standard of right and wrong being according to our own values, of course, but thought to be valid for everyone. The criminal who does wrong—steals or is violent to people—acts in his own interests without much consideration for others. If he plays cricket outside his parish on Sunday, or gives out a leaflet when London has been declared a police state, as it was in July 1963, he has merely acted against the law, which is holy. Punishment, which consists of causing suffering to the criminal, is used in the interests of those members of society whom he may, at some time in the future, cause harm to. It is hoped that the fear of punishment, or further punishment—as the fact that there are people in prison seems to indicate that the deterrent doesn't work as well as might be hoped—will deter him from acting wrongly. But how does punishment differ from anti-social crimes? If you kill, beat or forcibly confine someone, can you have much consideration for him? Those who think that this sort of treatment is *good* for someone who has broken a law must be crazy. A prison chaplain is quoted in the Labour Party Study Group's Report as saying that the effect of prison on a man is "Disastrous". George Eliot has spoken for beating. Hanging doesn't seem to have a beneficial effect on the character of the men who suffered it, before Sidney Silverman's bill was passed. Though, admittedly, they didn't break any laws afterwards. So when we punish, are we not acting in the same way as we have condemned the criminal for doing, and which we use as an excuse for punishment? It may be answered that the punisher is acting for the good of society while the criminal of self-interest is acting only for his own good, and that "even if the good of the community coincides with that of the individual, the good of the community is clearly a greater and more perfect good both to get and to keep. . . . That is not to deny that the good of the individual is worthwhile. But what is good for a nation or a city has a higher, a diviner quality." (Aristotle: *Nicomachean Ethics*.) But, alas for those who would argue thus, the "good of the community" does not exist. Society, the community, the nation or the state are abstractions to pin down certain relationships that exist between people, and abstractions cannot feel and they cannot suffer—they have no "good". They have no existence apart from individuals, and it is only the individuals who identify themselves with these groups

who can feel and suffer. So we are, in the end, acting in the interests of individuals, just like the criminal. To justify punishment as ethical we have to have a double standard of values, so a similar action is right for me, and wrong for you. If it is objected that the criminal deserves punishment it is admitted that punishment is not ethical, and the branch upon which law sits is sawn off.

The Chinese sage Lao Tzu says in the only work by which he is known, "The better known are the laws and edicts, the more thieves and robbers there are." (Trans. D. C. Lau.) This wise saying has been more poetically rendered as, "Law is the reverse of the coin 'lawlessness'." In this article I hope to have shown this is true. Both law and the anti-social activities that law tries to curb arise from similar attitudes. If we wish to see a society based on more human values than those upon which existing society is built, we must avoid all activities that arise from a lack of concern for other people: the whole coin must be rejected.

Marx for libertarians

MORGAN GIBSON

MARXISM, LIKE CHRISTIANITY, IS HAUNTED BY THE SPECTRE of its founder. As twentieth century revolutions have been betrayed by Stalinism, Maoism, Castroism, and the like, Marx's humanistic expectations, his prophecy of a world in which men would be universally free, creative, conscious, co-operative, and fulfilled, seem more and more utopian. Widespread responses to the split between Marx's theory of liberation and modern totalitarian practice have been cynicism and opportunism on the one hand, and a complete rejection of radicalism for varieties of religious experiences on the other. Only a few intellectuals have derived from Marx a thorough-going critique of both western capitalism and modern Communism. Of these, Raya Dunayevskaya has the distinction of being the most optimistic about the possibilities of human freedom.

Her book, *Marxism and Freedom . . . from 1776 Until Today* (New York: Twayne Publishers, \$1.98), acclaimed here and in Europe, Japan and Africa when it first appeared in 1958, contains a concluding chapter on Communist China as a state capitalist power. Unfortunately it does not include the translations of extracts from Marx's philosophical essays of 1844 and Lenin's philosophic notebooks of 1914 which appeared in the 1958 edition, extracts which are of great value in understanding the humanism of Marx, as derived in part from Hegel.

Arguing that Hegel was the most materialist of idealists just as Marx was the most idealist of materialists, Dunayevskaya shows revolutionary philosophy emerging from the American Revolution until

today. Her brief treatment of Hegel, though boldly original, is more suggestive than convincing. However, no other interpreter of Marxism has worked out in such detail the intricate relationships between mass activity and social theory: how, for example, the American Civil War, the Paris Commune of 1871, and the struggle for the eight-hour day by the American labour movement affected the structure and content of capital. The unity of theory and practice, of intellectual and worker, of notion and reality was the centre of Marx's humanism. It set him apart from those theorists (like Blanqui, Lassalle, Stalin and Mao) whose passion led them to impose ideas on the masses instead of deriving their theories from the self-activity of men.

Her detailed treatment of the historical relations between theory and actual practice, deepens our understanding of the humanism of Marx far more than the relatively abstract interpretations by Marcuse, Fromm, and others. Moreover, she goes further than they do in showing how his humanism permeates and unites all aspects of his work—the economics, politics, historical analysis, as well as the explicit theory.

"Freedom is so much the essence of man," Marx wrote, "that even its opponents realize it. . . ." And yet the "opponents" have succeeded in keeping man in chains, in preventing him from attaining his potential.

In capitalism, man is not free because the process of production alienates him from himself, from his essence (self-activity), from the product of his own labour, from nature, and from his fellow man. Living labour creates capital, or dead labour, which in turn dominates living labour, dehumanizing not only the worker, but everyone in the society as well. However, according to Marx, the system contains the seeds of its own destruction. The accumulation, concentration, and centralization of capital require the socialization of labour in the factory, hence a working class that would (he predicted) grow in consciousness and political power through the inevitable struggle against capital until, in revolution, it would seize the means of production, eliminate class exploitation, and create a society in which "the free development of each is the condition for the free development of all."

Yet there are important philosophical limitations to Marxist-humanism. Is human freedom "self-activity?" Why not freedom *from* activity? To what extent is the dynamism so highly valued by western civilization itself a product of exploitation, alienation, and force? If men were free and fulfilled would they be active, or would they be characterized by a sort of vegetative Polynesianism? These questions are not academic: witness the rising interest in non-western ideas, manifested by popularized Zen, the hallucinatory drugs, and in aestheticism as a view of life.

A related problem is the dramatic conception of history inherent in the high Marxist value placed on action. If someone in a factory, for example, organizes his fellow-workers to seize the means of production, he is acting out a role in the Marxist drama of liberation; but is this activity the essence of his life? A man is always more than the

role he plays. Does Marxism offer philosophic insight into human dimensions outside those required for revolutionary action? Generally, the anarchists have shown more interest than the Marxists in the animal, sexual, and imaginative dimensions; and a thorough-going humanistic philosophy would have to cope seriously with play as well as work, art as well as ideology, sexual freedom as well as workers' control of production.

What has prevented the fulfilment of Marx's prophecy? Dunayevskaya blames the "Marxists" who never understood Marx: the powerful German Social Democrats, the Bolsheviks (though Lenin understood, especially after reading Hegel in 1914), the leaders of every revolution since 1917. Generally, they have ignored the humanism of Marx; they have not developed theory out of the activity of the working class; and they have not directly attacked the alienation of labour at the point of production. (Two of the most brilliant economic analyses in the book are of the development of totalitarian state capitalism in Russia and China, the first based upon her pioneering study of the five-year plans twenty-five years ago, the second based on recent research on China.)

But what hope is there in an age of totalitarianism, H-bomb warfare, and automation? She finds omens of humanist revolution in the East German Revolt of 1953 and the Freedom Fighters of Hungary in 1956, the African Revolutions, voices of revolt in China, the American civil rights movement, and the American workers' wildcats against automation and the labour bureaucracy. More generally, her hopes seem to lie in the independent struggles of the underdeveloped (proletarian) nations against both power blocs. In the advanced industrial nations, where automation creates one labour crisis after another, the workers might move for direct control of production, syndicalist fashion.

Dunayevskaya's emphasis on human freedom and fulfilment is noble, her insights are original, her broad philosophic approach rare and powerful, and yet her optimism is not entirely convincing. Revolutions in the underdeveloped countries do not seem to be tending toward humanism. Workers in the advanced nations, despite their resistance to automation, bureaucracy, and state-capitalist regimentation generally, do not seem to be tending towards revolution. The "unemployed army" of middle-aged rejects and inexperienced youth seems aimless and bewildered. The civil rights movement, far more than American labour, has exposed the exploitation on which our economy rests—exploitation that the white worker often profits from as well as the capitalist, thus making it difficult for labour to understand, as Marx put it, that "labour in the white skin cannot be free while labour in the black skin is branded". Moreover, the threat of nuclear war has not aroused mass opposition to state-capitalism (both east and west), despite heroic efforts by the peace movement. Though the prospects are by no means as gloomy now as they were during and before the Cuban crisis, they do not seem to favour humanist revolution in the near future.

Bucky Fuller in Paris

RAY GOSLING

"When I was a little boy I'd go to church with my mother. One day, she brought me home and there was my uncle and my uncle he took me into the study and he says—I want to tell you something not many people know about. Long ago in England was a man called Malthus. He was a scientist. And Malthus was the first man to have in front of him all the facts about all the world. He looked at these facts and he saw that there was not enough to go round. Well, this information is not known to many people because if everybody knew there was not enough to go round they'd be fighting all the time. It's best they go to church and pray and hope God will provide. But he won't because he can't. Now boy, it's a good thing you going to church with your mother, but you remember what I told you. In this world, not enough to go round. We got some. Don't go giving it away."

"And after Malthus came Darwin with the theorem of survival for the slickest fittest. Most people believe this to be true today, but it is not . . . Einstein . . . we have been catapulted into the era of more-with-less technology."

PROFESSOR R. BUCKMINSTER FULLER, INVENTOR, DESIGNER AND ENGINEER. In Paris in July as in England in June. When I first heard him, he began at 7.30 and was stopped by the chairman at 11.10. Seventy-two-years old, he stands putting his fingers to his head: closing his eyes: his face as anointed, massaged and well preserved as Yul Brynner's. He stands like a child at the end of the pier, throwing bottles into the ocean: bottles corked with prophecies and parables.

"In my father's time the average distance covered by a human being in his lifetime was 3,000 miles. Today, I have covered three million and I am still alive. I want to ask you a question: how much does the s.s. *Queen Mary* weigh? How much does a Boeing airplane weigh? And which carries more people across the Atlantic?"

"I was invited, not long ago, to speak to the Faculty of the Massachusetts Institute of Technology. A great honour. And I began to talk to them as I do to you tonight, without notes, thinking out in my head as I go along, and I surprised myself when I said to this distinguished audience—I have never addressed so many ignorant people. You are supposed to be scientists, and you get home from the laboratory and take out the car and the wife and the children and go into the country for a picnic, and the evening passes and you say to your wife—now isn't that a lovely sunset. Yet you know that the sun does not set."

"I have a private plane and I want to land, I speak to the control

and they say—you can come down now—But there is no up and down. When we leave the tenth floor to go to the ground floor we ought to say we are going in. When we fly off from an airport we are going out. We are not going up. . . . I worked in the Navy Department in World War One and we had to think in terms of performance per pound . . . doing more with less . . . then I left the Navy and went into building and I was amazed. How many of you here tonight know what this building weighs?"

So Bucky Fuller, the well dressed mid-Western, corn and Bible belt, American went on. Talking of the bumble bee. Of the order in Nature. Of our progress from wire to wire-less. Computers. In twenty years we may have blown ourselves to pieces, said a computer, yet the computer says in forty years man can make a success of himself on Earth. The choice is clear: Utopia or Oblivion.

"Wars have been caused because one side has and the other has not. In 1900 only 1% of humanity was living as a success. Today 44% of humanity. And it is possible by design-science, by increasing the performance per pound in architecture and industrial design to make life a success for 100% of humanity . . . if you melted down all the two ton automobiles, and designed a one ton automobile, twice as many people could have cars . . . the United States has no tin. But in scrap she has more tin than in all the tin mines of Bolivia . . . the Malthusian scientists said that man would run out of minerals, and it's true, but in America today 65% of all steel comes from scrap. The problem is a problem of design."

"A few years ago, in America, all the electricity companies were privately owned, competing with one another. Then we invented the half a million volt grid system. So it became possible to send large currents of electricity over great distances. And in America there is a time lap. When New York has a peak, Los Angeles has a low. But the electricity companies, they wouldn't co-operate, until we asked them to ask a computer which would bring them more profit. To stay apart or to co-operate, and the computer said—co-operate. That's what was done. Now we can send a million volt current across thousands of miles and the day'll come when we have grid lines across the Baring Straits from Siberia to Alaska, because it will pay. To join half of the world in darkness with another in light."

"Now the young people of the world, they have been born into a world where television brings the news from the world-around on the hour into the home. They are the first generation to think in world terms. . . . The computer is going to make man obsolete as a specialist . . . to give man adequate purchasing power to keep industrialisation in accelerated regeneration we will have to pay all of humanity to go back to school, where they will generate progressively higher standards of living from fewer resources. . . ."

And Bucky begins to talk a little like Bertrand Russell. Of The Bomb and Young People: of civil rights marches and the sit-in at Berkeley, University of California.

"If the world goes on assuming itself to be an inherently self-

frustrating system then ignorant submission to the inertia of our lethally conditioned reflexes will soon push the buttons of Armageddon. We, however, are betting that the Earthians will WAKE UP AND WIN."

"Architecture today is a slave profession. You can say what colour are to be the doorknobs, but not how much you want your building to weigh: not the plumbing. Billions of dollars are going into the space-programme, into making a sky-house capable of sustaining man as a metabolic success anywhere in universe. . . . But no scientist has ever been retained, or hired professionally to consider the scientific design of the home of man . . . to design ways of employing the highest scientific potential towards helping man to be a success on earth. . . ."

"The Pharaoh in Egypt when he was ill he called his doctor and said—I got pain in belly and I want some of that pink stuff—and the doctor said—but Pharaoh that pink stuff won't do you no good—and Pharaoh said—but I am the Pharaoh and I want pink stuff—so Pharaoh did and went into the tomb. The poor doctor got executed. This went on for some time until the doctors of the world got together and decided to stop giving man what he wanted and start giving him what he needed. They went into a conspiracy, and so we have controlled many diseases. When I took out my first life assurance policy, the life expectancy of man was forty years. I am 72 and I am alive. Longevity is the phenomenon of our day."

"Now students have a sense of justice . . . and they get exasperated. Students ask why can't politicians make the world work, but the fact is the politicians are faced with a vacuum, and you can't reform a vacuum. If you can't reform man, we can reform man's environment. So I tell the students world-around that we must re-design the world's resources, for we can make life a success. It is not a bad thing to have hanging over your head—success. The students of the world are thrilled to realise that it is themselves they must turn to in order to make the world work. The students know they need no more licence to invent tools that will make the world work than did the Wright brothers need a licence to invent one of the most needed more-with-less tools—the airplane—and the students know that if they invent the right tools, the tools will be used, given the right emergency."

"When you (the students) have by your model, taught the world to see the problem and the clearly designed model of its solution—the world, weary of artificially induced dilemmas, will suddenly vote for your LIVINGRY, forsaking the obsolete KILLINGRY."

"But there is not much time . . . we must take the design initiative now. I leave you. Go to work."

Professor Buckminster Fuller has been around for some time. There are few universities in the world where Bucky has not talked, at some time, and great length.

Geographers in America and elsewhere use a 'Dymaxion Airocean World Map': the 'Fuller Projection'. Dymaxion, a word of typical Fullerese derived from 'dynamic' and 'maximum'.

The discovery of tensigrity structures in the universe and in man,

led Fuller to start building structures by tensigrity. *Tension* is the great *Integrity* in the world.

From tensigrity came Fuller's most commercially successful invention—the Geodesic Dome. Today there are some 125 companies throughout the world producing, under licence, the Fuller Dome. It goes up for trade fairs, for housing in Africa. Built in factories and carried by helicopter, or packed into a case, they can be erected by illiterates. Are cheap, strong and efficient. Can be as large or as small as required. When the Beatles came to Paris, to the Palais des Sports, they came to a Fuller Dome. The Antarctic Expeditions set out from Fuller Domes. A dome, says Fuller, could cover Manhattan.

Said Diana Rowntree in *The Guardian* (July '65): "We can build any kind of structure that we can pay for, and agree upon. There is no question but that Fuller could carry out his project of roofing the whole of Manhattan with a plastic covered hemisphere."

What clinches my trust in Fuller is that he lives with his wife in a domical geodesic dome structure in Illinois. How many architects are there who live in the buildings they design for 'people'? Would Arthur Ling live in his Coventry? What architect would make his home in Sheffield's Park Hill flats? But Fuller lives in a dome.

Fuller is not an architect, but never a congress of architects and his name is not mentioned. There is always a place for Bucky on the top tables. Sir Robert Matthew, making the presidential speech at the world congress of the Union of International Architects (UIA) in Paris this July, said:—

"It is frequently said, not least by Buckminster Fuller, that if a small fraction of the effort that went into the State programme could be put into housing purposes, human life all over the world would take a great step forward."

The Dome was the big event of Fuller's fifties: a great more-with-less invention. And after this Dome he conceived a philosophy, a design, a way of making man a success on earth. Do more-with-less. Anticipatory design initiative. He put his idea first to the 6th Congress of the UIA in London, 1961. He was listened to and the idea grew.

1963, in Mexico, the 7th UIA Congress and Bucky made a proposal.

THE WORLD DESIGN SCIENCE DECADE (1965-1975) was pregnant. Bucky proposed: "Five two year phases of a world re-tooling design, for adoption by world architectural schools." He received the blessing of the UIA, and the backing through the UIA of schools of architecture throughout the world. Students at the schools could now use curriculum time to work on the Design Science Decade. Fuller became a part of the syllabus. But pious resolutions at international conferences are usually more wind than sail.

Not this. At his own University of Southern Illinois, in Carbondale, Fuller set up a team to collect, computerise and collate inventories of the world's resources. This was their first task. The inventories were fed in by students, and fed out likewise.

Bucky hoped that for the next, the 8th UIA congress to be held

in Paris, 1965, the students of the world would show the inventory off. They, he hoped, would put the facts in diagrams, on domes and in displays so man could see what man has got and how he can use it to serve 100% of humanity.

"The one and only world revolution which is omnipolitically tolerable is now under way and is visible to all the world."

Or so Bucky Fuller prophesied.

All Fuller's dreams and domes I knew nothing but nothing of until in February this year I went to talk to students at the School of Architecture, Nottingham. These students were of a generation after my own. Gone was the passion of the late '50's: the politicking, placarding and marching. These lads were cool, casual, under-playing any suggestion of a revolutionary idea or panacea.

For the Nottingham School, early 1965, was a time of change. Taken over by the University. Paul Ritter leaving to build a new city of Perth, Australia. Arthur Ling who made Coventry about to join them. Reading Wilhelm Reich. Bucky had been, and students were collecting facts for their part in Fuller's WORLD DESIGN SCIENCE DECADE'S Paris take-off.

But if students (or staff) were emotionally involved in this I didn't see it. True, on the floor of the work-room the skin of their Nottingham Dome was having an inventory of world resources painted on in pretty diagrams, but, when I remember CND and the enthusiasms of only five years ago, this revolution was being taken very cool.

July 1965.

Paris and the 8th Congress of the UIA began. Paris laid out a lavish spread . . . "beneath the high patronage of the President of the Republic, Charles de Gaulle, events to the honour and glory of Architecture . . ."

Architects from all over the world—Neutra—Goldfinger—Maekawa—all were there. Russia, America, Britain, Cuba. Received at The Opera, and bid farewell with fireworks at the Palace of Versailles. A heady festive week.

So many came the venue was changed from UNESCO to the larger Palais de Chaillot, Trocadero. The theme of the congress: EDUCATING AN ARCHITECT . . . "We are appealing," said the president, "to Youth, its hopes and aspirations."

As in Mexico and London, Bucky was there on the top table, but this time not to talk but to show.

"No world news will emanate from the official topic—but the students of the world do have a story—the greatest—the world can be made to work successfully for all, and we know how to do it."

The count-down for the WORLD DESIGN SCIENCE DECADE was over. Bucky, the UIA and Paris had given the students of the world a site in the Tuilerie Gardens. Bucky was hoping the newsmen of the world would catch onto "history's greatest news story". Conceived in London, pronounced preggy in Mexico, it was time to show the baby in Paris to the world.

But Bucky and his assistants had made no preparations. No one

knew how many, if any, or from where students might come: if any would send exhibits. China didn't. Nor Russia. America sent a glossy little stand showing the Dymaxion Projection, from Colorado. France nothing. Germany no. But from the Watford College of Art, from the Nottingham School of Architecture and Reading College of Art it came . . .

Two bamboo tensigrity domes

One bamboo tensigrity ball

One tensigrity upright thing

Photos of a plastic bank in Birmingham

A plastic hut from Mickleover of London

And the Nottingham Geoscope

As the *New York Herald Tribune* wrote:—

"A swarm of young Britons descended on a corner of the Tuileries yesterday and began putting together structures of aluminium, plastic, bamboo and string . . ."

They had come to Paris because Paris is Paris. Had come because local education authorities had made to some a small grant. Come because they'd heard Bucky talk. Because they had heard of Bucky talking. Had tried to read *The Dymaxion World of Buckminster Fuller*.

One met them everywhere. Going up the Eiffel Tower, they were coming down. And with the idea of putting it to the Eiffel Tower Company that if they scrapped the tower, sold the metal, and built a new one from hollow steel sections (as developed by Stewarts and Lloyd), all that metal could go back into circulation, and maybe the Tower Company would make a profit?

"Why didn't Bucky bring the computer?"

In the wake of the Beatles they ambled through Paris: long haired, greasers with the accents of Finsbury Park, Geordieland and Solihull. In the prison of a Lycée they'd got barracked into, they strummed our national instrument. With students of the Ecole des Beaux Arts they danced till dawn in the catacombs. The authorities made no comment. 'Kilroy was here' got writ in the pissoirs. They were drunk on the Bvd. Montparnasse. Gate-crashed the official receptions. Put champagne into whisky tumblers. Press-ganged Neutra into coming to speak next term in England.

On the terraces below the Palais de Chaillot was the official UIA exhibition. Pretty things. Models in glass cases. Pretty light reflecting plastics and new materials. Ceramics. The submerging of the artist by the most flashily with-it of architects. And in one model, tucked into a gap of its glass case, this scribbled pencile note:—

"Architecture represents life:

if this is of us then we are

sick: vive le diable.

C'est terrible."

So—if the official display was as Bucky said it would be—pointless and for all its prettiness, unexciting—what had the students done?

In the Jardin des Tuileries, Pres de L'Orangerie, surrounded ironically—how Genet would have grinned—by the fairies of Paris:

Divine of the noble bearing and Darling Daintyfoot. Here was the great good news. Shall I repeat the list of bamboo, string, and . . . What went wrong?

For a week as I wandered and watched I kept asking myself. I listened to Bucky again in the Hotel Palais D'Orsay. Listened to him talking informally at night in the Orangerie, in their plastic hut. He said the same, like a tape-recorder, in the same mixture of conspiratorial jargon and Grandma Moses simplicity: patiently, at length as before . . . "long, long ago man in the forest, saw a log . . . the log and muscles . . . the fulcrum and the lever . . . thermodynamics . . . entropy . . ."

Then someone would interject a question, and the first penny dropped out of Bucky's jackpot. Bucky is nearly deaf and won't get a hearing aid. How's that for design? Bucky can't listen.

I talked to John McHale, Bucky's chief assistant at Carbondale. He told of how he grew up in Glasgow in the '30's. The folk he looked up to, come the Spanish Civil War, they went out, manned the barricades and died. Those left, come the Hitler War, and a whole generation of leaders had gone. "And when I became 30 and 40, I said to myself, I'd do something. Not just fight against the odds. Then I met Bucky, and I've been with him ever since . . . Bucky has done all the hardware, minerals . . . it's the software, it's people that interest me. . . ." And the names crop up. Bloom of Chicago on education. Dixon of Washington on mental health. ". . . domes in Ghana . . . I mean the witch-doctor's very important, we have to get on with him . . ." And I was a Fuller man again. I went away. Read McHale and the conspiracy, the Buckminsterian prose, the code—brother I did not know what you was writing about and these were public handouts.

What was the matter?

Where did people fit in?

Design Science Decade and in the cafes of Montparnasse, on their walls were the scores of posters for art shows and theatre, and standing out like a robot in a mannequin parade—theirs. In five languages, it is true—Design Decade—I've seen adverts in estate agents windows with one hundred times more grace.

So there were difficulties?

They wanted their exhibition floodlit and the boss of the Tuileries came along and hummed and haaed. Meanwhile the students had found two workmen and fixed the electricity. The Geoscope looked beautiful floodlit: it really did. It should have been suspended from the top of the Eiffel Tower. And that's a Fuller notion. A 200' diameter Minni-Earth (miniature-earth) ten times the size of the Nottingham Geoscope, to be hung from the UN building in New York and floodlit and connected to a computer—so New York could see total world geography as it changes at a glance. Like that machine in Washington where a light comes on every time an American baby is born. Like that but the whole world, and all its resources.

The Geoscope in the Tuilerie looked so pretty, and the diagrams

and inventory of world resources painted on it made sense. You could put your head in it at the bottom: a new way of looking at our earth.

But beside the structures was a photo display, with words and captions, and the captions in Fullerese, in English. You come to Paris, the capital, the civilised, cultured, and you haven't the good manners to put up captions in French. So you're Anglo-Saxons. So you call this World Design Science Decade.

Says Fuller:—

"Some want a precise curriculum for this idea, but—you do not write a brief before deciding to build. You do not show a strategy before you call up the troops. Let us mobilize those who like the idea."

And one student said: "I'm going to ask Fuller or McHale what we can do," but Fuller was talking and McHale was thinking another language.

This is the anticipatory design initiative. Man whose industrial history began when he discovered arsenic arrives at the point where he can make life on earth a metabolic success. The one town world is just around the corner. And Bucky failed to show the world. His vision stayed in infra-red or ultra-violet. No baby you could see got born. Yet Bucky must have the last garrulous word, for come October and the lads are back at the schools of architecture and whatever the after-thoughts on Paris, WORLD DESIGN SCIENCE DECADE (1965-1975), has only begun.

"The scriptures were right: the meek have inherited the earth. But they do not know it. Though irrevocable, the will has not yet been finally probated in the court of public comprehension."

Observations on Anarchy 54

MARTIN BUBER'S EXTRAORDINARY REMARKS about Aldous Huxley and mescaline, as reported by John Ellerby at the end of his article in ANARCHY 54, are a gross oversimplification and misrepresentation of Huxley's position. It seems that Buber accused Huxley of trying to escape from the human situation and the "painful, earthly world" by means of the drug. Huxley himself admitted that his mescaline experience involved a temporary deliverance from the world of human relations and utilitarian considerations. But, for that very reason, he never suggested that such experiences should be prolonged indefinitely. Huxley regarded his mescaline experience as extremely illuminating and valuable. But he also felt that there was something incomplete, even wrong about it. For him, it was definitely not the ultimate goal.

"Now I knew contemplation at its height," Huxley wrote in *The Doors of Perception*. "At its height, but not yet in its fullness. For in its fullness the way of Mary includes the way of Martha and raises it,

so to speak, to its own higher power. Mescaline opens up the way of Mary, but shuts the door on that of Martha. It gives access to contemplation—but to a contemplation that is incompatible with action. . . .”

And that, in Huxley's view, was not a good thing but a problem to be solved:—

“The full and final solution can be found only by those who are prepared to implement the right kind of *Weltanschauung* by means of the right kind of behaviour and the right kind of constant and unstrained alertness. Over against the quietist stands the active-contemplative, the saint, the man who, in Eckhart's phrase, is ready to come down from the seventh heaven in order to bring a cup of water to his sick brother. . . .”

Does that sound like the writing of a man whose only concern was to escape from the “painful, earthly world”?

Buber also seems to have said that Huxley's mescaline experience could not have been a mystical state (as Huxley regarded it), because “those whom we call mystics do not seek to escape from the human situation”. Apart from the fact that Huxley was not seeking such an escape, Buber was here confusing two entirely different things: having a mystical experience, and being a mystic. Mystical experiences, of various kinds and various degrees of intensity, are common. Mystics—that is, people in whom the mystical consciousness develops to such an extent that it dominates their lives—are rare. Thus the fact that Huxley's state of mind, under the influence of mescaline, was not identical with the consciousness of a fully-fledged active-contemplative mystic, is no reason to deny that his experience was mystical. It had all the generally accepted defining characteristics of a mystical state, such as a sense of timelessness, a feeling that the “ego” of normal consciousness is not the real Self, a sense of the essential unity of the knower and the known, and so forth.

Buber apparently disliked to be called a mystic himself, saying that “my innermost heart loves the world more than it loves the spirit”. For the good mystic, however, there is no real distinction between the world and the spirit (a point which is especially emphasized in Zen mysticism). Thus there is no incompatibility between mysticism and that “spontaneity of fellowship” which was so dear to Buber's heart. On the contrary, it would seem that these two things are closely connected. For Buber stressed—and here I wholeheartedly agree with him—that the desire to co-operate with others must come naturally and spontaneously, and not as a result of external compulsion or of conditioning by propaganda. But such spontaneous co-operation between human beings must surely involve at least a measure of love, which in turn involves at least a measure of deliverance from a consciousness obsessed with survival or with words and notions. In other words, a measure of mystical illumination.

Bristol

FRANCIS ELLINGHAM

You know the word Malnutrition



he knows what it means

Malnutrition can mean children with swollen legs and bodies, peeling skin, sores and continual suffering.
 Malnutrition can mean slowly going blind.
 Malnutrition can mean nerves wasting and eventual paralysis.
 Malnutrition can mean going mad.
 Malnutrition can mean being so weak that there is no energy left.
 To sow. Or to reap. Or to do anything but slowly die.
 Oxfam is fighting malnutrition. With food and medicines. But most important of all with the kind of long-term aid that helps people rid themselves of malnutrition once and for all. Someone, somewhere can hope again if you help today.

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FLUFF IN THE WIND

ONE Saturday night my pretty, intelligent, vivacious brat of a fifteen-year-old daughter ignored an understanding about not going to the West End. This being based not only on the dangers of getting hooked by dopepeddlars, seduced by syphilitics or conned in to prostitution.

Three a.m. phonecall from her older sister: "Susan was waiting for us on the pavement to come out of the jazz club and they say she was bundled into a policevan—it's from West End Central". We agreed to meet there—I made good time in the car.

We waited in the entrance hall; big sister, her boyfriend, Susan's current admirer, perhaps eight other youngsters, boys and girls; some looked shy, some sheepish, some a little awed by their surroundings; but all of them by their presence showed that they had enough love or concern for their friends to sit in the small hours in West End Central and await their return.

We were tired; munched apples—I had filled my pockets before leaving home.

And waited.

A man in a tweed jacket and cavalry drill trousers, a bunch of files under his arm walked through the hall. He looked left and right with authority—and muttered as he passed, looking at no-one in particular: "*CHARMING!*" No italics can convey the tone—sarcastic? Defensive? Derisive? He disappeared up the stairs. I wondered idly if that was where Room had his ears boxed.

We waited.

Enquiry revealed that the policevan would be some time yet. Rumour was that it had to be full before returning to base. Which it did around 4.30.

We waited.

I was ushered into a room off the hall, where a kindly woman sergeant explained why Susan had been picked up. Of course I appreciated the protection afforded her. But then as a final warning the sergeant said:

"You have only to look at the people out there in the hall to see the sort of bad company she's mixing with."
