

Freedom

THE ANARCHIST WEEKLY

"What good is it to sheep that no-one restricts their freedom of speech? They never do anything but bleat."

—MAX STIRNER
The Unique One.

The Tribunal - 'A Victory for Back-Benchers' perhaps, but what of THE WATERS' COURAGEOUS STAND

December 7th, 1957 (note 1957, that is nearly 15 months after a fifteen year old boy, John Waters, was found beaten up in an alleyway in Thurso. No less than fifteen witnesses have made statements to the effect that they saw the boy taken into the car by two policemen who left afterwards and the boy was left with his face badly bruised. The injuries were also confirmed by the doctor who treated him.

On February 10th, 1959 (note that is, nearly 15 months after the assault) 80 M.P.s of all parties passed a motion asking for a Select Committee to inquire into the Waters' case, and to "advise the House whether the said John Waters was assaulted by certain police officers as alleged and in what circumstances it was decided that no prosecution should be instituted."

The government, through the British Parliamentary Under-Secretary, refused to accept the motion. The only thing he could say was that the Lord Advocate (the Scottish equivalent of the English Attorney-General) who handles these matters in Scotland had decided "there was not enough evidence to warrant an enquiry".

But in the week that followed this blunt refusal the real fun started. And as the Lord Chancellor put it:

"When you have allegations made against the police, when you have a petition with 170 names in the House of Commons, when you have the press campaign, when the potential plaintiff will not bring an action in the court, you are faced with a situation in which you must take some steps to meet what the Prime Minister called 'an arrangement at the bar of public opinion'."

And last week the Prime Minister himself announced that the government was setting up a Tribunal on the grounds that

it is expedient that a tribunal be established for inquiring into a definite matter of urgent public importance, that is to say the allegation that John Waters was assaulted on December 7, 1957, and the action taken by the Caithness police in connection therewith.

Why, one cannot resist asking, is the John Waters case a matter of "urgent public importance" on February 17th, 1959, when it was not so considered by the government 10 days earlier? And why did it take more than a year for this matter to be given publicity? The answer to the first question is contained perhaps in that word "expedient", the choice of which, the *Manchester Guardian's* Parliamentary correspondents, find "rather odd". It is fairly obvious, we would say that the publicity given to the case was such that the government considered it politically expedient, that is advantageous to them—whether it is also expedient in the public interest as well, is of secondary importance as their attitude all along shows—to sacrifice possibly a few police officers as the best means of reassuring the public of the integrity of the forces of authority as a whole. And at the same time the government, conveniently forgetting its refusal to take any action a week earlier, or the general silence in the House for 12 months before that, was patting itself on the back and posing as the champion of the humble citizen.

It was encouraging—said the Prime Minister replying to the debate—to feel that, at a moment when their minds were

filled with great problems between nations and vast political issues, the House turned to try and do justice to individuals.

Touching isn't it?

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ACCORDING to the Parliamentary correspondent of the *M.G.* (17/2/59), the setting up of a tribunal against the original wishes of the Secretary for Scotland

"must be reckoned—whatever the outcome of the investigation—a victory for backbench tenacity and a sign of the vigilance of a scarred and often sleepy watchdog, public opinion. Indeed, Mr. Macmillan was elaborately respectful to the faithful old hound—the pride, we almost gathered, of the whole kennel."

As a matter of fact most of the

debate in both houses was dominated by the lawyers discussing the complicated legal aspects of these Tribunals. Exception must be made of Sir David Robertson, Ind. Conservative Member for Caithness who has been taking an active interest in the case these past 14 months. No-one, either in the House or in the editorial columns of the papers we see, has mentioned John Waters' mother and father but for whose tenacity in refusing to drop the case, this "matter of urgent public importance" would have been filed away—as if it had never happened. Mr. & Mrs. Waters are exceptional for not only do they, like so many people in this country talk about democracy and justice, but they

have actually done something about it! By refusing to be intimidated by those in authority, or fearful of possible reprisals (rightly or wrongly most people believe that the police make things uncomfortable for "trouble-makers"); by refusing, according to some reports, to accept bribes as an inducement to drop the case, Mr. & Mrs. Waters deserve our respect, admiration and gratitude. We suggest that in the final analysis their courage and tenacity will be judged the most important element in the John Waters case. They have made it clear that they do not seek compensation; their fight has been for justice—or whatever one can call the successful outcome of exposing, and thereby curbing, abuses by those in authority.

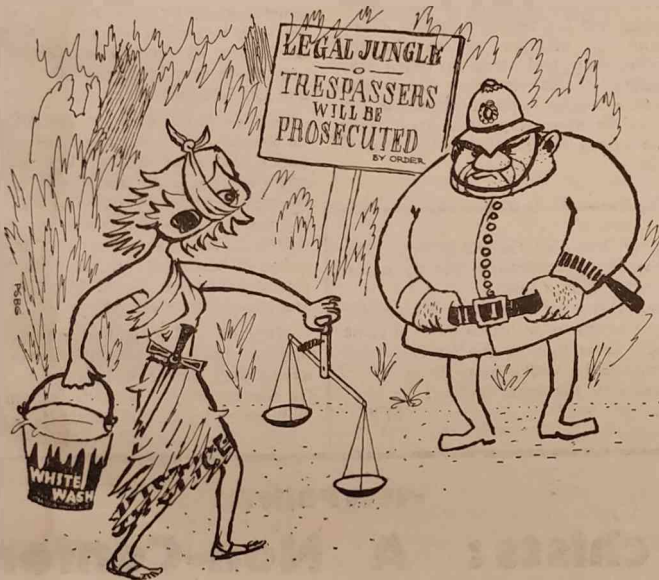
If John Waters was beaten up by the police and it is publicly admitted, we are fully aware of the fact that this will not lead to the abolition of the police force! But it will make the police less inclined to exceed their rights in future. Not to expose

excesses by the police and those in authority, either through fear or because "it's too much trouble", is to encourage those in authority to do as they like.

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IN this connection, therefore, the full story of the Waters' fight for "justice" is of perhaps even greater importance than the reasons for the Lord Advocate's decision not to prosecute when the case first came to his notice, for while we are not surprised by the later—after all dog does not eat dog if he can help it!—we should be concerned by the fact that it has taken over a year for this case to be brought to the public notice either through the Press or through Parliament.

It is true that the present hue and cry in the Press is no reflection of its concern for the rights of the citizen nor of its rooted dislike of the police. The Waters case has suddenly become newsworthy at least for some sections of the Press (for instance we

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'I'm sorry, constable, I lost my way looking for the Waters Tribunal.'

EGYPT:

High Hopes and the High Dam

GREAT works of water engineering have more than a technical and economic significance: they become a symbol of man's conquest of his environment and his taming of natural forces, and a testimony to his strength in great communal undertakings. Think of the emotional significance for the Dutch of the enclosing of the former Zuider Zee, or for the Russians of the Dnieper Dam. They can, for this reason also become the focus for national and nationalist sentiment, and can be used by a nation's

rulers to harness the sense of common purpose in their subjects, to reconcile them to sacrifice and hard work, with the promise of good times in an ever-receding future (like the story of the windmill in *Animal Farm*).

The resumption of normal financial relations between Britain and Egypt brings to the fore once again the proposal to build a high dam at Aswan on the River Nile, in which all the overtones which attach themselves to such projects are magnified to an extraordinary degree.

Egypt depends for its existence on the Nile. Even today 99 per cent. of the population of twenty millions live in the river valley which comprises only 4 per cent. of Egypt's territory, and their meagre livelihood depends on the annual rise and fall of its waters, and has done so since Menes built the first river wall 6,000 years ago. Egypt's ancient civilisation was built upon the attempts to utilise the annual flood by trapping the water with mud-retaining walls, leading it off in irrigation ditches to extend the crop-growing season. By the early 19th century when the Albanian soldier Mohamed Aly was the Ottoman Empire's rebellious governor of Egypt, the irrigation works were in a worse state than in the days of the Ptolemies. Cleaning and reopening the disused canals, and beginning the barrage in the Nile delta, south of Cairo, he introduced the cultivation of cotton, but it was not until Lord Cromer's regime as Consul-General at the end of the century, that the barrage was brought into use.

The British engineers who restored and improved Mohamed Aly's barrage turned their attention to the irrigation system of Upper Egypt, and in 1902 the Aswan Dam was completed, providing annual water storage. It was heightened in 1907-10, trebling the cotton crop and doubling the sugar crop by 1912. The Mohamed Aly barrage has since been abandoned in favour of a system of barrages on the branches of the river in the delta region, the whole of which has been converted to perennial cultivation, as has almost all of Middle Egypt (between Assiut and Cairo), but the weakness of the Nile control system as a whole is that it is still dependent on the height of the annual flood in each particular year. Messrs. Hurst, Black and Simtka proposed a storage system for the river as a

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Bread and Circuses Up-to-Date

WITH populations reduced to telly-jelly it is clearly not necessary—if indeed it ever was—for governments to take their relations with their subjects very seriously.

The techniques of mass hypnosis having been worked out by the advertising boys and the cult of the personality a tried friend to rulers, governing the politically-conscious proletariat of the advanced industrial nations is accomplished with such ease today that the Marxists would be wondering what had hit them if they were not themselves victims of the same sort of hypnosis, in their adulation of the big, the centralised, the efficient, the highly organised.

Far from capitalism leading to increased impoverishment for the working class, the very insistence by the socialists on a material yardstick for measuring progress and for reforms by which to demonstrate their superiority to the capitalists has resulted in undeniable advancement in the standards of living of the workers without doing more than scratch the surface of capitalism. With the result that workers are more content, less likely to think in terms of being 'against the system' than of merely wanting the system to operate more efficiently so that a larger cake is there for the dividing.

It's the old story of 'bread and circuses' writ large. The workers, as ever, provide the bread. It's a bigger loaf, and they get a bigger slice, but unfortunately the bread is such flabby, tasteless, refined rubbish that the workers are losing the use of their teeth. Further, the circuses are paid for by the workers themselves (like everything else, for all money, sooner or later, comes down to a basis of some security in terms of property, or somebody's production of real wealth) who flock in their millions to their Saturday afternoon rituals on the football field, watching twenty-two very valuable pieces of property chase a ball about between two slender wooden structures, while the directors sit in the stands and arrange for the exchange of a king's ransom for the services of one of their possessions running about below. (In the cattle market things are much the same except that prices are somewhat lower for a prize bull than for a top-flight centre-forward.)

Back home on a Saturday evening the class-conscious proletariat of the advanced capitalist state pores over his pools coupon to see if his moment of emancipation has arrived, and when it hasn't, turns with a sigh to the pride and joy of his sitting-room, the apple (and focus) of the eyes of his wife and teen-age daughter and his own channel (9) of escape

from the boredom of an evening with his family: the telly, the twentieth century circus.

The Arena Comes to the Slaves

In ancient Rome the slaves had to go to the arena for their sport. They still do for their football, for the identification with the crowd, the shouting, the swaying, the hypnosis of the mass is probably its greatest attraction. (Certainly, if one listens to the caustic comments afterwards the players are invariably disappointing, so the grim loyalties must arise from some other, unconscious, gratifications). But nowadays, for the really important mass communication, the arena comes to the slaves.

Football, after all, is overwhelmingly a male interest. Probably that is another of the attractions of the game; it remains one of the few male strongholds still holding out against the continuous assault of the self-emancipating female. Those of the species who do follow the game are usually 'good sports' who can drink a pint like a man in the local afterwards.

But those behind the arena which invades the home knows where the power lies in the home and that really means who controls the purse-strings, and who controls the purse-strings controls the bread-winner also.

Egypt: High Hopes and High Dams

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 whole based on the flow from the great lakes Victoria and Albert, storing the excess water of a high system to supplement the short fall of a low season. An agreement was reached in 1949 between Egypt, Britain, the Sudan, Uganda and Ethiopia, and the Owen Falls dam was built below the exit from Lake Victoria.

But the scheme would take very many years to complete, and from the point of view of Egyptian nationalism had the disadvantage that the main storage area would be outside its control, while the growth of population would have outstripped the extension of cultivation. With the coming of the Nasser regime, the Egyptian government ordered the study of another project for a High Dam south of Assam, to provide a reservoir for multi-year storage, bringing another two million acres into cultivation, extending perennial cultivation to the basin lands of Upper Egypt, and providing all Egypt's requirements for electric power. After much dispute over its location and on the nature of the floor of the proposed lake, the scheme was approved by international experts and Mr. H. E. Hurst, the hydrologist, agreed that it could be executed with detriment to the Sudan. All the same, the lake, which would extend 344 miles upstream and would extend 124 miles into the Sudan and would engulf the Sudanese town of Wadi Halfa. Apart from the question of compensation for the 50,000 displaced Sudanese, and of the division of the extra water and electric power, there were technical questions of silting and evaporation, which have not been settled. The Sudanese authorities think that, instead of being concentrated at Aswan, there should be a series of smaller dams, enabling them to generate power in Sudan itself.

Obviously the Nile valley should be developed as a "hydrological unity" without regard to national frontiers. As it is, while Egypt is seeking financial aid for the High Dam, the other countries through which the Nile flows are going ahead with their own projects. In Ethiopia a dam is planned at the outlet of Lake Tana into the Blue Nile, and one has been begun on the Awash River, in Uganda the Nile waters are already passing through the turbines of the giant power station at Jinja, and the Sudanese are planning a dam at Roseires near the Ethiopian frontier.

NASSER'S first Minister of Finance, Abdel Gelil el-Emary sought a long period of enforced economic austerity since the dam was so vital for the interests of Egypt, but after he left the Ministry, Nasser's expensive Czech arms deal mortgaged the future of the country's chief export asset, the cotton crop. It was rumoured that Russia had agreed to

a boy in an alleyway he is not the "victim" but at most the "potential plaintiff" and he must make his own arrangements at his expense and cannot expect to have police assistance in his efforts to protect society from violent policemen!

The Prime Minister in justifying his refusal to reverse the Lord Advocate's decision not to prosecute in the Water's case relied on the "established principle of government in this country"

that the decision as to whether any citizen should be prosecuted, or whether any prosecution should be discontinued, should be a matter, where a public as opposed to a private prosecution is concerned, for the prosecuting authorities to decide on the merits of the case, without political or other pressure.

And in quoting Lord Simon that any Lord Advocate or Attorney-General

should absolutely decline to receive orders from the Prime Minister or Cabinet or anybody else that he should prosecute.

he was on solid ground (apart from the fact that these gentlemen, the Lord Advocate and Attorney-General are political appointments!)

But for the same reasons it is obvious that when a private citizen wishes to prosecute the prosecutors he should not have to first obtain permission from the prosecutors nor rely on the charity of a Tribunal by the prosecutors' employers! So-called "civil action" is not the answer.

finance the foreign currency requirements of the dam project. Armed with this rumour, the Egyptian government sought the aid of the International Bank, and late in 1955 the British and American governments tentatively offered to support the proposal of the Bank president, Mr. Eugene Black. In the negotiations Britain and America had offered to give between them 17 million dollars for the first stage of the dam, and the International Bank offered to lend 200 million dollars, the three contributions to be interdependent and subject to agreement with the Sudan. Mr. Tom Little in his recent book on Egypt points out that:

"It was a political move, for neither in Britain nor in the United States was the climate of opinion suitable for costly features on behalf of the Egyptians... The offer could, nevertheless, be justified by the need to prop the Western position in Egypt, which was rapidly declining as Russia's grew."

In the following summer America withdrew its support, either because Mr. John Foster Dulles had one of his turns, or purely as a matter of domestic politics as the American elections were approaching. Britain's offer, and that of the International Bank were thus automatically cancelled. On July 24th, 1956, speaking to a huge crowd in Alexandria, on the fourth anniversary of the abdication of King Farouk, Gamal Abdel Nasser said:

"In the negotiations concerning aid for the High Dam, I hear again the voice of do Lesseps, negotiating the Suez Canal concession... The Suez Canal in Egypt's canal; it was built by the Egyptians, it was built on the skulls of the 10,000 Egyptian victims who died as they laboured on it. Yet year by year the shareholders take their millions of profits, and have been doing so for decades. Well, no longer! Listen to the decree—the Suez Canal Company is nationalised! The High Dam will be built with its profits!"

IN the events which followed, the duplicity and folly of the British and French governments becomes more and more apparent as their history comes to be written. The financial cost alone of the invasion of Egypt in 1956 was estimated by the *New Statesman* (24/1/59) as about £780 million. The total cost of the complete High Dam project, power station, compensation and all, was estimated by the World Bank in 1956 to be £460 million. Nasser emerged from the Suez adventure as the actual and moral victor. Meanwhile a British firm of consulting engineers was quietly getting on with the plans for the dam under a contract signed just before the Suez crisis.

On October 23rd last, Mr. Krushchev announced that his government would give Egypt credit for 400 million roubles (something like £35 million) for Soviet equipment, materials and machinery for the first stage of the High Dam, entailing the construction of two cofferdams and seven diversionary tunnels. The agreement was signed in December, providing for interest at 2½ per cent., and repayment in the almost invisible future. Simultaneously Mr. Black of the World Bank was making preliminary negotiations for the resumption of financial relations with Britain, while the French were arranging their £2 million agreement with the United Arab Republic.

Simultaneously too, such as the competition for influence in Cairo, a West German Group was offering £15 million for the first stage for the dam on a strictly commercial basis, the reason being (according to the *Observer* 28/12/58) that there have been mounting West German fears that President Nasser might decide to recognise East Germany.

On December 23rd ('Victory Day')—the second anniversary of the withdrawal of foreign troops after Suez, Nasser made his most forthright attack on the Communists in the Arab world since the early days of his regime. The press of the Soviet Empire was quick to retaliate with attacks on Nasser, for, writes Victor Zorza (*M.G.* 22/1/59):

"In exchange for supporting Nasser against the West and for building the Aswan Dam for him Moscow expected him to leave the Communists free to make their bid for power in the other Arab countries. Nasser, however, seems to have realised now that if he allows the Communists to share in the government of the other Arab countries they would gradually take over these Governments and then the whole Arab world, including his United Republic."

In a speech in Cairo last Saturday, Nasser told an audience of half a million who included Tito, that "we shall not take orders from Washington, London or Moscow," and he quoted from a letter

he had received from Krushchev saying that "the Soviet Union does not wish to interfere in the internal affairs of the United Arab Republic."

Nasser has found, like Tito, that he can win the greatest advantage for his country by playing one of the world power blocs against the other. The revolution in Egyptian affairs which his regime has brought about has done much to restore Egyptian self-respect and self-confidence, but the force which is carrying him along is not solely the constructive effort to attack the problems of over-population and under-employment. As Paul Mattick writes in *Liberation*:

"The meagreness and the slowness in the improvement of socio-economic conditions in the Arab nations forces national-revolutionary governments to emphasise political changes in order to make their own existence secure. Hardly is one nationalist goal reached than another must be tried for. The end of the British occupation of Egypt led to demands for the evacuation of the Suez Canal zone; the evacuation of the zone, to its nationalisation; the nationalisation of the canal, to the 'Egyptianisation' of foreign holdings and enterprises. And thus it goes on in the general direction of complete independence and control over all national resources. In this general direction lies also the re-incorporation of Palestine in a projected Arab bloc of nations and the transformation of these nations into a unified Arab state, even though both projects involve revolutions in and war between, Arab countries as well as war against Israel."

THE High Dam has become more than the cornerstone of Egyptian economic policy, it has become "a symbol for the Arab and African world of the casting off of imperial chains," and Mr. A. Noyes Thomas writes in the *News of the World* that

"By now, few people outside Egypt and the Arab world, through which I toured recently, can have any lingering illusions that the scheme is more than a delectable carrot to be dangled before the bitterly poor Egyptian peasantry."

This thought may give a sense of smiling superiority to Mr. Thomas's eight million readers, who don't think much of Nasser anyway, and it may be that the prospective financiers of the High Dam are equally cynical: they merely want to bribe Nasser into their camp. But to the Egyptians, the project is less of a dangling carrot than a last hope. The expectation of life at birth in Egypt is less than twenty years. A quarter of the

children die before the age of one year. The development in health services under the present regime, and the use of the new anti-biotics have, however, reduced the death rate from 22 per thousand in 1951 to 17 per thousand in 1958. But with the usual Malthusian paradox, the reduction in the death rate has aggravated the problem of poverty. For the people of Egypt have been getting poorer.

"Dr. Meurnier of Alexandria University calculated in 1951 that the per capita income was in real terms 39 per cent. less than in 1913. The extension of agriculture has not kept pace with the growth of population. In 1957 there were 10 million more Egyptians than there were in 1922, and it is calculated that the population is now increasing at a rate of between 400,000 and 500,000 every year. This decline in the real wealth of the Egyptian has taken place during the half a century which saw the greatest advance in control of the Nile. Only for a short period immediately after the building of the Aswan Dam in 1902 did the expansion of agriculture keep pace with the then slower rate of population growth."

That is how Tom Little puts their problem. Abdel Gelil el-Emary in his economic programme saw in the immediate construction of the High Dam the only way out of this bondage to increasing poverty which condemns most Egyptians to a lifetime on the verge of starvation. If within a decade the extension of cultivation could keep pace with the growth of population, the growth of industry would raise the standard of living, and the overall increase in the country's purchasing power would then stimulate further industrial development. We would feel more confident in the chance of this coming about if anything had been heard of agreement with the Sudanese, and if any of the factories promised by the 1957 Soviet loan to Egypt has been built. However, Egypt's successful operation of the Suez Canal has silenced the Western gibes about Egyptian technical ability, and if the Anglo-French exploitation of Egypt for almost a century does not convince us that we have some moral obligation to help solve the problems involved in more effectively harnessing the Nile, the fact that the British and French governments squandered more than the total cost of the High Dam in their 1956 invasion of Egypt may lead us to reflect that irrigation schemes are cheaper than politicians.

C.W.

A Social Aspect of Work

THE attitude of anarchists towards industrial production has been elaborated in different ways and from different aspects. Syndicalists have fought for control of industry by the men on the job, and have taken an active part in day-to-day struggles for higher wages and better working conditions. Those influenced by Stirner have simply got out of wage-slavery as quickly as they could and found a more congenial way of life. However, if there is a common thread running through the several attitudes, which springs from the very basis of anarchism, it is that all work and production should be undertaken and carried out from a spirit of enjoyment and satisfaction, free from arbitrary direction and compulsion. Further, the ends of industrial production should be determined by usefulness and satisfaction of real needs, as opposed for instance to those created by convention, advertising and social unhealth, and not be determined by profit making or political considerations.

These ideas have not been entirely limited to anarchists. Socialists were equally eloquent in stating them before they drew near to political power, and the obvious failure of nationalisation has produced an insistent questioning of the purposes of industrial concentration among the thinking (and powerless) sections of the socialist movement. FREEDOM has quoted examples where workers and union officials concerned with public transport have urged that the whole idea of fares be scrapped, and transport treated as a service provided by the community to be used freely by anyone who wishes to. The fact that these people usually think in terms of the need for a radical change of opinion, leading to the State taking over and providing such a communal service, shows a certain internal contradiction in their own opinions, and emphasises again the need for specific anarchism.

Now the editorial writer of *The Star* has joined in. In the Feb. 6th edition,

referring to the proposals for building a new tube line from Victoria to Walthamstow, *The Star* said that the plan should go ahead despite its cost of 55 millions and the fact that it will always be run at a loss. It put the point of view that:

"... the return must always lie in the service given to individuals and to industry. And that will of course be incalculable. If the test is 'Does it pay?' you could find a good reason for shutting down Tubes altogether; also nationalised airlines, railways and coal mines. The test should be: 'Is it necessary?'"

It is difficult to quote from newspapers without wanting to improve the grammar of their contributors, but the above extract is interesting insofar as it is leading away from the profit motive. Expressed at greater length, the argument is that if it is important that 500,000 people per day should be shifted between Victoria and Walthamstow, then provision should be made for such an operation, and not necessarily paid for directly by those benefiting. However, the kind of service they are proposing, and their motives are a little suspect. There is nothing wrong with an underground transport system when it is being used rationally, as a convenient means of providing people with a good way of extending and developing their work and pleasure. This unfortunately is the last thing that could be said about the morning and evening crushes on the existing tube services. The problems facing capitalists are presumably how to invest their capital to produce the largest profits; which line of production will raise the best turnover; which markets will provide the readiest buyers. The state, as a provider or subsidiser of services must think in terms of efficiency, productivity, the export market and financial strength. But if the principle were accepted that work and production should have only one final object, to make the

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The Waters' Courageous Stand

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no reference to the Tribunal (in the *Sunday Times* or the *World* last Sunday) and "The Waters' first loyalty being to the Lords" sells the newspapers. The "Lords' first loyalty being to the Press, they quite often embarrass their political friends and serve the public interest in splashing the news". However it would be quite wrong on such occasions to look at the gutter Press as the "Friend of the People". After all for a year the Waters case did not matter for them! Nor did it exist in the House, yet Sir David Robertson according to Press reports "settled it all" has been closely connected with the case from the beginning. Why did it take so long to get Members of Parliament to demand an enquiry?

These are, to our minds, important questions, for it is obviously in the public interest that abuses by authorities should be given wide publicity quickly, not more than a year after, and then only because a particular Member of Parliament succeeded in interesting a sufficient number of his colleagues in the particular case, and the Press finds them newsworthy.

WHAT redress, other than hoping that the Press or an M.P. will pick up the case, has the citizen of a democracy when an abuse by the police? The Waters' first step was to walk into the lion's den: they reported their boy's case to the Caithness Police! In spite of the 17 witnesses they produced the Crown Counsel decided that criminal proceedings could not be justified (one has to read the *News of the World* to see how many people are remanded in custody every week on the evidence of the alleged "victim" without the corroborating word of a single witness, to realise how extraordinary is the Waters case!) and in his turn the Lord Advocate "had come to the same conclusion".

From then on the Waters' only hope of getting "justice" was to convince some influential person or fire the imagination of a newspaper editor. Even assuming that they could afford a private prosecution against the police the fact that they lived in Scotland made it necessary for them first to obtain the Lord Advocate's permission! The Lord Chancellor recognised the "problems" involved when he replied to the debate.

As for a private prosecution, this was open to any citizen in England, except in a very limited number of cases. "In Scotland, in order for a prosecution to be commenced by someone other than the Lord Advocate or his officers, it is still necessary, as I understand it, to get the permission of the Lord Advocate. So the same problem comes back to the Lord Advocate for him to decide whether it is a proper case to come to the court." A civil action could be brought for assault, but "the trouble is that you cannot compel anyone to take a civil action."

Twice the Lord Chancellor, in our opinion, openly, blamed the Waters for not bringing a civil action against the police: "the trouble is that you cannot compel anyone to take a civil action" and "when the potential plaintiff will not bring an action in the court you are faced with a situation..." (our italics).

It would seem that when a girl is attacked by a man in an alleyway she is considered by the police as the "victim" and they prosecute her attacker on her behalf (and in the interests of society!), but when the police are alleged to have assaulted

