

# Freedom

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Threepence

## WASN'T KELSO COCHRANE A MAN?

LAST Saturday Kelso Cochrane was buried. He was the young West Indian who was stabbed to death in a street in Notting Hill on Whit Sunday by a gang of about six white youths.

The direct motive for the murder is not clear. Cochrane's wallet was missing and he was thought to have been stopped with a demand for money and on refusal a rough-house fight which ended in the wicked slash of the flick-knife. But it is easy to jump to racial conclusions, and to argue that Cochrane was picked upon by the white boys because he was coloured or that they could not have gone so far had he been white.

Probably a mixture of motives and chance circumstances are nearer the truth. The pathetic youths who carry knives must all have their secret 'Walter Mitty' fantasies in which they deal a hated enemy a mortal blow; in their frustrated, mean and restricted lives violence represents almost the only outlet which is acceptable in their social (or they break out—and any excuse will do)—the opportunity comes to use the secret weapon, to prove themselves to be tough, ruthless characters like those, in nine movies, out of ten.

Perhaps Cochrane was the first person to come along after the gang decided to raise the taxi-fare home by a hold up. Or perhaps the young assassin had bought his nice new shiny knife only that very evening and was itching to use it. Anyone would do, and a lonely coloured man in a darkened street at two in the morning was a perfect opportunity.

slight between one gang and another is enough to start trouble—it is very dangerous to laugh at a Teddy Boy's hair style, for instance—and once the trouble starts, defeat must be prevented at all costs.

The case of Kelso Cochrane has been given added significance, though, because of his colour and because it came after a period of time when the Press had been warning us to expect new outbreaks of racialism in Notting Hill. Almost as though they wanted more riots, the London papers have been spotlighting this seedy area and prophesying that more riots were on the way. In this (a fine circulation boost) they have been disappointed. But they have had a murder, so that's something to be going on with.

For the coloured peoples' organisations, Cochrane's murder has provided a rallying point. Understandably, they are alarmed; understandably they are building Cochrane into a martyr in an attempt to stir the consciences of the whites.

But, alas, the taint of racialism and nationalism which is the slimy veneer of white prejudice has touched them too. Behind the appeals for unity one hears the assertion of nationhood, not manhood, of national sovereignty, of African nationalism, not personal sovereignty or internationalism.

### Do they Seek a Martyr?

Kelso Cochrane's funeral was an impressive and dignified affair. A large crowd followed the carriages to Kensal Green cemetery and many hundreds of whites and coloureds lined the route, paying their respects

to a victim of stupid and unreasoning violence. The spirit there was one of mourning and shame.

But the next day at Trafalgar Square it was rather a different story. A demonstration had marched from Hyde Park, organised by the Afro-Asian Congress to 'make this Sunday a day of remembrance for a dear brother who was murdered because of the colour of his skin.'

The members of this Congress are determined (in spite of lack of evidence) to make Cochrane's a racial murder. As though they feel they need one, they are determined to make him a martyr. Most unfortunate of all, they launched an emotional appeal to raise funds to send his body back to Antigua, where he came from, back to 'his own people', and throughout the speeches were references to the fact that he was of African descent. The chairman (an African) went so far as to say 'He was not English, he did not belong here, so his body should go back where it belongs.'

This seems to us to be a colossal error, a sad and stupid mistake. To say such things is playing straight into the hands of the fascists who say exactly the same thing themselves—though they would probably add: 'Why wait till they're dead—send 'em back now!' To think in such terms is to think in terms of division, not of unity, of withdrawal, even in death, not of coming together in life.

If the Afro-Asian Congress want to put up a monument to Cochrane (as they announce they will do in Antigua) surely the place to do it is in London, where he was killed. If they want to rub London's nose in its shame, an annual pilgrimage to a

monument in London will be an everlasting reminder.

But if they shift the body to the West Indies, only the West Indians will remember. It is the English who should not be allowed to forget.

But what is it we should remember? That Kelso Cochrane was a

"I had rather record a thousand errors on the side of mercy than be obliged to tell one act of severe justice."

—THOMAS PAINE

West Indian 'of African descent'? No: we should remember that Kelso was a man and a victim of other victims. The 'poor white trash' who murdered Cochrane are equally the victims of ignorance and poverty—and nationalism.

To think in the national terms is to court defeat and further disaster. The West Indians, the Africans, the Asians and the Europeans are all human beings. The aim should be to unite them in life, not to divide them, even in death.

## The I.C.F.T.U. Reports on S. African Slave Labour

THE report from two officials of the International Confederation of Free Trade Unions on "appalling labour conditions in South Africa" seems to add little to the findings of a United Nations Commission a few years ago on slave labour in South Africa and other countries, including areas under British jurisdiction.

The intention of the I.C.F.T.U., which is to submit a report "to the International Labour Organisation's forced Labour committee on the low cost prison labour being exploited by some sections of the South African Community, and on other instances of harsh treatment of African workers" may focus world attention on their plight, but this has been done before to little effect.

It is a good thing nevertheless that there has been sufficient interest aroused by the Secretariat of the Free Trade Unions to the extent of sending a mission to South Africa, but it is difficult to see how changes can be made unless members of the I.C.F.T.U. are prepared to take measures on an international scale which may help to improve conditions for African labourers. As far

as we know no such proposals have as yet been made.

It is generally our view that workers "on the spot" are best fitted to organise themselves for revolt, but even with our second-hand knowledge of the circumstances under which many Africans have to work, it seems obvious that cowed and deprived men need help from fellow workers who are relatively fit, well fed and free.

We are terribly aware of the limitations of constitutional protest against a totalitarian country by people from outside, and yet few other means are possible. All that can be done, therefore, is to use every means available to harass dictatorships. This need not stop at written protests through the United Nations or other channels but, and here the International Confederations of Free Trade Unions are really in a position to act, a general strike in countries where labour is relatively free against the treatment of black South Africans.

IT is obvious from the feeble whimperings of most white South Africans who "do not like" what their government is doing that help for the Africans cannot be expected from that quarter. Most of them enjoy a standard of living which is sustained by cheap labour comparable only to a tiny privileged minority in this country, it is, therefore unlikely that the majority of whites, even the ones who claim to have "sympathy" with the Africans, are going to "stick out their necks" too far. The South African government is well aware of the type of white people (the majority) they are dealing with. That, and the apathy of the blacks, make it possible for the government to pass the kind of Bill such as the recent one which will set in motion the establishment of separate 'black states' with the illusion of self government.

There are 3,000,000 whites and 9,600,000 blacks in South Africa. Under the new Bill the latter will be given 13% of the poorest land. The partition of the country into black and white states, even with the ostensible aim of self government for the blacks means little change in reality as the following report shows:

"Except for the territory of Transkei, the Bantus' councillors will be appointed by the government (elected officials, the Prime Minister blandly explained, are interested mainly in getting re-elected). White officials are empowered to veto anything the native authorities do, and each Bantustan treasury will be under strict government control. The major immediate effect of the bill, in fact, will be to remove a voice from Parliament that can be a nuisance, but never a threat, to the government—that of the seven white Senators and Assemblymen who are there specifically to represent the rights of the Bantus."

## Reflections on Double-Think and the Law

### ... But Some are More Innocent than Others

SECTION 44 of the Criminal Justice Act, 1948 (now incorporated in the Costs in Criminal Cases Act, 1952) provided generally that the Courts could order the payment out of local funds of the accused's costs on an acquittal. In 1952 the High Court judges approved a circular sent out to the assize, sessions and magistrates' courts by the Home Office to the effect that costs should be awarded under this provision "only in exceptional circumstances". Lord Goddard, then Lord Chief Justice, added that while Parliament had clearly not imposed any limit on the discretion of the Courts,

"it was never intended, and it would be quite wrong, that costs should be awarded as of course to every defendant who is acquitted. Its use should be reserved for exceptional cases, and every case should be considered on its merits."

Mr. R. E. Seaton, Chairman of London Sessions in replying to criticisms of the refusal of himself and a fellow-judge to grant costs to accused persons who had recently been acquitted and discharged in those courts, referred to Lord Goddard's ruling which, he declared, "could not be a clearer direction".

All that is clear, to our minds, in this "direction" is that judges and magistrates are given arbitrary powers to as it were "override" the verdicts of juries or, in the case of magistrates, their own verdicts by directing that acquitted persons should nevertheless pay their own

costs.\* For how can one remove from such terms as "Exceptional cases" or that "every case should be considered on its merits", the personal prejudices of the judge or magistrate?

A judge may well disagree with the verdict of a jury, just as a magistrate may be obliged to acquit a defendant (not because he is worried overmuch by the factual weakness of the prosecutor's case, but because he knows that if he convicts on his "hunch" of the defendant's guilt, his decision may well be reversed by a higher court—assuming, of course, that the defendant is in a position to pay for the services of a practitioner of the law who can pin-point the weaknesses of the prosecution's case and the magistrate's conclusions). But both the judge and magistrate can have the last word when it comes to the question of costs, with significant results so far as the defendant is concerned. By being refused costs not only is the defendant, in many cases, put to serious financial embarrassment but in the eyes of the public, doubt is cast on his innocence. And this important fact was

\*In his statement, Mr. Seaton pointed out that "This court has followed the practice of other courts of Quarter Sessions and Assizes in this country. The question as to the award of costs is governed by the Costs in Criminal Cases Act, and the discretion is entirely in the hands of the judge who tries the case." (Our italics).

underlined by Mr. Seaton in his statement when he declared

"There is a misconception as to the state of affairs in a criminal trial because it has been alleged that if they are innocent they are entitled to their costs. The innuendo is that the person acquitted is obviously an innocent person."

Though Mr. Seaton was replying to public and Press criticism he was obviously not using the term "innuendo" in a way which has meaning for the public ("an insinuation; usually spoken or written in derogation; as damaging "innuendos"). Nevertheless even in its legal connotation its use in the present legal context is worth noting. *Funk and Wagnell* give the legal definition as

In pleading, an explanatory phrase employed to make a previous phrase more explicit, as in saying "the perjured villain, meaning the plaintiff" in which case the phrase "meaning the plaintiff" is an innuendo.

To the layman the cynicism contained in this illustration of the definition surely takes a lot of beating! To the layman the acquitted man is an innocent man. If he isn't then neither is the man who is found guilty necessarily guilty of the crimes of which he has been accused.

BUT whereas Mr. Seaton in his statement makes no suggestion that a person found guilty either by

(Continued on p. 2)

### Stabbings between Whites

The fact that Cochrane was coloured may have been an added temptation. It seems to us unlikely that it was the prime motive—even for the attack. After all, stabbings are the fashion just now. Marwood was hanged last month for killing a policeman with a knife during an affray in the street. Terence Cooney, a Dagenham boy, was jailed for life this week for stabbing another lad from Canning Town in a dance-hall brawl in Barking—because he came from Canning Town. An imagined

### LONDON ANARCHIST GROUP ANNUAL SUMMER SCHOOL. AUGUST BANK HOLIDAY

We regret that owing to the loss of club premises we are unable to hold our Summer School in London this year.

It may be possible, however, to arrange for a week-end "School" outside London but it might be necessary to camp out. So far we have only made tentative enquiries about sleeping, cooking and discussion room facilities, but we can investigate thoroughly if sufficient people are interested.

Please contact the above group c/o Freedom Press within a week/ten days if interested, with details of 'possessions'; how many tents, sleeping bags, etc?



PEOPLE AND IDEAS:

THE WALLS OF PREJUDICE

"As long as to-day's problems are stated in terms of 'mass politics' and 'mass organisation', it is clear that only States and mass parties can deal with them. But if the solutions that can be offered by States and parties are acknowledged to be either futile or wicked, or both, then we must look not only for different 'solutions' but especially for different ways of stating the problems themselves... There are men and women. As units in a 'mass' they submit to uniform rules of housing, eating, and dressing; go to the factory or to the movies; vote for a party or acclaim a leader... Yet each one of them has been a child. Each one has made by himself and for himself, the discovery of the world and of his own consciousness... Even in the greyest existence there are traces of aspiration to a life less debased, to a real communion with ones' neighbours... One can hardly imagine a human life without some moments of carefree enjoyment and enthusiasm... Friendships should be strengthened through some constructive enterprise carried out in common. The humblest aims from an association for mutual help to a club where people meet to spend time together, can eventually lead to an association whose unwritten norms will actually inspire both the private and the public life of its components."

ANDREA CAFFI

ON March 9th, 1959, the Oxford City Council demolished the walls which had been built across two streets twenty-five years earlier by an estate development company in order to segregate their private housing from the council house tenants on the other side. The City Council first demolished them in 1938 but had to build them again after losing the resultant legal battle. One of them was knocked down in 1943 by the army and re-erected by the War Office. Finally, this year the Council succeeded in buying the walls for about £1,000 in order to demolish them.

This story reminds us that prejudice is not the monopoly of the poor and ignorant, and that it is not confined to 'race relations'. The prejudiced person is almost invariably one who sees the members of the 'out-group' as "in some way or other constituting a threat to his own personal security and status". The work of

Adorno and his colleagues in America (*The Authoritarian Personality*, 1950) and of Eysenck in this country (*The Psychology of Politics*, 1954) suggests that the person who is hostile to Negroes as a group, is also anti-semitic, and has a whole range of other hierarchical, authoritarian, exploitive and anti-rational attitudes which do not at first sight seem related to each other. It is difficult however to find a dividing line between people whose prejudice is an aspect of their personality and those for whom it is merely an unthinking acceptance of popular stereotypes. No-one is born prejudiced, but concludes Anthony Richmond,

"Severe prejudice is a product of basic personality traits. One of the most important functions of the home is to provide an atmosphere of love and security in which the child can grow to view life experiences as rewarding rather than deprivational. The building up of such personalities begins at birth and continues throughout life. Radical changes may be necessary in traditional parent/child relationships if adults with balanced integrated personalities are to be created who can face difficulties without undue anxiety, and who do not need to resort to violent prejudices to maintain their own self-esteem. Clearly the development of a secure home background must be accompanied by a social system in which there is a minimum of avoidable occasions for fear—unemployment, war and all the other causes of fear in social life must be removed if a society free of prejudice is to be created."

No-one can doubt that this is so. The relation between insecurity and prejudice was succinctly illustrated in an American investigation by correlating the rise and fall of the price of cotton with the annual number of lynchings. The outbreaks of racial violence in Nottingham and Notting Hill last year coincided with the rise in unemployment. Mr. Richmond's study of prejudice against West Indians in Liverpool led him to the hypothesis that prejudice is a function of social and sexual status factors, but that discrimination tends to be governed more by economic considerations.

But we cannot, in practice, postpone attempts to reduce prejudice until all our other social and economic problems are solved, any more than we can refrain from attempting to wean the authoritarian character from his "ethnocentrism", however early in life he may have developed it. James Robb observed in his investigation of anti-semitism that, though its connection with social and economic upheavals is too well-attested for its importance to be denied, the connection is neither simple nor direct. Certainty of employment, better housing and other social reforms, can lower its incidence "by avoiding the activation of prejudice potential in individuals whose personalities are inclined towards this reaction," and Dr. Robb concluded that

"Considering how difficult it is to achieve these desirable states even when motivations far stronger than the wish to lessen anti-semitism are present. It does not seem advisable to place too much hope in social reform as a primary, short-term attack on prejudice. It is quite certain that the quick and simple

cure for the 'abolish capitalism' type is neither quick nor simple and is only tinkering with one facet of a much wider problem."

Should there be a law?

Nor did he put much faith in legislation, which "may reduce the symptoms, but leaves the disease unchecked." A slightly different view is taken by Prof. Allport, in an American context. Legislation, he says, if enforced

"may be a sharp tool in the battle against discrimination... Legal action however, has only an indirect bearing upon the reduction of personal prejudice. It cannot coerce thoughts or instil subjective tolerance... Law is intended only to control the outward expression of intolerance. But outward action, psychology knows, has an eventual effect upon inner habits of thought and feeling. And for this reason we list legislative action as one of the major methods of reducing, not only public discrimination, but private prejudice as well."

But in the different circumstances of this country, with no official tradition of discrimination (except the Coloured Alien Seamen Order of 1925, which would never have been enacted in the climate of to-day), the Labour Party's declared intention of introducing legislation against "discrimination in all places to which the public have access or are invited, with or without payment" seems to be more the result of a desire to 'do something' about prejudice, than of a hope of really diminishing it by this means. It would apply to hotels, shops and places of entertainment, but as Fenner Brockway admitted in

introducing his original Bill, "it is not possible, for example, to say that a woman who provides lodgings should necessarily include in her home a lodger against whom she feels a prejudice or who may arouse prejudice among other lodgers." Mr. Brockway's Bill also covers discriminatory clauses in leases whose legality and effectiveness is already doubtful: there has so far been no test case. As to discrimination in employment, Mr. Brockway admits that "it is always possible for an employer to say that work or promotion is refused on other grounds" and the same must also be true of refusal of admittance to hotels and places of public entertainment. However, as the law stands at present, Mr. Learie Constantine was awarded damages in court as a result of being refused accommodation at a well-known London hotel.

When we see how little it would affect the actual situation, the call for a law against discrimination, like that for a law against provocation appears to be an unconscious evasion of the idea of personal responsibility. The one thing that can really be said in favour of legislation is its effect on the morale of coloured people, who frequently point out that they have no means of appeal or redress against discrimination.

How prejudiced are we?

It used to be said that one-third of the population of Britain is extremely prejudiced towards coloured people, that one-third was mildly prejudiced and that one-third was tolerant. But an enquiry conducted by Dr. Michael Banton in 1956 indicated a much greater prevalence of benevolent attitudes. The crux of the problem", says Mr. John Dar-

rough after his investigation in Birmingham, "appears to be in the fact that most people think others more prejudiced than themselves. The behaviour is determined by what they believe, or wish to believe, of the view of others". Dr. Kenneth Little, who first put forward the "class theory" of colour prejudice, points out that people's social "class" in this country is largely determined by the people with whom they associate, and that as a dark skin colour, because of its association with subject peoples, indicates a low "class" status, "some English persons believe that they will jeopardise if not lose, their social status in the eyes of their friends and acquaintances by association with a coloured person". Thus, "people resist the entry of coloured workers to their occupations, or deplore their obtaining houses in white neighbourhoods because their presence is thought to indicate that the job or neighbourhood is at the bottom of the social scale." One landlady, interviewed in A. T. Carey's study of the problems of colonial students, declared "Of course, I don't take blacks. I'm sorry for the darkies, that I am. I don't know what the neighbour would say: look at Mrs. So-and-so. She really has come down in the world."

Dr. Banton concluded from his investigations that

"When people attribute inter-group friction to prejudice they tend to regard prejudice as irrational, as something which, regrettably, will always be with us and which we cannot do anything about. But we reach a less pessimistic conclusion if, instead, we see social behaviour towards the immigrants less as an acting out of individual sentimentality

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I think your Bedrooms are Wonderful!

BE you in the Park about midnight and you shall see wonders," said Shakespeare, and it is true that, although the climate isn't that of the Garden of Eden, the Park has played a fruitful role in our rough island story. From Falstaff, who, on being apprehended in Windsor Park, declared indignantly "This is enough to be the decay of lust and late walking through the realm," to Dylan Thomas, up to no good in Cwmdonkin Park, Swansea, the Park has been the Elysium of the urban British. Peter Shepherd sees the "jardin anglais" as "fitting closely the permanent liberal and anti-authoritarian trends of English thought", and an admiring Dane, S. E. Rasmussen remarks that

The London Park is the ideal place for an outdoor life. Formerly the park had been a purpose in itself; its only aim was to look beautiful. But in these last 100 years, the English have taught the world that the town parks must be utilized more intensively. They might be regarded as some sort of supply service of hygienic importance just as water supply, common sewers, etc."

Rasmussen's splendid book on London was written many years ago, and it is good to learn that we English have taken the point. Another sympathetic foreign observer, Dr. Billy Graham, known to his friends as God's Public Relations Officer, dropped into London this week and told his Press Conference:

"Yesterday afternoon my wife and I took a walk through the parks—Hyde Park, Green Park and St. James's Park—just at about dusk and I could hardly believe it.

"They looked as if they had been turned into bedrooms, with people lying all over the place in all sorts of conditions."

"Your parks are like bedrooms"—what a delicious thought, especially these days when bedrooms are getting more and more like parks. Nothing new about it of course: 350 years ago another clergyman, John Donne wrote that poem that begins.

Where, like a pillow on a bed, A pregnant banke swel'd up, to rest The violet's reclining head, Sat we two, one another's best.

And Sir Philip Sidney, at about the same time pointed out that the park was the best place:

"In a grove most rich of shade Where birds wanton music made, Astronhel with Stella sweet Did for mutual comfort meet. Never season was more fit, Never room more apt for it.

When you look into the matter, it is hard to find an Elizabethan poem or madrigal that isn't about making love in parks. Perhaps the New Elizabethan Age is rediscovering what made Britain great. Certainly the admonition "Keep Off the Grass" is being replaced by the more appropriate request "Please Adjust Your Dress Before Leaving".

But I have an awful feeling that I misunderstood Dr. Graham. Because although he wanted to hear the birds' wanton music, it didn't provide any mutual comfort for him and his wife!

"Where once we could walk through the London parks and enjoy the birds and the ducks and the water, it was so embarrassing even to walk through that I finally I took my wife out.

"We have made a lot of people who put their emphasis on this point. I think the new generation coming along are far better acquainted with Jane Mansfield's statistics than they are with the seventh commandment.

"This is a danger to our culture. It is a terrible thing and one of the factors which destroyed Rome and other cities. "It is going to bring the Judgment of God on any city that goes the way of Sodom and Gomorrah."

At least that is what the *Evening News* (8/6/59) said he said. The *Star* said it was the second commandment. The *Evening Standard* agreed it was the seventh and obligingly inserted the text. It just shows how you ought to read all the evening papers, or best of all, none.

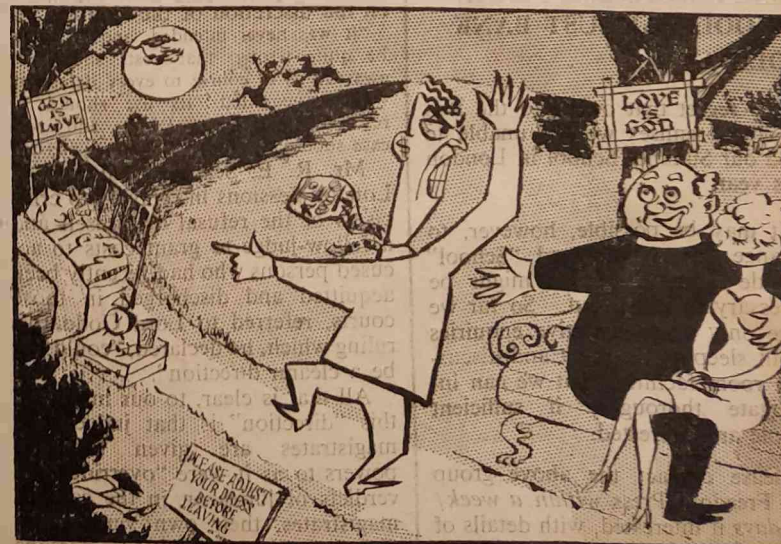
Dr. Graham added that over-emphasis on sex was one of the dangers faced by the Western world. And he's right, of course. See how those Russians manage without it. And the Chinese. There's one born every minute, so they say. Sex has its proper place but the trouble is the place ain't big enough. And that brings us back to the park. This is what Lewis Mumford says about it in *The Culture of Cities*:

"For lack of such space in America, a whole generation of girls and boys has grown up, cramped in the vulgar promiscuities of the automobile, carrying into their erotic life the taint of something that is hurried, aesthetically embarrassing and emotionally disintegrating. The home, the garden, the park, must be planned for lovers and for love-making: that is an essential aspect of an environment designed for human growth."

Plan the park for lovers, says Mumford. A bed of roses all the way; which is just what God meant for Adam and Eve before that nosey-parker of a snake-in-the-grass felt embarrassed sneaking through. Dr. Graham also said:

"As I stood at the foot of Queen Victoria's statue in front of Buckingham Palace, I could not help but think that one of the things that made Britain great was her moral and spiritual power. If she ever loses her spiritual strength all is lost."

He must have meant our love of fresh air and outdoor bedrooms. They didn't have parks in Sodom and Gomorrah. C.W.



'But we all worship God in our own humble way, my son'



# Freedom

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## But Some are More Innocent than Others

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or by magistrate may have been  
fully condemned, he does  
not that acquittal is proof of  
innocence.

That requires a little thought, because  
in this country—England—there are only  
two verdicts that a jury can return,  
guilty or not guilty. In Scotland there  
are three verdicts, the two I have men-  
tioned and a third of "Not proven." In  
many cases where an acquittal takes place  
means in effect that the Crown have  
not satisfied the onus of proof and the  
defendant have quite properly acquitted the  
prosecution.

But however "properly" the jury  
have acted.

When the time comes, as it does  
periodically, for the accused person to  
pay for costs, it is for the judge who  
has heard the case to consider the facts he has  
heard. He is the best judge of what has  
happened, together with the jury and  
the counsel engaged in the case.

The judge has to exercise his discre-  
tion on the facts as they emerged in the  
case.

Note that though Mr. Seaton can-  
not without pouring scorn on the  
prosecution, not assume that the "best  
of what has happened" in a  
case is not only himself but also "the  
prosecution and counsel engaged in the  
case" when it comes to costs "it is  
for the judge who tries the case to  
consider the facts he has heard", for  
the judge to "exercise his discretion on  
the facts as they emerged in the  
case". And by his ruling regarding  
costs he can, so far as the public  
is concerned, virtually reverse the  
effect of the jury.

This was the view taken by the  
people who were recently acquitted  
at the London Sessions of committing a  
new, obscene and disgusting act  
in a parked car, for, as their solicitor  
pointed out in a press statement last  
week.

Mr. Seaton [though he was not the  
judge of the trial and has no personal  
knowledge of the case] has nevertheless  
created an opportunity of commenting on  
the failure of another judge to award  
costs in their favour in terms which  
imply that they were not innocent of the  
offence against public decency with which  
they were charged.

Mr. Seaton has replied that in his  
statement he did not refer to their  
case. "I was merely laying down  
general principles.

It occurs to me, by way of example,  
we may have a case where a man is  
charged with receiving stolen property  
and one of the ingredients is that the  
Crown has to satisfy the jury that the  
person having the property knew when  
he got it that it was stolen.

"From time to time persons charged  
with this offence are acquitted, and they  
may apply for costs. It may transpire  
that where the jury were not satisfied it  
is abundantly clear that the person in  
the dock was grossly negligent, and that  
is the acid test as to whether the person  
in the dock is innocent. In that case no  
court would award costs. The second  
consideration is if the police have be-  
haved improperly in bringing the prose-  
cution and in their conduct of the case.  
If that has happened then a court might  
be disposed to award costs."

Where it is "abundantly clear"  
that the person in the dock was in-  
nocent but "grossly negligent", "no  
court would award costs" but where  
the police "have behaved improperly  
in bringing the prosecution and in  
their conduct of the case" then "a  
court might be disposed to award  
costs" (our italics). Note the em-  
phatic "No court, etc." on the one  
hand and "a court might, etc." on  
the other. Mr. Seaton in his state-  
ment refers to

One organ of the press [which] went  
so far as to suggest that this court was

a prosecution court, an allegation which,  
I am happy to say, has now been with-  
drawn.

If that allegation has been with-  
drawn and Mr. Seaton now feels  
happy, we reiterate it on the basis of  
his own words (assuming that when  
a lawyer uses words they are meas-  
ured, and that we are justified in  
drawing conclusions from the  
nuances as quoted above) and hope  
we can make him feel unhappy!

WE are continually reminded that  
under English law every man  
is deemed to be innocent until he is  
proved to be guilty.

In theory then, the role of the  
prosecution is to seek to establish  
the truth. In practise the police and  
prosecutors are just as concerned to  
secure a conviction as the defence  
lawyers are to secure an acquittal.  
For those involved it is all part of an  
elaborate game, in which questions  
of pride, of promotion and future  
Briefs play a large part in the con-  
duct of cases. If the prosecution is  
only concerned with the truth then  
no policeman would ever manufac-  
ture evidence and no prosecution  
witness tell a lie. Yet the accused,  
far from feeling confident that justice  
will be done, engages as many  
legal experts as he can afford or can  
ill-afford, to prove that the prose-  
cution witnesses are lying! The ac-  
cused, far from being considered in-  
nocent until proved guilty, is assumed  
by Press and public to be probably  
guilty until he can prove that he is  
not.

Everything is loaded against the  
accused: judges and magistrates  
assume that police witnesses tell the  
truth whereas witnesses for the de-  
fence have been primed by wily soli-  
citors: the accused is often held in  
custody at the request of the prose-  
cution because he might obstruct  
their job of obtaining the evidence  
they require against him; he has to  
prepare his defence from his cell and  
meet his solicitor in a room in the  
prison, or perhaps not until the case  
comes up for trial.

The prosecution spares no ex-  
pense in building up its case while  
the accused may either have to rely  
on the charity of the court or em-  
ploy the services of lawyers (and, as  
one of our legal friends once put it,  
"you get as much law as you can  
pay for"). At the trial the accused  
has the right to refuse to go into the  
witness box to be grilled by the  
wiggled Inquisition. If he refuses  
then in exercising his right he has  
added to the suspicion of his guilt.  
The judge in addressing the jury will  
probably remind them that the law  
confers on the prisoner the right to  
refuse to give evidence and will add  
"but members of the jury, you may  
perhaps take the view that an in-  
nocent man has nothing to hide and  
would welcome an opportunity to  
take the stand, etc."

TRUTH, which every witness  
swears will be the basis of his  
evidence to the court is the last thing  
one expects in a court of law where  
neither the prosecution nor the de-  
fence are bent on establishing the  
truth but on successfully suppressing,  
distorting or exploiting it for their  
respective ends. Prosecuting counsel  
and Police want a conviction; de-  
fending counsel want an acquittal;  
neither side is particularly interested  
in the fate of the man in the dock;  
he is merely the justification for this  
lucrative battle of wits, umpired by  
a member of the legal fraternity.

It is not surprising that in the cir-  
cumstances some who are guilty are  
acquitted and others who are in-  
nocent are found guilty. But if the  
acquittal is not proof of innocence  
neither is a verdict of guilty proof of  
guilt. And we suspect that for these  
reasons steps will now be taken by  
the Government to direct the courts  
to allow "reasonable" costs to defend-  
ants who have secured acquittal.  
After all it's better to make the rate-  
payers pay than that the Law should  
be made to look silly!

## BOOK REVIEWS

### TRIBUTES TO WILHELM REICH

WILHELM REICH edited by  
Paul Ritter. The Ritter Press,  
Nottingham, 10s.

"He has rendered to our knowledge  
and to our further development ex-  
tremely important facts and experi-  
ences, which have helped to improve  
psychoanalytic technique and thinking,  
contributed to the field of sexology, to  
political evaluation and theory, to  
anthropological thinking, to psycho-  
somatic medicine, and maybe also valu-  
able hypotheses to 'basic' research.  
He always stimulated the sincere search  
for truth. The tragedy of his death  
should remind people, belonging either  
to professional or political movements,  
that a human being, creative for the  
future, has a right to be well-treated."

—NIC WAAL.

"Reich always had the tendency to  
publish his new findings somewhat too  
early—long before his concepts could  
be understood theoretically or seman-  
tically. He was always thoroughly  
upset and disappointed when people  
did not understand or when they mis-  
understood him. He was frantically  
irritated when people were slow in  
understanding or when they were  
directly sabotaging or vicious. This  
may stem from two sources in his  
character. He had much of the true  
innocence and restless searching mind  
of the creator. But it also had to do  
with some lack of realism. Whereas  
he could understand fearfulness or  
hate in his patients, he forgot this in  
his collaborators and fellow men."

—NIC WAAL.

THE passages above are quoted from  
this memorial volume to Wilhelm  
Reich and they indicate what many  
people have thought about Reich. He

was a man who often aroused antagon-  
ism: that of his fellow-psychoanalysts  
in Austria and Germany, the University  
of Oslo and the press in Norway,  
'orthodox' science and the Food and  
Drug Administration in the USA, but in  
spite of this hatred there were, and still  
are, many people with a great respect  
for the man and his work. Among them  
are Paul and Jean Ritter who are already  
known to readers of FREEDOM for their  
advocacy of Reich's work, mainly  
through the medium of their journal  
*Organismic Functionalism*.

In this volume Mr. Ritter has collected  
together articles by A. S. Neill, Nic Waal  
(a psychoanalyst), Myron Sharaf (on  
Reich's trial) and himself and his wife  
(on Reich's work). Of these, the article by  
Nic Waal is the most objective and so  
probably the most interesting to many  
readers. She was taught by Reich during  
her training at the Berlin Institute of  
Psychoanalysis and met him again in  
Norway when he was forced to leave  
Germany; she writes of Reich's contro-  
versies with the psychoanalytic movement  
and concludes with an assessment of his  
character.

Myron Sharaf's account of Reich's  
persecution by the Food and Drug Ad-  
ministration shows with what venom  
Reich was pursued by the officials of the  
U.S. government: but being the man he  
was and no doubt feeling harassed by  
friend and foe alike, after an initial ap-  
proach to his trial-judge by letter, he did  
not make a straightforward issue of his  
defence. Instead, and no doubt to the  
detriment of the success of his case, he  
alleged that the Russians were attacking

him through the Food and Drug Admin.,  
that there was a Moscow-directed con-  
spiracy trying to prevent him from carry-  
ing on his organomic work so that the  
U.S. would be deprived of the benefits.  
This was an extraordinary defence  
against a charge that he was guilty of  
falsely pretending that the 'orgone  
energy accumulator' had therapeutic prop-  
erties; it would seem a sure way to  
confirm a jury's first opinion that they  
were trying a crank and to suggest that  
he was paranoid as well. However, it is  
easy to be wise after the event and it is  
quite possible that Reich had some logi-  
cal reason for pursuing the particular line  
of defence that he did.

A. S. Neill contributes some character-  
istic remarks on Reich. He says that he  
has "never seen so relaxed a person. If  
I touched his jaw it went up and down  
like a well-oiled box lid." His account  
shows that in personal relationships  
Reich could be warm, human and  
friendly; it was only when his work was  
involved that he became aggressive.

Finally there is the essay by Paul and  
Jean Ritter on Reich's work: this is  
undertaken at a brisk gallop with the  
main emphasis on 'organomy'. There is  
little attempt at an argument that might  
persuade the sceptic, and to the con-  
verted the facts are already known.  
Moreover the writing is often sloppy  
(The basic tool of investigation is the  
basic sense perception of the investigator,  
basic to the five senses), though to some-  
one who knows little of Reich's work,  
but is sympathetic, this resumé might be  
found helpful. M.G.W.

## The Objective Society

THE OBJECTIVE SOCIETY,  
by Everett Knight. Routledge  
and Kegan Paul, 1959, 136 pp.  
16s.

'SOCIETIES' (fictional names for an  
elusive fact) are free, open, sane,  
organic, civilised, anarchist, and of course  
(blessed word) authoritarian. But objec-  
tive is a new term. What does Everett  
Knight mean by the objective society?  
Here are his own words:

*If scientific law is no longer to be re-  
garded as exhaustive and final, but  
simply as one of many ways in which  
matter has been and can be organized,  
then what is primordial in man is not  
intellect, but that 'intention' or 'orien-  
tation' which intellect helps him to exploit.*

In other words, the distinctive thing  
about man is what he decides to make  
of himself or the society to which he  
belongs. But social forms are not  
making anything of themselves; they  
have ceased to progress. *If philosophical,  
historical and political thought is to  
break out of the text-books, says Knight,  
it must begin to elaborate a programme,  
it must stop its tireless waiting for  
the facts to organize themselves into a de-  
cipherable pattern which, in any case,  
the objective society would be the first  
to find unacceptable.*

The objective society, then, believes

that only by knowing the whole of the  
facts can one know how to act. Two  
types dominate this society: the messiah,  
who thinks he has arrived at an Absolute,  
and the monk, who restrains himself  
from all action in order to keep an  
objective mind.

The definition of man in terms of  
purpose is to Knight the last word (since  
he, too, must have his Absolute!). I  
think this is extremely shaky. Although  
man created mathematics ( $2+2=4$ ), there  
is a sense in which  $2+2=4$  is true inde-  
pendently of human volition; and this is  
the case also with the truths of entomo-  
logy, aerodynamics, and social statistics  
(to name a few). True, the peculiar dis-  
cipline of objective science is such as to  
circumscribe human freedom (the man  
who studies machines becomes machine-  
like), but it is still possible, as existenti-  
alism has shown, to discover within those  
laws the conditions under which freedom  
is still operative.

If Knight's basic formula be rejected,  
then objective society stands. But if it  
be accepted, his own thesis falls to the  
ground; since there is no reason why we  
should be politically conscious rather  
than stay in the ranks of the apathetic.  
The only reason for preferring one is  
that it may give us greater chance of sur-  
vival; but it could at least be argued that  
survival is more likely to result from

arriving at sound beliefs, as from action  
for action's sake.

Might it not be better to see in the  
current unconcern of philosophers for  
the practical world a concrete, namely  
negative, reaction to the political situa-  
tion? A piece of bad luck, perhaps, for  
those would-be Platos who are forced to  
spend the best years of their lives doing  
logical analysis; but not, in the long run,  
a deadly symptom. In any case, it is not  
true, as our 'Anglo-Saxon' philosophers  
do argue about political issues, both in  
writing and on television and radio.

Mr. Knight has gone to live in Ghana,  
where (presumably) the gospel of action  
and anti-European reaction will have a  
good sale. It was Spengler who first  
mooted the idea that the 'immutable'  
facts of Nature discovered in different  
ages and regions might be just so many  
attempts at the 'realisation' of man in  
different ways. So Knight may gain  
kudos in his emergent social order by  
saying 'The virtue of me is that I believe  
in Marxist organisation'. (He does not,  
in fairness, actually say this, but he  
comes pretty close). But does that give  
him the right to present a biased view of  
history? His pronouncements on renaissance  
Order, empiricist Fact, etc. are at  
the most unproven, and a very great deal  
of this book consists of generalisations  
which immediately remind us of the great  
weight of evidence on the opposite side.  
A.D.F.

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