



SOCIOLOGY, SUBJECTIVISM AND THE SOCIALIST INTELLECTUAL ESTABLISHMENT

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**COMMENT by BRIAN MICKLETHWAIT:
ON RATIONALITY, VIRTUE AND LAW**

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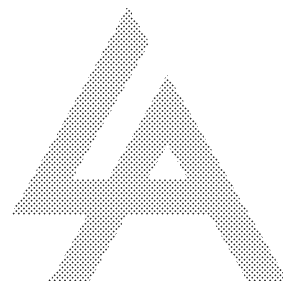
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FOR LIFE, LIBERTY AND PROPERTY



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THE SOCIALIST INTELLECTUAL ESTABLISHMENT

Milton Friedman once said that intellectuals do not like free societies because free societies do not have much place for intellectuals (quoted in Beeching 1983, p. 42-43). Taken literally, his comment is of course an exaggeration. Not all intellectuals are socialists, and not all socialists are intellectuals. We are all familiar with the many distinguished academics who hold libertarian views, and socialist parties have always drawn most of their votes from ordinary people. Nevertheless, Friedman was expressing an important truth. A disproportionate number of intellectuals believe in socialist and collectivist ideologies, and are in fact among their strongest supporters. The reasons for this merit closer examination.

What place is there for intellectuals in a free society? It is a basic principle of free market economics that if different people have different skills and talents, then the division of labour has great advantages. This is especially important in a complex modern society, where experts and specialists in all fields always have a vital role to perform. However, their role should always be to give advice, not give orders. Some people are undoubtedly cleverer than others, and many people know things that others do not, but neither knowledge nor intelligence gives anyone the right to dictate to other people. Not even an Einstein is infallible, and people who think they are infallible are dangerous. Ordinary people may not know as much as some experts, but that does not mean they are never competent to criticise them. As someone once said, you do not have to be able to lay an egg to be able to smell a rotten one. You may not understand exactly how a surgeon performs operations, but you can still tell whether he is doing a good job by seeing whether his patients live or die. In the same way, you may not possess all the specialised knowledge which an engineer uses to do his job, but you can still judge his performance by seeing whether his bridges stand or fall, or whether his planes fly safely or crash. If, on the other hand, teachers' organisations do everything in their power to stop the government publishing state schools' examination results or testing pupils at certain ages — policies which are designed to enable parents to judge for themselves whether their children are being taught well — then it is time to start asking questions about their real motives.

When it comes to understanding the motives of socialists, I would suggest that it is important not to treat them as if they were all the same, but to recognise that throughout its history socialism has always appealed to two different kinds of people for different reasons. On one hand there are the millions of ordinary people who are attracted to it because it promises a better life for them and their families and friends. On the other hand there are the intellectuals who are attracted to it because it means more power for the state, and they think they have a divine right to rule the state because they know everything about everything and ordi-

nary people are all stupid. What we are dealing with here is not intelligence, education or specialised knowledge as such, but a particular attitude of mind about the proper status of intelligence and education. There exists a category of socialist intellectuals — in Britain often called “the Hampstead set”, although they do not literally all live in a certain area of London — who, because they possess a certain degree of intelligence or have been educated to a certain level, think they are entitled to dictate to everyone else and tell them how to run their lives. These people become socialists because it offers them more chances of increasing their own power and influence.

In practice the socialist intellectual establishment can always be recognised by their arrogant and condescending attitude towards ordinary people, whom they call “reactionaries”, “bigots” and “philistines”, while describing themselves as “progressive”. They take the same attitude towards politicians who are in tune with the feelings of ordinary people. This was shown very clearly a few years ago by Lady Warnock, the Mistress of Girton College at Cambridge, when she made her notorious comment that Margaret Thatcher was “odious and obscene” because she bought her clothes at Marks and Spencer’s. Another good illustration is provided by the sneering comments about “Essex Man” which have become a regular feature of British political debate in the last five years or so. I was born and bred in Cumberland myself, and I have never set foot in Essex in my life, but that does not stop me recognising snobbery when I see it. Hampstead Man resents Essex Man because he thinks the lower orders of society should know their place, which is living in picturesque poverty where they can be patronised by people like himself. When thousands of ordinary people start making a bit of money, moving out of the inner city and into the commuter belt, and even daring to vote Conservative, it goes against everything that Hampstead Man holds sacred.

Perhaps the most useful clue to recognising socialist intellectuals — which is also the distinguishing feature that reveals the most about their mentality — is that they call their opponents “populists” and consider this to be a term of abuse. The word “populist” comes from the Latin “populus”, meaning “people”. As I see it, a true populist is a person who thinks that ordinary people matter, and when he disagrees with their views he tries to change their minds by logical argument, instead of confusing them with sophistry and intimidating them with sneers and ridicule.

If any socialist intellectuals ever deign to read this essay, they will probably assume I am saying that people should stop thinking and rely instead on instinct or tradition, as some conservative theorists have advocated. I must emphasise that this is not the case. Attacking intellectuals is not the same thing as attacking the intellect; what I am saying is that thinking is too important to be left to the intellectuals. I am not attacking thought; I am attacking people who claim a monopoly of it for themselves. The socialist intellectual

establishment would argue that the world today is too complicated for ordinary people to understand, so they should stop thinking for themselves and leave all the decisions to the experts. It is this attitude that I want to challenge.

THE POLITICAL DANGERS OF SUBJECTIVISM

Since the socialist intellectual establishment believe their right to power is derived from their superior knowledge and intelligence, they feel that their position is threatened whenever ordinary people start thinking for themselves.

This means they have to resort to propaganda to convince ordinary people that they are not capable of thinking for themselves. One of their most dangerous propaganda weapons — the one with which I am concerned in the present essay — is the doctrine of subjectivism.

By subjectivism I mean the belief that there is no such thing as objective reality and that the universe in which we live is nothing more than a creation of the human mind which changes whenever our own beliefs change.

It is unlikely that many people have ever taken subjectivism completely seriously as far as their own personal lives are concerned, because a consistent subjectivist would not survive very long in the real world. If you believe that there is solid ground in front of you, when in reality you are looking over the edge of a cliff, your belief will not prevent you from breaking your neck if you step forward. Similarly, if you walk across the M1 in front of a lorry, you will get run over regardless of whether or not you think the lorry is objectively real. Apart from that, it is a contradiction in terms to say that there is no such thing as objective truth, because in that case the statement that there is no such thing as objective truth cannot be objectively true itself. However, subjectivism is a very useful doctrine for dictators, would-be dictators, or anyone else who seeks to use the apparatus of the state to increase his power over other people — if they can get other people to believe in it. This is because it is only one short step from saying that the truth is whatever you think it is to saying that the truth is whatever the government thinks it is. The concept of objective truth is a court of appeal which anyone can use to challenge the validity of a dictator's propaganda, but you cannot say that his propaganda is all a pack of lies if you do not believe there is such a thing as objective truth in the first place.

Even if the aims of the socialist intellectual establishment do not extend as far as dictatorship, they still have a vested interest in convincing ordinary people that they cannot trust the evidence of their own senses, and that they must rely blindly on the pronouncements of self-appointed experts who are the only people capable of perceiving and understanding the true facts of reality. The classic example of this kind of propaganda tactic was used by the villains in the famous story by Hans Christian Andersen, who sold the Emperor non-existent clothes by telling him that the clothes were magic and were only visible to a wise man, but were invisible to a fool. Modern propagandists, however, do not appeal to magic but to science, and especially the science of sociology.

THE HISTORY OF SOCIOLOGY: DETERMINISM VERSUS SUBJECTIVISM

From its foundation by Auguste Comte in the 19th Century until the 1950s, sociology was dominated by the school of thought known as positivism. Sociologists of the positivist

school believed in studying human society by using the same methods as the physical sciences, and always aimed to discover and understand the objective facts about society. However, they also believed in a doctrine of collectivist determinism, according to which man was purely a creation of society with no free will, and the behaviour of individuals was determined entirely by the nature of the group or organisation of which they were part. The most important branch of the positivist school was functionalism, founded by Emile Durkheim, but Marxism, which was the other main influence on sociological thought at that time, was also determinist and collectivist in its approach.

In the 1950s a new school of thought, known as phenomenology, developed in America as a reaction against positivism. The phenomenologists rejected the determinist idea that human beings were no different from animals or machines, and recognised that individuals had free will and created society by their own actions. However, they also differed from the positivists in that they regarded objective reality as an illusion. The phenomenological approach is summed up by one recent textbook as follows:

The only reality which exists is that which man defines as existing — the world as we know it is a creation of man's definitions. (Moore and Hendry 1982, p. 298)

Another recent textbook explains that:

To treat social reality as anything other than a construction of meanings is to distort it. This has serious implications for much of the work done in sociology. For example, to see official statistics on crime and suicide as referring to activities which have an objective reality of their own is to misunderstand their nature. Such statistics are simply the meanings given by social actors to events which they have perceived and interpreted as crime and suicide. Those events have no existence outside of the meanings and interpretive procedures which created them. (Haralambos 1985, p. 498)

The same work goes on to say that:

From the phenomenological perspective, the social world is a world of meaning. There is no objective reality which lies behind that meaning. Thus the social world is not made up of entities which are external to the subjective experiences of its members. To treat its aspects as 'social facts', as 'things', is to distort and misrepresent social reality. Thus sociologists who treat crime and suicide as anything other than constructions of meaning are imposing their own reality on the social world and so distorting the very reality they seek to understand. (Haralambos 1985, p. 501)

This brief account should be enough to make it clear that positivism and phenomenology are both half right and half wrong, but they are wrong in opposite ways. The positivists are right in recognising that there is such a thing as objective reality, but they are wrong in believing that it is possible to explain the whole range of human behaviour in all its diversity without taking account of the role of free will. The phenomenologists are right in recognising the existence of free will; their error consists of making no clear distinction between the idea that society is created by the actions of individuals and the idea that reality is created by

the beliefs of individuals. It is true that people do the things they do because of the things they believe, but it is still actions which create society, not beliefs alone. The positivists believe in the collectivist fallacy, which is that society has an independent existence, in its own right, as something separate from the individuals of whom it consists. This is false because society in fact is merely the total sum of all individuals and their actions and interactions. If every single individual ceased to exist, then society would also cease to exist. The phenomenologists commit the opposite error by believing that, because society is nothing more than the total sum of all individuals, society is not objectively real. In fact, individuals are real, and their actions are real, therefore society is real.

The political implications of determinism have been noted and discussed by many libertarian writers. If individuals did not have free will, then freedom would not be much use to them, and a dictator could easily argue that it would be better if the state controlled their lives for their own good. A dictator can also make his own position more secure if he can convince his subjects that his rule is inevitable, because of dialectical materialism and the laws of history, or because he represents the master race, therefore all resistance is useless. Phenomenology originated as a reaction against determinist theories like Marxism, but the paradox is that it can actually provide Marxists and other enemies of freedom with some equally powerful propaganda weapons of a different kind. This can be seen very plainly by studying one of the main schools of thought within phenomenology, which is known as labelling theory.

LAW AND ORDER 1: HOWARD BECKER

Libertarianism is based on the classical liberal principle that each person's freedom must be limited by the equal freedom of other people and by nothing else, or, as Article 4 of the French *Declaration of the Rights of Man and the Citizen* put it in 1789, "Liberty consists in being able to do anything that does not harm others" (quoted in *Encyclopedia Britannica* 1985, p. 71). Today this principle is under attack from two directions. On one side there are the Marxists and other collectivists, who do not believe in freedom at all. On the other side there are the permissive lobby, who think that freedom means doing whatever you want, full stop, regardless of whether you harm anyone else, and who denounce as "repressive" or "authoritarian" anyone who defends the right of law-abiding citizens to live their lives in peace and safety, free from crime. The situation is made more complicated, however, by the fact that there are some Marxists who are supporting permissive policies, not because they sincerely believe in them, but purely as a tactical measure. One reason for this is simply that it enables them to score propaganda points by posing as champions of freedom. Another, more subtle, reason is that, by defending criminals and attacking the police and the victims of crime, they hope to create confusion in everyone's mind about the difference between right and wrong, and encourage a belief in moral relativism and the doctrine that the end always justifies the means. The most important reason, however, is that destroying law and order is the most effective way of undermining our free society and reducing it to a state of collapse, in order to clear the way for a dictatorship in which they would be the commissars. Of course, since August 1991 they have had very little chance of succeeding in this aim, but that does not mean they cannot still do a lot of damage by trying. The damage will be even greater if they encourage more crime

and at the same time persuade everyone that it is not really increasing, so that the authorities are too confused to take effective action against it.

It would be unfair to imply that the socialist intellectual establishment are all Marxists, although many of them are, but even those whose socialism is of a more moderate variety still have reasons for convincing ordinary people that the huge increase in crime which has been going on for over thirty years in Britain is not really happening. Socialists can gain a propaganda advantage if they can persuade people that crime is caused by capitalism. The main theories which they have put forward as explanations are, firstly, that crime is caused by poverty and unemployment, which (according to socialists) are caused by capitalism, and secondly, that capitalism causes crime by encouraging people to be "selfish" instead of altruistic. If ordinary people knew too much about long-term trends in the crime figures, they might start noticing a certain lack of correlation between these theories and the facts, and they might start asking awkward questions about the competence of the socialist intellectual establishment. They might even start to suspect that it is not capitalism but socialism which is more likely to encourage crime, because when the state takes control over more and more areas of people's lives, instead of leaving them free to take their own decisions, it means they do not have to face the consequences of their own actions, and they start to behave irresponsibly. It is much safer, from the socialist intellectuals' point of view, to keep ordinary people in a state of ignorance and confusion about what is really happening, and subjectivist theories of sociology provide them with the means to do this.

Labelling theory, one of the most important branches of phenomenology, was developed in the 1950s by a group of American sociologists among whom one of the leading figures was Howard Becker. In 1963 Becker wrote a very influential book entitled *Outsiders*, which he described as a study of "deviance". "Deviance" is his term for any form of behaviour which breaks a social rule, whether the rule is a law enforced by the state or merely an informal custom, agreement or moral standard. In *Outsiders*, Becker sets out to make two perfectly valid points. Firstly, he points out that different groups of people may have different ideas about what the rules of society should be. Secondly, he points out that there may be a discrepancy between those people who are believed to have broken the rules and those who actually have done so, because some people may break the rules and get away with it, while others are unjustly convicted. However, his subjectivist approach leads him to make all kinds of ambiguous and misleading statements which have been a source of endless confusion and misunderstanding ever since the book first appeared.

In the first chapter of the book, Becker comments that:

What laymen want to know about deviants is: why do they do it? What is there about them that leads them to do forbidden things? Scientific research has tried to find answers to these questions. In doing so it has accepted the common-sense premise that there is something inherently deviant (qualitatively distinct) about acts that break (or seem to break) social rules. (Becker 1963, p. 3)

He goes on to argue that theories which assume there is such a thing as inherent deviance are inadequate because

they ignore the fact that different groups of people judge different things to be deviant.

The first thing that should be noted about this passage is that Becker uses the phrases “inherently deviant” and “qualitatively distinct” as if they meant exactly the same thing, which they do not. If deviance is defined as breaking a rule, then it is quite true (in fact tautological) to say that an act cannot be deviant if there is no rule to be broken. There is no such thing as inherent deviance in the sense of deviance which exists independently of any rule. However, acts which break a rule can still be qualitatively distinct, as long as the rule is consistent and treats similar kinds of behaviour similarly — and any acts which possess a distinct quality will possess it whether there is a rule against them or not. The existence of deviance requires two things: firstly, an act, and secondly, a rule declaring it to be wrong. The act can still exist, and be qualitatively distinct, and be caused by something, even if it is not deviant because there is no rule, and it is perfectly logical for scientists to study acts of this nature and seek to understand their causes.

The other point to note is that Becker talks about “acts that break (or seem to break) social rules” as if it made no difference whether an act really did break a rule or not. In fact, throughout the book he uses the word “deviant” indiscriminately to refer to people who have broken a rule and people who are merely believed to have done so, even though this very distinction is one of the main points that he wishes to emphasise. This ambiguity can be seen clearly in another passage a few pages later — a passage which is especially important because it has been quoted time and time again by other sociologists as an authoritative statement of the labelling theorists’ position:

The central fact about deviance [is that] it is created by society. I do not mean this in the way it is ordinarily understood, in which the causes of deviance are located in the social situation of the deviant or in ‘social factors’ which prompt his action. I mean, rather, that social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labelling them as outsiders. From this point of view, deviance is not a quality of the act the person commits, but rather a consequence of the application by others of rules and sanctions to an ‘offender’. The deviant is one to whom that label has successfully been applied; deviant behaviour is behaviour that people so label. (Becker 1963, p. 8-9)

This passage can be interpreted in two ways. In the first sense it is true, but merely tautological, while in the second sense it is not true at all. If a deviant is defined as a person who is believed to have broken a rule, then it is undeniably true that society (that is, other people) creates deviance, because a belief cannot exist except in the mind of a person. If, on the other hand, a deviant is defined as a person who actually has broken a rule, then society does not create deviance, but only creates one of its essential elements. Deviance consists of two elements, an act and a judgment that it is wrong, and society only supplies the judgment, not the original act. Becker’s analysis may seem profound at first glance, but it is really little better than a verbal conjuring trick. However, this particular piece of semantic sleight-of-hand has had far-reaching consequences, because it has led so many other sociologists to the conclusion that, if crime is

created by society, then it is not objectively real - and if it is not real, then it cannot be increasing.

LAW AND ORDER 2: STANLEY COHEN

Stanley Cohen is one of the British sociologists who have been inspired by Becker’s theories, and his own work merits special attention because he was responsible for coining the phrase “moral panic”, which has come to play a central role in the rhetoric of the anti-law-and-order lobby. The phrase first appeared in 1972 in his book *Folk Devils and Moral Panics*. This is a study of the “mods and rockers” riots of the 1960s, in which fighting broke out between members of rival teenage fashion cults at seaside resorts in southern England. *Folk Devils and Moral Panics* is a good example of how labelling theory can be used to blame crime on the victims who complain about it instead of the criminals who commit it.

Cohen makes much of the fact that some of the newspaper reports about the “mods and rockers” riots were exaggerated. For example, after the first riot, in Clacton in 1964, some newspapers claimed that several dance halls had been wrecked instead of just one. However, he admits that much of the violence was perfectly real, and by his own account some of the strongest condemnations of it came from local people who had witnessed it for themselves and did not need to rely on what the press said. At this point he resorts to subjectivist arguments when he goes on to say that it does not really matter whether the violence was real or not. In his own words:

The crucial issue is not whether the incidents were ‘real’ or not, but the process of their reinterpretation. The line between this process and pure delusion is not easy to draw. (Cohen 1972, p. 82)

He then describes the way in which the general public became aware of the violence and reacted to it, and compares this to public reactions in cases of mass hysteria. For example, he draws a parallel with the case known as the Phantom Anaesthetist of Mattoon, an outbreak of mass hysteria which affected a small town in America for a few weeks in 1944. This affair started when a woman suffered a mild hysterical attack and mistakenly thought someone had sprayed gas through her bedroom window; her story gave rise to a rumour that a man was going round the town attacking women with a gas spray.

The most important point to note about Cohen’s analysis is that he emphasises the way in which people reacted to the riots rather than the cause of their reactions. He argues that the public outcry was a “panic” — a word with connotations of excessive and unjustified fear — because it was similar to public behaviour in outbreaks of mass hysteria, even though the riots were quite real. At first glance this may seem to be a completely absurd and illogical argument, since there is a fundamental difference between reacting to something which is real and reacting to something which is not real. A riot is a riot, even if the amount of damage done is exaggerated, but a mild hysterical attack is not the same thing as an assault by a man with a gas spray. However, it makes sense if you start from the premise that there is no such thing as objective reality. If reality is merely an illusion created by the human mind, then it is perfectly logical to draw conclusions by studying people’s beliefs about the facts of reality, and the attitudes and reactions which result from those beliefs, while ignoring the facts themselves.

Cohen later mentions an editorial published in a Brighton newspaper in 1964, which warned readers of possible trouble and advised them that:

If they see signs of a 'little Clacton' brewing, they should give the police their active support in reporting it. (Quoted in Cohen 1972, p. 146)

He comments that:

This type of warning is equivalent to inhabitants of a flood area being told to evacuate when sirens sound; but while their evacuation would reduce the effects of the disaster, the Brighton inhabitants, sensitised to report signs of a 'little Clacton', would, in fact, create deviance in something like the original sense suggested in the transactional approach. This is the paradox intrinsic in moral panics. (Cohen 1972, p. 146)

In reality, of course, local residents who reported hooliganism would not create deviance in the sense of causing criminal behaviour, but would only give a different description to behaviour which existed already. Like all the labelling theorists, Cohen confuses the name with the reality which it describes. Crime involves both an act and a moral judgment that it is wrong, but it is the act, not the judgment, which harms other people. If an act is not judged to be wrong, then in one sense there is no crime, but that does not mean there is no harm, so it makes no difference to the victims, who still suffer. Whether or not you call crime crime, it still feels the same when you are on the receiving end.

The real significance of Cohen's book is that it has made "moral panic" a favourite catchphrase of the anti-law-and-order lobby, which they apply indiscriminately to any expression of public concern about crime. The concept of "moral panic" allows them to dismiss the fears of ordinary people as unjustified without having to go to the trouble of considering the evidence on which those fears are based. Anyone who demands to know whether the crime rate is really increasing can always be met with the reply that it is a meaningless question because there is no such thing as objective reality. I have no reason to believe that Cohen is a Marxist, but his arguments can easily be adopted by Marxists and used for their own propaganda purposes.

LAW AND ORDER 3: GEOFFREY PEARSON

A slightly different subjectivist approach to the question of crime is taken by another British sociologist, Geoffrey Pearson, in his book *Hooligan* (1983). Pearson admits that crime is a fact of reality and not just a figment of the imagination, but he argues that the crime rate in Britain has always been just as bad as it is today, and the huge increase in crime since the 1960s has not really happened. This view is contradicted by official statistics as well as popular belief, but he claims that they are both unreliable.

Pearson sets out to prove his case in a typically subjectivist way, not by studying the empirical evidence about what actually was happening in the past, but by studying people's beliefs about what was happening in the past. He explains that, at any given time between the 18th Century and the present day, there were always a certain number of social commentators who believed that the crime rate was getting worse and that people were less law-abiding than they had been a few years earlier. These commentators obviously cannot all have been right, so he concludes that they were each right about their own time but wrong about what

had happened earlier, and that crime and hooliganism were "stable features of an otherwise changing society" (Pearson 1983, p. 236). He offers no evidence that the commentators in question represented the opinion of the majority, and in fact he himself cites several writers who disagreed with them. Instead, he simply assumes that the beliefs and opinions of the people he has chosen are a more reliable guide to the past than direct evidence such as published statistics.

Pearson's attitude to the criminal statistics varies from the cavalier to the downright dishonest. He devotes only six pages to them in a book of over two hundred pages, and that is just to dismiss them as useless. Some of his criticisms of their reliability are quite valid, although far from original. For example, he points out that crime figures can be affected by changes in the law and in police recording procedures, and that if police forces are expanded, better organised and equipped with modern technology such as cars and radios, their greater efficiency may enable them to record crimes which would never have come to their attention in the past. Nevertheless, even if the figures are not accurate down to the last detail, they may still be reliable enough to give a broad outline picture of past and present trends in crime, as long as due allowance is made for their weaknesses. Pearson, however, not only disregards the evidence of the statistics, but even resorts to blatant misrepresentation. At one point, for example, he refers to:

The criminal statistics which, obeying their own grammar of continuity, spiral relentlessly upwards across centuries. (Pearson 1983, p. 213)

The truth of the matter is that the figures do not show a relentless rise at all. It is impossible to tell what was happening in Britain before the 19th Century, because the annual statistics were not published until 1805, but in the second half of the 19th Century and the first couple of decades of the 20th Century there was in fact a steady decline in the crime rate. This is actually pointed out by two pairs of historians whom Pearson himself cites, namely V. A. C. Gatrell and T. B. Hadden (1972) and F. H. MacClintock and N. H. Avison (1968). Gatrell and Hadden's comments on trends in the late 19th Century are especially worth noting:

The implications of these movements are not really open to doubt. If the actual level of criminal activity had remained stable or even marginally declined, it is reasonable to expect that the increasing efficiency of the police and the courts would have led to an increase in the number of recorded offences and committals. Therefore the fact that there was a substantial decrease in the recorded rates is particularly significant: the figures must reflect a real decline in criminal activity, and quite a spectacular one. (Gatrell and Hadden 1972, p. 374)

Pearson's "relentless upward spiral" just does not exist.

I do not know for certain whether Pearson is a Marxist, but at one point he accuses Margaret Thatcher and her government of engaging in "class warfare" (Pearson 1983, p. 237), so it is quite likely that he is. If this is the case, then the motive for his deception is not hard to guess. As Lenin once said, telling the truth is just a bourgeois prejudice, and lying is justified if it is done in the cause of the revolution. If ordinary people knew that at one time the crime rate fell steadily for seventy years, they would want to recreate the social conditions which made that decline possible, and that would mean creating a society where the state took a much

smaller role and the socialist intellectual establishment had much less power and influence. It is necessary, therefore, for socialist intellectuals to rewrite history, so that people forget that things were ever any different and assume that the epidemic of crime which is causing so much misery today is just as inevitable as the changing of the seasons.

DANGEROUS DRUGS

At the same time that some American labelling theorists were studying crime, others were applying subjectivist methods of analysis to the question of drug addiction. The pioneer in this field was Edwin Schur, whose book *Narcotic Addiction in Britain and America* (1963) has had an influence just as far-reaching as Howard Becker's *Outsiders*. Schur set out to compare the consequences of the different policies which the two countries had adopted on the supply and use of dangerous drugs, with special emphasis on the opiate group of drugs which includes heroin. In Britain at that time, addictive drugs were legally available by prescription on the NHS, while in the United States, by contrast, addiction itself was treated as a crime. Schur found that in both countries drug addicts had serious problems in keeping a steady job, and in their personal relationships and sex lives, because of the harmful effects of the drugs on their physical and mental health. He did note, however, that addicts could not easily be recognised by their external appearance, and that their friends and relatives were sometimes unaware of their addiction because they seemed so normal on the surface. Apart from these similarities, he also discovered certain differences between Britain and America which he attributed to the differences in government policy. In America addicts were often involved in crimes such as theft, or had started pushing drugs as well as taking them, because there was no other way that they could raise the money to pay black market prices for their drugs. In Britain this was very rare. In Britain addiction itself was also much rarer than in America, and it did not appear to be spreading as fast. Schur concluded that this was because British addicts did not need to become pushers to make money. A final difference was that American addicts had developed their own criminal subculture, with special customs and slang, while British addicts had not.

Schur was one of the more cautious and moderate of the labelling theorists, and his approach was not entirely subjectivist, but gave some limited recognition to the existence of objective reality. He drew a distinction between what he called "primary deviance", which existed independently, and "secondary deviance", which was caused by society's reaction to primary deviance. His conclusion about drug addiction was that the addicts' problems at work and in their private lives were primary, because they were caused by the drugs themselves, but the special subculture and the crimes associated with addiction were secondary, because they were caused by the illegality of the drugs. However, his findings were seized on and distorted out of all recognition by other labelling theorists, who were soon claiming that heroin was only dangerous because it was illegal, and if it was legalised it would be harmless. A typical comment made by one American sociologist in 1965 is quoted by Christie Davies in his book *Permissive Britain*:

Nor is it possible to defend the notion that the use of addicting drugs necessarily transforms even the healthy personality so that it becomes 'character-disordered'. Again this is a matter of social circum-

stance ... when addicts have easy access to the drugs they need ... they usually do not manifest so-called character disaster traits ... where the laws are tolerant as in England the large majority of addicts get along quite well in their jobs, in raising families and otherwise being respectable members of the community ... if U.S. addicts could get their drugs without having to steal or go to jail, etc., most of the so-called character defects would disappear overnight. (Quoted in Davies 1975, p. 149)

Davies' own response is well worth repeating:

It is extraordinary that so much weight should be placed on superficial appearances, though it certainly fits in with the views of men who see the world entirely in terms of labels and counter-labels and are unwilling to admit any sort of objective testing of reality. (Davies 1975, p. 150)

In the event, even Schur himself proved to be somewhat complacent and overoptimistic in his admiration for the British system. In 1968 the system was abandoned because of a major increase in addiction, which was due to doctors prescribing excessive amounts of heroin and addicts selling the surplus. Interestingly enough, a similar system which was introduced in Sweden in 1965 to supply amphetamines through legal channels was abandoned only two years later for exactly the same reason (see Davies 1975 for further details).

The question of dangerous drugs presents libertarians with a serious problem. According to classical liberal principles, the law should not be used to prevent mature and responsible adults from harming themselves, but these principles assume that the people in question have normally functioning minds, so that they can make reliable judgments about whether their own actions are causing them harm. When a drug damages the mind and interferes with its normal functioning, the classical liberal argument no longer holds good. Finding a solution to the problem is not easy, but matters have not been helped by the acceptance by some libertarians of the labelling theorists' myth that dangerous drugs are really harmless, or would be harmless if only they were not illegal. If any further evidence is needed to refute this myth, it should be provided by recent experience in Switzerland. In 1986 the Zurich city council set aside one of the city's public parks, the Platzspitz, as a special area where all drugs could be bought and sold freely. The council hoped that if dealers could not charge black market prices for drugs, many of the problems associated with addiction would be alleviated, as the labelling theorists had predicted. As part of the experiment, the council also gave away free sterile needles to stop the spread of AIDS and other infections. As soon as the scheme started, the price of heroin in the city fell by 75%. Six years later, however, the experiment was abandoned as a disastrous failure, because it had led to a vast increase in the rate of addiction, the numbers of AIDS cases and deaths from overdoses, and the amount of violent crime in the area. (For further details see Leslie 1992.)

As in the case of law and order, subjectivist arguments about drugs and their effects can be used by Marxist propagandists to convince people that nothing is wrong while all around them their society is under attack. In fact, there is evidence that drug-pushing was deliberately used as a weapon against the West by the Soviet Union during the Cold

War. It was the Chinese communists who first used drugs to undermine the fighting strength of foreign armies, first against the Japanese in China itself, and then against the Americans in Korea. In 1956 the Soviet Union started an experimental study with a view to using the tactic against Western society as a whole, and in 1962 Khrushchev launched the main program at a secret conference in Moscow. The campaign involved heroin from the Middle East which was supplied through Bulgaria, and cocaine from South America supplied through Cuba. (For further details see Crozier 1990.) Since the collapse of communism in Russia the scheme must presumably have been abandoned, but the same thing could be done again by any other group of conspirators who wanted to undermine Western society.

WHY MENTAL ILLNESS IS NOT A MYTH

The phenomenological school of thought in sociology represents one example of a group of theories which developed as a reaction against determinism, but is equally wrong in a different way. There are others. An example which is particularly important to libertarians, because so many of them have been influenced by it, is Thomas Szasz's theory that there is no such thing as mental illness. Szasz argues that there cannot be such a thing as mental illness because to recognise its existence implies a belief in determinism; if mental illness exists, free will cannot. He maintains that the concept of mental illness was first invented in the 19th Century when the modern science of psychiatry was founded; this, he argues, gave rise to a new belief that the symptoms of mental illness were not voluntary, or, in other words:

Mentally sick persons did not 'will' their pathological behaviour and were considered not 'responsible' for it. (Szasz 1962, p. 11)

He goes on to say that this belief in mental illness is a danger to freedom because of the determinist assumptions on which it rests. In his own words:

The notion of a person 'having mental illness' ... undermines the principle of personal responsibility, upon which a democratic political system is necessarily based, by assigning to an external source (i.e. the 'illness') the blame for anti-social behaviour. (Szasz 1962, p. 296-297)

Szasz is quite right to be concerned about the political dangers of determinism, and he is highly regarded by many libertarians for his valuable work in exposing the errors of determinist psychologists. Nevertheless, his own views are equally open to criticism. For example, other writers have pointed out that the concept of mental illness is not an invention of 19th Century science, as he claims, but can be traced back as far as ancient Greece and is also found in non-Western pre-scientific cultures. On a more fundamental level, I would like to question whether it is possible to do justice to the facts of reality, which everyone can observe, without using such a concept. An example from real life may help to illustrate this point. On 15th March 1989 a documentary program entitled "John's Not Mad" (one of the "Q.E.D." series) was shown on BBC TV. The subject was a sixteen-year-old Scottish boy who was suffering from a rare mental disorder known as Tourette's Syndrome. Most of the time his behaviour was perfectly normal, but from time to time he was overcome by a sudden fit, lasting only a few seconds, in which he would spit, yelp like a dog and shout obscene words. This behaviour was not deliberate or volun-

tary in any sense; on the contrary, whenever he felt a fit approaching he would try to stop it by biting his lip and putting his hands over his mouth. If Szasz is right about mental illness, then it is impossible to explain this boy's symptoms except by supposing that he was merely engaging in an elaborate pantomime and could have stopped his bizarre behaviour at any time if he had really wanted to — and it is hard to see how he could have kept up the pretence for so long.

I would like to argue that Szasz is right to attack determinism and insist that free will is a reality, but he is wrong to assume that all human mental phenomena can be explained in terms of free will and that there is no other force within the mind that can interfere with the will. Determinist theories of psychology maintain that all mental phenomena are due to unconscious and automatic forces such as innate instincts and conditioned reflexes. Szasz's theory, which could be called "dogmatic voluntarism", is that all mental phenomena are due to the workings of the conscious, rational mind. I would suggest that in reality the human mind is more complicated than either Szasz or the determinists recognise.

As the behaviourist psychologist Hans Eysenck has explained in *You and Neurosis* (1977), the brain is divided into three distinct layers which originally developed at different times in our evolutionary history. The uppermost layer, known as the neocortex, is the source of the uniquely human faculties such as free will and rationality, but below it are two more primitive layers, inherited from our animal ancestors, which also influence our behaviour. (It should be noted that this model differs from the Freudian model consisting of the superego, ego and id, in that the faculty of reason is located in the top level of the mind, not the middle level.) The three layers of the brain are not completely independent of each other, but they can function independently to a considerable extent, and it is because they can sometimes come into conflict that mental illness is possible. The task of psychologists is to study and understand the primitive mental forces such as instincts and reflexes which can cause trouble when they clash with our conscious will. We can only gain a full and complete understanding of the workings of our minds through a scientific voluntarism which recognises the existence of both the will and these other mental forces — not through a dogmatic determinism or through Szasz's equally dogmatic voluntarism, each of which turns a blind eye to one half of reality. Szasz has developed his theories with the best possible intentions, but they can all too easily lead to the conclusion that mentally ill people are nothing but malingerers who could easily solve all their problems by sheer willpower if only they made the effort.

Szasz's dogmatic insistence that it is impossible for any other mental force to coexist with free will is equally apparent in his book *Ceremonial Chemistry* (1975), in which he makes his own contribution to the debate over dangerous drugs. He refuses to believe in the existence of addictive drugs — that is, drugs which give the user an actual physical compulsion to continue using them — for the same reason that he refuses to believe in mental illness. In his own words:

Addictive drugs stand in the same sort of relation to ordinary or non-addictive drugs as holy water stands in relation to ordinary or non-holy water. (Szasz 1975, p. xvii)

He goes on to say that the only difference is “ceremonial, not chemical” (Szasz 1975, p. 4), and claims that:

We call certain drugs ‘addictive’ because people like to use them — just as we call ether and gasoline ‘flammable’ because they are easily ignited. (Szasz 1975, p. 3)

To be fair to him, it should be noted that he wrote these words shortly before an important new advance in scientific knowledge about the way in which addictive drugs work. In the 1970s it was discovered that opiates such as heroin are very similar to substances known as endorphins, which are produced naturally by the nervous system and are involved in controlling the transmission of signals of pain through the nerves to the brain. Addictive drugs interfere with this biological process, so that when the drug is withdrawn after a period of use, the result is a violent sensation of physical pain.

In *Ceremonial Chemistry*, Szasz actually comes uncomfortably close to using subjectivist arguments. Much of the book is devoted to a comparison between modern campaigns against dangerous drugs and past events such as the persecution of Jews and witches in the Middle Ages and the ritual sacrifice of scapegoats in ancient Greece. He displays a great deal of ingenuity in drawing parallels, but his method of argument throughout is very similar to that used by the labelling theorists. In other words, he devotes all his attention to the way in which people reacted to a certain phenomenon, while ignoring the objective nature of the phenomenon itself. The implication of his argument is that if people’s reactions were the same in two different cases, then the things that provoked the reactions must also have been the same in both cases — and if in one case the cause of the reaction was just a myth and an illusion which posed no real threat, then the cause in the other case must have been equally illusory. As with labelling theory, this argument only holds good if you assume that the only true reality which exists is inside people’s minds, and there is no objective external reality. One passage in particular sounds remarkably like an echo of the claims made by the labelling theorists a few years earlier:

We had no problem with drugs until we quite literally talked ourselves into having one: we declared first this and then that drug ‘bad’ and ‘dangerous’; gave them nasty names like ‘dope’ and ‘narcotic’; and passed laws prohibiting their use. The result: our present ‘problems of drug abuse and drug addiction’. The plain historical facts are that before 1914 there was no ‘drug problem’ in the United States. (Szasz 1975, p. 11)

This is just not true at all. As a matter of fact, there was quite a serious drug problem in the late 19th Century because many people became accidentally addicted to cocaine and opiates through taking the many quack medicines which contained those drugs. As the sociologist Troy Duster has pointed out (1970), it was largely because of pressure from doctors who had to deal with the consequences of accidental addiction that the first laws against dangerous drugs were passed in the early 20th Century. In passages like this, Szasz comes dangerously close to saying that there was no problem because people did not think there was a problem — as if dangerous drugs and their effects had no objective existence in reality.

WHY LIBERTARIANS SHOULD BE POPULISTS

Throughout this essay I have done my best to explain complicated and subtle issues in language that everyone can understand. This is because I believe that freedom cannot be defended successfully if its defence is left in the hands of a chosen few. We will never win unless a belief in the ideal of a free society is spread as widely as possible, among as many people as possible. The war of ideas can only be won by a well-armed people, and that means putting weapons in the hands of every citizen, not just a few political activists. We must realise that our enemy’s main weapons are sophistry and deception, and the only defences against them are clear thinking and plain speaking.

I would suggest that it is useful to distinguish between three kinds of people:

- (1) People who cannot be bothered to think.
- (2) People who think they are clever enough to do everyone else’s thinking for them.
- (3) People who think for themselves - and only for themselves.

Today it is the people in the second group who are the greatest threat to a free society, and the people in the third group who are most vital to its survival. If we want freedom to triumph, we must do our utmost to make sure that ordinary people are never afraid to use their own minds, think for themselves and ask the experts awkward questions.

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COMMENT: ON RATIONALITY, VIRTUE AND LAW

BRIAN MICKLETHWAIT

In the letter to us which accompanied his manuscript, Roderick Moore wrote:

As you will see, I have diverged once again from the libertarian consensus on dangerous drugs, but I hope my comments will go some way further towards explaining the reasons why. Chris may want to add a critical comment onto the end of the article, as before, but I hope you will not be deterred from publishing it.

My article on privatising money will follow in a few more weeks.

LA Director Chris R. Tame did indeed add an Afterword to Moore's last LA piece (*Instinctivism: The Ideology of Permissiveness*, Psychological Notes No. 9, 1993). Tame stated, among other things, his version of the libertarian orthodoxy on drugs, which is to the effect that the whole notion of addiction is suspect. Moore claims that drugs are different, because drugs destroy rational choice-making, and man's capacity for rational choice-making is the justification of liberty. But, says Tame, "There is no drug in existence which destroys the faculty of reason ..." A similar comment, again distinguishing between Moore's views and the libertarian orthodoxy, is necessary for this piece. But since Tame's Afterword for Psychological Notes 9 took rather a long time to materialise (Moore had to do quite a lot of nudging by letter from the provinces) I've added this comment myself.

DRUG USERS SHOULD NOT BE PROTECTED FROM REALITY

My own reasons for favouring the libertarian orthodoxy on drug decriminalisation are rather different from Tame's. I don't know whether "addiction" destroys rational choice-making, or merely warps it somewhat. The fact that the majority of youthful drug users tend to stop using drugs when they get older and more risk averse throws severe doubt on the implacably addictive properties of such drugs. On the other hand, if the consequences of drug taking are indeed as dire as the most gruesome prophecies imply, why add further punishment to the self-inflicted torments of the drug fiends? Why not let nature take its course? Why don't we just leave them alone to torture and destroy themselves, if that's what they're doing, and concern ourselves only with our own interests, rather than fussing relentlessly about what we can only guess to be theirs? This would surely be the best deterrent imaginable, and it is also what the drug "treatment" experts say should be done to people on drugs, to get them off. Do not, say such experts, shelter drug takers from the bad results of their behaviour. Simply let them confront reality, in the form of whatever physical harm they suffer, and in the form of the discrimination they must endure from others, such as potential landlords, employers or spouses, who withhold their various favours.

Moore notes that it was doctors who had to treat addicts who agitated for the illegalisation of drugs. The key word here is "had". Why should a doctor *have* to treat someone,

any more than a teacher should *have* to teach someone or a garage *have* to mend someone's car? If people behave badly because of or as part of the process of taking drugs, then they should not have the right to insist on medical treatment. (Of course, if you have a monopoly medical profession, the withholding by individual doctors of their services is far more problematic.)

If drug misuse is now so rife, this is in large part because the world is now run according to the principle that everybody, no matter how atrociously they behave, has an automatic claim to many important benefits and services that others are compelled to supply. No wonder lots of people behave badly, if no harm will come to them as a result, and if they can still go on getting an income, getting somewhere to live, and having someone to treat all their self-inflicted ailments and injuries.

As to that Swiss experiment in drug decriminalisation, did the Swiss, in addition to allowing druggies to live in their town, also get mixed up in *helping* them in various ways? Did they, in other words, get embroiled in sheltering the druggies from the consequences of their silliness and wickedness? References to free needles to stop the spread of AIDS suggests that perhaps the Swiss state "helped" in other ways too. Drug liberalisation will have to start in small places dotted about the globe — indeed it already has — but it will work best in places where the follies of welfarism have been experienced and as a result curbed, and where crime, whether drug-induced or just vice-induced, is treated with unsentimental brutality. Switzerland, being one of the most sensible places on the planet, is only at the very early stage of this process of self-education. Combining welfarism with drug legalisation may indeed be a recipe for disaster, in this or that particular circumstance. It is an invitation to every freeloading, brain-damaged parasite on earth to make a beeline for the place. (And alas, freeloading, brain-damaged parasites can be remarkably "rational" when it comes to choosing the most friendly places to live and sponge. That bit of their brain seems to function fine.)

RISK AND RATIONALITY

If Tame and I are wrong, and drugs *are* totally addictive, how does it improve matters to deny to addicts that which they *must have*? Surely total addiction (rather as the rest of us are "totally addicted" to food) is an argument not for interrupting the supply of the addictive substance but for allowing supply to proceed unhindered. As Moore, Tame and I all agree, free markets supply things better than politically managed markets.

Moore thinks that drugs should be illegal because they undermine the capacity to make rational decisions. Tame agrees that the rationality of decisions is indeed what matters, but asserts that drugs do not destroy rationality. I say that it is the voluntary nature of decisions, not their rationality, that matters. Being a drug "addict" warps your rationality in the sense that after you have embarked upon your

career as a druggie, you will have different priorities. But so, in this sense, does poverty warp your capacity to make “rational” decisions. So does being a mother, or a cripple, or a Moonie. None of this means that low-paying jobs or slum dwelling, motherhood, rock-climbing or religion should be supervised by the government and illegal if not done in the manner the government thinks proper. Life is an inherently risky process, but putting the government in charge of all the risks we take is the biggest risk of all.

CONFLICT RESOLUTION VERSUS THE IMPOSITION OF VIRTUE

Morally, the legal punishment of drug users is surely unsatisfactory. Why should someone be punished for that which only harms him? It is precisely because people in general see the force of this argument that those who nevertheless favour the denial of drugs to those who want them focus their hatred upon the drug *dealers*, who are regarded as the evil monsters who don't so much supply their customers as prey upon them. But in the opinion of all those involved, drug deals are a good thing, or else they would not occur. So who's going to tell the police about these deals? The morals of the argument — the inherent unattractiveness of harassing those who harm only themselves — are indissolubly linked to the practicalities of policing.

The more I ponder the libertarian argument, the more I am convinced that it hinges not so much upon the different opinions that people hold about drugs, firearms, medicine, racism, and so on, but upon a disagreement about *law*.

Law cannot solve all human problems. It can only address that subset of acts of human wickedness that consist of violent or potentially violent conflicts. If two people both agree to do something that others call wicked, such as do a drugs deal, or sodomise one another, or make a porno movie, or add a drums and guitars accompaniment to a Mozart symphony, then so long as nobody else is forced to participate in these arrangements there is *no human conflict*, and accordingly no part that the law either should — or conveniently can — play.

Insofar as some drug users in a world of legalised drug markets continued to commit crimes, as a result of the inherently crime-inducing nature of the drugs themselves, then at that precise point their activities would become a proper focus of police attention. But not until that point. (This is already the approximate rule with alcohol, and so it should remain, only more so.)

The attempt to turn the law into a machine for imposing virtue of *all* kinds, rather than merely virtue of the particular kind that consists of not having violent battles with others and instead settling one's differences peaceably, turns the law itself into something wicked.

Policemen who specialise in intervening in conflicts, but who otherwise turn a blind eye to human folly or vice, are the servants, not the masters, of the people. They are regularly *summoned* by the people, to solve real problems. If no such policemen now existed, it would be necessary to invent some. If there were now a free market in policing many new kinds of policing would be invented, and insofar as there is already such a market, just such an inventive process is now proceeding, as the nationalised police degenerate into a police force of a quite different sort.

Policemen whose job is to suppress folly and vice of *all* kinds switch from being servants of the people to being an army of occupation. They must recruit another army of informants, or who will tell the policemen what the people are getting up to, given that the people themselves regard such policemen as enemies rather than allies and refuse to answer their questions. As the futile attempt to impose virtue by law intensifies, and fails ever more humiliatingly, the ancient inhibitions associated with the “rule of law”, such as the presumption of innocence, the right to silence, the right not to be imprisoned without charge, and so on, are eroded and in due course swept aside. (See Sean Gabb's Legal Notes No. 6, *The Full Apparatus of a Police State: Thoughts on the Dark Side of the Thatcher Decade*, Libertarian Alliance, 1989.) The police force itself becomes utterly corrupt, hand in glove with the criminals who profit from the illegalisation of so many voluntary arrangements that people wish to indulge in. What ought to be the core task of the police, the prevention of and prosecution of coercive, non-consensual acts, gets neglected. The citizens then “take the law into its own hands”, as the saying goes, and start to defend themselves, and to set up their own freelance punishment systems for the criminals whom the police are no longer so concerned about. The law defines that practice as yet another vice, and the police proceed to attack that. The law becomes a combination of tyrant and ass.

TOXIC PSYCHIATRY

As for Moore's discussion of the ideas of Thomas Szasz, I share his — also somewhat heretical — doubts about Szasz's ideas. (Szasz is, after all, on the LA's Advisory Council.) But to acknowledge the reality of “mental illness” is not at all the same as proving that such illnesses are now being correctly treated. For a devastating attack on the practices of orthodox psychiatry, see Peter Breggin's *Toxic Psychiatry* (published as a Fontana Paperback by HarperCollins, London, 1993, first published by St. Martin's Press, New York, 1991), and see also my review of this in *Free Life* (No. 18, May 1993). Maybe both Szasz and Breggin go too far in opposing the whole *principle* of physical explanations of mental illnesses. But they are surely both entirely right to doubt the validity of many of the particular physical explanations of mental illness now offered by orthodox psychiatry, and to denounce the horrors that are now offered as physical “cures”. However, I personally am persuaded by Moore's criticisms of Szasz. Simply from the tactical point of view, if you want to right a wrong — like current psychiatric practice — then you'd better be as right as you can in all the related judgments you make.

All of which is incidental to the central propositions in Moore's piece, concerning the woeful defects of much contemporary sociological theory. With these criticisms most libertarians would enthusiastically agree, which accounts for our eagerness to publish this. That Moore intends to submit another piece on privatised money makes us all the keener to encourage him, by publishing what he already has submitted, even if sometimes with dissenting comments attached such as this one.