

radical feminist green

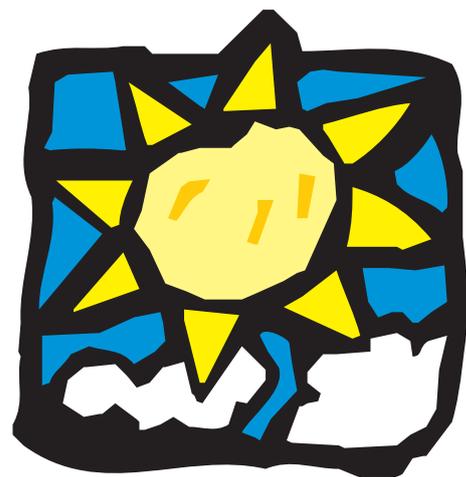
Perspectives

No 18 / WINTER 2008-09 / £2



NEW CLIMATE CHANGE DENIERS

OUTLOOK: DEEP DEPRESSION



AND NEW CLIMATE CHANGE SOLUTIONS

OUTLOOK: GOOD, POSSIBILITY OF SUNSHINE

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EDITORIAL

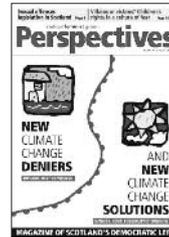
CLIMATE FOR CHANGE?

This issue of *Perspectives* is as notable for what's missing from it – the economic crisis – as it is for the contributions we have printed. The omission is deliberate in the sense that we will be publishing a special issue in the next few weeks dealing with the causes of, and cures for, the current recession.

That said, Justin Kenrick's article on climate change makes the point that economic crisis brings the incentives for tackling environmental issues. Indeed it might be argued that economic crisis is a real driver of change, as in times of relative prosperity people are less inclined to make alterations to their ways of doing things when everything *seems* hunky-dory.

As Justin examines the issues and forces at play in the environmental debate, he concludes by arguing that "The prospect of climate change can either paralyse us into inaction or radicalise us into taking action. If we act, we can build a far better world; if we don't, then our species will become extinct – there is nothing to lose in taking rational radical action now."

The recent Scotland-wide billboard campaign, "This is not an invitation to rape me", has had a huge impact in highlighting the issue, yet rape convictions in Scotland have fallen to a shameful 2.9%.



The prospect of climate change can either paralyse us into inaction or radicalise us into taking action.

■ Letters and contributions (which we may edit) are welcome and should be sent to the editor – contact details alongside.

Proposed legislation currently before the Scottish parliament could tackle this issue and lead to an increased rate of conviction but, as Eileen Maitland observes, it's a mixed bag when the proposals are examined in detail. However law must be seen in the wider context of society and Eileen argues that changes within legal responses to rape must be matched by a commitment to challenge attitudes within Scottish society to women's behaviour and sexuality.

The UN Committee on the Rights of the Child has just published its report card on the state of children's rights in the UK. It makes difficult reading, as Maire McCormack reports, especially in the wake of the recent Baby P case, and raises fundamental questions of how society views children and their rights.

Elsewhere in this issue, David Purdy continues *Keywords*, this time examining the concept of Interests; Edinburgh councillor Maggie Chapman takes Scottish local authorities to task for their failure to address new opportunities now that they are freed from the obligation to spend resources as stipulated by Holyrood; and Tim Gee pulls apart a business book of the year. Thanks, as usual, to all contributors.

Sean Feeny
Editor

PERSPECTIVES PRODUCTION

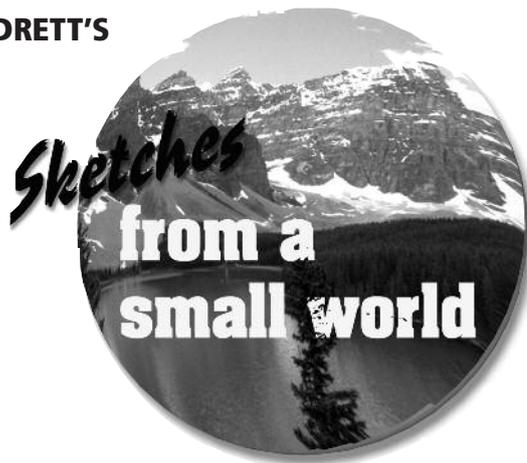
A number of subscribers have been in touch wondering whether they have missed an issue of *Perspectives* as the last one appeared in the spring of this year. Unfortunately a number of unforeseen circumstances have conspired to cause delays in production. Our apologies for this. We hope to make up for lost time with a special issue on the financial crisis, to appear shortly, and the next normal issue in January.

To help get the magazine back on the track of regular publication, Democratic Left Scotland's national council have appointed Davie Laing as deputy editor and the NC will continue to look for a circulation manager.

Elsewhere on the communications front, Peter McColl has taken over responsibility for Democratic Left Scotland's website (www.democraticleftscotland.org.uk) from Ray Newton, to whom thanks are due, for it was Ray who started up the website and maintained it for a number of years.



EURIG SCANDRETT'S



I recently took the train from Edinburgh to Barcelona and back. We only just made it. When we arrived in Barcelona, we narrowly missed a strike by public transport workers in the city. We returned just a day after a strike by French railway workers. Whilst we were away, lorry drivers working for the oil industry in UK struck over pay, and just before I left, the workers at Grangemouth refinery went on strike over threatened reductions in pension conditions. Now, since I've been back there have been protests by haulage companies over taxation on fuel. All these protests and industrial actions have the same origins – the rising cost of oil. At the time of writing, the price of crude oil is at an all time high. Oil companies are achieving record profits.

We're approaching peak oil, when demand outstrips supply and extracting new sources becomes increasingly difficult, costly and environmentally damaging. And, the costs, and benefits of this are highly unequally distributed, and increasingly contested. It will also become even more militarised. The Iraqi oilfields will soon be exploited by selected US oil companies, defended by US military hardware.

We have just passed the twentieth anniversary of the Piper Alpha disaster, when a north sea oil rig burst into flames, killing and injuring 167 workers. Nearly 20 years since the Exxon Valdez spilled 11 million gallons of oil into the Prince William Sound in Alaska, destroying the fisheries of local indigenous people, the US supreme court decided to reduce the damages payable by Exxon Mobil to one fifth of the original cost, essentially letting the corporation off paying anything more. In Ecuador, a court case against Texaco is ongoing for the pollution of tribal people's land. And then there's climate change. From extraction to the waste stream, the oil industry is amongst the most exploitative.

How are we to address these issues of peak oil and

We're approaching peak oil, when demand outstrips supply and extracting new sources becomes increasingly difficult, costly and environmentally damaging

climate change in a way which does not offload all the costs onto workers and indigenous people? On the left, the green movement continues to attract largely middle class progressive professionals; the socialist parties continue to mobilise in working class and poor communities; and young radicals are increasingly drawn to anarchism. All these movements have their intellectuals who are generating strategies for the future. An alliance of these movements has the opportunity to build a hegemonic bloc which might stand a chance of taking us out of this crisis with a just transition. Following an article by Justin Kenrick (who writes in this issue of *Perspectives*) in *Scottish Left Review*, activists from green and red wings of the left organised a conference in Edinburgh on 18th and 19th October to address the question of how we draw from these traditions to find a solution to climate change.

From June 10th to July 2nd, nine Bhopalis were on hunger strike in New Delhi because of the refusal of the prime minister to meet them to discuss the setting up of a special commission on Bhopal. Promises have been made, of health care, economic rehabilitation, site clean up and access to clean water, as well as legal pursuit of Dow, but none has been delivered. A special commission could enforce this. Some of us in Scotland joined a global one-day fast in solidarity on 28th June. One day with only water left me feeling weak and sharpened my awareness of the situation faced by the Bhopalis. The baton has been taken up by another group of hunger strikers to keep the pressure on Manmohan Singh, who it seems is more interested in keeping the multinationals sweet than in the welfare of the citizens he represents. As usual keep up to date with www.bhopal.net

■ *Eurig Scandrett is an environmental activist and member of Democratic Left Scotland.*

NEW CLIMATE CHANGE DENIERS AND NEW CLIMATE CHANGE SOLUTIONS

With the economic crisis bringing additional incentives to tackle environmental issues, **Justin Kenrick** argues that it is possible to land our oil-dependent economy safely.

Today we are experiencing the impacts on the climate of emissions released thirty years ago ...

If we are to take effective action to tackle climate change then we need to keep focused on the cause rather than being mesmerised by future consequences. Even if climate change wasn't happening, even if we had hundreds of years rather than months to change direction, the economic system we are still in thrall to would continue destroying the oceans, the forests, the soil and the possibility for continued mammalian life on earth at breakneck speed. If climate change is the wake up call to change direction now to even stand a chance of stopping this process then it is not just a reason to be fearful, but a reason to be hopeful.

Today we are experiencing the impacts on the climate of emissions released thirty years ago ... even if we stopped all emissions now, we would still have to deal with the emissions released over the last thirty years. We are all aware that it may be too late, that it may be impossible to act in time. However, we cannot know, nothing is certain, and perhaps the image that best sums up our situation is that of the Boeing jet running out of fuel 500 feet up on its approach to Heathrow last year. The pilot could have given up, but he did everything he could and just managed to lift the nose up over the perimeter fence, and land safely. That is the task we are engaged in: seemingly impossible, but worth every ounce of effort since there is just a chance we can land this oil-dependent economy safely.

"CAN COMMUNITIES SHAPE POLITICS?" ASKS HOLYROOD 350

Holyrood 350 was launched at the Big Tent Festival, in Falkland, Fife on July 27th, and is the initiative of people who are actively working across Scotland to dramatically reduce their communities' carbon footprints, and who call on the Scottish Government to introduce legislation to stop accelerating climate change by radically reducing our carbon emissions and so setting an example for the rest of the world to follow.

Whether we are working as part of Going Carbon Neutral Stirling, Carbon Neutral Biggar, Eco-Renovation Glasgow, Portobello Transition Town, Fife Diet, Findhorn Ecovillage or Falkland Transition initiative, our point is that the time for setting future targets is passed: we have to take radical action now. Our focus is on enabling our communities to power down from a fossil fuel dependent lifestyle and power up ways of meeting our communities' needs that discard

unnecessary production and consumption. While we are working to demonstrate that sustainable living is possible in our communities, we are well aware that unless the state refocuses its efforts into supporting the rapid spread of such initiatives, our efforts will be wasted. There can ultimately be no islands of green. Climate change and peak oil is hitting the poorest and most vulnerable across the world first. Ultimately we will all either pull through this together or fall together. So how can activists, campaigners and carbon neutral pioneers in communities such as ours engage with the broader political process? Do we have to simply fit into the "Environmental NGO" category, and follow the approaches they have taken which focus on lifestyle changes, national targets and international negotiations? Or should we be simply calling on people to vote for a party we think would deliver if only it was in power, or call on them to vote for the least bad of the parties with a chance of shaping the state's response to climate change and peak oil?

Responding to climate change and peak oil requires a fundamental reorientation of our economic, social and political system. In a nutshell: we have to *stop carbon being extracted from the ground to pass through the economy into the atmosphere*. Climate change is the consequence of an economic system built on the necessity for endless economic growth on a planet which has finite resources. Tackling the causes of climate change requires us to fundamentally re-orientate our economic system so that it meets the needs of current and future generations in a way which enhances the flourishing and well-being of people and ecosystems everywhere. We will create a fairer, healthier and happier society – as well as a society with a future – by using our fair share of natural resources, and so living in an energy-healthy not energy-obese society.

SCIENTIFIC BACKGROUND TO 350PPM

In Edinburgh recently, Jonathan Porritt spoke about the calculations done at Mauna Loa in Hawaii that revealed that for 2007 "concentrations had now reached 387 parts per million ... [and that] the concentration of CO₂ is accelerating". He continued:

"Now that just reminds us that this is a real time exercise that we're involved in here. The planet is immensely dynamic, it is not a static system which we just look out on and think we can manage slightly better in terms of where it is now. We all know that what we're seeing in terms of a change in climate

today is a consequence of the emissions we put into the atmosphere 30 or 40 years ago.”¹

According to NASA’s Jim Hansen, unless we reduce our CO₂ concentrations to below 350ppm, it is highly unlikely that we will avoid catastrophic, runaway climate change. This is because feedback mechanisms are kicking in, and carbon sinks are losing their ability to absorb carbon, far sooner than expected. Hansen says that if we proceed on our current path of allowing emissions to rise and simply negotiating for reductions sometime in the future, then humanity will soon no longer be able to control runaway climate change as the planet’s own feedback mechanisms kick in. He writes:

“If humanity wishes to preserve a planet similar to that on which civilization developed and to which life on Earth is adapted, paleoclimate evidence and ongoing climate change suggest that CO₂ will need to be reduced from its current 385 ppm to at most 350 ppm ... If the present overshoot of this target CO₂ is not brief, there is a possibility of seeding irreversible catastrophic effects.”²

WHY CURRENT MARKET BASED SOLUTIONS CANNOT SUCCEED

Mark Lynas recently showed how when the Stockholm Network asked the Met Office’s Hadley Centre to run three alternative visions of the future through their modelling system, all three led to well over 2°C rises (2°C being the tipping point after which feedback loops are expected to kick in too severely to be restrained).

The scenarios and rises are:

- 1) **Agree and ignore** – the current approach where international negotiations lead to weak target setting, which countries then effectively ignore – leading to rises of 4.9°C;
- 2) **Kyoto plus** – in which current international negotiations lead to successful binding agreements, with targets countries keep to – leading to rises of 3.3°C; and
- 3) A radical **step change** market approach to severely restrict companies using fossil fuels in the first place – leading to rises of 2.9°C.³

Mark Lynas concludes that “no political scenario we could envisage will now keep the world below the danger threshold of two degrees”. If he is right, then surely we need to create a dramatically *different* political scenario? It may sound wildly unrealistic (and there is absolutely no guarantee that a different scenario is possible), but we *do* appear to have an absolute guarantee that if we don’t create a radically different scenario then we will not survive.

Even more disturbing than the story Mark Lynas tells is the fact that people are falling into the new climate change *denial* camp (pushing for one of the three market based solutions he refers to above, and denying that non-market public solutions are possible) or falling into the *despair* camp (painting a drastic scenario without offering any way out of it).

To avoid becoming trapped in the old climate change despair or in the new climate change denial, perhaps we need to recognise that radical social change can and does happen: that looking ahead radical social change often looks impossible; but looking back it often appears as if it was inevitable. Radical change that appears inconceivable in one historical moment can become inevitable in the next. It is made possible when people refuse the so-called “political realism” of the earlier period by aligning themselves with the broader realities that the status quo effectively ignores, and by Building alliances between those the status quo marginalises.

- 1) **The broader reality** today is an economic system which is globally unravelling the ecological and social fabric to fuel unsustainable affluence for some, unbearable impoverishment for most, and accelerating climate change for all. (For example, a recent Citigroup analysis of the European Carbon Trading Scheme – compiled to advise investors – points out that current European carbon trading solutions have led to huge profits for energy corporations, higher prices for energy users and an increase in carbon emissions.)
- 2) **The broader alliance** we need to create is between all those who are willing to refuse (big) business as usual. This means campaigners, people in political parties, community activists, scientists, people in business, anyone for whom it is clear that unrestrained economic growth is the force driving emissions up and driving us to extinction. George Monbiot’s telling account of business people imploring the government to place restrictions on the market and being told by New Labour that this would be an “unwarranted intervention in the market” shows just how far out of step the logic of big business and big government is with ordinary people – whether those people are in business or on the street.⁴

The first steps towards creating a radically different political scenario would involve:

- 1) *ensuring carbon is given a price* and that corporations’ subsidies and externalities are removed so that low-carbon, locally-based, small-scale economic activities become cost competitive. It would involve
- 2) *ensuring we rapidly shift from fossil fuel and other polluting energy sources to renewable energy*, from building infrastructure which encourages high emissions to building infrastructure to enable a zero-carbon society, from being at the mercy of international finance run simply for short-term profit to enabling the growth of the real economy that ensures our well-being. It would involve
- 3) *working from the ground up to build resilient zero-carbon communities* which can wean us off our dependence on oil and create the space for vibrant local decision-making, economies and communities.

I would argue that the Scottish Green Party (of which I am a member) already has these policies and this

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CLIMATE CHANGE

The difficult issues concern how we address global and social justice, how we ensure a fair redistribution of wealth even as the economic cake has to inevitably and speedily shrink to reduce our collective carbon footprint.

vision. Policies and a vision based on community, and national and international public (not market) solutions. However, from my experience of the Scottish Green Party conference in Glasgow on the 20th September 2008, many in positions of real influence in the party could show far greater confidence in their vision by demonstrating a willingness to deal with the really difficult issues. The difficult issues do not concern how to become yet another professional hard headed electoral machine that will make the same compromises that mean we do not change the road we are collectively travelling down. The difficult issues concern how we address global and social justice, how we ensure a fair redistribution of wealth even as the economic cake has to inevitably and speedily shrink to reduce our collective carbon footprint. Even here, the problem is not Green Party policy, which is redistributive in an imaginative and creative way; the problem is the need for a willingness to explain the need for such redistribution in a way which motivates and mobilises both those disenfranchised right now in our society, and those aware that all their wealth and well-being today is worth nothing if it is built on a system that – by its nature – has to continually expand to exploit others and destroy the future. Once people are in the electoral mind-set it can clearly be hard to think outside that electoral box and be willing to pursue – in tandem with electoral politics – a politics of the imagination: one that discards the playground politics of contempt, and instead engages with, challenges and is challenged by, others who recognise the urgency of the situation.

HOLYROOD 350 SOLUTIONS

Holyrood 350⁵ solutions may be in line with Green Party policy, but they are an attempt by those of us working in our communities to sketch the scaffolding needed to build a transition society to a sustainable future. In a nutshell, we call on the Scottish Government to take immediate measures to dramatically reduce and then *stop carbon being extracted from the ground to pass through the economy into the atmosphere*. Specifically, we call on the Scottish Government to take immediate steps to:

1) **Price Carbon Out of the Economy:** Introduce a scheme within 12 months which will ensure that high-carbon products/modes of transport/etc. are fast replaced by low-carbon ones. The necessary rapid rise in the cost of high-carbon options would be accompanied by the rapid development and shift to low-carbon ones. There are various systems for achieving this (for example “Cap and Share”, “Tradable Energy Quotas”, etc.) all of which are based on giving each person the right to the same amount of emissions which are reduced year on year, so reducing our collective emissions to a level which can be absorbed by the biomass. The form such systems take can also enable us to solve a range of other problems generated by living in a socially unequal and energy wasteful

society, for example through ensuring polluters are penalised, and those using less carbon (especially the poor) benefit. Such a system can also help redirect resources towards a massive investment in renewable energy, enabling Scotland to become a world leader in this critical field.

- 2) **Create an Energy Healthy Infrastructure:** Stop constructing infrastructure that is accelerating our carbon use and climate change, for example motorway building, airport expansion and the construction of nuclear facilities, and instead roll out mass insulation, public and community benefit renewable energy schemes, and exponentially expand (and electrify) public transport, and subsidise public transport rather than road and aviation. Become an energy healthy society by 2028 by (i) *Powering down* from using carbon based and polluting energy sources, and from being energy obese (reducing energy use by 50% by 2028) and (ii) *Powering up* by rapidly expanding renewables (tidal at 11%, wind at 50%, CHP and hydro providing the rest, by 2028). This transition will happen anyway as oil, gas and coal run out, but needs to be done now in order that the carbon from the remaining fossil fuels are not released into the atmosphere.⁶
- 3) **Establish “The Green New Deal”:** Recognise the underlying cause of the “triple crunch” of the credit-fuelled financial crisis, accelerating climate change and soaring energy prices. Begin the process of re-regulating the financial sector which has been legally obliged to pursue the highest returns for shareholders without thought to how this can destroy the social, economic and environmental fabric. Begin building a new alliance between politicians, environmentalists, industry, agriculture and unions to put the interests of the real economy ahead of those of footloose finance in order to make massive investment in renewable energy and environmental transformation, leading an employment rich, secure and environmentally healthy society. The steps required to begin this process – including making financiers and corporations activities transparent and accountable – are detailed in The Green New Deal.⁷
- 4) **Support Localisation:** Dramatically increase the Scottish Government’s excellent support (initiated by the Scottish Green Party) for communities seeking to make the transition from an oil-dependent economy to a local one: evident in the wave of Transition Town, Going Carbon Neutral, etc. initiatives. As the previous three approaches to stopping the use of carbon take effect, a level playing field will emerge in which food, energy and the things we need and want are produced far closer to home, with decisions increasingly being made at a local level; enabling us to re-establish healthy local economies and communities (aided also by extending the Land Reform Act to urban communities).

The first three steps create the grounds for this fourth step which ultimately depends on people being willing to rebuild their communities as sustainable, healthy, resilient and desirable places to be through relocalising their economy. Without this last step, we cannot stop the devastating extraction of carbon, nor demonstrate to the world how to get back below 350ppm and so stay below the danger threshold of 2°C.

Although such policies, and such a framework, may demonstrate how to create a dramatically different political scenario, they need to be communicated (i) in a way which makes clear that the alternative is not between them and business as usual but between them and extinction, and (ii) in a way which is not afraid to name unrestrained economic growth as being the emperor who has no clothes, as being the force that is unravelling the ecological and social fabric.

THE IMMEDIATE SIDE EFFECTS/BENEFITS OF THIS APPROACH

Moving to a localised economy involves rebuilding community resilience and can involve us – almost inadvertently – tackling a range of other social problems which at the moment seem to be growing and intractable. Take an example given by Andrew Simms of the new Economic Foundation. He writes that:

“Cuba demonstrated it is possible to feed a population under extreme economic stress with very few fossil fuel, but there were other surprises too. As calorie intake fell by more than one third, of necessity the proportion of physically active adults more than doubled and obesity halved. Between 1997–2002, deaths attributed to diabetes halved, coronary heart disease fell by 35 percent, and strokes and other causes by around one fifth. The approach was dubbed the “anti-model” because it was both highly managed and led by communities, it focused on meeting domestic needs rather than exports, was largely organic and built on the success of small farms.”⁸

SOCIAL FORUM ON COMBATING CLIMATE CHANGE AND PEAK OIL⁹

A completely different initiative, one that has not emerged from community activists but from activists in Democratic Left Scotland, in the Scottish Green Party, and in the Scottish Socialist Party, has involved people working across traditional political boundaries to create a Social Forum. The Social Forum in Edinburgh on 18–19th October was intended to draw together people from all parties and none who care passionately about ecological and social justice, people who are willing to think creatively about how to respond to climate change and peak oil in a way which can break through the dulling political consensus and make the difference.

We asked: How can we work with the mainstream to build a majority political movement that learns from the superb ability of Make Poverty History to mobilise people, but does not fall into the Make Poverty History trap of targeting the symptom (in that

case: poverty) rather than the cause (in that case: economic processes that impoverish)?

The premise of the conference was that although governments plan to reduce emissions some time in the far distant future, global warming emissions are rising rapidly worldwide (Scotland’s emissions rose 8% in 2006); that while the Arctic is set to be ice free and absorbing rather than reflecting heat by 2013, scientists argue that this could be just the start of the feedback loops which will drive temperatures higher and potentially drive us to extinction. We asked: what is causing this, and how can we stop it, and stop it fast? *If the politicians won’t act* to tackle the causes of climate chaos, then can ordinary citizens create a community based, nationally effective, and internationally connected political movement that seeks to deal with peak oil and avoid catastrophic climate change? *If our politicians will act*, then how can we best support them against the forces that will seek to stop them taking radical rational action now?

CONCLUSION: HOPE, AND THE POSSIBILITY OF A FUTURE

The extraordinary fact is that although climate chaos threatens our species with extinction, preventing climate chaos requires us to tackle the same forces that are causing the destruction of the environment and of other people’s lives right now. The prospect of climate change can either paralyse us into inaction or radicalise us into taking action. If we act, we can build a far better world; if we don’t, then our species will become extinct – there is nothing to lose in taking rational radical action now.

■ *Justin Kenrick is a social anthropologist who works for indigenous peoples rights in Africa, chairs PEDAL (Portobello’s transition town initiative), has been facilitating informal dialogue between socialists and greens in Scotland to help develop a radical political response to climate change and peak oil, and lectures at Glasgow University.*

NOTES

1. [http://www.scotland.gov.uk/Topics/Sustainable Development/LeadersEventSpeeches](http://www.scotland.gov.uk/Topics/SustainableDevelopment/LeadersEventSpeeches) (14th May 2008)
2. April 2008
3. <http://www.guardian.co.uk/commentisfree/2008/jun/12/climatechange.scienceofclimatechange>
4. See Monbiot’s 2005 article on this at: <http://www.monbiot.com/archives/2005/09/20/a-world-turned-upside-down/>
5. www.holyrood350.org
6. See the Centre for Alternative Technology’s Zero Carbon Report
7. New Economics Foundation – Larry Elliott, Caroline Lukas et al, 21 July 2008
8. <http://www.neweconomics.org/gen/endingpovertyinacarbonconstrainedworld.aspx>
9. climatechangespolitics@yahoo.co.uk

The prospect of climate change can either paralyse us into inaction or radicalise us into taking action.

SEXUAL OFFENCES LEGISLATION IN SCOTLAND

The Sexual Offences (Scotland) Bill was presented to the Scottish Parliament during the summer. **Eileen Maitland** examines whether it will help tackle the shamefully low rate of rape convictions in Scotland.

After a lengthy consultation process, the new and eagerly anticipated Sexual Offences (Scotland) Bill was presented to the Scottish Parliament on 17th June 2008. And with new figures emerging only days later that revealed that the conviction rate for rape in Scotland has now dropped to a shameful 2.9%, no one can be in doubt that urgent steps must be taken to reverse this trend. Certainly, revisions to the law should form part of the way forward; whether or not these new proposals will have a significant impact on the chances of rape survivors of obtaining justice remains to be seen.

This is a wide-ranging piece of legislation that includes for the first time a definition of consent. It also covers a variety of sexual offences including rape and sexual assault, offences based on a protective principle, and others based on public morality.

WELCOME DEVELOPMENTS

The Bill contains several welcome developments, including a wider definition of rape, which, it proposes, should encompass oral and anal penetration in addition to the vaginal penetration to which the current definition is restricted. By doing so, it will allow a charge of rape to be pressed for the first time in cases where this type of offence has been committed against men.

Also welcome is the Bill's attempt to move away from the subjective approach currently taken to establish *mens rea* (the "guilty mind", or awareness of

The conviction rate for rape in Scotland has now dropped to a shameful 2.9%.

wrongdoing) which has been described as a "rapist's charter" in that it allows the accused to claim an "honest belief" in consent even when it is not reasonable to hold such a belief. Instead, the Bill proposes, any belief in consent held by the accused must be reasonable.

SERIOUS CONCERNS

However, while Rape Crisis Scotland welcomes aspects of the new draft legislation, we do have serious concerns around certain parts of it that emerged during the consultation process, but have not yet been addressed. The move to define consent is welcome, as this has always been an area fraught with difficulty for those engaged in the judicial process, as the directions given to the jury in the case of *Marr v HM Advocate* 1996 SCCR 696 convey very effectively:

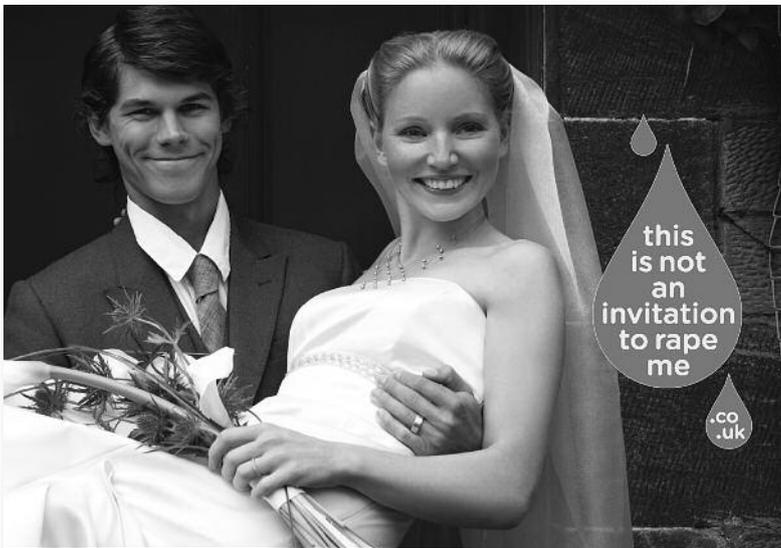
"The definition of consent is a common, straightforward definition of consent. It's the common English word given its normal meaning. And that I am afraid is it. Consent is consent. What does consent mean? Is that the only question you have? Thank you very much."

Consent has never been defined in Scots law, or been something whose intrinsic meaning juries can easily grasp when used in the context of sexual offence trials. And as it is so often the issue around which the vast majority of rape cases now hang, clarification is clearly essential. The new Bill includes a definition of consent

which comprises two main elements: a broad definition of "free agreement" which is intended to be used in conjunction with a list of "factual situations" which, if proved, will indicate that consent was not present. These include situations where a woman is unconscious and asleep. However, although RCS welcomes the development of a statutory definition of consent, we must take issue with the way in which this has been presented within the Bill. In particular, the wording of the first two of the factual situations mentioned above includes a significant qualification to the effect that they introduce the concept of "prior consent":

"where, at the time of the conduct, B is asleep or unconscious, in circumstances where B has not, prior to becoming asleep or unconscious, consented to the conduct taking place while B is in that condition." Sexual Offences (Scotland) Bill, Part 2, 10, (2) (b)

The suggestion that someone could, for example, consent to sexual intercourse at 6pm and that that could be considered applicable in the context of an act that takes place several hours later while they are asleep is simply ludicrous. This notion of prior consent also contradicts directly another section of the draft bill which makes it clear that consent can be withdrawn at any time (see Part 2, 11, (3)).



One of a series of images used in Rape Crisis Scotland's recent groundbreaking public billboard campaign

Changes within legal responses to rape must, however, be matched by a commitment to challenge attitudes within Scottish society to women's behaviour and sexuality.

"PRIOR CONSENT"

As rape is already one of the most difficult crimes to prosecute, what we had hoped to see in the new draft legislation was a reduction in the number of obstacles faced by the Crown in their efforts to see that justice is done. As things stand at the present, if the circumstances of a case do centre on the fact that a complainant was asleep or unconscious, a prosecutor already has the challenging task of proving that this was so. If the Bill as it is currently drafted is not amended in this area, there is a strong possibility that the Crown will also have to prove not only that she or he was in fact asleep or unconscious, but also that she/he had not given prior consent to the act in question – a hugely difficult (possibly insurmountable) task which has the potential to make rape complainants even less likely to obtain justice than they are at present. It would not be overstating the situation to say that if the references to prior consent are not removed from this Bill, as a piece of legislation it is more likely to take us back 20 years instead of propelling us towards a more equitable future.

ADVANCE NOTICE

Furthermore, under the current law, any accused planning to use a defence of consent must provide notice that he intends to do so. This is a requirement that the new Bill as it is currently drafted proposes to dispense with. Although consent is the defence in the large majority of sexual offence trials, some women do not know, prior to

the court case, whether the defence will be consent or mistaken identity. Advance notice should mean that complainants will know which defence will be used, and can perhaps prepare themselves emotionally for what this might mean. In addition, should the accused try to lead this defence after the trial has begun, he must first show cause as to why it was not introduced within the timeframe stipulated. The removal of this requirement will not improve the situation for rape complainants and in some cases could make things worse.

The process of creating this new legislation also offered an opportunity for matters of evidence in rape trials to be considered within its scope. This is a uniquely problematic area in many rape and sexual offence trials, in particular as there is very often little physical evidence to support a complaint, and in consequence of this scrutiny is often placed instead on the complainant, aspects of whose dress, demeanour and behaviour are used instead as evidence to fill the resulting vacuum. Legal change in respect of evidence is one development which could greatly improve the prospects of rape complainants of receiving justice, and we can only hope that the forthcoming general review of evidence will achieve for them what the new Sexual Offences (Scotland) Bill fails to address.

IRRELEVANT QUESTIONING

The use of sexual history and character evidence in rape trials is another key omission from this consultation and the Bill it has pro-

duced. A recent evaluation commissioned by the Scottish Government of legislation designed to protect complainants from this type of irrelevant and intrusive questioning found that 7 out of 10 women in rape trials will be asked about their sexual history or character. It is completely unacceptable that women in Scotland continue to be treated in this way. Although the Scottish Government has already legislated twice in this area, the provisions to which these efforts have led have failed to protect women in Scotland. It remains unclear whether it is the law itself or the way it has been implemented which is at fault. The Crown Office has issued new guidance on this issue, and it may be that this improves the situation. What is crucial, however, is that this aspect of the law remains under regular review, to determine whether or not further legislation is required.

The new Sexual Offences Bill is an important step in improving legal responses to rape in Scotland, but it can't be viewed in isolation from wider changes which are required. Although, as mentioned above, the Scottish Law Commission will be carrying out a broad review on the laws of evidence, it is vital that the focus on the specific issues and challenges relating to sexual offences is not lost within this. The Crown Office & Procurator Fiscal Service is currently implementing 50 recommendations from their review of the investigation and prosecution of rape and sexual offences, and this represents a welcome and important development. Changes within legal responses to rape must, however, be matched by a commitment to challenge attitudes within Scottish society to women's behaviour and sexuality. Only by effecting a fundamental shift in attitudes to women are we likely to improve significantly the ability of our legal system to provide justice to women surviving rape.

■ Eileen Maitland is Information & Resource Worker for Rape Crisis Scotland.

VILLAINS OR VICTIMS? CHILDREN'S RIGHTS IN A CULTURE OF FEAR

The UN Committee on the Rights of the Child has just published its report card on the state of children's rights in the UK. Overall it makes for difficult reading. **Maire McCormack** looks at where we are going wrong.

What is it like to be a child in the UK? From a random perusal of recent press cuttings two distinct and contradictory images emerge – the child as villain and as victim. “Asian teenager beaten to death in park after pitched battles between rival gangs of youths”. “Mugged MP brands attackers total scum” sits alongside “Father failed starving child over death” and the recent images of Baby P who suffered unspeakable abuse at the hands of his carers.

A third picture also emerges – the child as irritant and nuisance. A hostility to children in public spaces is evident in the headline “Call to ban the teenage tormentor” referring not to children but to an ultrasonic device, located near shops and public premises, which emits a high-pitched sound audible only to those under 20. It is marketed as a way to disperse “antisocial” groups of young people and goes by various names including “Kids be Gone”. If there was ever a more apt symbol to highlight the growing divide between young and old, then surely this is it.

In 2007, UNICEF produced a “report card”¹ which assessed the well-being of children and young people in 21 OECD nations. It considered well-being under six headings: material well-being, health and safety, education,

Social circumstances have shifted away from any form of mutual solidarity towards the ideal of individual freedom, leaving little room for trust and co-operation.

family and peer relationships, behaviours and risks, and young people's perception of their own well-being. The findings were disturbing. Whilst north European countries dominated the top half of the table, the UK found itself in the bottom third for five of the six headings and was placed overall bottom. We are clearly a society not at ease with itself despite increased opportunities and higher standards of living.

VIGOROUS DEBATE

It is unsurprising therefore to witness a vigorous debate on the nature of childhood unfolding, with academics, children's agencies and church leaders urging us to reappraise our ideas of what a good childhood should be. In 2006, the Children's Society launched its Good Childhood Inquiry, calling for a debate “to shape policy and inspire relationships with children”. Even pressure groups and think tanks have joined the chorus of concern. In its *Programme for Renewal*, Compass reflects on how hard children have been hit by the social recession of the past three decades and suggests strategies for renewal. The IPPR² has called on the Government to ban parents from smacking noting that “this would not only reduce criminality in the long term, but would also send out a message about the kind of society we want

to be.” David Purdy and colleagues, in *Feel Bad Britain*, explain how the advance of a neo-liberal hegemony has swept away many types of support built over decades to sustain people against the unease and insecurity of the market dynamic. Social circumstances have shifted away from any form of mutual solidarity towards the ideal of individual freedom, leaving little room for trust and co-operation. Translated into a child's world this becomes generalised into a chronic fear.

This fear permeates every aspect of children's lives, and is generally foisted upon them by adults. Take children's experiences of the outdoors. Ask a group of adults to close their eyes and remember where they used to play as a child. Older members will recall secluded, “untamed” places away from adults. The answers from younger people are more likely to involve a computer game or television – somewhere well within the gaze of a watchful parent.

ROAMING AREA SHRUNK

Mayer Hillman's 1991 study of children's independent mobility³ informed us that, in a single generation, the “roaming area” (the area in which children can travel independently) of a typical eight year old had shrunk to one ninth of its former size. He put this down to the increase of traffic and poor

town planning, but we can now add the sale of school playing fields, the privatisation of public space and antisocial behaviour legislation ...

There is another reason: a culture of fear. Whilst children are now statistically safer from harm than ever before and the abduction and murder of a child by a stranger very rare, the message they receive is that any stranger is a potential threat. As such they have become less likely to assess the motives of someone they do not know and distinguish where the real threats lie. All this is compounded by sensational media reporting which reinforces these fears.

Children's lives are now micro-managed by nervous adults caught up in a wave of paranoia making them afraid of the outside world and reluctant to play outdoors. As a consequence, they are failing to develop coping mechanisms and build resilience, and are missing out on forming positive relationships with older people. At the same time, adults have become afraid of contact with children and young people, with increased bureaucracy and risk-averse practices associated with adult contact leading them to withdraw from the types of relationships that should be encouraged.

SOLITARY ACTIVITY

This is a generation of children more at home with the wide-screen than active play. Four out of five 2–16 year olds now have TVs in their bedroom and combine TV watching with other activities such as social networking or gaming – a daily average of five hours 20 minutes is spent in front of a screen. Childhood is becoming an increasingly solitary activity more about private space and less about imaginative play and social interaction.

Media-driven parental fears and a multi-media culture have created an appallingly physically inactive generation. The BMA estimates that there are one million obese children under 16 in the UK, aided by relentless marketing which promotes the

Children's lives are now micro-managed by nervous adults caught up in a wave of paranoia making them afraid of the outside world and reluctant to play outdoors.

consumption of unhealthy food products.

Professor Susan Greenfield has concerns that we are in danger of producing “a generation of children becoming emotionally stunted, inarticulate adult hedonists with tiny attention spans, who can't differentiate between blasting away aliens on screen and happy-slapping grannies.” Her concern lies in the fact that their world is now process-driven rather than content-driven, as the notion of the abstract word is difficult to convey on the screen. Whilst with a book, the reader takes a journey and builds up a conceptual framework which places things in context, people who continually interact through the screen can become emotionally detached and lack the ability to imagine or analyse. Greenfield links this with anti-social behaviour. “If you're trapped on a sink estate and you don't even know the capital of France because you've been excluded from school, you're stuck in a literal world where all your stimulation comes from your sensations so is it surprising that you will eat strong, greasy, salty food to stimulate the tastebuds? Or kick down doors, or take drugs? The only way you can drive your brain is by grabbing strong sensations.”⁴

Whilst the marketing of media violence is big business, all marketing aimed at children and young people has mushroomed in recent years and, aided by child psychologists, is better honed and targeted than ever. In short, it is manipulating children into a lifetime of consumption where children value themselves by what they possess rather than who they are, promoting an deeply unfulfilling and ultimately damaging acquisitive individualism. The ONS (2005) noted that 1 in 10 children aged 5 to 16 have a clinically recognised mental disorder.

CHILD POVERTY HIGH

We are also failing those really at risk. The UNICEF report ranked the UK near the bottom compared

with other western countries in terms of relative poverty and deprivation. Child poverty in Scotland remains extremely high, with one in four children regarded as income poor. There are also 60,000 children affected by parental drug use and 100,000 affected by parental alcohol, many of them unknown to services.

The UNICEF report was guided by a concept of well being, informed by the United Nations Convention on the Rights of the Child. Human Rights is a relatively recent phenomenon and the recognition that children have the same human rights as adults was inconceivable until recently. Whilst a child's right to be protected from harm is uncontroversial, other rights, such as political and civil rights, remain contentious. There has however been a shift in attitude in the past decade. Whereas previously the approach was welfare oriented, children are now viewed as holders of a wider range of rights, including the right to express their views and participate in matters affecting them.

UN CONVENTION ON THE RIGHTS OF THE CHILD

In September 2008, the UK Government appeared before the Committee on the Rights of the Child for the third time. (It was extremely critical of the UK's children's rights record in 2002.) In its concluding observations of October 3rd, the Committee commented on the extent to which the Government has complied with the Convention and recommended areas for improvement.

NGOs and Children's Commissioners submitted alternative reports to the Committee with their own recommendations. One of these was that the Convention should be incorporated into domestic law. Although ratified by the UK, it remains unenforceable. Whilst much legislation seeking to promote children's welfare has been introduced since the last report, there remains limited reference to children's rights.

CHILDREN'S RIGHTS

This was picked up by the Committee in their concluding observations, recommending that the UK take measures to bring legislation into line with the UNCRC.

They also focused on a general climate of intolerance and negative public attitudes towards children, especially adolescents, which may be an underlying cause of further infringement of their rights and noted that certain groups of children such as migrant, asylum seeking children, LGBT children and children belonging to minority groups continue to experience discrimination and social stigmatisation.

Other key issues raised by the Committee included concern that children across the UK do not have the same protection from assault as adults and the limited move-

Children across the UK do not have the same protection from assault as adults.

ment in promoting alternative non-violent methods of discipline. Concern was also raised at the numbers of children in custody and of deaths in custody in England and Wales as well as the use of ASBOs for children. The ASBO and the Mosquito device were highlighted as potentially violating the right to freedom of movement and peaceful assembly

Concern at Scotland's low age of criminal responsibility and at the appalling levels of the levels of poverty across the UK were also stressed. In total 97 recommendations were issued by the Committee covering all aspects of children's lives – from civil rights and freedoms through to health, education and play.

As we continue to envisage a new politics for a new Scotland

and focus on the dimensions of this changing social and political context, let us not allow the discourse on childhood and children's rights to remain conspicuous by its absence.

■ *Maire McCormack is a member of Democratic Left and on its National Council.*

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1. UNICEF Report Card 7, *Child Poverty in Perspective: An Overview of Child Well-being in Rich Countries* (2007)
2. IPPR, *Make Me a Criminal: Preventing Youth Crime*, Feb 2008
3. Hillman, M, *One False Move* (1991)
4. *Independent on Sunday*, 11th May 2008



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P18

KEYWORDS:

INTERESTS

Continuing our series examining words that are common currency on the left, **David Purdy** explores the concept of interests.

Trying to discuss politics, history, ethics and law without reference to interests would be like trying to explain games and sports to a visitor from Mars who has no concept of winning and losing. But what are interests, how do they relate to debates about the human good and how are they understood in different political traditions? And, if we accept – as I think we must – that people do not always know or do what is good for them, how are we to respond to political rulers or leaders who claim to know what is in the interests of their people or followers better than the people or followers themselves?

The left has often been guilty of such presumption. Marxists, for example, used to explain away the persistent failure of the working class to assume its allotted role as gravedigger of capitalism by invoking the doctrine of “false consciousness”. Similar paternalistic or authoritarian attitudes are found among social conservatives and other illiberal types – including, of course, fascists. For anarchists and economic liberals, by contrast, it is axiomatic that individuals are the best judges of their own interests. The question arises, therefore, whether we can consistently reject this belief and still claim to be democrats.

ONE THING THE ROMANS GAVE US

The word “interest” comes from the Latin verb *interesse*, a compound of the preposition *inter* (between or among) and the verb

esse (to be), meaning to be or lie between, to be present at, to be different from or to make a difference. The impersonal form of the present tense, *interest* (it concerns or it is of importance) was used to indicate who stands to gain from some presumed good thing. Thus, speaking in the senate, an orator like Cicero might say: “Hoc vehementer interest rei publicae” (This is very much in the public interest).

According to Raymond Williams (1976, pp 143-4), before the seventeenth century most uses of “interest” in English refer to a legal concern, title or right (in property) or to a pecuniary stake (in commercial undertakings) and its extension to everyday life was at first a conscious metaphor, as in expressions such as “he returned the blow (or gift) with interest”. Until the eighteenth century, the word was always used to refer to objective states of affairs, never to subjective states of mind. Thereafter, people began to speak of being interested in something or of finding it interesting, meaning that they were curious about it, found it worthy of attention or care, or that the object in question had the power to attract curiosity, attention or care.

There is, then, a difference between having an interest in something and taking an interest in it. To have an interest in something is to have a stake in it, to stand to gain or lose by what happens to it. To take an interest in something is to fix one’s mind on it. The distinction between these

senses has become formalised in the negatives: “disinterested” means impartial – that is, unaffected by any objective interest – whereas “uninterested” means not attracted by or paying no heed to. Nowadays, of course, the two words are often used interchangeably, to the intense irritation of those for whom the distinction remains important. Is this controversy just a matter of taste, like the long-running struggle over the split infinitive, which was effectively resolved in favour of the splitters when *Star Trek* popularised the phrase “to boldly go”? Or is there more at stake?

How are we to respond to political rulers or leaders who claim to know what is in the interests of their people or followers better than the people or followers themselves?

THE CONCEPT OF INTERESTS

Interests can be thought of as general means to some supposed human good, variously conceived as bare survival, successful functioning or all-round flourishing. The liberal philosopher John Locke (1689: 15) famously defined interests as “life, liberty, health and indolency of body; and the possession of outward things, such as money, lands, houses, furniture and the like.” Clearly, the content of any such list depends on how good we want life to be. Bare survival calls for little more than food and shelter, but if people are to fare well on their journey through life, whatever we take “well” to mean, they are going to need a variety of life-enhancing advantages: parental love, self-esteem, good health, decent education, adequate resources, equal (and ample) opportunities, free time, and so on.

The kind of society one has in mind also makes a difference. Locke is preoccupied with solitary selves and material things, neglecting social relations and moral norms. His world is one of possessive individualism, similar to our own. But imagine a democratic egalitarian society where everyone’s basic material needs are guaranteed and people are more interested in the quality of life than in material possessions, finding happiness in meaningful relationships, satisfying work, intellectual

KEYWORDS: INTERESTS

activity, artistic pursuits, spiritual quests and practical wisdom. In this kind of world, the most valued assets would be emotional security in childhood, personal autonomy, intimate friendships, mutual respect and social solidarity, and the most admired virtues would be moderation, generosity, curiosity, a sense of justice and a sense of fun. Moreover, even in a predominantly materialistic society, not everyone will be interested in owning, earning and spending. To repeat, there is a difference between having an interest in something and taking an interest in it.

Objective and subjective interests normally coalesce, but they can come apart. I may, for instance, stand to gain or lose financially from impending tax changes, but not care either way, even if fully informed, because I have other, more important things on my mind, from the state of my health or the good of my soul to the condition of my neighbourhood, nation, species or planet. As this example shows, my interests need not be confined to personal matters and typically include not only material concerns, but also what Max Weber (1978) called ideal-interests. These may be centred on the self, as in the case of personal salvation, or attached to some real or imagined community, from my fellow residents and fellow citizens to the whole of humanity or the biosphere.

People conceptualise their interests and balance conflicting interests in different ways, and these ways change over time: they are not inscribed in the social structure like parts in a play-script. To be sure, at any given moment emotions and mindsets tend to conform to prevailing patterns of culture and power, but the possibility of change is ever present as people acquire new experience and encounter new ideas. This point gives hope to dissident minorities and social critics. It also holds the key to resolving the dilemma noted earlier: how to refute the liberal insistence that individuals are always the best

judges of their own interests, without sliding into authoritarianism.

INTERESTS AND SCIENCE

In her recent book, Ann Long (2007) clarifies the subjective-objective distinction. According to the most commonly held view, the objective is that which just is the case, whether anyone knows it or not, whereas the subjective is that which is only *thought to be* the case by some person or group. And knowledge is said to be a matter of getting our beliefs to correspond more and more closely to the way things really are, independently of how anyone perceives them or even *whether* anyone perceives them. But this is incoherent, for human beings cannot get outside their bodies and perceptions, float free from space and time and view the universe from nowhere, the “God’s-eye view” as it is sometimes called. Knowing is something done by human subjects, and is, in that sense, subjective. Knowledge is about objects and, therefore, objective.

But if there is no supra-human standard by which claims to knowledge can be judged, how are we to distinguish between truth and falsehood? Before it was discovered that the earth revolves around the sun, not vice versa, that the sun is one of about 10^{11} stars in “our” galaxy, and that there are about 10^{12} galaxies in the universe, most people believed that the earth is at the centre of God’s “creation” and that humans are its “lords”. Why accept the former claims in preference to the latter? And what makes the theory of evolution by natural selection a better account of life on earth than “creationism” or “intelligent design”, as it has rebranded itself? The general answer is that all claims must satisfy certain tests before we are willing to grant them the (always provisional) status of knowledge, and it is we humans who devise these tests. As the philosopher Richard Rorty (2002) puts it: “[T]he procedures we use for justifying our beliefs to one another are among the things we try to justify to one another. It

There is a difference between having an interest in something and taking an interest in it.

used to be thought that scripture was a good way of settling astronomical questions and pontifical pronouncements a good way of resolving moral dilemmas, but we argued ourselves out of both convictions.”

The objective is not that which was already there before there were any humans around – or, for that matter, that which will remain after humans have become extinct. The universe and the biosphere existed for roughly 15,000 million and 3,500 million years, respectively, before *Homo sapiens* appeared on the scene some 150,000 years ago. But until our ancestors started using language – perhaps no more than 100,000 years ago – humans had no way of reflecting on their experience and were unable to distinguish at all clearly and reliably between the contents of their consciousness and the external world. Only language-users can distinguish between “I”, “you” and “it”.

Thus, the objective was *made*, not given. The universe and the biosphere were given, but it was humans who invented procedures for discriminating between what *is* the case and what some people merely *think* to be the case. In other words, the objective is not supra-human, but inter-subjective. Obtaining knowledge – whether of matter-energy, organic life, human society or human history – is a collaborative endeavour. Members of the relevant communities – physicists, biologists, social scientists, historians – make observations, frame hypotheses and conduct experimental or other kinds of tests with a view to getting their fellow researchers to agree with them.

Such efforts do not always succeed. Scientific controversies sometimes rage for years or decades. (Indeed, in economics, disputes are seldom settled – a sign, perhaps, that this discipline is not as scientific as some of its practitioners would have us believe.) In principle, however, the aim is to produce theories that command the assent of all competent investi-

gators. No one is excluded and no point of view is privileged, but participants are expected to observe certain rules and procedures designed to eliminate the influence of subjective factors. They should, for example, maintain high standards of personal honesty and integrity, resist commercial or political pressure to favour certain lines of inquiry and to suppress or distort evidence, do what they can to eliminate or minimise observational error, conduct replicable experiments, report findings in full, and so on. Needless to say, in ordinary life, procedures for establishing facts, testing claims, identifying causes and resolving disagreements are considerably less rigorous. Why use a sledgehammer to crack a nut? Nevertheless, the process of inter-subjective communication and dialogue is fundamentally similar.

INTERESTS AND DEMOCRACY

The distinction between objective knowledge and subjective cognition provides us with a model for discriminating among claims of interest without compromising our democratic integrity. The demo-

cratic ideal demands that no standpoint is privileged and that the interplay of views and claims should be free from vested interest, structural bias, institutional inertia and ideological distortion. This is, of course, more of an aspiration or work in progress than a solid achievement. Actually existing democracies fall a long way short of the ideal. Even in the best of them, the political process is strongly influenced by sectional interests and power, especially the power of business interests, which dominate the policy agenda and tend to prevail when challenged, not only – or even mainly – thanks to corporate lobbying and pressure, but because the economy is ruled by market forces, everyday life is commodified, and like it or not, most people are preoccupied with getting and spending.

Sectional interests plague intellectual life too, but in the natural sciences they are easier to neutralise than in the human sciences because the objects studied – matter-energy and organic life – are more readily seen as other than ourselves. Students of the social world, themselves social actors

The democratic ideal demands that no standpoint is privileged and that the interplay of views and claims should be free from vested interest ...

with histories, roles and interests of their own, find it harder to achieve the disinterested standpoint required for scientific work. And in the social world itself, we have scarcely begun to develop the material and cultural conditions that would enable all members of the human community to enjoy a sustainable version of the good life on the basis of real equality and mutual respect.

■ *David Purdy is a member of Democratic Left Scotland.*

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POWER TO THE LOCAL AUTHORITIES? NOT THIS YEAR!

Scottish local authorities have been freed from the obligation to spend resources as stipulated by Holyrood, but **Maggie Chapman** believes few of them are seizing the opportunity to transform services and people's quality of life.

One of the greatest achievements of the new Scottish Government has been to liberate local authorities from the obligation to spend resources as dictated by Holyrood. This is significant for several reasons. It makes local councillors much more accountable for their decisions rather than making decisions about how to allocate resources within very restricted budgets. Now councillors can, should they choose so to do, abolish, for example, a city branding unit (previously paid for from the ring-fenced Cities Growth Fund) and spend the money on drug rehabilitation.

No longer can ministers announce grand initiatives to be managed and implemented by local authorities; rather, local authorities are now obliged to deliver nationally agreed outcomes, as set out in a document, the Concordat, agreed by the Convention of Scottish Local Authorities and the Scottish Government. All local authorities then decide what services and policies would best fit these broader outcomes in their areas, and devise a strategy for their local implementation and delivery. Local authorities draw up a Single Outcome Agreement – a contract between themselves and Holyrood – which is, essentially, an improvement

plan that describes how they will deliver the required outcomes.

The exciting thing about the Concordat is that it gives local authorities the opportunity to solve problems at root, rather than treating the symptoms of other problems. It also means that the sorts of initiatives that make for happier, healthier and more sustainable communities can be well supported locally. The removal of ring-fences creates a situation where we, as Councillors, can shape the future of our societies at the community level, targeting resources where they are needed most.

The failing in all of this is that few of the councils, when offered the chance to create Single Outcome Agreements, have made best use of this opportunity. They have failed to create solutions to problems, to develop innovative synergies that will make a real difference to the quality of life of Scotland's people, or to seize the chance to really transform local services.

The City of Edinburgh Council has chosen to slash funding for the voluntary sector, whilst continuing to spend massive sums on city branding. It has chosen to see the development of the city in almost exclusively economic terms, rather than considering the creation and

Edinburgh Council ... has chosen to see the development of the city in almost exclusively economic terms, rather than considering the creation and maintenance of social and environmental justice as the priorities.

maintenance of social and environmental justice as the priorities. Edinburgh's Single Outcome Agreement shows little evidence of partnership working. It relies upon indicators and targets that do not appear to be situated in the lives of Edinburgh's citizens, and the success or failure of these targets will be a poor illustration of the improvement or deterioration of people's quality of life. It has been constructed from existing documents – it is effectively little more than a perfunctory cut and paste job – rather than being the product of radical thinking beyond the already-existing structures and frameworks of service provision.

However, there is hope. Despite the fact that this year's attempt at a Single Outcome Agreement in Edinburgh was so inadequate that only with the casting vote of the Lord Provost could the administration get it through, there are at least another 3 years of SOAs to come. Hopefully councillors and the civic society will be able to use this additional lever to make the crucial strategic difference that we need to the creation of a better Scotland.

■ *Maggie Chapman is a Scottish Green Party councillor in Edinburgh and a member of Democratic Left Scotland.*

THE WORLD IS FLAT? NO, THE WORLD IS SKEWED!

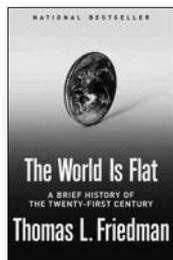
Tim Gee dissects a business book of the year and concludes that the overall approach that conflates capitalism and technological advance as evidence of a “flat” world does more to mislead than inform.

The Goldman Sachs/Financial Times business book of the year is *The World is Flat* by Thomas Friedman. Half travelogue, half propaganda, it describes the advances in technology, trade and capital flows that have resulted in the “globalised world of the 21st century” and concludes that this can only be a good thing.

The writer begins by describing a visit to India in connection with a documentary he was shooting. He describes seeing American brands, American companies, and visits a call centre where workers are trained to speak with American accents. He celebrates the fact that these workers will work for a fifth of what American workers ask for, and proclaims “Bangalore employees don’t take six weeks of holidays.” It is this visit, he claims, that prompted him to investigate how the world was becoming more “flat”. Unfortunately he completely overlooks the fact that what he describes is indicative of the world becoming more skewed than ever.

NARROW RULING CLIQUE

Like many who grew up during the cold war, Friedman confuses capitalism and democracy, and sees the only choices facing decision-makers as command and control or neo-liberal economics. Writing of the falling of the Berlin Wall, he proclaims that “henceforth, more and more economies would be governed from the ground up, by the interests, demands and aspirations of people, rather than from the top down by the interests of some



The World is Flat

by Thomas Friedman
(Penguin, 2006)

There is no mention in the book of the ways in which America, Britain and Japan have developed artificial “comparative advantages”.

narrow ruling clique”. I had to read that line twice. Somehow the writer has neglected to notice that the 21st century global economy is ruled by a narrow ruling clique. That clique is equally oppressive as that of eastern “Communism”. Indeed both state capitalism Soviet/China-style and disciplinary neo-liberalism US-style, are governed by an ideology in which stated aims do not link up with stated means never mind stated ends.

RICH COUNTRIES BENEFITED

There is no mention in the book of the ways in which America, Britain and Japan have developed artificial “comparative advantages”, using colonialism, tariffs and imperialism to develop their own industries whilst locking those of the colonised world into providing raw materials. Nor is there mention of the system of “escalating tariffs” that locks poorer countries into a similar relationship today by charging an average of four times higher tariffs on manufactured goods from developing countries. A seven word aside admits that the US must remove some of its tariffs, but there is no mention of the extent to which US and EU agricultural subsidies destroy developing world producers’ livelihoods. Nor is there mention of how America negotiated for itself a blocking veto on the IMF and World Bank, nor how “negotiations” in these institutions and the WTO have resulted in trade rules that have disproportionately benefited the rich countries, and the

richest people living in them. Most importantly he does not acknowledge that since the 1980s both inequality and absolute poverty have increased drastically. Somehow he manages to ignore all these factors to declare that “The World is Flat”.

In fact, on page 460, Friedman admits that the world is not flat. There is, he claims an “un-flat” world coexisting with the “flat” one made up of people “too sick, too disempowered and too frustrated”. In the first category he places the millions affected by avoidable illnesses. By now predictably, he fails to mention the role of the WTO in preventing access to medicines through “Trade Related Intellectual Property Rights” (TRIPS). He puts the blame at the feet of corrupt local governments. Of course corruption always needs to be tackled. However Friedman only sees half of the problem. He overlooks the role of multinationals in many developing countries in coming to corrupt deals with administrations. He does admit that “Commercial drug companies have not invested much in new anti-malarial vaccines because they believe there is no profitable market for them,” yet appears to see nothing wrong with this situation. Instead he congratulates Bill Gates for his donation to malaria research. Whilst it is right to congratulate philanthropists of today, as it was in Victorian England, to only do so propagates the dangerous and outdated idea that charity can be a replacement for justice.

BOOK REVIEWS

PROTESTERS CASTIGATED

In the second category of the “unflat world” (too disenfranchised) Friedman places the “anti-globalisation movement” who point out the flaws of the current system. Having castigated protesters at Seattle onwards, he instead declares his admiration for Ramesh Ramanathan, a former Citibank executive who returned to his native India to lead an NGO that would promote accountability, transparency, education and property rights in local government. One wonders whether Friedman has read any of the literature by personalities of the global justice movement: Central to the arguments of Mark Curtis, George Monbiot, Susan George, Caroline Lucas, Joseph Stiglitz and others is a call for accountability and transparency on the international level, and against education cuts on the developing world enforced by the IMF’s “structural adjustment policies”. Whilst all of the above consider themselves human rights activists, and are suspicious of any “property rights” that might infringe on basic rights such as access to healthcare or water, some also support the contraction and convergence solution to global climate change, which grants equal property rights to all to consume a fair share of the world’s limited CO₂. If we accept that injustice at the local level is unacceptable, surely it is even more so at the global level.

VERGING ON THE RACIST

In the third category Friedman places the Islamic extremists who seek to reverse globalisation (“too frustrated”) because perceived Americanisation is affecting their way of life. This section verges on the racist. For example Friedman quotes (and seems to agree with) *Spectator* columnist Theodore Dalrymple, who argues that Islamic theology is not compatible with the modern world and that “they (Muslims) are faced with a dilemma: either they abandon their cherished religion, or they remain forever in the rear of technical

If we accept that injustice at the local level is unacceptable, surely it is even more so at the global level.

advance ... people grow angry when faced with an intractable dilemma – they lash out.” One is left wondering wonder which century Christianity “belongs” in. Whether one’s answer is that religion is flexible enough to interpret things as the world changes, or that it is long outdated, the same applies to Islam. This undermines the entire section.

The book is useful to some extent. It engagingly describes the increasing inter-linkages between people and countries, facilitated in part by business transactions and technological advances. It shows that markets can have positive effects, and can be a solution for solving serious social problems, although it neglects any mention that markets are possible without capitalism. However the overall approach that conflates capitalism

and technological advance as evidence of a “flat” world does more to mislead than inform. In the 21st century, trading partners in the north and south have far from equal power, leading to deeply unequal outcomes. Perhaps the “The world is increasingly interconnected” is not such a catchy title for a book, but it would be more accurate. The world is not flat. The world is skewed.

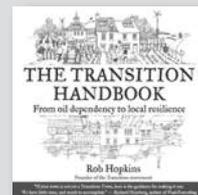
■ *Tim Gee works in London for BOND, the umbrella organisation for International Development organisations. He is a member of the Scottish Green Party, was a Vice President of Edinburgh University Students’ Association 2006–07, and was the Members’ Liaison officer for NUS Services Ltd. He has written widely on the interface between green politics and the left.*

CLIMATE CHANGE, PEAK OIL AND THE RISE OF TRANSITION TOWNS

There is clearly something alluring about the “Transition Towns” idea. Since its inception just two years ago, there are now forty Transition Town initiatives in the UK alone – communities attempting to wean themselves off their addiction to oil by acting locally. Portobello in Edinburgh has become Scotland’s first Transition Town, and thanks to DLS member councillor Maggie Chapman, it has won the support of the local council.

This book from the movement’s colourful founder gives us an insight into why it has grown so rapidly. Rob Hopkins makes a case for tackling the twin threats of climate change and peak oil which could persuade everyone from the realist to the idealist. What is more it proposes a clear way forward, and a way to do it. Whilst it may seem unlikely that an inspiring and revolutionary manifesto could be written in the style of a gardening manual, *The Transition Handbook* pulls this off with panache. Our movement once carried the slogan “be reasonable, demand the impossible”. Perhaps with Transition Towns what was impossible is now both necessary and achievable when people take their lives into their own hands.

Tim Gee



The Transition Handbook: From Oil Dependency to Local Resilience

by Rob Hopkins
(Green Books,
£12.95)

DIARY

In which **"The Hat"** visits a celebrated bar ... in the interests of cultural enlightenment.

The mystery of the Bute House painting does not get any less opaque. Earlier this year the *Guardian* reported that the size of the saltire on the painting is thought to have offended the tender, unionist sensibilities of Jack McConnell, the then First Minister. The painting subsequently surfaced at Ayr race course whence it was rescued by the nation's most celebrated punter, Alex Salmond. But how on earth did it get there in the first place? Is it possible that McConnell, seized by a spasm of neo-liberal zeal, privatised this public asset? The Hat thinks we should be told.

To Glasgow's Oran Mor, the most recent addition to the West End's watering holes, for "A pie, a play and a pint". The consistently high standard of Dave McLennan and Co's tragical and comical entertainments was maintained with feisty verve by Karen Dunbar in her rendering of Denise Mina's rhyming monologue, "The Drunk Woman Looks at the Thistle". The piece has a feminist intonation so, naturally the Scottish alpha male's quotidian offences attract their share of satirical fire. But Mina's feminist muse is of the inclusive sort so no one escapes whipping in her unsparing modernisation of McDiarmid's "The Drunk Man ..."

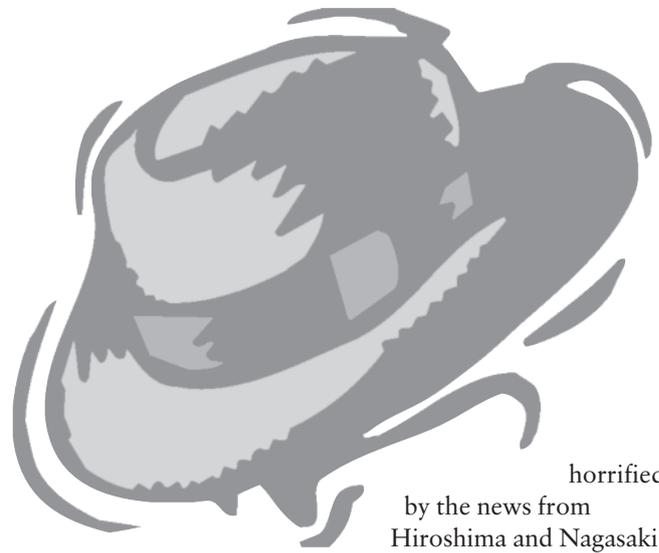
The venue for Mina's Rabelaisian verbal feast was formerly a house of religious worship. Oh, tempora! Oh, mores! Health warning for the puritanical and children: the feast is seasoned by the scabrous, the bawdy and occasionally the cloacal. But readers of *Perspectives*

Minghella's film contains not a mention of Hiroshima, effectively vaporising it for a second time.

can judge for themselves by visiting Mina's web-site. And perhaps thence to her prize-winning and genre-defying "crime" novel *Garnethill*.

More tales, whilst on the subject of the thistle, from the "wee room" at Milne's Bar. The wee room was sometimes referred to by the bar's patrons as the "Kremlin" owing to the number of members of "The Party" it frequently accommodated. There, inspired by copious draughts, they did their best to keep alive the spirit of the Edinburgh Enlightenment. Naturally. From the doorway of the wee room drinkers could peer through the smoke and alcohol haze to the wall opposite where a portrait of McDiarmid glared balefully down the corridor leading to the Gents. The wee room's leading wit, Jock Wallace, once quipped that the portrait ought to be captioned "The Drunk Man Looks at the Piss-hole".

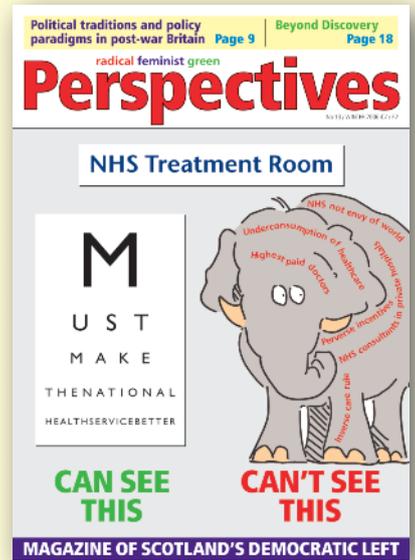
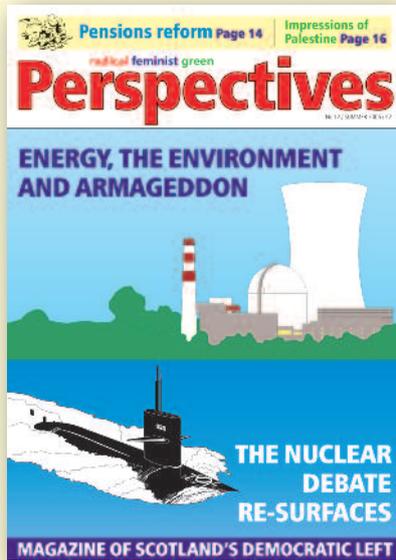
Since we last went to press the world of the arts has been mourning the loss of Anthony Minghella. Obituarists were lavish in their praise for his work for television and cinema (*The English Patient*). A few grumbled about his apparent infatuation with Hollywood. However, neither critics of *The English Patient* nor obituarists remarked upon the most damning evidence of Minghella's willingness to sacrifice artistic integrity in the pursuit of the glittering prizes of bourgeois success. In Ondaatje's book *Kip*, the young Sikh sapper,



horrified by the news from Hiroshima and Nagasaki and perceiving them as genocidal and racially-motivated acts, guns his motor-cycle and roars off into the night in a bid to end all connection with the Anglo-Saxon world of the ruined Tuscan villa. Minghella's film contains not a mention of Hiroshima, effectively vaporising it for a second time. His film won nine Academy Awards.

No sooner had *The Hat* concluded that the coinage of public discourse had been so cheapened by New Labour as to make it proof against further debauching than Wendy Alexander (pre-resignation) at Scottish Labour's Conference and Des "Smiler" Browne (pre-cabinet re-shuffle) in the pages of *Scotland on Sunday* proved him premature. In the total war they are waging against the "Gnats" all and any comment is apparently fair to these Bomber Harris of the word. Somewhere in his *Prison Notebooks* Antonio Gramsci contrasts the differing approaches required for success in war as opposed to peace. The successful general will concentrate his forces on his enemy's weakest point. The successful politician should focus his attention on his opponent's strongest point. *The Hat* finds himself in a giving vein and is willing to concede the possibility that the explanation for Alexander and Browne's taste for the rhetorical low blow is due to their neglect of Gramsci rather than their embrace of a corrupt political culture.

And so to bed.
The Hat



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