

Ben Wilson: 'What Price Liberty?'

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This impressive and learned but lightly written book tries hard to avoid the errors that usually litter the field of popular writing on freedom in the United Kingdom, and generally succeeds. One of these is the tendency to hysteria: Britain is a police state; freedom has all but disappeared; Orwell's nightmare is upon us; etc. Ben Wilson who has studied history at Cambridge (which is all the cover tells us about him, apart from the fact that he was born in 1980) knows too much about the past to fall into this particular trap. There is context here and a sense of proportion in his treatment of how freedom has slowly emerged from a past of tyranny and oppression. 'Liberty is the product of human history and of the study of history'. The central chapters are a terrific romp through the story of liberty in Britain, much better than in many other works by greater celebrities in the field. The organisation is unashamedly chronological with the reader treated to a succession of staccato treatments of particular periods, from the intense debates of the early 17th century through revolution, enlightenment and the Victorian liberalism of J S Mill and A V Dicey, into a twentieth century of administrative controls, war and (eventually) Thatcher, Blair and Brown. If this sounds slightly on the traditional side then the compensation is a kind of enthusiastic accessibility that is rare among the more earnest, ideological types.

It is when he reaches the contemporary however that Foster's historical touch deserts him. It seems that in recent years, 'we have cut ourselves off' from our 'cultural attachment to liberty' – but can this be really true when we have thousands thronging the Liberty Convention, many more who are devoted admirers of the work of Henry Porter, and a prime minister who gives speeches about liberty while legislators reject as infringements of liberty his flagship proposals to counter terror? This sounds much more like an engaged culture, not one that has given up the ghost.

Another pitfall in the genre which once again Wilson only half avoids is the drift into that the cul-de-sac of libertarianism. On the one hand it is clear that he sees the risks of too extreme an hostility to government: 'Part of the problem is that the word *liberty* has been transformed into a philosophy of

purely personal autonomy’ whereas it is clear that the ‘state does have a positive role in extending freedom.’ However once again when he turns towards the end of the book to the present, the tone changes. At times he sounds as though he is auditioning for a speech-writing position with David Cameron: we are ‘more inclined to demand personal rights’ these days, and we are ‘more fearful’ than ever before, imbued with a ‘modern tendency towards risk-aversion and safety at all costs’. ‘Health and safety’ may be all very well but there is a problem about ‘the attitude which lies behind the quest for these benefits.’ To make matters worse, nowadays ‘officialdom has lost any instinct for self-restraint’ with the result that we live in a ‘more controlling society’ with the ‘tendency to submit to the tidal wave of regulations.’ A final chapter, ‘Taking Sides’, is almost aggressive in its celebration of the ‘basic liberties’ which may be ‘universal and ... integral to civilisation’ but which the reader is left in no doubt belong primarily to the West: ‘[f]or all the horrors of Western hegemony – all the hypocrisies and acts of violence – I’m not sure that I’d rather have lived under another system.’

Labour is rightly slated for its approach to counter-terrorism law but there is surprisingly little awareness of the larger picture, in particular the way in which the Blair government was very different from its predecessors – of all parties – in its willingness to make rods for its own back: the Human Rights Act (hardly referred to here) has produced a totally unexpected accountability for the exercise of military power abroad; the expenses catastrophe that has engulfed Parliament is a result of Labour’s Freedom of Information Act; the exposure of police malpractice at recent protests is being investigated by another Labour creation, the Independent Police Complaints Commission.. There are also the Equality and Human Rights Commission, the Joint Committee on Human Rights and the Information Commissioner, to name just a few of the functionaries whose job it is to add to the government’s woes.

How much of this part of New Labour will disappear with the change of government that seems now almost (but only almost) inevitable? In his concluding chapter, Wilson gives us a taste of the kind of arguments that will camouflage the loss of accountability for both business and the police that is likely to follow a Tory victory. There will be much talk of liberty, of a bonfire of red tape, perhaps even (going beyond Wilson now) of a return to the rigours of

the old constitution, with habeas corpus, jury trial and (on the wilder edges of the euphoria) Magna Carta all figuring in some grand bill of rights produced in a blaze of focus groups with advice from new 'victim' and 'responsibility' Czars. Behind the scenes the Human Rights Act (all those personal rights we are insisting upon these days) will be dismantled: asylum-seekers will no longer need to be fed and the new right to privacy will be easily hacked back (while keeping press freedom in place through new guarantees of free expression). Above all travelling people, the homeless, prisoners, the poor and other desirables can be safely reminded of their place in a Britain that has returned to the freedom of what we should all have hoped was a bygone era. This may not be the kind of society admirers of traditional liberty want, but their distaste for the rights culture of the present may play a part in bringing it about.