

The useful myth of state security: Reflections on the state's special role in security provision

By Rutger Claassen

Is there something special about security provision which compels us to recognise it as a duty of the state and the police? Rutger Claassen argues here that while security is not an inherently public good, which has never been the sole responsibility of the state, there are nonetheless persuasive reasons for the state to assume this vital role.



Introduction

Ironically, I wrote parts of this article in the same week that the borough of Ondiep in the city of Utrecht in the Netherlands was the scene of massive unrest, following the fatal shooting of a man by a police officer. The man had been fighting with a group of youngsters who had been causing trouble in the neighbourhood for quite some time. It is still unclear whether the man actually attempted to attack the police officer (and if so, why), who by a twist of fate had arrived on the scene in response to call from his wife. After the first riots, the police decided to isolate the borough by fencing off all the access roads, thus preventing 'riot tourists' from other parts of the city from roaming the streets of Ondiep. As an inhabitant of Ondiep, this made me (and all the other inhabitants of the borough) a prisoner of a neighbourhood under siege; for several nights; I slept safely behind closed gates. This surrealist experience ended only when calm returned after a silent march through the streets in commemoration of the dead man.

On the same night, some 'friends of the victim' declared on national television that they would form a neighbourhood watch team. As their motivation they stated that they could expect nothing from the police ('They never turn up in time anyway'). On hearing this, I could not help but feel that the reassurance that was supposed to resonate in these words was strangely mixed with a threat to the public authorities—a threat that does not promise much good for Ondiep in the future. It seems that the police force cannot afford to let a group of citizens take control of their own neighbourhood and thereby reduce the role of the police to that of a mere side player. On the other hand, the police have to recognise that the social problems resulting from clashes between the youngsters and the local population have been beyond their control for a long time. As in countless other cases, the state seems to be

torn between the indispensability of its promise to provide its citizens with security and the inevitability of its failure to realise this in a complex urban environment marked by a range of social problems that are beyond its sphere of control. The state will therefore continue to seek partnerships with local parties to guarantee security, while at the same time it will continue to be addressed as if it were the only one responsible. In that sense, it represents a fictional locus of responsibility. It is this fiction that is the subject of this article: the fiction that the state has a 'special role' to play in the provision of security.

First, two preliminary notes on terminology. By 'security provision', I mean 'the preservation of the peace, that is, the maintenance of a way of doing things where persons and property are free from unwarranted interference so that people may go about their business safely.' Although security provision is part of the attempt to maintain social order, the two should not be equated, since social order is constituted and enforced through many more institutions (the media, education, social security laws, etc.). The focus is on defending, by both preventive and repressive means, social order against violations that are defined as criminal. This function is sometimes also called 'policing' and involves preventive activities such as patrolling as well as law enforcement and criminal investigations. It is thus normally associated with 'what the police do' but, as a function, it would be too narrow to simply equate security provision with 'police work', since other parties can take over the same function.

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Lastly, the social order is always an order of some kind of community (most often, the nation-state). Policing provides security from threats that emerge from inside that community—it delivers ‘internal security’—in contrast to external threats, which originate from outside that community. Thus, ‘external security’ in the sense of defence against foreign enemies is excluded from consideration in this article. However, the distinction between external and internal security cannot be drawn as sharply as one would wish, given the activities of international terrorist organisations, which can have local consequences in many different places in the world.

The state has a special role in security provision if (and only if) it has comprehensive control over the provision of security. This first of all entails that the state *determines the content*: what kind of security is provided, how and by whom. We may contrast this special relationship with other functions that the state fulfils without claiming such a special role. For example, in many countries the state is involved in road construction for its citizens. But the state does not have to claim full control over the content of road construction: it can leave road plans to be decided by referenda, technical details about road quality to expert bodies, etc. For security, however, if the state is to have a special role, then it will have to decide what kind of activities will be undertaken (policing charters and agendas), what rules are applicable (criminal codes), what rights of appeal citizens will have, etc. A second element of the special role of the state is even more controversial: it has to engage in *in-house provision*. Again, this seems unnecessary for road construction, which is routinely delegated (contracted out) to private parties, whose performances are controlled only at a distance. For security, if the state has a special role, it will have to provide it through the actions of its own agents: the public police forces and some other specialised state agencies, under direct political control of the government. Now, the special role of the state in security is essentially contested: why could it not be like road construction in the two respects just mentioned? Should there be such a special role for the state in security provision? This is the leading question in this article.

The purpose of this article is to show that it is a myth that security ‘must’ be delivered by the state (that the state necessarily has this special role). This myth is first addressed on a conceptual level. Here, the main claim for the special role of the state has been based on the supposed fact that security is a public good. However, as I shall show, there is nothing in the nature of security that compels us to make it a public good delivered by the state. Secondly, the myth will be addressed on a historical level. Security has never been the exclusive task of the state, and the recent rise of the private security industry only intensifies the challenge to the comprehensive state provision of security. Finally, I shall maintain that these conceptual and historical analyses of security nonetheless show us

that the myth of state security might be a useful myth. The analyses point to strong normative reasons to argue for the state’s special role in security. The state’s special role is not inevitable (either conceptually or historically), although it is desirable from the point of view of justice.

Security as an inherently ‘public good’?

The concept of public good originates from economic theory. According to this theory, a good is a public good if its provision is characterised by the technical characteristics of non-excludability and non-rivalry.

Non-excludability refers to the possibility of excluding people from the benefits of consuming a good. If exclusion is impossible, it is hard for commercial parties to reap the benefits from the production of a good, because people will attempt to consume the good without paying the price (‘free-riding’ behaviour). As a consequence, a market will be missing and only a public provider—legitimised to enforce payment by collecting taxes—will be able to provide the good. Non-rivalry refers to the fact that consumption of the good

by one person does not preclude consumption of the same good by others. If a good is non-rivalrous

(or ‘non-congestible’), it is inefficient to exclude additional consumers from access to the good, as exclusion diminishes the benefits to consumers without cutting the costs. In the Netherlands, dykes are often mentioned as the standard example of a public good. Once a dyke is in place, it cannot selectively defend only some citizens against the rising waters: everybody in the territory profits from its protection (non-excludability). Also, if more citizens are added to the territory this does not increase the cost of maintaining dykes (non-rivalry). For both reasons, dykes would be a public good.

The problem with the economic conception is that there are very few inherently public goods. Rivalry is almost always a matter of degree (at some point, additional consumers will raise the cost of provision to all) and excludability depends upon the technological options available, which are constantly changing. For example, technically it may at first be impossible to exclude people from using roads or watching TV programmes, but once exclusionary devices are developed (road cameras and pay-per-view decoders) exclusion becomes possible. So we cannot make the public goods judgement by some kind of a priori reasoning about the nature of security. We will always have to check whether or not security, given today’s technologies, is or is not a public good. What about security? There are good reasons to judge that security can be subject to exclusion and rivalry. One can imagine the police force delivering its protection services to only some neighbourhoods, and not to others. Also, if

there are very few inherently public goods

the population grows, this will cause congestion: more police forces will have to operate to protect the population. Therefore, security is not a public good in the technical sense of being a non-excludable and non-rival good. This means that the form of provision becomes an essentially *normative* question: if today's technology renders both options possible, should we prefer to have selective access to private services or equal access to public services for security?

However, this conclusion might be too hasty. What if security is an inherently public good, not on the basis of economic theory, but on the basis of some other theory? Ian Loader and Neil Walker have elaborated this position by formulating the idea that security is a 'thick public good'. Even if it is technically possible to exclude people from security provision, in a 'thick' sociological sense this would be impossible. Loader and Walker try to show how this works by distinguishing three dimensions of security: an instrumental, a social and a constitutive dimension. The *instrumental dimension* refers to security's classical function of protecting the liberty of individuals through protection of 'the person and property'. The other two dimensions are more contested. It is these dimensions that purportedly make security into a thick public good.

The *social dimension* refers to the sense in which the provision of security for me is dependent on the provision of security for others. This can be demonstrated both for our objective security situation and for our subjective experience of security. Our objective security situation, according to Loader and Walker, is dependent on others in two senses: it depends upon the security measures taken by others (ranging from policemen to commercial parties and neighbours) and it depends upon the propensity of others to ignore these measures and violate our security. Our subjective experience of security also depends on others, because our perception of the behaviour of others (both those taking security measures and those willing to violate them) plays an important role in our anxiety about our security situation. Thus, we learn the virtues of 'security altruism'. As Loader and Walker write:

For our strategic monitoring of our own security concerns inevitably raises our awareness of the security concerns of others, and our desire to lower the anxiety 'transaction costs' of taking care of our own security anxiety may lead us to conclude that the best guarantee (...) of our own security is the equal guarantee of the security of others to whom we are connected. And in this complex and iterative calculation, the security of others may come to be appreciated as a good in its own right.

The *constitutive dimension* refers to the sense in which the provision of security contributes to the constitution of 'the social', 'the public' or 'the community'. Here, Loader and Walker state that stable communities have

importance for their members for two sets of reasons: instrumental reasons—referring to the community's power to solve collective action problems—and affective reasons, referring to the consolidation of a social sense of self. Now, instrumental reasons are usually not enough to sustain a community. An affective 'glue' is necessary to overcome the individual's 'ambivalence about collective commitment' because of 'short-term self-interest, poor information and low trust'. This glue is created through a sense of common purpose, which in turn is created by a concrete commitment to a set of shared goods. Language and territory are often-mentioned examples of such goods, but arguably, the collective provision of security is also one of them: security is 'pivotal to the very purpose of community that at the level of self-identification it helps to construct and sustain our "we feeling"—our sense of "common publicness"'. Thus, security should be provided as a public good that the whole community profits from. As the representative of this community, it is the state that practically functions to do so.

In my view, this sociological conception of security as a thick public good faces two problems. The first relates to the social dimension. Loader and Walker stress that our preference for others having equal access to security is *contingent*, that is, it is dependent upon our insight (generated in the iterative calculation mentioned above) that this is the best way to secure our own environment. We learn to appreciate security altruism for this strategic reason. They present this as a solution to the problem that security altruism is neither universal nor innate. For that could only be the case if people were equally vulnerable to security threats and had an equal 'strategic deployment of harm-capacity', or in the absence of such 'strategic reciprocity', if they were capable of 'full mutual empathy with others'. However, neither is the case: people are asymmetrically positioned towards one another in the strategic respects mentioned and they do not have full mutual empathy. Now, the problem is—and Loader and Walker fail to recognise this—that it logically follows that security altruism will be absent whenever my security situation and that of the other are insufficiently connected to each other, or when this connection is not perceived as sufficient. For Loader and Walker's iterative calculation to work, people's security situations do not have to be perfectly symmetric or perfectly altruistic; nonetheless, they have to be sufficiently symmetric and/or sufficiently altruistic. By contrast, if people feel that their security situation is effectively independent of others, this will inevitably lead to a breakdown of any project of providing security as a public good. Therefore, security's social status depends crucially upon the avoidance of feelings of invulnerability, and this is a contingent matter.

The second problem relates to the constitutive dimension of security. If we grant Loader and Walker that security is

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constitutive for ‘our sense of common publicness’, this still leaves open whether it is the state that has to fulfil this role. Loader and Walker leave no doubt that this is what they have in mind. They argue that, together, the three dimensions point to the necessity of having some political community fulfilling these functions—and this we usually call the state. The state, therefore, should remain the ‘anchor’ of security provision. The problem with this, however, is that it is possible to define the relevant community at a variety of levels. The choice in most cases is not between security provision on the part of the state or through individuals buying security on the market, but between security provided by the state or by some relevant lower-level community, whereby individuals pool their resources to buy security. Thus, security, instead of being a public good, might also be provided as a ‘club good’. Club goods can be defined as ‘those “quasi-public” goods that are available to members of a club but restricted in some form or other to non-members’. Here reappears the question of exclusion that we already encountered in the economic theory of public goods. For what should be the relevant size of the club? Should it involve ‘all’ of us on pain of disintegration of ‘the’ community (the nation-state?), or is it harmless if smaller clubs constitute their own communities (such as the gated communities in the USA and elsewhere) through the provision of security?

The mafia fulfilled the same function of protection that elsewhere was largely covered by the state

In both dimensions, then, we see that the conception of security as a public good depends upon crucial empirical circumstances. Our actual dependence on others (strategic symmetry) and the nature of individual attitudes (altruism) determine the level at which communities are defined and security is provided, and the exclusion of non-members of the community from security measures follows from this. The attempt to grant security the status of a ‘natural’ public good (i.e. by means of a conceptual analysis only) fails, both via the economic and via the sociological route. This means that the state—as the representative institution providing public goods—cannot make true its mythical claim to comprehensive control of security provision. Let us now see whether or not concrete historical evidence confirms this conclusion.

The historical contingencies of security provision

The history of security provision shows us that the state monopoly on security provision is a myth. First, and quite

logically, security was not provided by the state before states came into being; second, security was not exclusively provided by the state during the so-called heydays of the nation-state; and third, security is not exclusively provided by the state today.

In medieval times, security was provided by informal mechanisms in local communities. Representative of these informal structures was the institution of the ‘hue and cry’, which required all men to respond to a signal of crime and join together to prosecute and punish the felon. When officials were appointed, such as constables or ‘judges of the peace’, their office was mostly unpaid and part of their civic duties. These institutions therefore relied heavily on the public spirit. This changed in the 18th century, when the relatively stable feudal order started to give way to a society ‘where interests were becoming more distinct, associations more transitory, relationships more fragmentary, and public order more fragile.’ Then a private security system evolved, based on a specialisation of crime control: it evolved from a temporary activity rotating among citizens into a permanent office. Sometimes a salary was attached to such offices, but usually it was quite low. The main revenues had to come from fees levied on lawbreakers and the victims of crime. Thus, in the 18th century victims of theft often appealed to independent agencies that would then attempt to recover the stolen goods for a percentage of their value. This system of private payments encouraged private officers to contract with prospective thieves to share the reward they would receive when they ‘recovered’ the stolen goods, or even worse, to set up crimes themselves, then accuse innocent victims and force them to pay a ‘reward’ to be set free. It almost goes without saying that crime was exacerbated rather than curbed by these kinds of practices. As a consequence, during the first half of the 19th century pressure mounted to make the maintenance of order a truly public office. In response to this, public police forces were established in the course of the 19th century, first in the major cities and subsequently in the countryside. The era of state provision had arrived.

This era of state dominance lasted until roughly the 1970s/1980s. It still influences our mentalities and engenders our expectations that the state will take care of security. However, even in this period of its heydays, the state was not the exclusive provider of security. Large firms protected their buildings and equipment with the help of internal security personnel, ‘to defend corporate capital against trade unionism’. Second, there remained a large measure of communal social control by people who were not expressly trained and paid as security personnel. These corporations and communities provided security for themselves, sometimes in deliberate antagonism to the newly established public police forces. What is more, in some areas of the Western world the state did not

succeed in establishing its central role at all. The most notable example is Sicily, where the mafia fulfilled the same function of protection that elsewhere was largely covered by the state.

The recent history of security provision is characterised by an even stronger proliferation of different security providers. Starting in the 1970s and 1980s, the state declined vis-à-vis other providers: although public police forces have grown in absolute numbers of personnel, they have nonetheless seen the rise of commercial companies and citizen groups as partners or competitors (that remains to be seen) in securing order and safety. A first explanation for this development is that the state's decline was caused by a fiscal crisis that has plagued the public sector in general (fiscal constraint theory). Because of this crisis, massive expansion of the public police force was rendered impossible. Policing budgets did not decrease in an absolute sense, but insufficient resources were available to match the rising crime figures with a corresponding increase in resources. Therefore, the public police force started to actively welcome partnerships with companies and citizens in an attempt to create a system of 'plural policing'.

A second influential explanation for the decline of the state and the rise of other security providers is the 'mass private property' thesis. Changes in large-scale property have been taking place, such as the enlargement of shopping malls, residential areas (gated communities), theme parks, etc. These places have a public function but are nonetheless privately owned. As a consequence, property owners prefer to rely on private security companies to guarantee the safety on their property. This thesis can be criticised for representing too crude a picture of public versus private property and of changes of security always follow changes in property relations. Nonetheless, one can also take the explanation as basically correct but interpret it not as a sign of a weakening state, but as a sign of changing relations *within* the private sphere. Thus, Jones and Newburn argue that private security has always been firmly present, even during the mid-20th century period, which allegedly was dominated by the public police force. According to them, what has really happened is a formalisation of social control, that is, a shift of control as a secondary activity undertaken by people whose primary occupation is something else (they mention such diverse examples as tram conductors, teachers and house-to-house deliverers of milk and bread) to control by public *and* private officials who have social control as their primary occupation.

The rise of the private security industry has not been without its consequences for the *character* of security provision. To illustrate this, let us consider three basic characteristics of private security. First, it is non-specialised, that is, it is integrated within the organisation by

which it is employed. Security is organised as a responsibility of all organisational members, and the main task of official security personnel is to implement techniques and train others to prevent crime. Second, private security has a client-defined mandate: it is not interested in upholding the law against violations, but in preventing unwelcome events from happening. As a consequence, there is a tendency to deal with offenders internally instead of handing them over to the official justice system. Thirdly, sanctions have a private character (e.g. firing employees, denying access to resources) rather than a legal character. Taken as a whole, these characteristics show a marked difference between private and public policing, aptly summed up in the sentence: 'Private police emphasise the logic of security, while public police emphasise the logic of justice.' As this quotation underlines, the difference is one of logic: it is not just a different set of practices or attitudes, but a coherent system of beliefs underlying them.

The clash of private and public logics of security provision is to be embedded in a far-reaching conflict, namely that between an old criminology and a new 'criminology of everyday life'. Here, the definitions of crime and security themselves are at stake. According to David Garland, in the new criminology offenders are seen as 'normal, rational consumers', calculating the costs and benefits of illegal courses of action and acting upon those calculations. Their motivations do not differ from the motivations of other people, and deviant or criminal behaviour accordingly is not seen as behaviour of a different kind. This stands in marked contrast to the old criminology, which saw offenders as 'disadvantaged or poorly socialised' people who deserved a special kind of treatment. Providing security against such offenders means influencing the set of incentives these rational consumers face, that is, changing their pay-off structure. When the problem is not in the character of the offender but in the opportunities for offences that he encounters, the required solution lies in making 'a thousand small adjustments' to the structure of the social environment so that opportunities for deviancy are diminished.

Les Johnston and Clifford Shearing have conceptualised this shift as being one from a paradigm of punishment to a paradigm of risk. If the problem is one of a calculating consumer whose risk pay-off structure leads him to commit crimes, then the solution becomes a question of risk management. Such risk management involves a sequence of steps: identifying potential threats, assessing the probability of the realisation of these threats, estimating the losses involved, and the balancing of probability and loss. This risk paradigm deviates from the punishment paradigm in two important senses. Whereas punishing is a form of governing the past (making good past offences), risk management is a form of governing the future (preventing new offences). Secondly, risk management involves many more

potential subjects than those suspected of an offence: everyone in a certain building, field or neighbourhood is subject to the management of security. The connection between these underlying perspectives on crime and the provision of security seems clear: the state is associated with the older form of security provision while risk management is the hallmark of private security. Johnston and Shearing state that ‘risk-based thinking is fundamental to the corporate mentality’.

If this is true, then the question what remains of the state’s special role becomes acute in a sense that has thus far remained obscure: security provision then is changed into a different practice because it is no longer delivered by the state. Our question concerning the state’s special role now becomes dependent upon the desirability of this change: should security provision primarily be risk management; and second, should this be delivered primarily by non-state actors? If the answer to both questions is in the affirmative, no special role for the state seems to be left.

Conclusions: a special role for the state?

Both our conceptual analysis of security as a public good and our historical analysis of security provision have shown that the necessary link between security and the state is a myth. Conceptually, security can be a club good just as well as a public good. Throughout history, other agents have been able to provide security. Whether the state has a special role to play in security provision today is therefore a matter open to debate and contestation. In my view, both the conceptual and the historical analysis also provide clues to why a special role for the state may continue to be desirable.

At first sight, our historical analysis seems to contradict this conclusion. For we have seen that security is increasingly transformed into a practice of reducing risks posed by offenders who are motivated by rationally calculated considerations, and this motivates a corresponding tendency to rely on private companies instead of public authorities for the provision of security. Does this not reduce the role of the state? However, the meaning of these developments is more ambiguous than it seems, and does not point to a simple reduction of the state’s role. This is for several reasons. For one thing, security has historically been provided by other actors who engaged in social control as part of their daily business—even if this was not described as ‘risk management’ and its techniques were more ad hoc and informal. Therefore, ‘complete public provision’ of preventive activities will remain a myth. Thus, the break with the past is less radical than it might seem.

Moreover, even if recent developments give non-state actors a firmer place in security provision alongside the state, the state’s special role remains desirable in two senses. First, the final responsibility for the preventive

part of security provision cannot be easily taken away from the state. There will always remain instances where maintenance of the peace is unprofitable for commercial parties and unfeasible for informal citizen groups. The police force remains the only possible institution fit to do the job in those circumstances. Second, security will also continue to include the governance of the past, that is, the retrospective punishment of offenders. For this task, the expectations of the public continue to be directed at the public authorities, and with good reason. Here, private

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security does not raise a claim to greater involvement: the functions of prosecuting, sentencing and imprisoning firmly remain the responsibility of the public authorities.

One might object that these arguments merely point to some kind of public authority that remains necessarily involved in security provision. Does this have to be a state? Can it not be a more exclusive community authority? This brings us back to our conceptual analysis, where we saw that there is nothing in the nature of security that demands that it be delivered as a public good open to all people. The desirable form of security provision depends upon the level at which we want to define ‘the community’ that provides security and consequently excludes others from its benefits: this level can very well be that of a ‘club’ on a lower level than the state. Whether security is the special responsibility of the state continues to depend upon the relevant community—where the borders of inclusion and exclusion are drawn. Now, exclusions are unwelcome for normative reasons, that is, insofar as they generate an inequality in security between the security situation of different citizens. It is therefore a demand of *justice* that the state provides security equally to all of its citizens. In that sense, security is a demand only upon those states that define themselves as committed to such an ideal of justice. Providing private security to, for example, those living inside a gated community leaves those outside that community vulnerable to an increased security risk. The public police force is then called upon only to protect the hard cases—which is an increasingly difficult task. Second, and more indirectly, private provision may lead to a consumer ethos amongst citizens, who will demand instant performances from the police as something to which they have a right. This may lead to the ‘capture’ of the police by those citizens who know how to articulate their demands

well, at the expense of others with less skills in communication. Such a capture results in the police effectively providing a 'club good', while the surface reality still seems to be that of a public good. The state should be committed to preventing such exclusionary tendencies. It therefore cannot permit non-state agents to take too much control of the security landscape. Nevertheless, 'comprehensive state provision' remains the myth that it is.

Postscript: a month after the riots, the police rejected the plan of Ondiep's inhabitants to form a neighbourhood watch. Its spokesman declared: 'the maintenance of public order is and will remain the responsibility of the police.'

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Do newspapers have a future? And how long is that future?

By Michael Gawenda

Michael Gawenda reflects on the ‘golden age’ of newspapers, their turbulent present, and looks at some less gloomy prospects for their future in a digital world.

John Maynard Keynes apparently once said that in the long run we are all dead. I think what he meant was that the only certainty about the future is that all of us one day won’t have one. This may be true of newspapers as well, which are the product of technological change and innovation and which will die in the long run because of technological change and innovation. The economist Joseph Schumpeter referred to this as capitalism’s ‘perennial gale of creative destruction’. The question Keynes did not answer is: How long is the long run?

The historical context

In 1961, the American playwright Arthur Miller said: ‘A good newspaper, I suppose, is a nation talking to itself.’ I think that with a small edit, the sort a sub-editor of a certain type could easily perform, this Miller attempt at wisdom about newspapers could have said something that would be as true today as it would have been almost a half century ago: ‘A bad newspaper, I suppose, is a newspaper talking to itself.’ Truth is, no newspaper in a democracy has ever been ‘a nation talking to itself’.

As the American writer Joseph Epstein argued in an article published in *Commentary* magazine in 2006: ‘The paper to which you subscribed...told a good deal about your family—its social class, its level of education, its politics.’ Epstein was talking about the 1950s and 1960s, when newspapers were king, when people like his father and my father would pour over their daily paper late into the night. Mostly, during that era when newspapers were king, newspapers were a masculine thing—journalists

were overwhelmingly male and overwhelmingly wrote for a male readership. At least that’s who they thought was their readership. In 1970, when I started at *The Age*, female journalists were still, in the main, fenced off—literally—in a section of the newsroom that produced the daily women’s pages which focused on fashion, recipes and how to be a good wife and mother. The rise of Michelle Grattan and others like her was still a few years off.

So Arthur Miller, great playwright that he was, got it wrong about what made a good newspaper. Forget this nation talking to itself stuff. In their heyday, newspaper readers and newspaper journalists were predominantly men talking to other men, with readership fragmented by class, education and to a certain extent, political orientation.

Here’s another quote, this one from the philosopher George Santayana who in 1915 wrote to his sister about the influence of newspapers: ‘When I read them, I form perhaps a new opinion of the newspaper but seldom a new opinion on the subject discussed.’

This strikes me as a particularly apt encapsulation of the position still taken by many of those who consider themselves well educated and well versed in the affairs of the world—the so-called elites in other words. The only newspaper of quality is one which more or less confirms them in the rightness of their version of the truth. One of the few firm conclusions I reached about newspapers from my time as editor of *The Age*, was that when public intellectuals and opinion leaders talked about quality journalism, they had in mind journalism that reflected their reality and their truth. To some extent, they are no different really from most newspaper readers over the decades who considered themselves defined in certain fundamental ways by the newspaper—or newspapers—they bought and read.

I don’t think the same will ever be said about news websites or blog sites.

The relationship between a newspaper and its readers is an intimate one. For readers, their response to their newspaper is determined by the paper’s character and personality, its consistency, its humor and quirkiness and its endearing foibles. It is a relationship that develops over time.



The idea that a good newspaper is a nation talking to itself may be questionable, but a good newspaper does have a community of readers who feel connected to each other through the newspaper they welcome into their homes and their workplaces. In that sense, newspapers are civic institutions and our civic life would be much the poorer if they ceased to exist. It is already poorer because there are fewer newspapers than there were in the past—and there will be fewer still in the not too distant future.

And newspaper ownership in Australia and elsewhere is increasingly concentrated. This inevitably means that there are increasing numbers of people who are confronted with this choice: either they accept into their lives a newspaper for which they have no affection or great regard, or they give up reading newspapers.

The proper role of the editorial

George Santayana is perhaps best known not for his quote about newspapers, but, among those of us whose research is mostly web-based, for this pithy line: ‘Those who cannot remember the past are condemned to repeat it.’ This presupposes that the past is invariably not worth repeating. I don’t know about that. I know many journalists, for instance, who would love to repeat the past, go back to what they think was some golden age of newspapers and journalism, when editor-gods roamed the news rooms dispensing the knowledge. This of course is unlikely to happen.

The American journalist Jack Gremond, whose 50 years of newspaper reporting apparently has made him a legend of his craft in the US, recently said that writing a newspaper editorial was like wetting oneself while wearing a dark blue suit: ‘It gives you a warm feeling but nobody notices.’

Rupert Murdoch believes editorials matter

When I first started at *The Age*, the editorial writers sat in a glassed off space to the side of the newsroom. There were six men, I think—there were no women editorial writers until the late Pamela Bone breached that glass ceiling at *The Age*—and to me and many of my wet behind the ears peers, they were the voice of *The Age*.

Each day, for an hour or so, they would engage in serious debate and consultation with the editor—I would sometimes walk past the editor’s office just to catch a glimpse of the animated conversation. Then, after a suitable period of deep thought and some research, after taking account of the paper’s history on any particular issue, most often after a well lubricated lunch at the local pub, they would offer up to our community of readers a thoughtful—and often thought-provoking—view on the issues of the day, large issues and small ones, all written with a tone of con-

fidence, confidence that readers wanted and expected the paper to take positions on matters that mattered to them and their community.

In a sense, editorials were an expression of confidence in the role of newspapers and their relationship with their readers.

On the eve of the federal election in November 2007, *The Age* ran an election editorial that encapsulated for me the fact that some newspapers are unsure of their role and deeply unsure about their future. In summary, the editorial stated that *The Age* would not make a judgment on whether the Coalition or Labor ought to form the next government. It would not make that judgment because, the editorial stated, the paper did not believe its role was to tell readers how to vote.

In my view, this revealed a fundamental misunderstanding of the role of editorials and an even more fundamental misunderstanding of the relationship between a newspaper and its readers. To me it represented a sort of surrender. The *Sydney Morning Herald* did editorialise in favor of a change of government that November, but this was despite the fact that a day before the 2004 election, the paper—under a now departed editor—had published an editorial which said that the *Sydney Morning Herald* would not reveal its view on whether the Coalition or the Labor Party should form the next government and what’s more, would never again publish an election editorial that expressed such an opinion.

How, I wondered at the time, could Fairfax management have allowed such nonsense that committed one of its great papers to never again publish an election editorial that actually had something to say. This tells you something about the confusion and lack of confidence at Fairfax about newspapers—about what they are, about their history and fundamentally, about a newspaper’s relationship with its readers.

Last September Rupert Murdoch’s *New York Post* published a front page editorial declaring the paper’s support for John McCain. I know this because it was fairly widely reported, as if the *Post* editorial was legitimate news, that it mattered. It did in my view.

The reasons might be debated, but one reason why it mattered was because Rupert Murdoch believes editorials matter. He believes newspapers matter. Whatever may be said of Murdoch, it cannot be said that his love of newspapers is feigned and it cannot be said about him that he knows little about their history. It cannot be said about him that he has no view about what makes a good newspaper. And it cannot be said that his newspapers have about them an air of doom, as if their death is fast approaching.

Quality newspapers and content management

It is a reflection on the state of newspapers in Australia—and elsewhere to a certain extent—that many people,

including journalists, in the words of the ABC Managing Director and former senior executive at Fairfax, Mark Scott, believe that ‘the last best hope for newspapers is Rupert Murdoch’.

In a short speech he gave recently to a conference of the Pacific Area Newspaper Publishers’ Association, Kevin Rudd worried about the future of quality journalism at a time when newspapers are in decline and the media landscape is rapidly changing: ‘But that doesn’t mean abandoning quality journalism or quality ideas or quality debate’, he said. ‘I believe today there is even greater demand. And that’s because our communities, both local and global, are tired of the same old political script.’

Asked his view on the future of newspapers, Rudd said his family in the main, goes online. ‘I am the last of the Mohicans,’ he said.

Now where is the evidence to support Rudd’s claim that he has a real passion for quality journalism, quality ideas and quality debate? Surely it can’t be the Labor election campaign, which was widely regarded in political circles as a great success. Much of that success was attributed to Rudd’s iron discipline and ability to stay on message no matter what the provocation from journalists—newspaper journalists in particular—to actually say something meaningful, something that had not been focus group tested.

And, I would argue, that the Rudd Government, in its first year in office, has been as much concerned with managing the so-called 24/7 news cycle as its predecessor—if not more so. Managing the 24/7 news cycle has nothing to do with quality journalism and quality ideas and quality debate. In truth, it is about avoiding these things. What’s more, the more talk there is about the need for quality journalism for instance, the more I am convinced that those who talk about it, commit themselves and their papers to it and express their love for it, the more I am certain that they have no idea what it is they are talking about.

George Orwell, perhaps the greatest English language reporter of the 20th century—I say reporter because it was his reporting that I believe was his best work—taught us that language matters. During the seven years that I edited *The Age*, journalism became content, reporters became content providers, the newspaper became a content platform—one among many of course—and editors were invariably referred to as managers. There were power point presentations to staff by senior executives at which, in one memorable instance, journalism was represented as a content egg—where was the chicken I wondered?—that could be sliced and diced and made into content suitable for different delivery platforms—curried egg for the internet, scrambled egg for mobile phones, soft boiled egg for the newspaper. Editors became middle managers or if you like the content egg metaphor, short order chefs, with

the journalists as kitchen hands—or should that be battery hens? Fairfax was not the only newspaper company at which senior management and the company board—on which, invariably, there sat not a single person with newspaper experience—to junk the history and the traditions of newspapers and journalism, by reducing journalism and reporting to content, editors to factory floor middle managers, and journalists to content providers, but it was one of the first to do so, certainly in Australia. While all the while, publicly, board members and senior managers proclaim their commitment to quality journalism. And obsessing over the share price and what the next lot of prophecy from media analysts might mean for their futures.

Managing the 24/7 news cycle has nothing to do with quality journalism

Doom and gloom: Declining revenue and the impact of the internet

And so I come to the question, head on. Do newspapers have a future? I hope so. But how long is that future? I know that by examining the trends in circulation and readership—and the profitability—of American newspapers over the past few decades and extrapolating forward, the media writer Philip Myer in his book *The Vanishing Newspaper*, concluded that the last American newspaper will be published in the first quarter of 2043. I know that Roy Greenslade, a former editor of the UK *Daily Mirror* and the *Guardian*’s media critic, told a conference in Sydney earlier this year on the future of journalism, that in the not too distant future, most newspapers will have died and that what will remain, is perhaps a couple of national papers—if we are lucky—for an already ‘information-rich’ readership. I know that Eric Beecher, the publisher of *Crikey* and a former Editor of the *Sydney Morning Herald* and the now vanished *Melbourne Herald*, someone who has thought as deeply and creatively about this question as anyone I know, has concluded that most newspapers do not have a future and that perhaps the best hope for the sort of journalism that newspapers like the *Fairfax* broadsheets were once committed to, might be for the Federal Government to increase funding for journalism to the ABC—because he cannot envisage a commercial business model for such journalism.

There is something about this doom and gloom from aging journalists and former editors who have had wonderful experiences on newspapers that is irritating. I imagine this is particularly irritating for young journalists just starting out, perhaps on some suburban or country paper and dreaming of one day making it on to *The Age* or the *Herald Sun* or *The Sydney Morning Herald* or *The Australian*. Not to mention the hundreds,

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no thousands of journalism students at Australian universities who are being told there will be no newspapers for them to go to when they have completed their degrees.

I know that the logic of doom and gloom is compelling. I see no point here re-hashing in great detail the evidence for the eventual demise, sooner or later, of newspapers. So let me quickly encapsulate that evidence. Newspaper circulation and readership across much of the English-speaking world, has been declining for decades and that the decline, especially in the United States, has, dramatically accelerated over the past few years.

There have been many reasons advanced for this decline, including social and political change, changes in work and family patterns, technological change, including the development of the world-wide web. At the same time, classified advertising, the advertising that Rupert Murdoch once labeled the rivers of gold, started migrating to web sites about a decade or so ago and that migration too has accelerated recently—and is continuing to accelerate.

For many of the world's most profitable newspapers, including *The Age* and *The Sydney Morning Herald*, basically ran two businesses. The classifieds business was highly profitable in part because these papers had a monopoly on this form of advertising and so could jack up the price regularly knowing that there was nowhere else for the advertisers to go. The classified sections of papers like *The Age* and *The Sydney Morning Herald* ran to hundreds of pages. Go back three decades and have a look at Saturday editions of these papers. They were huge while the editorial space, the space for journalism, was miniscule. These papers sold close to 100,000 extra copies on Saturday and I can tell you it wasn't because of the journalism!

So the classified business was a gold mine. What about the journalism business? How did that stack up in terms of profitability? Well the fact is that the weekday papers that carried few classified sections were never particularly profitable. They certainly were nowhere near profitable enough to sustain a staff of hundreds of journalists and continue to deliver the sort of results that had made newspaper companies with classified monopolies among the most profitable businesses in the world.

When I was appointed editor of *The Age* in 1997, the internet loomed on the horizon and the threat that this thing had the potential to seriously damage the paper's classified business was becoming increasingly clear. I cannot recall much concern about what it might do to newspaper journalism, even though its effects were already being felt in the United States and to a lesser extent, Britain.

But in the last few years of my time as editor, there was increasing awareness that newspapers were under threat

and had to change. I do not want to go into detail here of what happened next except to say that *Fairfax* lost its classified monopoly and it failed to come up with a business model that took advantage of its long-time grip on classifieds. Its online classified sites were disappointing: the perfunctory attempts to link the online *Fairfax* classified sites to the classified sections in the papers went nowhere. Few understood the strength of the *Fairfax* masthead for few knew and understood the history of these papers.

The loss of confidence in journalism

At the same time, I believe that the senior management at *Fairfax* and the *Fairfax* board lost confidence in the company's newspapers. The implicit—and sometimes explicit—message was that these managers and these board members did not really see a future for these papers. At least not a future they could articulate. They were often bemused, in my view, about what it was exactly that journalists did. They were bemused—and disconcerted—by passion for newspapers from editors and journalists and even readers. They were bemused sometimes by the fact that they were running a newspaper company. At a time of transition and great challenges for newspapers, *Fairfax*—and this was true for other newspaper companies as well, including the *Los Angeles Times* for instance—was run by people who had no experience of the business, no knowledge of its history and role in the communities in which their newspapers operated and what's more, no great love of them.

Do newspapers have a future? In this process of decline of newspapers, the United States is probably three or four years ahead of Australia. In the main, newspaper companies in America have reacted to declining circulation and readership, and declining profitability, by cutting costs.

Specifically by cutting editorial staff.

The most savage cuts have been on the chain owned newspapers which is really most of them. Most of this cutting has been savage. The *San Francisco Chronicle*, for instance, has lost a third of its staff. It has no foreign correspondents and a miniscule staff in Washington—most of its Washington coverage comes from a bureau that services a dozen or more newspapers across the country. I must say that the *San Francisco Chronicle* is now a pretty ordinary paper. No wonder its circulation is in free-fall.

The same is true of other papers that were once—if not great—then pretty good, papers like the *Philadelphia Inquirer* and the *Baltimore Sun* and the *Chicago Tribune* and the *Los Angeles Times* which was once considered among the top three or four papers in the United States. These are now very ordinary papers, with no foreign correspondents and no real presence in Washington. Some of their best journalists have left, which is often the way of these things when voluntary redundancies are on offer.

The role models are disappearing and the history of these papers is being wiped out. And all the while, the senior management and the boards of these papers talk endlessly about their commitment to quality journalism.

Let me commend to you an article in the March 2008 edition of *Esquire* magazine by David Simon, the creator of *The Wire*, perhaps the best television series of recent years, which is set in Baltimore and which examines life in that city's black ghetto. It is a magnificent work which calls to mind the novels of Charles Dickens, full of unforgettable characters. It gives us a portrait of a decaying American city at the start of the 21st century that in my view, matches Dickens' portrayal of London in the late 19th century. Simons was a reporter on the *Baltimore Sun* for 13 years before he was encouraged to take a redundancy by the paper's editor. His beat was mostly the Baltimore Police Department. Simons was a truly great reporter. The *Esquire* piece is an angry lament for the paper he once loved but which is no more. It ends like this:

The other day I saw a column of smoke dust east of the I-95 just above Eastern Avenue—dark and thick enough that I drive there. It was a roadside car fire, no injuries. Nothing worth a call to the desk. Good thing too...because who was I going to call it in to? I have no clue.

There is incessant chatter about the need for a new model for newspapers in the digital age, which might be true, but in the meantime, the newspapers, which are still profitable, are being butchered and the talk of a new model is nothing really but empty words.

It is in this context that I have to say that the editorial cuts announced by *Fairfax* recently were chilling. The cuts were in response to a dramatic fall in advertising revenue, most of it in classified revenue. The economic slowdown is the immediate cause, but this was coming for at least a decade.

It is in the context of my experience as an editor at *Fairfax*—my experience of *Fairfax* senior management and of the *Fairfax* board—and my experience of newspapers in the United States when I was based in Washington, that I say that it is a failure of imagination and commitment, a result of a lack of experience and knowledge and love of newspapers, that *Fairfax* is going down the slash and burn path. This is a path tried by newspapers in other places, a path that has led to even more rapid declines in circulation and readership and ultimately, profitability.

Don't they know that?

I am not opposed to cuts in editorial staff as a matter of principle. I do not believe that every job has to be pre-

served and protected. I am not even saying that *The Sydney Morning Herald* and *The Age* cannot be great newspapers with fewer journalists. They can. And they have to change. But for real change, courage is needed and vision and risk-taking and above all, a commitment to newspapers and journalism that, frankly, I do not see at the moment. Do the editors of *The Sydney Morning Herald* and *The Age* have a voice at senior management level about the future of the papers they edit? I doubt it. Were they asked to come up with a plan for a different sort of newspaper, one that would take account of the fact that some reporting is better done online? I doubt it. I understand that the editors of *The Age* and *The Sydney Morning Herald* have no say and no control over their papers' websites. This is ridiculous. How will it, with this structure, ever be possible to come up with a model that integrates the newspaper with its online site so that both have a future? Before these cuts were announced, were the editors asked what the effect would be on the papers they edited?

There is no plan. Nothing any of the senior managers have said suggests I am wrong about this. Indeed, I would guess that they have no idea what the future holds and have no real idea about how to shape it. And so the editors of these papers work in a sort of vacuum, in which they are asked to cut staff but

are unable to re-assure anyone that they—or the paper—has a future. They are even unable to re-assure their staff that they, the editors, have a real say at senior management level, in the big decisions that are being made that will determine whether—and for how long—these newspapers survive.

At the *Los Angeles Times*, three editors and two publishers have resigned in recent years because they were unwilling to implement further staff cuts. They said they couldn't see how they could produce a paper that their readers expected with cuts like these—up to a third of their staff.

The future of newspapers

I said at the start of this lecture that how people like me, former editors and aging journalists, regard the future of newspapers is in part determined by the fact that our future in newspapers is rather limited. Mostly, our future is in the past. But despite the fact that my future in journalism is unlikely to stretch into decades, I do believe that all these young men and women, embarking on a career in journalism and still dreaming of a job on one of our metropolitan papers, should not despair. Things change, often in unexpected and unforeseeable ways. I believe there are some things newspapers can do that no other medium can match—not television, not radio, not the internet.

*Newspapers,
which are still
profitable, are
being butchered*

One of the great mistakes newspapers have made in recent years is that they have tried to address their weaknesses rather than build on their strengths. So we have shorter stories, bigger headlines, more graphics, more bells and whistles, more tricked up, overblown pages, more and more pages that are meant to look visually rich, but in the main, look desperate and garish. And this attempt to ape the internet in print is being driven by middle aged people who in truth, have no real feel for the net and therefore no real understanding of its strengths and weaknesses. I believe that the next generation of journalists, who have grown up in the digital age, are much more likely to understand what newspapers can offer that digitally delivered journalism cannot offer.

What might these things be? Only newspapers can build a community of readers. What builds that community? Well for a start, a shared sense of what the newspaper is about, what it considers important and interesting and entertaining and thought-provoking. A shared sense of the city and the country and even the world. And that's about telling stories—stories from our courts and our police force and our local councils and our businesses and our governments and our hospitals. You get the drift. No web-based news site will ever tell such stories. No news site will ever give people what David Simons gave them in the *Baltimore Sun* when he spent a year with the city's homicide squad and wrote about it in paper, articles which later became a book and then a terrific television series—*Homicide, Life On The Streets*.

Commentary should really be just another form of reporting—tell me something I have not thought about.

Is this investigative journalism? Of course it is. How many articles do you find in your paper which you consider compelling and revelatory, articles that only a reporter, going out there and doing the reporting work, could have brought you? Newspapers need to be in the business of news, but they need to report news that only a newspaper can do well. The rest, reports of news conferences, PR driven events, announcements—all of that can go online. Newspapers need to get smaller, clearer in their focus. Most of the lifestyle sections should migrate to online. That doesn't mean newspapers should stop writing about food, for instance, but think, when was last time you read a truly well reported story about food? The reviews and the listings are much better done online. That's true for entertainment and television guides as well. Unlike some people, I believe the future for newspapers is not in commentary and analysis. Newspaper must not become what *The Independent* in the UK has

become—in the phrase used by its current editor, a 'viewpaper'. The internet is awash with commentary. You can read the columnists on every major—and minor—paper in Australia and around the world on the net and you don't even have to go to the websites of these papers—there are a number of sites that aggregate this stuff. Cable news is full of commentators, mostly shouting at each other. This is not to say that newspapers should abandon commentary and analysis. But commentary should really be just another form of reporting—tell me something I have not thought about. That can only be done by people who know more about a given subject than I know. Too many columnists actually know less than their readers.

Newspapers need to build on their strengths. Forget big headlines and huge and often meaningless graphics and photographs obscured by having print plastered all over them. More photographs, yes, but with a premium on arresting photography—something the net cannot do well. Great photographs and illustrations and wonderful editorial cartoons—we can produce all that if we put our minds to it. And stories, well-written and compelling stories, well edited and with headlines that are smart and if possible, entertaining, but please, no lousy puns which it seems to me have now become the standard newspaper headline in some places.

Will this work? Do we have the sort of talent needed to produce such a newspaper? Will this sort of newspaper, half the size of most of the papers we produce today, succeed? Can newspapers have smaller circulations and fewer readers, a premium cover price, no lifestyle sections, no special circulation deals—which basically involve giving the paper away—and be profitable? I think so. What size staff is required to produce such a newspaper? I suspect a smaller staff than the staff producing today's papers. I am sure that the newspaper and the online sites of the newspaper need to be brought together because without that sort of integration, neither will succeed.

Do newspapers have a future? And how long is that future? Well, I ask you to imagine Melbourne without *The Age* and the *Herald Sun* or Sydney without *The Sydney Morning Herald* and the *Daily Telegraph*. Imagine Australia without *The Australian*. If you can imagine such a scenario, then the future, in the words of the poet and song writer Leonard Cohen, is murder. And if you can imagine such a future, in my view, that's in part because of our failure to produce newspapers which attract the sort of fierce and life-long loyalty they once attracted.

If I might just end with a piece of gratuitous advice to my fellow reporters, young and not so young, in whose hands the future of newspapers, to a certain extent rests: stop Googling and get out there and talk to people in your city.

There are no real stories in your newsrooms. Read a lot—papers and magazines and books. I don't see how you can be a great reporter and writer if you don't read great reporting and writing. You, especially you younger ones, can give newspapers a future. Always remember what a great privilege it is that you can approach perfect strangers and ask them to tell you about their lives and

why they are doing certain things. If you go after stories with that in mind, the ghosts of some of Australia's greatest newspaper reporters will be there with you.

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Thinking about the Morality of Lending at Interest

By Adrian Walsh

Money-lenders have been the subject of harsh moral condemnation for centuries, yet the social utility of lending and the crucial role it plays in economic development is undisputed. When is lending harmful and when is it benign? Adrian Walsh looks at the history of morally evaluating money-lending to come up with a successful framework.

And since we break on the wheel, and behead highwaymen, murderers and housebreakers, how much more ought we to break on the wheel and kill...hunt down, curse and behead all usurers. Martin Luther

The Global Financial Crisis and the social harms of lending

The Global Financial Crisis, which broke in 2008 and which has had devastating consequences for many of our major financial institutions (including the banks and the share markets), was primarily a product of poor lending practices. It began, as we are all too aware, in the United States, with the sub-prime crisis and then quickly spread to other economies. In the US banks lent money to borrowers with little or no equity and when the asset markets declined—or in some cases collapsed—the debts became ‘toxic’. The repercussions are still being felt all over the world.

One significant social consequence has been a renewal of widespread support for re-regulation and greater scrutiny of the banking sector, with the aim of preventing further economic damage, a goal which also underpinned a number of high profile and expensive bailouts of financial institutions. This, of course, flies in the face of the received economic wisdom. For the past 30 years economic advisors to governments have typically advocated deregulation in the belief that markets left to their own devices would weed out risky financial ventures. The idea was that the self-interest of institutional lenders was all that is required to provide a bulwark against unsafe or imprudent lending—and this is certainly what the US Chairman of the Federal Reserve from 1987-2006, Al Greenspan, believed. According to economists such as Greenspan, there was no need to pay close attention to the prudence of our lending practices since it was a matter of caveat emptor, letting the buyer beware. But such views have come under close examination over the past 18 months as the possible social outcomes of deregulation have become painfully clear.

The reader will notice that my discussion so far has focused solely on economic consequences of *laissez faire*. This mirrors much of the public debate that has concentrated on the social disasters of deregulation. But that is not the whole of the story, for there has been some debate about the *moral standing* of sharp lending practice. Some commentators have asked moral questions about whether or not financial institutions should be allowed to lend money to those with very low equity. Others have queried what they regard as the unfair conditions placed on many of these loans. What we have here is a concern with the intrinsic moral status of some forms of lending and it is this debate about the intrinsic moral harms of lending that I want to pursue herein.

This is not the first time in recent years that the moral standing of lending-at-interest has been a subject of intense public discussion. Consider the *Make Poverty History Campaign* whose central demands included amongst other things a call for debt relief in heavily indebted and underdeveloped nations. The group argues that debt is a new form of slavery, as vicious as the slave trade, which “robs people’s control over their own futures”. There has also been a long-standing moral concern in societies such as ours with so-called pay-day loans, where borrowers sometimes pay up to 1000% interest for a short-term loan to see them through the weeks before their pay arrives.

Opponents of these banking practices—be it of sub-prime loans, Third World debt or pay-day loans—often draw on a deep vein of antagonism in Western cultural life to so-called ‘usury’. In the 13th century we find Dante in his poem *The Inferno* depicting the money-lender as the ‘worst of the worst’. As he ventures deeper and deeper into Hell, Dante discovers usurers, along with blasphemers, in the smallest and most terrifying ring of the Inferno. Earlier still the Stoic philosopher Cato (234-149 BC) reports that it is less disgraceful to have your father considered a thief than a money-lender. Indeed, distaste for the figure of the money-lender of usury has been a consistent feature of Western culture for the past two thousand years. In this regard, Shakespeare’s treatment of the money-lender Shylock, in *The Merchant of*



Venice, is typical of long-standing attitudes to those who make their livelihoods from the sale of money.

One particularly striking aspect of that cultural history is that much of it is fundamentally and irrevocably antagonistic to banking in all of its forms. In this sense it involves what we might regard as an ‘abolitionist’ approach that would reject lending-at-interest in all its various guises. For the abolitionist, money-lending is an irremediable evil and should be abolished. Yet this view is somewhat strange since lending-at-interest is clearly central to economic development. If we look at the emergence of modern Europe, it is clear that the growth of the banking sector played an important part in its development. Investment banking has had an integral role to play in the contemporary prosperity of the West and is an essential feature of modern life.

This raises difficulties for those with moral criticisms of such things as Third World banking practices. Is it possible to explain, without condemning *all* banking, what is wrong with the apparently reprehensible loan in these cases? If we are to develop a plausible rationale for rejecting exploitative lending practices—be it at a local or an international level—then we need to be able to flesh out these concerns without endorsing more radical doctrines that would rid us of a what is a socially useful practice.

Western moral philosophy and the morality of lending at interest

At this point we might turn to the philosophers to shed some light on the morality of the issue. What might Western moral philosophy have to say at this point? Surprisingly, given the consistent concern over the past two and a half thousand years with the dangers of usury, amongst *contemporary* English-speaking philosophers, discussions of the ethics of lending at interest are difficult to track down. In order to find distinctively philosophical debates of money-lending in the Western canon, one needs to look to the history of philosophy—back to Medieval philosophers such as Thomas Aquinas. In the Middle Ages this was an issue that exercised philosophers.

However, closer examination of this literature reveals a number of rather curious objections to money-lending. For instance, some Medieval philosophers objected that because money is a *fungible* good whose use and consumption cannot be separated, its use should not be sold separately from the good itself. To illustrate this consider the following. A cigarette that perishes when used is a fungible good. The idea is that it would be wrong to sell a cigarette to a person and at the same time charge her for the use of it. However, the same is not true of a house. One can sell the use of a house (i.e. rent it out) without having to sell the house itself. In one case it is legitimate to sell the use whereas in the other it is not; Medieval thinkers held that money is more like the cigarette than

the house. But it is difficult to see on what basis one might hold that money is a fungible good; this part of the argument is a little perplexing.

Another objection one commonly encounters involves the idea that money lenders do nothing for the profits they receive. As some critics would have it, they make money ‘even when they are asleep’. To charge interest on a loan is to help oneself to unearned income.

The most well-known (and perhaps notorious) of these objections is what is now referred to as the ‘Argument from Sterility’. First put forward by the ancient Greek philosopher Aristotle (384-322 BC), it involves the assertion that since money is infertile, and thus cannot produce more money, any extra profit made through lending must count as an ill-gotten gain. Although it may seem a quaint idea to those schooled in the idea of the productivity of investment loans, this doctrine was highly influential throughout the Middle Ages. Indeed it was not until the Reformation, and the influential writings of the theologian John Calvin (1509-64), that we find serious criticism of the doctrine. Calvin’s claim was captured in his witty comment that money would only be barren if it were kept buried in a box. What Calvin pointed to instead was the potential productivity of capital.

We find similar caustic remarks about the supposed sterility of money in the works of the English philosopher and political reformer Jeremy Bentham (1748-1832). In his pamphlet “A Defence of Usury” (1787), Bentham satirises Aristotle’s views cruelly:

....with all his industry, and all his penetration...had never been able to discover, in any one piece of money, any organs for generating any other such piece.

Bentham was what we would now call an ‘economic libertarian’, arguing that economic agents should be free to enter into what ever financial contracts they want, so long as they are freely chosen by all parties involved. He was opposed to both prohibitions on the sale of money and to regulations on the rate of interest. His views on this topic had a tremendous effect on the thinking of his time on this issue.

This response to the Sterility Argument is important. If one denies that money is sterile, then any distinction between money and other goods regularly loaned or rented seems to dissolve. If money is not sterile then it looks entirely arbitrary to prohibit the sale of money when other goods, such as houses, horses and wine can be sold. As the pre-Revolutionary French economist and Government minister, Anne Robert Jacques Turgot (1727-1781) argued “lending at interest is simply a kind of trading, in which the Lender is a man who sells the use of his money, and the Borrower a man who buys it”. On Turgot’s line of reasoning the sale of money should not be treated as any more morally vexing than the sale

The practice of evaluating the moral status of usury [fell] into disrepute

of a horse or the rent of a house. Again Bentham in “A Defence of Usury” writes:

Why a man who takes as much as he can get, be it six, seven or eight, or ten per cent for the use of a sum of money should be called usurer, should be loaded with an opprobrious name, any more than if he had bought an house with it, and made a proportionate profit by the house, is more than I can see.

Both Turgot and Bentham highlight the apparent *arbitrariness* of prohibiting the making of profits on money whilst allowing it for other goods.

The other objections to money-lending mentioned above are also odd in a number of respects. One particularly striking feature of them is that they do not simply condemn a minority of loans, but rather *treat all money-lending as usurious*. They thus involve a form of abolitionism. Not only would abolitionism be economically counter-productive, but any attempt to implement it as public policy would in all likelihood be only partially successful; a probable consequence would be to drive borrowing underground into the black market. If we look at the history of anti-usury legislation in Europe we find, on the one hand, a great deal of illegal lending and, on the other, a great deal of sophistry and subterfuge to justify what was really money-lending. In the Medieval period lawyers and philosophers devoted an enormous amount of energy to the task of disguising loans so that they might appear other than they were and in this way avoid legal sanction and the moral opprobrium often directed at usurers.

Perhaps one of the most infamous of these ruses was the so-called ‘triple contract’ developed by Medieval theologians (most notably Johann Eck 1486-1543). The triple contract involved a re-description of money-lending such that it became a series of distinct contracts between ‘business partners’. First there was an original contract of partnership. Second came the contract of insurance of the principle in which insurance was given in return for an assignment of the future possible gains from the partnership. Then a third contract was drawn by which an uncertain future gain was sold for a lesser certain gain. In this way, by redefining the debtor-creditor relationship as a business partnership, the triple contract allowed almost any form of interest-taking.

However, the long-term effect of this and other such subterfuges was for the *practice of evaluating the moral status of usury* to fall into disrepute rather than the practice of usury itself. The moral analysis itself came to be regarded as disreputable moralism.

At the same time as the Medieval philosophical analysis of usury came to be regarded with deep suspicion, many writers became aware of the *social utility* of money-lending. For instance, Charles Dumoulin (1500-1560) argued that both sides of the lending contract could benefit. Once this point that money-lending need not be a ‘zero-sum game’ came to be appreciated more widely, it placed another nail in the coffin of the traditional usury doctrine.

Given this patchy history, it is not surprising that philosophers lost interest in the ethics of usury. However, problems regarding the moral standing of interest remain. There are some banking practices, such as pay-day loans that are clearly immoral. Yet we still lack an adequate ethical framework for understanding and explaining that wrongness.

Distinguishing between legitimate and illegitimate loans?

Let us assume that some forms of money-lending are morally pernicious or exploitative. Let us also assume that many forms of banking are of great social benefit. On what *moral* grounds might we condemn what we might regard as unjust lending practices without rejecting all forms of lending at interest? How might we develop an account of the moral harm of some banking practices that does not reject the social institution of banking entirely?

One way of developing such an account would be to distinguish between loans with respect to the rates charged. According to this account, those loans with very high rates would be treated as morally objectionable. We might think of this as a natural response, for it provides grounds for repudiating the 2000% pay-day loan while approving of the 9% housing loan. This would also have the added advantage of providing a simple solution for legislators to the problem of how to respond to calls for constraints on exploitative banking practices: one simply sets a threshold above which rates cannot be set.

However, despite all of its obvious theoretical advantages, this approach will not solve all of our problems, for focusing solely on rates in themselves cannot adequately explain what is wrong with some forms of lending. Such an approach does not provide us with a plausible account of the moral harm.

In order to see this, let us, for the sake of argument, say that we set the highest permissible rate at 15%. According to this policy 16% becomes morally impermissible. However, this is an arbitrary point at which to draw some kind of distinction between the permissible and the impermissible. It is difficult to discern any intrinsically bad features a 16% loan possesses that a 15% does not. We are not carving the moral universe at its joints. There have, of course, been various attempts by

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some thinkers to argue that there is a natural rate of interest. For instance, the 19th century German economist Karl Arnd suggested that since the forests of Europe grew at a rate of 4% a year, that this should be the rate at which money is lent. Such bizarre claims aside, there is no natural rate of interest.

Furthermore, attending to historical practices is of little help if we looking for guidance as to the appropriate rate, since permitted interest rates have varied radically over time and between cultures. On this basis, we might conclude that any particular rate that we benchmark as the highest permissible then would appear to be entirely arbitrary from a moral point of view. (This is a point that Bentham made forcefully in his “Defence of Usury”.) Notice also that rates do not need to be particularly high to cause serious trouble if, as was the case in the sub-prime crisis in the United States, borrowers have little or no equity in their homes or other assets and where the price of housing is high. For instance, a 3% loan on a house bought for \$500,000 can cause an enormous amount of financial difficulty for someone on a low income, especially if the borrower had little money to start with.

It is for these reasons that I suggest we look elsewhere to identify the morally pernicious features of usurious lending. I suggest that the fundamental harm is to be located in two closely related phenomena: the existence of desperation and the possibility of debt bondage. Loans are morally pernicious, in the first instance, when the desperate circumstances of borrowers or their ignorance lead them to enter into contracts that are exploitative. Exploitation consists in lenders accepting conditions they would not accept if they were materially comfortable and financially educated. Exploitation here might involve higher than usual interest rates, but equally it might involve harsh penalties for any tardiness in repayment.

This idea of exploitation in desperate circumstances is a modern development of one Medieval objection that we should not disregard, namely the so-called ‘Argument from Compulsion’. According to Gerald Odonis (c1290-1348), the person who borrows from the usurer is like the person who pays ransom not to be hanged. Desperate circumstances place us under conditions of compulsion and agreements struck under such conditions are not necessarily voluntary in any genuine sense. Of course, this perspective on lending was particularly natural to medieval authors since at the time nearly all borrowing was for consumptive purposes in response to some kind of distress, such as sickness, fire, flood, pestilence and so on. To attach interest to such loans was viewed as a matter of trafficking in the miseries of others. And while we now recognise that investment loans are a different case, the concern with exploitative consumption loans still remains as pressing now as it did in the time of Aquinas.

Exploitation of those in desperate circumstances is often made worse by a distinctively nasty feature of money-lending when it goes wrong, namely, *debt bondage*. If, through either folly or indigence, one makes a poor bargain when buying a used car or selling one’s crop, the consequences will be unfortunate, but that is typically the end of the story. Exploitative loans, however, are different in that the exploitation often continues well beyond the initial transaction, with the borrower committed to an on-going sequence of bondage that may have no natural conclusion. Borrowers are sometimes caught in a ‘debt trap’ that provides an ongoing source of profit for the lender.

We should note that anxieties about *entrapment* were at the heart of Plato’s condemnation of interest-taking. In the *Republic*, he writes:

...these money-makers with down-bent heads, pretending not even to see them, but inserting the sting of their money into any of the remainder who do not resist, and harvesting from them in interest as it were a manifold progeny of the parent sum, foster the drone and pauper element in the state.

Plato regards the money-lender as an aggressive parasite.

Over the past thirty years this concern with entrapment has been a theme explored extensively by Susan George (amongst others) in books such as *A Fate Worse than Debt* and *The Debt Boomerang*. George argues that so-called structural adjustment has often deepened the dependency of Third World nations on the First World, since these programs have been, in effect, loans taken under highly disadvantageous condition. George argues that the projects instituted by organisations such as the IMF have increased the reliance of the Third World on the developed world and so generated greater poverty and unemployment than would otherwise have been the case.

Concluding remarks on the possible harms of money-lending

At this point we might draw some tentative preliminary conclusions. While lending at interest is an essential feature of the modern world, it is not without its moral dangers. Money-lending is morally pernicious when:

- (i) lenders take advantage of the need of borrowers;
- (ii) lenders take advantage of the ignorance of their customers or
- (iii) money-lenders set terms likely to ensnare their customers in forms of dependency.

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the rate at which
money is lent.*

It is the presence of desperate circumstance or of financial ignorance and the possibility of ongoing debt bondage that applied moral philosophers and policy-makers must consider in evaluating the morality of any loan, and which we may employ to distinguish the morally permissible from the impermissible.

It would, of course, be far easier for public policy makers if the moral harm could be sheeted home to particular rates of interest. However, specific rates of interest are not in and of themselves the determinants of whether a loan is morally licit (although often they will function as indicators of something going awry). Instead it is the exploitation of desperate circumstances that is the problem and this requires judgement on the part of government bodies rather the application of a simple formula for determining when a loan is unjust.

The obligations of governments here, then, are remarkably complex. As the English philosopher Francis Bacon (1561-1626) perceptively described it, governments need to mediate between two things:

...the one that the tooth of usury be grinded that it bite not too much; the other that there be left open a

means to invite monied men to lend to the merchants for the continuing and quickening of trade.”

Resolving the conflict between the two is the burden governments must shoulder.

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To Walk or Not to Walk

By David Coady and Samir Chopra

To walk or not to walk: Should a batsman acknowledge his own dismissal by leaving the wicket without even waiting for the umpire's decision? David Coady and Samir Chopra examine this flashpoint ethical debate in cricket.

When the former Australian wicketkeeper Adam Gilchrist walked during the first semi-final of the 2003 World Cup against Sri Lanka an ethical controversy was ignited which has yet to be satisfactorily resolved. Gilchrist called on other players to follow his example, saying “I have begun to think it is up to players to start taking each other’s word and be honest with each other again”. While the Australian Sports commission praised Gilchrist’s ‘sporting’ behaviour, others were less enthusiastic. The then captain of India, Saurav Ganguly told a press conference that he was not a walker and justified this policy by saying “I have been given out a number of times when I was not, so you have got to make up at some stage”. Gilchrist and Ganguly nicely summarise the most common arguments for and against walking respectively. Gilchrist argues that a batsman is morally obliged to walk when he knows he is out, because not walking in those circumstances would be dishonest. Ganguly argues that not walking is morally permissible on the basis of considerations of compensatory justice. Although Ganguly’s argument is weak, his conclusion is generally correct.

Gentlemen versus players

The most obvious objection to Gilchrist’s claim that not walking is a form of dishonesty is that by not walking the batsman is not doing anything at all, and so *a fortiori* cannot be doing anything dishonest: a failure to walk is an omission, not a commission. Elsewhere we have rejected this argument. We argued that a failure to act can be communicative (and hence potentially deceitful), but only in a culture in which there is a widely recognised convention to that effect. The problem with determining whether a failure to walk should be interpreted in this way is that there are conflicting conventions in two partially overlapping cricketing sub-cultures. We call these sub-cultures *the gentleman’s sub-culture*, and *the player’s sub-culture*, since the different conventions seem to emerge from the historical distinction between ‘gentlemen’ on the one hand, who were amateurs and (typically) upper class, and ‘players’ on the other hand who were professionals and (typically) working class.

According to the *gentleman’s convention*, a batsman who does not walk is communicating something. What exactly? Not that he is not out, since he may not know whether or not he’s out. Rather, according to this convention, a

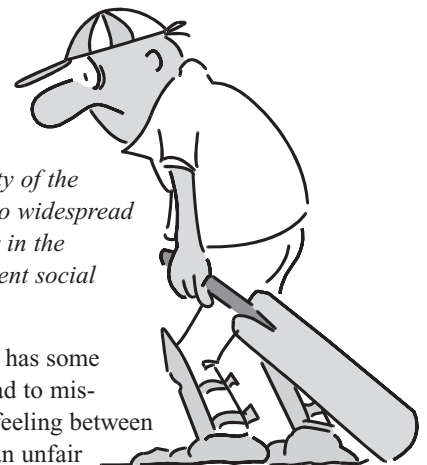
batsman who does not walk is denying *that he knows that he is out*.

According to the *player’s convention* by contrast, a batsman who does not walk is not communicating at all. Rather, he is exercising his right not to incriminate himself; refusing to comment on the question of whether or not he is out and leaving the issue to be decided by the umpire. To accuse someone operating within the player’s sub-culture of dishonesty for failing to walk when he knows he is out is a mistake. According to this convention, not walking is not communicative and hence cannot *on its own* be dishonest. It would only be dishonest if it were accompanied by some further action on the part of the batsman, such as rubbing his arm in order to give the umpire the false impression that the deviation of the ball was due to contact with something other than contact with the bat. The ethical value of honesty transcends the distinction between gentlemen and players.

Neither the gentleman’s convention nor the player’s convention presents any pressing ethical problem on its own. Problems do arise, however, when these conventions co-exist on the same playing field. To steer clear of current controversies, we will take an example from the first Test of England’s 1946-7 tour of Australia. Bradman, the Australian captain, after appearing to edge the ball to slip was given not out and did not walk. Hammond, England’s captain, was outraged and angrily said “That’s a bloody fine way to start a series”. Derek Birley provides some interesting background to this incident:

This particular refinement of ‘not cricket’—‘walking’—had been developed in the English county game by the gentlemanly captains who, in true Duke of Richmond spirit, set their honour code above the authority of the humble umpires. It was never so widespread in Australia—or for that matter in the northern leagues—where different social conventions applied.

It is clear that this cultural variation has some undesirable consequences. It can lead to misunderstanding and consequent bad feeling between opponents. Furthermore, it creates an unfair



competitive disadvantage for honest members of a culture in which not walking is understood to be communicative. An honest Hammond would be compelled to walk in circumstances in which an honest Bradman would not. It seems to be desirable, therefore, to settle the issue once and for all, and to promulgate a convention throughout cricket playing nations, which either promotes the idea that failure to walk constitutes a denial that one knows one is out or that it is not to be understood in this way.

The ethical value of honesty transcends the distinction between gentlemen and players.

player's convention. Unfortunately (for we generally favour the player's convention) Ganguly's argument is weak. There is no doubt that all serious batsmen are sometimes wrongly given out. When this happens, unless they are recalled by the opposing captain, they will be officially out though factually not out. This is an injustice to the batsman, his team and their supporters. But there can equally be no doubt that all serious batsmen will sometimes be factually out but officially not out, and when this happens it is an injustice to the bowler, his team and their supporters. Furthermore, and this point seems to have been overlooked by Ganguly, this latter kind of injustice will continue to happen whether batsmen walk when they know they are out or not. Widespread adoption of the gentleman's convention would reduce its frequency, but it would not even come close to eliminating it.

A batsman only faces the dilemma of whether to walk in quite special circumstances: when he knows that he is factually out but the umpire does not. This only ever happens with one kind of dismissal, a catch. Consideration of other kinds of dismissal makes it particularly obvious that batsmen are often less well placed than umpires to judge whether or not they are factually out. This is why no batsman could be expected to walk after an appeal for Leg Before Wicket, for example, even if he were strongly inclined to believe that he was factually out. Even when we confine our attention to catches, batsmen are epistemically better placed than umpires with respect to one issue at most: the issue of whether the ball has made contact with the edge of the bat. Although the batsman will often be in a better position than the umpire to know whether this has happened, sometimes he will not. Even if the batsman does know that he has edged the ball, he is often in no position to know whether the ball has been cleanly caught.

A poor argument for not walking

Ganguly's argument, that by not walking a batsman is taking rightful compensation for having wrongly been given out in the past, suggests that considerations of justice favour the

Wrongful decisions favouring batsmen are therefore inevitable, and batsmen are often in no position to correct erroneous umpiring decisions that favour them. Ganguly would presumably concede this point, but insist that a batsman who walks whenever he knows that he is out will be officially out when he is factually not out more often than he will be officially not out when he is factually out. But not only is this position unsupported by evidence, it is also manifestly implausible. We should expect batsmen to be the beneficiaries more often than they are the victims of factually incorrect umpiring decisions, because we should expect any doubt in the minds of those making those decisions (the umpires) to favour them; and this will be so whether the batsmen are 'walkers' or not. So, in general batsmen do not need to adopt a policy of not walking (i.e., the player's convention) in order to get compensation for being wrongly given out. They can expect to receive more than adequate compensation whether they adopt this policy or not.

Ganguly could respond to this argument by claiming that there is an asymmetry between factually wrong decisions that favour the batsman and those that favour the bowler. He might claim, that is, that it is more of an injustice for a batsman to be given out incorrectly, than for him to be given not out incorrectly. He might even argue that this position is implicit in the principle that any doubt should favour the batsman. Two responses should be made to this possible argument. First, the principle that doubt should always favour the batsman is not a law of cricket. The Laws of Cricket only say that any doubt which remains *after consultation* has taken place between the umpires should favour the batsman. Umpires only consult in a minority of cases in which there is doubt. Although most umpires certainly believe that they are always required to give the batsman the benefit of the doubt, this belief seems to be the result of a widespread misunderstanding of the Laws of Cricket. Second, and more important, not only does the principle that doubt should always favour the batsman lack any legal justification, it also lacks any rational justification. It appears to be based on a tenuous analogy with the principle of criminal law that doubt should always favour the defendant. The great flaw in this analogy (which we shall criticise in greater detail shortly) is that the batsman and the bowler are equally in the position of defendants before the umpire. Why should doubt favour one rather than another?

Batsmen are often less well placed than umpires to judge whether or not they are factually out.

It would appear then that batsmen do not need compensation for umpiring errors. If anyone deserves such compensation, it is those entrusted with the thankless task of bowling. One way of providing it would be by promoting the gentleman's convention. It is not clear, however, how effective this would be. Furthermore there are other ways of providing justice and more entertaining cricket, by reducing the dominance of the bat over the ball in the contemporary game. A first step in this direction would be to educate umpires about what the Laws of Cricket actually require of them, and encourage them, in the absence of clear instructions to the contrary, to make their decisions on the balance of probabilities. Batsmen frequently exploit the fact that umpires tend to believe they should have the benefit of any doubt by stepping down the pitch to pad away deliveries which they are reluctant to play on their merits. The current proposal would significantly limit this deplorable and tedious practice, as batsmen would discover, to their cost, that they would no longer get the benefit of an umpire's doubt.

A better argument for not walking

The real problem with the gentleman's convention is that it makes dishonesty too tempting, and significant deception too likely. Suppose a batsman, such as Gilchrist, who developed a reputation for being a walker, is given not out when he knows he is out, in a situation of great importance to him or his team. It is reasonable to assume that, unless he is a moral saint, he would be less likely to walk in these circumstances. We may also suppose that the umpire would be less likely to give him out, because of his reputation as a walker. It seems then that widespread acceptance of the gentleman's convention has two undesirable consequences. The first is an increase in opportunities for dishonest behaviour and hence a probable increase in actual dishonest behaviour. Our argument here is similar to that of Henry Sidgwick who argued that a moral code should not be beyond the moral capacities of ordinary people, lest there be a general breakdown of compliance with morality. The second undesirable consequence is an increase in erroneous umpiring decisions in precisely those situations in which correct decisions are most important.

Not walking and 'false appealing'

Sunil Gavaskar, the former captain of India, recently claimed that a batsman who does not walk when he knows he is out is in the same 'moral boat' as a member of the fielding team who appeals when he knows the batsman is not out. This could be seen as a *reductio* of our position, since appealing in these circumstances is

almost universally condemned and explicitly denounced in the preamble to the Laws of Cricket on the 'Spirit of Cricket'. It is tempting to reject Gavaskar's analogy by appealing to the distinction between omissions and commissions, as former England captain Mike Brearley does in the following passage:

Claiming a catch when you know that the ball has bounced strikes me as plain cheating, as there are solid grounds for distinguishing between this practice and staying in, as a batsman, when you know that you were out. The main difference lies in the passivity of the latter. You are, by virtue of the appeal, placed in the dock; you stand accused; it seems reasonable to wait for judgement, and not to give yourself up. It is not the case that the only alternative to a plea of guilty is one of not guilty. By contrast, the quasi-catcher has to initiate the process of indictment by an appeal.

Unfortunately for us, for we would also like to reject the analogy, we don't think there is any fundamental moral

distinction between action and omission; furthermore we have already challenged the common legal analogy that Brearley appeals to in this passage. There is no question of the batsman having done anything wrong. He may or may not have played a false stroke, but even if he did, that is not what the appeal is about. In any case, it is absurd to compare a false stroke with a crime. Finally, the legal

principle is based on an asymmetry between two possible factually inaccurate decisions; it is, to paraphrase William Blackstone, far more of an injustice for an innocent man to be convicted than for a guilty man to be acquitted. By contrast, there is no reason to think that one of the two possible kinds of factually inaccurate decisions that could be made by an umpire deciding whether a batsman is out or not out would be objectively worse than the other.

A better way to resist Gavaskar's analogy is to point out that appealing, unlike not walking, is indisputably communicative in all cricketing sub-cultures. It is true that, on the face of it, the form of this communication is interrogative (How's that?) rather than assertoric; on the face of it the fielder is asking the umpire whether the batsman is out, not offering his own opinion about the correct answer to this question, and there is nothing *intrinsically* dishonest about asking a question when you already know the answer to it. Nonetheless there is a universally recognised convention according to which appealing implies lack of knowledge that the player is not out. It may be that this convention needs to be reconsidered, but that it is a topic for another day.

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Conclusion

Our position entails that batsmen should not be criticised for failing to walk. This does not mean, however, that batsmen who do walk should not be praised. They should. Walking should be seen as a supererogatory act—one that would be good to do, but not wrong not to do. A batsman who walks is behaving generously. He is going beyond the call of duty. A batsman who does not walk is acting within his rights. He should not be accused of dishonesty.

Our argument is not applicable to all forms of cricket. In park cricket or lower level grade cricket, members of the batting team often share the umpiring duties amongst themselves. Umpiring under such circumstances is a difficult task, since one misses out on the camaraderie of pavilion chatter and must frequently put up with the hostility of the opposing team who will often suspect the worst. A player who volunteers to umpire is resigning himself to standing out in the sunshine (possibly after a hard day in the field, or a long innings) while his team-mates relax in the shade. In these circumstances failure to walk can have several undesirable consequences. It can expose one's team-mate, who

is engaged in a voluntary task, to ridicule and contempt from the opposing side. It invites an assessment of him as a cheat. It is damaging to team morale, since the umpire may be angry with his team-mates. But, worst of all, it destroys a fundamental principle on which this form of cricket is based—that the batting team can be trusted with the task of fairly adjudicating appeals against his own team-mates. In this form of cricket, walking seems to be obligatory rather than supererogatory.

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