



to find that most Colombians live in or near a city! The policy they recommend would be analogous to encouraging the population of London to live on Rannoch Moor and grow potatoes.

The urban reform programme envisages site-value taxation of 8-15 per cent upon lots greater than 800 square metres which are judged to be "under-utilized" or badly utilised" in a social sense. It also allows for expropriations where the social interest dictates, plus a 5 per cent super-tax on luxury housing. All this is very piecemeal and unsatisfactory, but may grudgingly be regarded as an advance over earlier inactivity. At the same time, however, the Government has accepted a plan for the growth of Colombia's largest city, Bogota, that will soon use up any extra revenues they receive. Instead of encouraging higher densities with greatly reduced overhead capital requirements of roads and drainage, for example, they have opted for the luxury of North American style urban sprawl that is eating into the

best agricultural lands of the Sabana de Bogota. This will mean eventually that new, more distant and less fertile lands will have to be brought under cultivation at correspondingly greater cost. Present policies will then be vindicated, but no advance along the road to development will have been made.

In the face of growing frustration among the masses, the growth of revolutionary nationalism is in evidence in all parts of Latin America today. It is quite possible that the Marxists will have the last word since those entrusted with the task of making the free enterprise system work for the benefit of all evidently have no real understanding or only understand that part of it that benefits themselves. In Colombia, one more step on the road to their overthrow by the rising tide of discontent, was taken in November 1970 when the House of Representatives voted themselves a rise in salary from £3,600 to £6,000 per annum while some of those whom they are supposed to be representing hardly see that much money during a whole life-time of toil. If they dislike the prospect of the collapse of free institutions and want to avoid the paths that other Latin American countries such as Cuba, Chile and Peru are taking, then the Colombian politicians are required to change radically both their economic diagnoses and their social attitudes. Many fear that this reappraisal will come too late, and that events will confirm the Marxists in their mechanistic beliefs in the inevitability of class warfare as an (inauspicious) prelude to a moral transformation of the world.

Legislative Erosion of Liberty

ROY DOUGLAS

THERE ARE certain basic "rights of the subject" about which every student of civics or constitutional law learns. Obvious examples are freedom from arrest or detention except for lawful cause; freedom of speech subject to a few acknowledged exceptions and, broadly, the right to do anything one chooses unless that thing is expressly forbidden.

John Macdonald in his booklet* argues that these and many other basic liberties are in danger of being whittled away—not so much through the malice of opponents of liberty as by sheer legislative accident—the thing which happens when an Act of Parliament produces an effect which none of its drafters intended. He also

argues that there are certain rights which ought to be affirmed, but which do not appear in the textbooks, such as the right to privacy, and the right to join (or not to join) a Trade Union. Mr. Macdonald considers that a useful device for protecting and extending fundamental rights would be a Bill of Rights which would be enacted by Parliament and would set down these liberties; and that this Bill of Rights should include a clause to the effect that subsequent Acts of Parliament should only qualify its provisions if they expressly so stated. There are some of us (including your reviewer) who are a little suspicious of those "constitutionalists" who seem to believe that the way to preserve or extend liberty is to pass Acts of Parliament or to enact formal constitutions. The way to preserve or

extend liberty is to have a vigilant public opinion which regards liberty as a good thing. If such a public opinion exists, then liberty will be preserved, while if it does not exist then liberty will be whittled away. Nevertheless, there is a real and continuing danger of the erosion of liberty by accident. More and more legislation, both statutory and delegated, is produced year by year—and there have been plenty of modern examples of slapdash draftsmanship by people who have left to the Courts the job of interpreting ambiguous laws. Your reviewer does not believe that Mr. Macdonald's Bill of Rights would set the Thames, or the Torch of Liberty, on fire; but it would provide a useful security for us all. At worst it can do no harm; at best it could do a great deal of good.

**Bill of Rights* Liberal Research Dept., 2s.