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A Conservative Narrative on International Law: Past, Present and Future

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Kacper Zajac – October 2016

FOREWORD

This paper is the work of Kacper Zajac who is the Society of Conservative Lawyers' third Lyell Scholar. The Lyell Scholarship is named after the late Right Honourable Lord Lyell of Markyate QC who was Solicitor General between 1987 and 1992 and Attorney General between 1992 and 1997 becoming the longest continuously serving law officer for more than 100 years. Lord Lyell was Chairman of the Society of Conservative Lawyers at the time of his death in 2010. The Scholarship is funded by the legacy left to the Society by the late Pamela Thomas OBE who was closely involved with the Society for many years and served as its Secretary for more than twenty years.

When I was Attorney General I once asked the Foreign Office as to how many treaties and international legal obligations the United Kingdom had adhered. The FCO was unwilling to go back beyond 1834, but since that date it calculated that the number exceeded 13,000. These range from bilateral treaties over maritime access rights, to the UN Charter and and the European Convention on Human Rights. While precise comparison with other States cannot be made, it is likely that the United Kingdom is the most enthusiastic treaty maker in World history.

These facts make it all the more welcome that Kacper Zajac, having obtained the Lyell Scholarship, has chosen to devote this paper to an examination of a Conservative Narrative on International Law. This enables us to have access to an overview on how Conservative thought has developed in relation to international law, the philosophical approach we take to its creation and to its observance.

The publication of this paper is timely. As a result of the Brexit Referendum our country is now embarked on what is likely to turn out to be the most revolutionary change of direction in respect of our international obligations in recent times. An understanding of the underlying principles of a Conservative approach to international legal obligations is likely to be useful to those who are striving to open a new era in Britain's international relations. In this context, it may be noteworthy that Kacpar Zajac identifies a key element in Conservative philosophical approach as being pragmatic self interest underpinned by the observance of obligations whilst we are adherent to them.

The paper also marks the continuing commitment of the Society of Conservative Lawyers to stimulate debate on issues of importance. The content of the paper reflects the views of the author and not of course any collective opinion of the Society. But by facilitating the production of this paper I am very pleased that we are maintaining an established tradition of bringing legal input to practical political challenges for the benefit of the Conservative Party. We are particularly fortunate in having the legacy of Pamela Thomas to help us in this work.

As well as Kacpar I would like to thank Jonathan Fisher QC for facilitating and supervising the writing of this paper and our Secretary Sarah Walker without whom no project would come to fruition.

Rt Hon Dominic Grieve QC MP
Chairman of the Executive Committee Society of Conservative Lawyers

Introduction

The purpose of this research paper is to initiate a discussion about a Conservative narrative on international law. Is there a Conservative narrative on international law, and if so, how is it to be articulated?

The paper will firstly explore the place of international law in Conservative thought. This is a bold task since although conservatism prioritises social order and economic freedom these goals are likely to be understood differently depending on the historical conditions. Consideration will also be given to the so called doctrine of *"neo-conservatism"*, which has developed in the United States as a legitimate approach towards the conduct of international relations.

The paper will proceed to discuss international law in the context of a broader trend to move from an approach based on the absolute sovereignty of the state towards sovereignty as carrying both rights and duties guarded by various judicial bodies, exploring developments in the United Nations, European Union and the Council of Europe and their judicial bodies. The paper will also discuss the rules governing the use of force between states focusing on humanitarian intervention and forceful regime change. These areas of international law are reflective of the general shift in question.

But how does Conservative thought engage with these developments, if at all? At this point, the paper presents an analysis of the approach taken by Conservative Governments to international law issues. In an attempt to infer a narrative by researching the foreign policy of Conservative Governments towards the selected elements of international law, the paper examines government policy beginning with Winston Churchill's term of 1951-1955 until the last day of John Major's 1997 Cabinet. Where necessary, the paper will also broaden the perspective by including foreign policies recommended by the Conservative Party while in opposition.

This is a bold task, and the exploration highlights an important issue which demands further consideration. As Conservatives, it is important that we understand the international law narrative, and in a post-Brexit world we begin to consider how a Conservative voice should be articulated in this area.

Conservative Thinkers

In this section of the paper, two different strands of Conservative thought are summarised.

"NATIONAL" CONSERVATISM

Traditionally, Conservative thought has never been primarily focused on the issue of international law. Conservatism tends to be rooted in historical conditions of each State and, although it has some universal characteristics, it is in no way international in nature. As a result, it is domestic issues that have always been central to Conservative thinkers.

This can be contrasted with the ideology of socialism which from the very beginning was designed to *"unite workers of Europe"*. Consequently, unlike conservatism, socialism was being implemented by the so called *"Internationals"* attempting to induce socialist revolutions at an European level. Consequently, fairly soon after its rise, socialism devised elaborated approaches to international affairs such as the Marxist international relations theory or, more recently, the dependency theory.

Nevertheless, there are simple rules derived from Conservative thought in relation to international affairs and law. Accordingly, British conservatism has always been based on the idea that obligations should be

kept and enemies should be kept at a distance.[i] In terms of self-defence, it encompasses collective self-defence which initially was reflected by the colonial policy and would later support the cause for joining the European Economic Community.[ii] In terms of obligations, Arthur Balfour argued they should be upheld by way of arbitration but outside any compulsory schemes.[iii] This would subsequently lead to the willingness to refer disputes to the International Court of Justice. Nevertheless, apart from these simple principles, there is no broader international component to traditional conservatism.

NEO-CONSERVATISM

Traditional conservatism, which has a very limited scope for international issues, can be contrasted with so called *"neo-conservatism"* which has been devised specifically to deal with international affairs and law.

Although the term *"neo-conservatism"* itself is controversial, it refers to the idea that human rights and liberal democracy ought to be defended worldwide and with military means if necessary.[iv]

The emphasis on democracy and human rights has been seen in a long series of US military interventions such as in Panama 1989, Somalia 1993, Haiti 1994, the former Yugoslavia throughout the 1990s, Afghanistan 2001, Iraq 2003 and beyond. Accordingly, neo-conservatives believe that *"at some extreme point, humanitarian abuses in themselves do warrant intervention."*[v]

Neo-conservatism is a predominantly American doctrine which has developed on the premise that the United States is not like any other state but has been entrusted with a special historic mission to fulfil the neo-conservative agenda.[vi]

Concept of Sovereignty

The paper proceeds to identify key elements of international law which have characterised its development until the present time.

TRADITIONAL CONCEPT OF SOVEREIGNTY IN INTERNATIONAL LAW

Grotius's treatise *"De Jure Belli Av Pacis Libri Tres"* at the end of the Thirty Years War is generally believed to mark the beginning of international law. Following the 1648 Treaty of Westphalia, the world witnessed a steady development of nation states which were the only subjects of international law. Such states were based on the concept of absolute sovereignty and enjoyed *"exclusive jurisdiction and control over all objects and subjects in its territory, to the exclusion of any other influence."*[vii] They also enjoyed the unrestricted liberty to declare wars – *liberum jus ad bellum* and incurred obligation only via express consent.

i. O'Gorman F., "British Conservatism: Conservative Thought from Burke to Thatcher" (Longman Group Limited, Harlow 1986) at p6

ii Ibid.

iii Tomes J., "Balfour and Foreign Policy: The International Thought of a Conservative Statesman" (Cambridge University Press, Cambridge 1997) at pp270-1

iv Cooper D., "Neoconservatism and American Foreign Policy" (Routledge, Abingdon 2011) at p8

v Muravchik (1992:34) cited in Cooper D., "Neoconservatism and American Foreign Policy" (Routledge, Abingdon 2011) at p60

vi Cooper D. (n iv) at p2

vii Jacobsen T., Sampford Ch., Thakur R., "Re-envisioning Sovereignty: The End of Westphalia?" (Ashgate Publishing Limited, Aldershot 2008) at p211

MODERN CONCEPT OF SOVEREIGNTY

International Court of Justice

In the past several decades international law has undergone something that might be described as *"judicialisation"* of dispute resolution.[viii] The International Court of Justice has been established as one of the organs of the United Nations to adjudicate disputes between equals. Although the Court will only assume jurisdiction upon consent of both parties to a dispute, its judgments are binding and, if necessary, might be enforced by measures undertaken by the UN Security Council. This mechanism has been devised to provide an effective forum for dispute resolution in place of traditional resolution of conflicts based on the use of force or political pressure.

European Court of Justice

Unlike ordinary law produced at international level, the law of the European Union automatically forms part of the domestic law of its member states. It is then enforced by the Court of Justice of the European Union in all member states.

Consequently, such states remain under a strict obligation to apply the law of the European Union even if in conflict with domestic legislation as well as to comply with all obligations *vis-a-vis* the organs of the European Union as otherwise financial penalties will be levied. As a result, this remarkable system of supra-national law substantially restricts sovereignty of all member states or, as some argue, transfers it completely to the European Union.

European Court of Human Rights

Following War World Two new institutions of international law have appeared on the scene. Accordingly, the European Court of Human Rights has been established by the European Convention on Human Rights as a part of the framework of the Council of Europe. The Court enforces the Rights enumerated in the Convention and, unlike the International Court of Justice, it has jurisdiction to hear complaints lodged by individuals against their governments. The judgments of the European Court of Human Rights are binding on Convention signatory states and, if necessary, are enforced by the Council of Ministers.

International Criminal Courts

The history of personal criminal responsibility starts with the Nuremberg Tribunal; however, it only developed fully in the 1990s when the UN Security Council established the *ad hoc* Tribunals for the former Yugoslavia and Rwanda. Those Tribunals had primary jurisdiction to try individuals responsible for breach of laws and customs of war in the former Yugoslavia and for genocide in Rwanda.

A fairly positive experience of the *ad hoc* Tribunals prompted states to finally proceed with a long overdue project of a permanent international criminal court. The International Criminal Court established by the Rome Statute and entering into force in 2002 has been the most conspicuous sign of a new era – the era of personal criminal liability of high ranking state officials.

viii Cassese A., "Realising Utopia: The Future of International Law" (Oxford University Press, Oxford 2012) at p125

Humanitarian Intervention

The doctrine of humanitarian intervention is based on the idea that *"a State's violation of its citizens' most basic rights may permit intervention into its affairs."*[ix] Although the doctrine was partially raised on a couple occasions before 1999, it was the NATO intervention in Kosovo that was the first military intervention justified solely on humanitarian grounds. Nevertheless, the states concerned emphasised the exceptionality of the circumstances and were very cautious not to set a new precedent. Famously, and subsequently, the Kosovo Commission described the NATO intervention as unlawful but legitimate.

In order to close the gap between the lawfulness and legitimacy of the use of force, the International Commission on Intervention and State Sovereignty proposed to further limit the importance of sovereignty in international relations by allowing unilateral military interventions on humanitarian grounds. This proposal, however, was subsequently rejected by states during the World Summit in 2005 and by the Security Council in Resolution 1674. As a result, although an authorisation by the Security Council is necessary for humanitarian intervention to be lawful, the very possibility is still a move towards limiting states' sovereignty.

Democratic Regime Change

From the 1980s the international community has witnessed an attempt to develop the doctrine of forceful democratic regime change which would justify the use of force in defence of democracy. This goal has been pursued either outside the UN Charter or with the authorisation of the UN Security Council, although the Charter was designed to respect domestic matters of member states.

Accordingly, the interventions in 1983 by the United States in Lebanon and Grenada have been justified partially on democratic grounds. In 1989 the United States intervened in Panama expressly in defence of democracy. In 1991, following the overthrow of a democratically elected Government in Haiti, the Security Council authorised the US-led multinational force to proceed with the *"Operation Uphold Democracy"* for the purposes mentioned in its name.

Finally, the Operations *"Enduring Freedom"* of 2001 and *"Iraqi Freedom"* of 2003 as well as the NATO intervention in Libya were also partially justified on the grounds of introducing democracy in the Middle East. Consequently, the powers of the UN Security Council have been expanded during the last several decades to the point where it slowly assumes the right to authorise the use of force for the purposes of changing a political regime.

As a result of all these developments over the past 60 years, the concept of unlimited external sovereignty has been replaced by the notion that sovereignty carries both rights and responsibilities and as such no longer constitutes an impenetrable shield. This process could be described as a general shift in international law.

ix Jacobsen T., Sampford Ch., Thakur R. (n vii) at p220

British Conservative Foreign Policy

In this section of the paper, the approach of Conservative Governments towards international law is summarised.

EUROPEAN COOPERATION

Winston Churchill, despite his express calls for the *"United States of Europe"*, once in power between 1951 and 1955, adopted a reluctant approach towards Western European integration. In fact, Winston Churchill's Cabinet rejected the French concept of the European Defence Community that was designed to create a single defence ministry and the European Army and preferred cooperation based on inter-governmental basis through NATO.[x]

Anthony Eden was also opposed to any cooperation conducted at the supra-national level. Starting from 1951 he continued Labour's policy of association rather than membership with the developing European communities.[xi] Speaking about the creation of the European Economic Community and the European Atomic Community, Anthony Eden said that *"the experiment of the six cannot succeed without federation. ... I do not want to become part of such a federation."*[xii] Accordingly, as a result of the narrative developing towards an organisation containing supra-national organs, Anthony Eden's Government discontinued its potential interest in the membership.

For Harold Macmillan, the membership in the European Economic Community was a proper response to the decreasing role of the United Kingdom in the world which was slowly undermining the Special Relationship with the United States.[xiii] In July 1961 Harold Macmillan's Administration launched negotiations to enter the European Economic Community with Edward Heath, in charge of the process.

Edward Heath *"was a true believer who interpreted British national interests to coincide precisely with those of the Community"*.[xiv] Nevertheless, he still had the concept of British sovereignty in mind when ensuring that the voting within the European Economic Community was based on unanimity so that *"the position of those who are concerned from the point of view of sovereignty is completely safeguarded."*[xv] In 1970 Edward Heath's Government signed the Treaty of Accession and in 1972 Parliament passed the European Communities Act thereby authorising Community law to take precedence over British domestic legislation in case of conflict.

However, Edward's Heath Cabinet did not manage to convince all Conservatives MPs that the British accession to the European Community would not have an effect on state sovereignty. For example, Enoch Powell is known to have been an opponent of British membership of the European Economic Community on the grounds of sovereignty and identity. Enoch Powell believed that sovereignty cannot be shared or pooled – it must be possessed by either the United Kingdom or the European Economic Community.[xvi]

Margaret Thatcher is known for her euro-sceptic views. However, she did not oppose European integration on the grounds of sovereignty but rather on account of bureaucracy and state control striving

x Self R., "British Foreign & Defence Policy since 1945" (Palgrave Macmillan, Basingstoke 2010) at p120
xi Young W., "The Foreign Policy of Churchill's Peacetime Administration 1951-1955" (Leicester University Press, Leicester 1988) at p111
xii Self R. (n x) at p120
xiii Ibid. at pp121-123
xiv Ibid. at p127
xv Ziegler P., "Edward Heath: The Authorised Biography" (HarperPress, London 2010) at p118
xvi Garnett M. Hickson K., "Conservative Thinkers: The Key Contributors to the Political Thought of the Modern Conservative Party" (Manchester University Press, Manchester 2009) at pp65-66

for more protectionist and interventionist economic policy.[xvii] The argument of sovereignty was used only after the Single European Act had been passed in 1986. The Act was seen by Margaret Thatcher's Cabinet as a great means for the liberalisation of the market at the European scale which in turn justified scarifying part of British sovereignty.[xviii]

INTERNATIONAL COURTS AND TRIBUNALS

International Court of Justice

Winston Churchill's Administration attempted to rely on the International Court of Justice in the time of great tensions between the United Kingdom and Iran in 1951. It also expressly decided to respect the adverse finding of the Court in the Fisheries case on the grounds that *"If we accept the rule of law in the world ... we must from time to time accept the adverse decisions of the Court."*[xix]

The 1954 ruling did not prevent the Conservatives from attempting to rely on the Court in the following years, in cases such as the dispute with France over the sovereignty of Minquiers and Ecrehous, with Argentina over the Falklands, with Bulgaria over El Al Flight 402 and with Iceland over the size of Icelandic exclusive fishing territory.

European Court of Human Rights

When drafted the European Convention on Human Rights was generally supported by the Conservative Party and Winston Churchill personally who considered it a firm basis for the pan-European rule of law.[xx] In 1953 Winston Churchill's Cabinet also ratified the First Protocol to the European Convention on Human Rights. Nevertheless, it opposed the right of individuals to petition the European Court of Human Rights on the basis that the common law should not be subjected to a foreign court.[xxi]

In 1958 Harold Macmillan's Cabinet rejected the idea of granting individuals the right to lodge complaints with the Court on the basis that states should be the only subjects of international law.[xxii] The right of individuals to petition the European Court of Human Rights was eventually introduced by a Labour Government in 1965, nevertheless, it was still subject to periodic renewals and such a renewal was made in 1986 by Margaret Thatcher's Administration.

The European Convention on Human Rights, although ratified in 1951, was not incorporated into the domestic legal system until 1998. The Conservative Party has been split on the issue for decades. For instance, Lord Hailsham had supported incorporation in the 1970s and Lord Broxbourne and Edward Gardner in the 1980s.[xxiii] The 1998 Human Rights Bill introduced by the Labour Government was partly supported by the Conservative Party, although numerous amendments were proposed.

International Criminal Tribunals

The notion of personal criminal liability for international crimes has been generally supported by the Conservative Party. In fact, various Conservative Governments introduced legislation which enabled prosecution under the heading of universal jurisdiction such as the Geneva Conventions Act 1957 and Criminal Justice Act 1988.

xvii Self R (n x) at p129

xviii Hickson K., "The Political Thought of the Conservative Party since 1945" (Palgrave Macmillan, Basingstoke 2005) at p123 xix HC Deb 10 February 1954 vol 523 cc1180-1

xx Bogdanor V." The New British Constitution" (Oxford, Hart 2009) at p57

xxi Wadham J., Mountfield H., Prochaska E., Brown Ch., "The Human Rights Act 1998. Blackstone's Guides" (Oxford: Oxford University Press 2011) at 1.18

xxii HC Deb 26 November 1958 vol 596 cc333-4

xxiii Feldman D., "Civil Liberties and Human Rights in England and Wales" (Oxford University Press, Oxford 2002) at p78

The Conservative Party also supported the idea of *ad hoc* international criminal tribunals. John Major's Government co-sponsored the measures undertaken by the UN Security Council in respect of International Criminal Tribunals for the former Yugoslavia and Rwanda. Finally, the Government was also supportive of the idea to establish a permanent international criminal court.

Nevertheless, the Rome Statute, *i.e.*, a specific form of such a court, was opposed by the Conservative Party in the late 1990s while in opposition. The Rome Statute was negotiated by Tony Blair's Cabinet and was opposed on the grounds that *"the statute and the Bill amount to a complete denial of national sovereignty."*[xxiv]

USE OF FORCE BETWEEN STATES

Humanitarian Intervention

Humanitarian intervention was rejected in an official Foreign Office Policy Document of 1986 on the grounds that international law did not recognise it, nor had there been sufficient state practice to support it and, finally, because it was very prone to abuse.[xxv]

Nevertheless, in 1991, following the Gulf War, the Conservative Government came forward with the idea to establish safe zones in Iraq in order to protect the Kurdish and Shia Muslim populations. The legal justification relied *inter alia* on humanitarian protection.

In 1992, UN Security Council Resolution 794 authorised the creation of the Unified Task Force in order to provide humanitarian assistance to the civilian population of Somalia. The United Kingdom Government voted in favour of the Resolution and participated in the operation.

On the other hand, with the civil war unfolding in Bosnia, between 1993 and 1995, British diplomacy opposed the idea of enforcing the no-fly zones over Bosnia or carrying out airstrikes against the Bosnian Serbs on the grounds of Serbian sovereignty.[xxvi]

Nevertheless, while in opposition, the Conservative Party supported Tony Blair's Cabinet's 1999 decision to bomb Serbia. Although the military intervention against Serbia was widely believed to be unlawful under international law, and a blatant violation of Serbia's sovereignty, the humanitarian concerns over Serbian terror in Kosovo prevailed worldwide.

Democratic Regime Change

In 1983 Margaret Thatcher's Administration was sceptical of the US intervention in Grenada conducted on the basis of collective self-defence and upholding democracy as *"...a change of Government is not in itself sufficient reason to justify invasion by one country of another."*[xxvii]

On the other hand, the 1989 US intervention in Panama was supported on the basis that *"democracy in Panama should be restored."*[xxviii] What is more, following the Haitian coup d'état, in 1994, the Royal Navy acted in support of UN resolutions by participating in the US-led *Operation Restore Democracy*.

xxiv Betti A., "Invoking International Justice: The UK and the Process of Ratification of the ICC Treaty" (35th British International Studies Association Annual Meeting, Manchester, 27-29 April 2011) at p26

xxv UK Foreign Office Policy Document No. 148, reprinted in 57 BYbIL (1986) 614

xxvi Kampfner J., "Blair's Wars" (Simon & Schuster UK , London 2004) at p37 cited in Gaskarth J., "British Foreign Policy" (Polity Press, Cambridge 2013) at p107

xxvii HC Deb 25 October 1983 vol 47 cc143-53

xxviii HC Deb 20 December 1989 vol 164 cc357-62

Conclusions

EUROPEAN INTEGRATION

The issue of British sovereignty appeared to have been paramount for Winston Churchill and Anthony Eden when contemplating the level of commitment to European integration. On the other hand, Harold Macmillan and Edward Heath prioritised the potential benefits of European integration over sovereignty. Finally, Margaret Thatcher was said to have *"stood out on the grounds of sovereignty, a concept she had read about somewhere but could never tell you where."*[xxix] For her, it was worth signing the Single European Act in order to secure the free market. However, vague benefits from further integration could not outweigh the importance of sovereignty.

INTERNATIONAL COURTS AND TRIBUNALS

When it comes to the content of dispute resolution between states, Conservative Governments have been keen to refer such disputes to the International Court of Justice. Although such referrals are voluntary in nature, the judgments of the Court have not always been favourable to the United Kingdom. However, they have always been honoured by the Conservatives.

When it comes to the European Convention on Human Rights, the Conservative Party has generally supported it, although the issue of individual petitions proved more controversial and it was accepted only once it had been introduced by Harold Wilson's Government. The incorporation of the Convention to the British domestic legal system has never been fully supported by the Conservative Party.

Finally, when it comes to international criminal justice, the Conservative Party has been generally in favour of prioritising accountability over sovereignty. It has supported universal jurisdiction and the *ad hoc* Tribunals. Nevertheless, in terms of the International Criminal Court, *"...the Conservative Party was much more reluctant to renounce sovereignty..."* [xxx]

USE OF FORCE BETWEEN STATES

When it comes to the use of force between states for the promotion of democracy, Conservative Governments have generally been sceptical unless action is to be taken pursuant to an authorisation of the UN Security Council.

Interestingly, in terms of humanitarian interventions, the Conservative Party has a very mixed record. On the one hand, back in 1986 the Foreign Office explicitly determined that any military intervention on humanitarian grounds without the authorisation of the UN Security Council was unlawful. On the other hand, such an intervention was condoned in Iraq in the 1990s. What is more, the Conservative Party has an equally mixed approach to UN-authorised operation on humanitarian grounds. Finally, while in opposition, the Conservatives supported the NATO military operation against Serbia.

The fact that Conservative Governments have on occasions been reluctant to support the use of force in the absence of the UN Security Council authorisation illustrates that, although the role of sovereignty is diminishing, it is not forgotten. This clearly demonstrates that, although neo-conservatism has found its proponents among British Conservatives, such as Michael Gove, it has not been profoundly influential in the United Kingdom. While the American Republican Party has often led the shift from the doctrine of sovereignty to humanitarian and democratic interventions, the British Conservative Party has taken this shift more cautiously.

xxix Lynch P., "The Politics of Nationhood: Sovereignty, Britishness and Conservative Politics" (Palgrave Macmillan, Basingstoke 1999) at p81 cited in Hickson K., "The Political Thought of the Conservative Party since 1945" (Palgrave Macmillan, Basingstoke 2005) at p119

xxx Betti A. (n xxiv) at p24

Conclusion

The record of Conservative Party policies and their effect on state sovereignty comes down to the cost-benefit balance of a particular policy with different Cabinets attaching different degrees of importance to the principle of sovereignty. There has been an internal inconsistency in approach within the Conservative Party towards the development of international law and the role of international institutions. Interestingly, this is by no means peculiar to the question of international law. In fact, James Bulpitt, argues that the Conservative Party has always been free from any ideology.[xxxi]

It is a matter for debate as to whether this approach towards international law can be sustained by the Conservative Party in an increasingly globalised world in the 21st century and it is hoped that this paper will serve as a catalyst for this discussion.

The Society of Conservative Lawyers is an association of lawyers who support or are sympathetic to the aims of the Conservative Party. Members hold a range of different views within those parameters and the views expressed in this paper are not necessarily held by all members of the Society or by the Conservative Party

xxxi Garnett M (n xvi) at p2

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