

The Paris Peace Conference 1919 Remembered... 100 Years on
18 January to 28 June 2019

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www.directionofconflict.org

PUBLIC BENEFIT NOTICE: For release on Thursday 30 May 2019

Open Letter to:

The Charity Regulator for England and Wales

29 May 2019.

Dear Sir/Madam

Re: A Charity Regulator as Peace-Builder?

I am not in the habit of writing to a non-existent organisation such as this. I do so here because, if the rule of law had been dominant in English and Welsh charity regulation, this new body – or a reformed old body – would have come into being soon after 28 June 2000 when judgment was handed down concerning the Project on Demilitarisation (Prodem).

It is not enough to show that the existing charity regulator, the Charity Commission for England and Wales, stands discredited, as was done comprehensively in Article no. 2 in this series; it is also necessary to demonstrate how the new body would work consistent with the rule of law. For this purpose, three illustrations are now used:

1. How the Charity Commission's letter of 26 January 1993, containing its prima facie rejection of Prodem's application for registration as a charity, would have been written if the Prodem court judgments had been available at that time. For without a doubt, the major part of its application was charitable, and potentially all of it, had the existing charity regulator been capable of explaining the law authoritatively. The Court of Appeal's affirmation of that original letter has been wilfully misrepresented ever since.

.../cont'd

Sponsor's Purpose:

To forewarn the public one more time that the world is heading for another Great Power war.

As in 1919, the reason is the failure of political institutions to apply 'an irenic perspective' even-handedly. Post-Cold War, the term was first defined in English charity law on 9 October 1998, drawing on a United States case of 1917, and affirmed by the Court of Appeal on 28 June 2000.

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2. The 'Control Arms' campaign for a binding arms trade treaty launched in October 2003, which involved charitable, as well as non-charitable, bodies with the permission of the existing charity regulator despite being completely inconsistent with the Prodem judgments, as this author pointed out at the time.
3. The *ratio* of the Court of Appeal in the Prodem case was used in 2008/09 by the Trustees of the International Peace Project²⁰⁰⁰ to seek the removal of The Atlantic Council of the United Kingdom from the register of charities. The analysis of the objects clause of that body, provided by the author as the IPP representative at the time, demonstrated that only one part of its objects was potentially charitable had it stood alone.

The accompanying Article no. 5 sets out the three illustrative cases in detail.

In each case the Prodem legal framework is applied to show how a new charity regulator would be at the cutting edge of peace-building in 2019 in a manner that was not possible in 1919. The political 'peace-makers' of the Paris Peace Conference, who disdained to pay any serious attention to scholarly writing and could not conceive of the application of an 'irenical perspective', demonstrated why political impartiality and objectivity is essential to the role of education in peace-building and in the charitable regulation thereof.

I am copying this letter to a wide range of judges in the English civil courts including the elite Chancery Division and the urgently-in-need-of-reform Administrative Court. Any flaws identified in my analysis or disagreements would be welcome on a postcard or, perhaps, the back of a postage stamp would suffice (with plenty of space left over for the Lord's Prayer). As Jesus Christ put it: 'A pupil is not superior to his teacher; but everyone, when his training is complete, will reach his teacher's level.' [Luke 6: 40. New English Bible.]

We might reflect on this at the Judges Service in the autumn, as and when the rule of law has been restored in the regulation of English and Welsh charity after decades, or generations, of fraudulent misuse by government lawyers.

Thank you.

Yours faithfully,

Peter M. Southwood (Dr)

Law Officer for Public Benefit in England and Wales (*de facto* but not yet *de jure*)

Signed: 29 May for public release on 30 May 2019 when it will be uploaded to the website.

[Linked to Article No. 5: 'A New Charity Regulator in 2019'](#)

Three case studies show how a genuine charity regulator would operate, by dissecting applications for registration into their charitable and any political elements with surgical precision, to protect the charity sector as a bastion against the corrupting influence of politics and to advance the rational, moral and spiritual aspects of human life and society.

This Article no. 5 will be found at www.directionofconflict.org where there is also a provisional timetable for the other letters and articles in this series up to 28 June 2019.

References in this letter are to be found in Article no. 5 *to be published on 30 May 2019*.

Notes for Editors and Correspondents

Responses/questions invited to: consultant@directionofconflict.org for written reply, if any.

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