

# The Yardstick

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## Agenda acceleration

The post-EU referendum *Yardstick 61* observed that there are two obstacles to the restoration of imperial weights and measures: the European Union; and the political culture of Britain's own ruling class. The British establishment's response to the coronavirus brings the latter into sharp focus.

The yard is in common use; for example, it is the legal unit relied upon for pedestrian signs. So, when conveying "social distancing" to the public, the government could have chosen yards rather than metres. Any government genuinely committed to British independence and identity *would have done so*. The fact that "two metres" was chosen indicates there has been no post-referendum change in the political culture.

In fact, the government's failure to place imperial in parenthesis illustrates an *escalation* in the desire to erase British weights and measures, given the claimed importance of social distancing to public safety. This aspect is given emphasis by the revelation in May by government advisor Prof. Dingwall that a senior public health specialist had told him, "*We knew it [the safe distance] was one metre but we doubled it to two because we did not think the British population would understand what one metre was.*"

The World Health Organisation recommends "*Maintain at least 1 metre (3 feet) distance between yourself and others*". It would appear, therefore, that the government prefers the economic and social disruption caused by an unnecessary two metres, to a deviation from its commitment to a "metric Britain".

We can expect that, when the Coronavirus crisis has passed, the government will cite the extensive use of the metre as a justification, at least in its own mind, that metrication is irreversible.

## Imperial Resistance

Meanwhile, the taking down and vandalism of historic statues in June indicates that it was never just British weights and measures that were the target, but British identity itself. Cultural Marxism wipes a people's memory by removing physical testaments to their historical story; and corporate-finance works hand-in-glove, because the dissolution of a nation removes barriers to capital and labour re-allocation.

We see these dynamics in metrication: the liberal-left seeks to erase imperial weights and measures because they represent Britain; and the corporate-right benefits from the removal of local units and traditional sizes that otherwise protect consumers from product downsizing. One wonders whether the word "imperial" itself will be targeted; it has already been removed from the emblem of Imperial College. In the culture war, imperial measurements are just one particular trench, but one which we will not concede. The cultural counter-revolution starts here.

John Gardner, Director

BWMA is a non-profit body that exists to promote parity in law between British and metric units. It enjoys support from across Britain's political spectrum, all manner of businesses and the general public. BWMA is financed by subscriptions and donations. Membership is £12 per year. Sort code 20-68-79, Account 60547255. Cheques/POs payable to "BWMA", 29 Chart House Road, Ash Vale, Surrey GU12 5LS

**Reply from Department for Business, Energy & Industrial Strategy, 16 March 2020 (to BWMA’s post-election letter of 12 January; see *Yardstick 72*)**

Thank you for your letter of 12 January, to the Rt Hon. Boris Johnson MP, regarding the UK's exit from the European Union and the use of Imperial measurements. Your letter has been forwarded to this Department for reply.

Once the transition period ends on 1 January 2021, the UK will have restored its economic and political independence from the European Union. The main objective of the UK’s trade negotiations is to ensure we achieve that independence and that we can control our own laws and our own trade.

You have suggested that the UK Government make changes to the UK’s weight and measures system. The Government recognises that many people have an attachment to the imperial system and a preference to use imperial units in their day to day lives. At the same time, it recognises that the majority are not familiar with imperial units and that use of metric is a necessity for British businesses to compete in markets around the world.

The UK system takes account of both the preferences for imperial and the need for a single, comprehensive set of units of measurement, by allowing for information to be provided in both imperial and metric.

Once the transition period ends, it will be entirely for the UK alone to decide on any future approach to its system of measurement, to ensure it meets the needs of all British people and businesses. However, it will always be fundamental to any UK system that consumers can tell how much of a product they are buying, so they can easily make comparisons to identify the best deal.

Thank you again for sharing your thoughts.

Yours sincerely,

U. Fatania BEIS CORRESPONDENCE UNIT

**BWMA note:** the letter is deferring any decision until the end of the transition period (31 December 2020), but it indicates that there is no change in the government’s position; the fourth paragraph (commencing “The UK system”) means that metric will continue to be the only authorised system, while imperial will be confined to conversions that may be shown alongside metric at the private discretion of the seller.

**Letter from Director John Gardner to the Prime Minister, 20 May 2020, regarding “social distancing”**

Dear Prime Minister

Thank you for your letter of late March, sent to every household in the country explaining the government’s response to the Coronavirus, received by me on 8 April 2020.

As Director of BWMA, which campaigns for the retention of imperial measurements, I would like to ask why the social distancing requirement was described as “two metres”, with no equivalent in feet.

There are tens of millions of people in Britain who use imperial units, and those who use them most, and have least awareness of the metric system, are older people to whom the conveying of social distancing information is the most important. Imperial units are also relied upon to convey distance on pedestrian signs, so it is anomalous that an imperial unit is not included in government directions on social distancing.

This question is given greater urgency by Professor Robert Dingwall, member of the government’s New and Emerging Respiratory Virus Threats Advisory Group, who recently shared a senior public health specialist’s explanation as to how the two-metre distance was arrived at:

“We knew it was one metre but we doubled it to two **because we did not think the British population would understand what one metre was** and we could not trust them to observe it so we doubled it to be on the safe side”.<sup>1</sup>

It is unclear to us how the effects of doubling the correct distance - on employment practices, social interaction, queuing, and public anxiety - could be considered preferable to simply including feet and inches alongside.

Please help us to understand why imperial units were not used and – just as importantly – given that the lockdown is being eased, will the government now add imperial equivalents to its guidance on websites, posters, and other communications?

Despite a reminder on 30 June 2020, we have yet to receive a reply.

<sup>1</sup> Chopper's Politics podcast, “Fear, Freedom and ... fishing?”, 7 May 2020, is available on Youtube; the quote is 19 minutes in.

## Imperial avoidance

Despite the use of “two metres” in the Prime Minister’s letter, there are indications that the authorities do not feel they can rely on the metric system alone. Consider this “stay-at-home guidance”, issued by the Department of Health and Social Care (DHSC) in mid-March:

**Aim to keep 2 metres (3 steps) away** from vulnerable people you live with and encourage them to sleep in a different bed where possible. If they can, they should use a separate bathroom from the rest of the household. Make sure they use separate towels from the other people in your house, both for drying themselves after bathing or showering or showering and for hand-hygiene purposes.

The implication of including “3 steps” is that “2 metres” is not sufficient to inform the public of the prescribed distance. It also shows how the DHSC wishes to avoid stating “six feet” or “two yards”.

On 22 May 2020, the Prime Minister’s office produced the following graphic which explains the metre in terms of household furniture:



Avoidance of imperial has been evident at the BBC which, on 27 March 2020, produced a video entitled, *Coronavirus social distancing advice: What two metres looks like*. The script is reproduced in full, with our emphasis.<sup>1</sup>

<sup>1</sup> Readers can watch the video on the BBC website, or on youtube; use the following words for searching: bbc coronavirus social distancing two metres Laura Foster

*Introduction:* The UK government is advising people stay home and only go out if they need to fetch food or medicine, to go to work if it's essential or to exercise. Even when you leave your home, you need to practise social distancing and keep at least two metres away from other people to protect yourself from catching coronavirus. But it can be hard to know exactly what that looks like. The BBC's health correspondent Laura Foster helps explain the best ways to keep safe and keep the correct distance away from other people.

*Narrator:* "Stay at home, and stay at least two metres away from people if you do have to go out. That's the UK government's message to keep us apart so we don't catch or spread the coronavirus. But unless you're two metres tall, it can be hard to know what that looks like without a measuring tape".

*Demonstrator:* "It's about three steps. So, [demonstrating steps] one, two, three".

*Narrator:* "Enough space so that you can put a bed between you, or two shopping trolleys, or any of these people (shows tall men); or if you were holding a broom, you shouldn't be able to touch anyone with it.

That's all fine in theory, but how does that look in the real world? Well, if you're in the street, it's about half a parking space. If you're in the park or the countryside, it's about two regular benches. If you're exercising, you may have to come off the path or cross the road; but - hey! - that all adds to the exercise, right? And on public transport, don't sit in the same row. Make sure you've got space in front and behind you. In an office, you need to be about four desk chairs apart. And when shopping, don't queue close together. Many shops have rules on how many people can be inside at any one time to ensure you keep that gap. But if you do have to queue outside, make sure you still keep that two metre distance...

Thus, the BBC manages to devise *every conceivable means* of conveying the desired distance, except the obvious one: six feet.

Sainsbury's also felt obliged to use visual translations to explain two metres:



## **Freedom of Information request to Department of Health and Social Care, 18 May 2020**

This is a FOI request for documents, minutes, etc. relating to the choice of measurement unit (i.e. metres, feet, or steps) when giving the public advice on "social distancing" in relation to the Coronavirus. The government advice appears in two forms; the first uses metres and steps; for instance:

Public Health England, 12 March 2020: "Aim to **keep 2 metres (3 steps) away** from vulnerable people you live with and encourage them to sleep in a different bed where possible".

The second version uses metres only. The most prominent version of this is the Prime Minister's letter sent to households from 28 March 2020:

"When you do have to leave your home, you should ensure, wherever possible, that you are **two metres apart** from anyone outside of your household".

Specifically, we seek documents that record the decision and rationale as to why these expressions of measurement were adopted. For example: why feet were not used in conjunction with metres; why other forms of distance were not used, such as "arm's length"; why it was decided to use "steps" in conjunction with metres, etc.

### **Reply from Nicole Mercer, Freedom of Information Officer, Freedom of Information Team, DHSC, 1 June 2020**

Thank you for your request dated 18 May, in which you asked the Department of Health and Social Care (DHSC). Your request has been handled under the Freedom of Information Act (FOIA). The DHSC does not hold the information you requested. This is because we are not the appropriate authority to contact on this subject. However, you may wish to contact Government Office for Science, which may hold information relevant to your request.

If you are not satisfied with the handling of your request, you have the right to appeal by asking for an internal review. This should be submitted within two months of the date of this letter. Please remember to quote the reference number above in any future communication.

### **BWMA request for internal review, 1 June 2020**

I am requesting an internal review for the attached FOI Request, reference FOI-1227077. Specifically, I want to be sure that DHSC has understood the nature of the information sought. The request is not for information on how the two-metre social distance was arrived at, since this is a health/scientific matter, for which information may well be held by the Government Office for Science.

Instead, my request concerns how the two metres, once arrived at, was communicated to the public, e.g. as "two metres", "six feet", "two arm-lengths", etc. This is a public communication matter. For example, when the DHSC was composing advice for use in leaflets and social media, there must have been a minuted meeting, email discussion, etc. as to whether "two metres" was the best notation for conveying the chosen distance to the general public. This is the information sought.

### **Interim reply from Charlene Carter, Freedom of Information Casework Manager, 9 June 2020**

Thank you for your email of 1 June, requesting an internal review. I apologise for the delay in replying. I have determined that your concerns will be best addressed as a new FOI request rather than an internal review. Your case has been logged and we expect to reply to you within 20 working days of its receipt (29 June). You may, of course, request an internal review of that response once you have received it.

### **Further reply, from Nicole Mercer, Freedom of Information Officer, 29 June 2020**

Thank you for your request dated 1 June ... Your request has been handled under the Freedom of Information Act. The DHSC does not hold the information you requested. This is because we are not the appropriate authority to contact on this subject. However, you may wish to contact Public Health England, which may hold information relevant to your request.

### **Second BWMA request for internal review, 13 July 2020**

I would like an internal review of FOI request FOI-1230705. The DHSC cannot be correct when saying it's not the appropriate authority to contact. This is because the request concerns how the "two metre" format was communicated to the public, and the DHSC itself has made these communications. For instance:

- i) On 26 March 2020, the DHSC presented a 6-second youtube feature called "2 Metre Social Distancing".
- ii) On 29 June, DHSC issued "Important advice on coronavirus (COVID-19)" which stated "stay 2 metres away from others when you can".
- iii) On 9 July, DHSC tweeted: "It is vital that you continue to keep a safe distance from others. In situations where you can't keep 2 metres apart, stay at least 1 metre apart while taking other extra precautions".

Therefore, regardless of where the DHSC originally got the "two metre" format from, my FOI request relates to DHSC's own choice on how to communicate it to the public; whether as "two metres", "2 metres/6 feet", "6 feet", "3 paces", etc. Of course, it is possible that no deliberations were made on this aspect, and therefore no documentation held, but in view of social distancing's importance, I would not expect this to be the case.

### **Reply from Charlene Carter, Casework Manager, Freedom of Information Team, 5 August 2020**

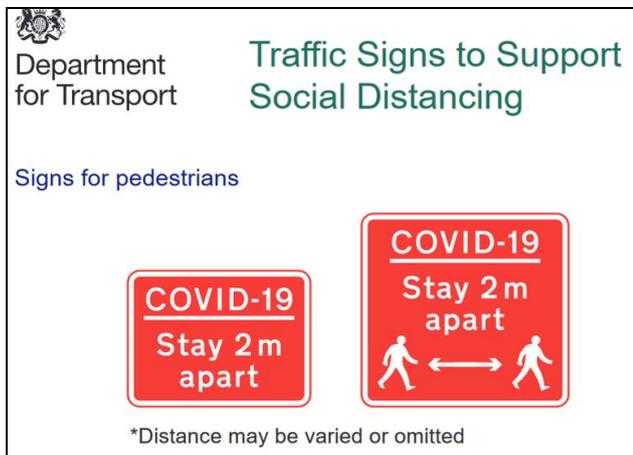
You originally wrote to DHSC on 1 June requesting information relating to social distancing. We responded to you on 29 June, stating that we do not hold the requested information. You subsequently emailed DHSC on 13 July, requesting an internal review into the handling of your original request. The purpose of an internal review is to assess how your FOI request was handled in the first instance and to determine whether the decision given to you was correct. This is an independent review as I was not involved in the original decision.

I have undertaken discussions with the team that has responsibility for your request, and we have taken the opportunity to consider it again. After careful consideration, I have concluded that the response you received was compliant with the requirements of the FOIA and I uphold DHSC's statement that the Department does not hold the requested information. I reiterate my colleague's suggestion that you may wish to contact Public Health England.

BWMA sent a similar FOI request to Public Health England on 1 July, and will report the outcome in the next Yardstick.

## BWMA letter to Rt Hon Grant Shapps MP, Secretary of State, Department for Transport, 23 May 2020

It has come to our Association's attention that the Department for Transport is considering traffic signs to support social distancing. The sign designs include the statement: "Covid-19 Stay 2m apart".



You will be aware that it is government policy *not* to use metric units of distance on traffic signs. Only last year, the previous Secretary of State wrote to all local authorities to remind them that, "... *distances shown on traffic signs on public highways in Great Britain must be in imperial units, i.e. miles, miles and yards, or yards. Metric units are not permitted as a measurement of distance*".<sup>1</sup>

Regarding enforcement, the sign designs give both an instruction ("stay apart") and a specific distance ("two metres"). Will members of the public be committing a criminal offence if failing to do so?

According to recent press reports, police have apologised for wrongly charging people with criminal offences for not staying two metres apart. According to the College of Policing and the National Police Chiefs' Council, "*Government guidance is not enforceable; for example, two-metre distancing, avoiding public transport, or the wearing of face coverings in enclosed spaces*".

Traffic signs cannot both give a precise instruction *and* be advisory; this risks bringing traffic regulations into disrepute.

If the government *does* intend to prosecute people for failing to comply with two-metre pedestrian signs, this raises other issues, such as: how is infringement proven; and what if pedestrians pass on a narrow pavement?

If the Department of Transport insists on measurements being used on these signs, the units should be

yards or feet. But we also suggest there is no need to use units of measurement on these signs at all. As well as two-metres having no definitive basis in science (Germany uses 1.5 metres, and Norway 1 metre), the signs will impose a degree of precision and control that is both unhealthy and unrealistic. A reminder to "stay apart" is sufficient. Yours sincerely, etc.

### Reply from Department for Transport, 24 June 2020

Thank you for your email ... Your email has been transferred to the Traffic and Technology Division. The legend on the COVID-19 temporary signs has been chosen to support the central messaging on social distancing from Number 10. A local authority can include the imperial units (6ft 6in) on the signs if they wish. The Department for Transport (DfT) cannot comment of the enforcement questions you have included. These are matters you may wish to raise with the Home Office and/or the police. At the link you provided, you will see that the DfT has produced a range of COVID-19 temporary signs. Local authorities can choose to use the signs not displaying the 2m legend. I hope this explains the Department's position. Michael Obeng

### Further BWMA email, 3 July 2020

Thank you for the attached reply. The Traffic Signs Regulations and General Directions 2016 stipulate that only yards and miles are prescribed as expressions to indicate distances. Please can you provide the legal authority for these new traffic signs which use metres?

### Further reply from Department for Transport, 3 August 2020

Thank you for your further e-mail ... First of all, I should stress that the Department is not in a position to offer a legal answer and this should not be taken as such. Ultimate interpretation of the legislation is a matter for courts. However, we can offer a view on the points you have raised, and this is set out below.

The Traffic Signs to Support Social Distancing were placed under Schedule 13 Part 9 of the Traffic Signs Regulations and General Directions which permits "A sign that is not otherwise provided for by these Regulations may be placed to convey a civil emergency warning or information," which we believe permits the variation used in these temporary signs.

As was explained to you in the letter sent to you by my colleague on 24 June, the legend on the COVID-19 temporary signs has been chosen to support the central messaging on social distancing from Number Ten.

Fiona O'Neill

<sup>1</sup> See Chris Grayling's letter in *Yardstick* 72

## Metric pedestrian signs in Milton Keynes Parks Trust

by Thomas Walker

Although BWMA has had recent success (see *Yardstick 71*) in reminding local councils of the legal requirement to use imperial units on roads and footpaths, a significant stumbling block has arisen in the case of Milton Keynes. Here a private body, Milton Keynes Parks Trust, owns and has responsibility for the public parks system across the city, including the footpaths within the parks it owns and maintains.

A few years ago, the Parks Trust began installing new fingerpost signs throughout their parks, using kilometres for distance. This is in spite of the fact that a few years before that, Milton Keynes Council had also installed new fingerposts on Milton Keynes' "redway" network of cycle paths, using miles. This has left Milton Keynes with two connected systems of foot and cycle paths using different systems of units on their signs. In a latest development, Milton Keynes Council began installing new totem signs in November 2019 on more of the redway system, using miles.

While much of the footpaths owned by the Parks Trust are not classified as public highway, some are, and many of their metric signs are located alongside public highway. Furthermore, Milton Keynes Parks Trust was founded with the charitable objective of looking after the Milton Keynes parks system for the public to use and enjoy (all 6000 acres of it and 80 miles

of road verges, as they proudly boast on their website). As such its system of footpaths are necessarily public in nature; to restrict access to them would be contrary to MKPT's function as an organisation.

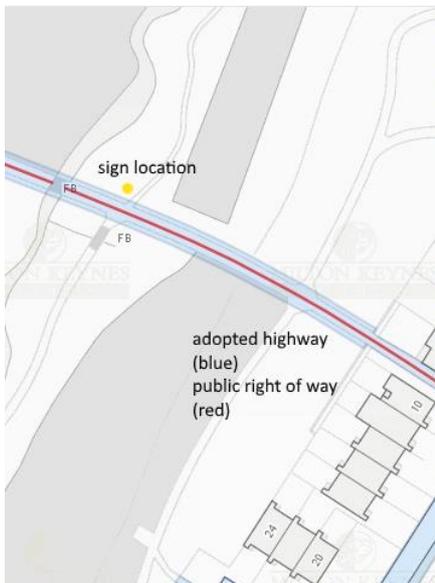
Milton Keynes resident and BWMA member Thomas Walker wrote to the Parks Trust through their Facebook page to draw attention to the metric signs issue, and received the following:

**3 May 2019:** Hi Tom, Thanks for your message. The leisure routes are not public highway so that guidance does not apply. We use km because it's the preferred unit for runners and cyclists who are more likely to need a navigation aid on longer journeys through the park network. We've also found the scale to be more suitable for the distances involved. Many thanks.

**Thomas' reply, 5 May 2019:** Thanks for your reply. Some of these routes are in fact adopted highway (some signs are at redway junctions, and all redways are adopted highway, as are many of the minor footpaths as well - the MK Council interactive mapping system identifies these). These do need to comply with the guidance. The majority of British people work in miles for distances so this should be at least included on your signage.

**7 May 2019:** Hi Tom, thank you for your concern. We're happy that the signage meets the needs of the target users and we have no plans to make any changes. Many thanks.





### **BWMA letter to Parks Trust, 20 May 2019**

I write with reference to the unlawful use of metric units of distance (i.e. the metre and kilometre) on pedestrian signs, installed by the Milton Keynes Parks Trust. According to the Trust's reply to local resident Thomas Walker, via Facebook on 3 May 2019, the Trust believes, "The leisure routes are not public highway so that guidance does not apply".

The matter raised is not one of "guidance", but one of law, and the Traffic Regulations apply not only to public highways, but "*any length of highway ... to which the public has access*". Whether the signage "meets the needs of the target users" is subjective and immaterial. The Trust is obliged to act within the law, and the law requires that signs for pedestrians, cyclists and equestrians display distances in yards and miles. We would be grateful if you could give an urgent assurance that these signs will be amended or replaced to give distances in yards and miles, and a date as to when this is likely to be completed.

### **Parks Trust's reply, 24 May 2019**

Thank you for your letter. I'm afraid I do not agree with your assertion that our signs that display distances in kilometres are illegal. We do not consider our signs to be 'traffic signs' within the meaning of section 64 of the Road Traffic Regulation Act 1984. We are an independent self-financing charity and we thought long and hard about the use of kilometres on our signs. One factor that influenced our decision was that metric signs in parks and visitor attractions are now common place and metric distances are better understood than imperial by a large and growing part of the population of Milton Keynes.

Another was that our paths and horse-riding trails (which are not public highway) are used extensively by runners and cyclists and they are accustomed to their runs and rides being measured in metres and find it helpful to know distances in metres. Finally, some of our signs are associated with canals and rivers and we notice that such signs are usually required to show distances in metric.

David Foster, Chief Executive

### **BWMA follow up letter, 5 July 2019**

Thank you for your letter, etc. I enclose photos and location maps of several of the distance signs in question; yellow dots have been added to mark the location of the signs. The maps indicate that these signs are on public right-of-ways and adopted highways; as such, they are required to conform to the Traffic Regulations. This is not something that can be negotiated; the kilometre and metre are not legal units for distance signs in this country.

We appreciate that the Parks Trust did not realise that these signs were in breach of the law, but until Parliament decides differently, these regulations must be observed. Cyclists and any other groups are free to use the metric system in their own private pursuits, but bearing in mind all road signs are in Imperial, they should have no trouble in understanding these measures. I look forward to receiving information concerning the Trust's plans/decisions to bring the signs into line with the law.

### **Parks Trust's final reply, 2 August 2109**

Thank you for your letter. We consider ourselves to be legally compliant. David Foster, Chief Executive

Efforts are ongoing to get the situation in Milton Keynes resolved, but as things presently stand, there are two different systems of pedestrian and cycle signage in the urban area.

## **The Metric System Is Anti-Human Central Planning, Kyle Sammin, *TheFederalist.com*, 6 February 2019**

All of metric's shortcomings come back to the same point: it is great for science, but does not fit with the way people live their everyday lives.

A certain segment of the pundit class can't stand the idea that one country might be different from the others. This is even truer when that one country is the United States of America. The idea that different peoples in different nations might have different ideas on how to govern themselves is distasteful to people who think they have humanity all figured out and want to convince - or force - everyone to go along.

The constant outbursts from the [news] outlet Vox on the metric system are emblematic of that thinking ... Slate [also] griped about this aspect of American exceptionalism back in 1999. And Republican-turned-Democrat Lincoln Chaffee's brief run for the presidency in 2016 was mostly remembered for his support of grams and liters.

### **Yes, Sameness Is Certainly Simpler**

So why all the hullabaloo about the metric system? Well, one thing is true of it: it would be easier if all the world measured things in exactly the same way. But that is true of a lot of things.

It would be easier if all seven billion of us spoke the same language, wore the same clothes, worshipped the same god, and selected our governments in the same way. Most of these, if we tried to force them on other nations, would be seen as a terrible imposition by the folks who love the metric system. But when it comes to how much your groceries weigh, cultural imperialism is just fine - especially if it is directed against Americans.

The metric system - or the International System of Units, to give its proper name - was an outgrowth of the Enlightenment and the French Revolution. While the left still enjoys the idea of revolution, at least against monarchies, the Enlightenment has fallen on hard times among the people who occupy that half of the political spectrum. (The French Revolution is also the origin of the left-right political spectrum.) Yet for the metric system, they make an exception.

Which sounds better; a system that developed gradually with slight adjustments over the cen-

turies, or one dreamed up by revolutionaries fresh from sending half of their countrymen to the guillotine? That is the difference between the English system we use (also known as the Imperial System) and the metric system: one developed gradually from the ground up and was later codified, the other was imposed from above based on the ideas of a few radicals.

One of the biggest beefs from pro-metric types is that Americans were not forced to accept metric when the Metric Conversion Act was passed in 1975. But what kind of system requires force to make people accept it?

In some areas, Americans do measure in metric without coercion: bottled soda and cocaine are the two best known. But even among the chemical vices, that trend is not absolute: beer and marijuana are still in pints and ounces. We just don't like metric measurements.

### **Traditional Measures for Everyday Life**

What difference does that make, you might ask? Who cares about how each system got started? They're both here now, and we ought to pick one. But the origins matter here because they point out the major advantage of the English system: it is measurement on a human scale. It evolved naturally through history because it uses the kind of measurements that make sense to people.

Consider the basic unit of length, for example. The English foot, like the Roman *pes* and Egyptian *djeser* before it, is roughly the length of a grown man's foot. Certainly there were variations, both in the customary measure and the size of people's feet, but the most of the measurements we now call "feet" in history ranged from what we would now say was 10 to 13 inches.

People know how long an adult man's foot is, even if their own feet aren't exactly that size. What's a meter based on? It was defined in 1795 as one ten-millionth of the distance between the North Pole and the Equator. Surely everyone knows what that means, right? Of course not. (They measured the distance from the North Pole to the Equator wrongly then, too, so a meter doesn't even mean that anymore.)

Another common complaint is that our temperature scale is out of pace with the world. But let's look at the advantages of each before getting on

the European bandwagon. Celsius sets its zero degree-mark at the freezing point of water, and makes water's boiling point 100. Very logical! But also absurd.

When you are speaking of temperature, how often does it involve the point at which water changes from liquid to gas? In scientific discussions this might be common, but for everyday life, it is rare. The normal range of temperature is restricted to a few dozen degrees.

Consider the Fahrenheit scale. Zero degrees is very cold, polar vortex stuff, but still livable. One hundred degrees is quite warm, high summer in many areas, but again: livable. We humans live for the most part in the space in between those points.

Now compare Celsius: zero degrees is cold, but not remarkable; at 100° C degrees for more than a few minutes, you'll die. More than half that range is dedicated to temperatures people almost never experience. If we were walking vials of water, it would be perfect; for actual human beings, it's an awkward fit.

### **One Size Doesn't Fit All**

Defenders of the metric system stress its decimal nature frequently. Because everything works in multiples of ten, they claim, computation of metric units is a breeze. Meanwhile, our traditional English measurements come in a bewildering variety of fractions that confuse people and lead to errors. But is that really true?

Our counting system is based on the number ten, true. This natural outgrowth of being a ten-fingered species means that the number ten will always figure large in our mathematical lives. But a base-10 system has plenty of flaws, too.

Ten is divisible evenly by two numbers: 2 and 5. That means it can be cut in half evenly, and about that's it. Smaller fractions (other than fifths) require decimals, which is the opposite of the ease metric promises. Meanwhile the foot, being made of 12 inches, is divisible evenly by 2, 3, 4, and 6. The pound with its 16 ounces is divisible evenly by 2, 4, and 8.

For scientific calculations, none of this matters, but if you're building a house or cooking a meal, quick calculations of fractions is essential. Numbers like 8, 12, and 16 serve this purpose

better than 10. No wonder our ancestors developed a system that uses them.

Even in countries with the metric system, some old measurements remain, showing how people will hold fast to those systems that are truly important to them. One of the other reforms of the French Revolution was to introduce decimal time: a day of ten hours, with each hour having 100 minutes. It was made mandatory in France in 1794, and quietly repealed in 1795. Messing with the ruler and measuring cups was one thing, but changing the actual units of time broke people's brains.

Other attempts at decimalization also failed. At the same time they were meddling with the clocks, the French instituted a decimal calendar. This lasted a little longer, since it was forced by nature to make some concessions to real life. A year has 365 and a quarter days, give or take an hour, and that cannot be changed. What they did change was to make each month 30 days with the remaining five (or six) being extra days, not a part of any month.

Even this would have likely survived, except that the revolutionaries also insisted that each month have three weeks of ten days each. There were two problems with that. Firstly, it destroyed the seven-day week that included a religious Sabbath day. Secondly, workers still only got one day off per week. These were both intentional, and the calendar was part of a plan to destroy religion and make workers more productive. The ten-day week fell out of favor immediately, and the whole calendar was abolished in 1805.

All of metric's shortcomings come back to the same point: it is great for science, but does not fit with the way people live their everyday lives. The metric system is a classic example of central planning gone wrong. While it is useful in a few ways, it has no place in the life of the average American. Traditional measurements require no coercion, because they make sense to us already. They measure our lives as they always have: on a human scale.

*Kyle Sammin is a lawyer and writer from Pennsylvania, and the co-host of the Conservative Minds podcast. Read some of his other writing at his website [kylesammin.com](http://kylesammin.com) or follow him on Twitter at @KyleSammin.*

**In Very Limited Defense of the Metric System, Mark Overstreet, *TheFederalist.com*, 8 February 2019**

... Kyle Sammin [see article, previous pages] is right that some who urge that we impose the metric system upon ourselves do so because they think anything done differently anywhere outside America must be superior to whatever we do here. This is seen in things as harmless as people thinking it makes them sophisticated to buy bottled water branded "l'eau", and in things as evil as working to destroy America from within.

It is also seen in the Army's decision, several decades ago, to dig up its rifle ranges, which had conventional targets placed at distances measured in yards, and to replace them with pop-up targets at distances measured in meters. The worst part of that decision was the adoption of the pop-up targets, because whether soldiers hit or miss those targets, they don't know whether they shot high, low, left, or right, and by how much. To make matters worse, sometimes the targets' mechanisms score a hit as a miss, and sometimes score a miss as a hit, such as when the soldier shoots the ground in front of the target, a clump of dirt bounces up and hits the target, and the target thinks it has been shot.

The Marines have not made the Army's mistake, but have instead kept their yards-based rifle ranges and conventional targets, which is a big reason why the average Marine outshoots the average soldier "by a mile" or, as the Army might say, "by 1609.344 meters." This begins to explain why, for years, the Army has alternately said it needs a new rifle, a new bullet, a new caliber of ammunition, or some combination of the three, constantly making excuses for the fact that the enemy doesn't always immediately fall down when a soldier points his rifle in the enemy's general direction and pulls the trigger. A new rifle, bullet, or caliber might be beneficial in some operating environments, but that benefit will never be maximized as long as the Army believes that its pop-up targets are ideal for marksmanship training purposes.

As bad as the pop-up target system is, switching to meters was also a mistake. Yards, being about nine percent shorter than meters, are easier to use when estimating distance to a target. This is important, because as target distance increases, accurate estimation of the distance becomes increasingly important, because the bullet's descent from the maximum ordinate of its trajectory becomes more steep, increasing the chance of shooting too high or too low.

Furthermore, yards-based targets work with rifle sights that are calibrated in minutes of angle. One minute (one-sixtieth of a degree) just so happens to work out to be almost exactly one inch for every hundred yards, thus rifle sights calibrated in minutes are easily adjusted by an American who thinks in inches.

*Mark Overstreet is a firearm instructor and author in central Texas.*

**HP Gibson & Sons, producers of puzzles, Sutton, Surrey**

*Letter to Gibsons from Jose O'Ware, 1 June 2020:* I have at last been able to visit my local garden centre to buy a Gibson puzzle after so many weeks when all other retail outlets were closed and you were unable to take any more orders. I have a great many of your puzzles, which is just as well as over these months ... I applaud the redesign of the smaller size box and removal of shrink wrap but was at a loss as to why the puzzle size is now only given in metric. In the light of Brexit I would have thought that at the very least imperial measurements should be given more prominence rather than less, or remain even as a secondary consideration ... Please give serious consideration to returning this part of our heritage, on your box sizes and publications, which over the 100 years of production should also be part of yours.

*Reply from Gibsons, 8 June 2020:* Thank you for your letter regarding the new environmentally friendly puzzles. I have passed your constructive preference for imperial and metric measurements on the jigsaw boxes to the Product and Development Team, requesting that they review your letter in their next meeting. Being a family owned business we appreciate all feedback from customers and retailers. External ideas provide invaluable information that can assist with refining the range and sales processes. Should you have any further queries, please do not hesitate to contact me. Helen Quintiliani (Mrs), Customer Services Administrator

**Stephen Speakman reports, 2 May 2020:**

So far and as a long standing member of your organisation I have seized the opportunity to 'evangelize' our position at every turn and corner - what a good 'war' I have indeed had. I have adopted an extensive contact campaign - emails, letters, phone calls and personal visits to supermarkets, local and national government officials, politicians, neighbours, etc.

I even managed to email Chris Witty, senior government medical officer. Many members of the public agree that feet and inches would be better understood and quite a large proportion of older people are terribly confused by metres with one lady suspecting it was perhaps 'a foot' and another saying 'does it mean a line?' What is very clear in all this is that there is enthusiastic support on the ground for Imperial measures. My concern is that government have wilfully ignored announcing in Imperial measures and this does not bode well.

I have had many other 'battles' and have won some and lost others - Costco Manchester have written back to me recently agreeing to change the petrol station gantry height signs to include Imperial and a while back after an ongoing campaign Virador tip management changed their height signs to once again include Imperial; so now I feel great contentment when visiting Stockport tip! In all this I do wish the government would take the initiative and stop threatening this deep and organic part of our culture with obliteration.

## Lord Justice Laws: the final word

Sir John Laws, who rejected the Appeal of Steven Thoburn and the four other "metric martyr" traders at the Divisional Court in London in 2002, died on 5 April 2020, aged 74.

*Yardstick 70* (August 2019) published BWMA's letter to MI5 which provided grounds for suspicion that the case was compromised unlawfully. Given MI5's failure to investigate the information, we can only speculate on the circumstances that led to the court's judgement.

To assist readers in coming to their own conclusion, here follows a further description of the irregularities in the judgement, as related in the subsequent appeal statement to the European Court of Human Rights.

### ***Extract from Statement of Fact and Argument, solicitors for the Applicants, October 2002***

32. At the Divisional Court hearing, leading counsel for the Applicants, Mr Michael Shrimpton, sought to argue that British statutes ranked *in pari materia* and there was no hierarchy of statutes. He was prevented from doing so. The presiding judge, Laws LJ, made the observation that the judges were not in the first year of law school, thus indicating that there was no need to develop this point. Argument before the Divisional Court was concluded on Thursday 22<sup>nd</sup> November 2002, but judgment was delayed until 18<sup>th</sup> February the following year (an unusually long time). Before handing down judgment, in December 2001, the judges invited comment from counsel on a subsidiary point, to do with permitting the continued use of Imperial weighing machines until 31<sup>st</sup> December 2009 for the purposes of supplementary indication.<sup>1</sup>

33. When the judgment was handed down it became apparent that the Court had established a wholly novel concept in British constitutional law, that of the "constitutional statute". At no stage had either Mr Shrimpton or any other counsel being told the Court was even considering the point. Further and even more significantly, the authorities referred to in paragraph 62 of the judgment were never drawn to the attention of counsel, depriving the Appellants of making effective representations to the Divisional Court on the very point on which the outcome of the

<sup>1</sup> BWMA note: thus, Lord Justice Laws was willing to invite comments on a *minor* point, but not on the hierarchy of laws. This minor point was said to be the cause of the delay in the judgement.

case eventually turned. It is submitted that this resulted in the Applicants being deprived of a fair hearing in violation of article 6(1).

34. Had the hearing of the appeal been conducted fairly and in compliance with Article 6, counsel would have had the opportunity to make submissions as to the relevance (or lack of) of these authorities. The Applicants would have been able to point out to the Court, *inter alia*, that the authorities were of very little assistance, if any, as none of them dealt with a conflict between an earlier and a later statute, and were mostly authorities on the construction of legislation which could not properly be described as constitutional in character. The presiding judge, Laws LJ himself, stated in one of these authorities that there was 'no hierarchy of rights in English law'.

35. Counsel were also prevented from making submissions on issues such as: the lack of any democratic or constitutional legitimacy for such a fundamental constitutional innovation; the vagueness and unworkability of the proposed definition of "constitutional statute": the lack of any special enactment procedure; and the lack of any mechanism for resolving a conflict between two constitutional statutes, such as that between the Act of Settlement 1701 (creating the Protestant ascendancy) and the Human Rights Act 1998 (incorporating article 9 of the 1950 Convention).

36. Proceedings before the Divisional Court are adversarial in nature. It is axiomatic in adversarial proceedings that a party be permitted to deal with any point on which it is proposed to base a decision. In *Ruiz Torija v. Spain*, in his dissenting opinion, Judge Bemhardt stated:

"I am unable to follow the majority in this case. What seems to be a case of minor importance concerns in reality a fundamental problem: the extent of the international control of decisions of national courts. On the one hand, every person has the fundamental right to have fair court proceedings including the right to submit arguments and to meet an answer to his or her submissions. On the other hand, national courts must enjoy considerable flexibility in selecting the arguments and reasons essential for the decision of the cases before them. An international court should criticise national courts only if it is more or less obvious that the national court has not taken cognisance of essential arguments. Were it otherwise, the international court would have itself to conduct a detailed investigation of national law in order to find out whether an argument put forward by a party had been answered adequately or not."

37. It is submitted that the failure of the Divisional Court to properly deal with a crucial issue in the case has irrevocably undermined the fairness of the Applicants' hearing and the same amounts to a violation of Article 6 of the Convention.

## Metric: An Analysis By Stephen Poppitt

Metriation is used by big business, through sharp practice, as a means for confusing the consumer and providing goods at reduced weight, because the consumer does not understand the system of weights and measures used, which is inherently confusing and obscure with its profusion of similarly named units, and its division into parts per thousand. Traditional units of weight are rarely present in greater divisions than sixteenths, and they do not possess confusingly similar names which can be easily mistaken for each other. Metriation as a cloak for trickery is commonly encountered: although the regulations are said to provide supposed clarity, in practice metric is used to deceive the consumer about the quantities being sold.

This is also a fundamental breach of human rights: the deprivation of freedom of choice. For freedom of choice must include freedom of contract: the freedom of parties to choose for themselves the units of weights and measures used in buying and selling the goods or services involved. Then the parties are free to use units which they understand; there is no justification for imposing a system of weights and measures that one party to the contract does not understand. The regulations never stipulate what language the contract must be in, so the French consumer is not hamstrung by being required to do business in English, he is free to choose to use the French language in the contract. Yet the English consumer is forced to do business in a foreign language, by being compelled to use a system of weights and measures which he does not understand.

The principle of freedom of contract is accepted by the European Commission: it agrees that the parties shall be free to choose for themselves the terms of the contract on the question of whether to use English or some other language in writing the contract. Yet the parties are currently not free to choose units of weights and measures. The logic of the Commission's argument on weights and measures, if applied to language, is that French, for instance, must be banned, and all contracts must henceforth be made in English-only, because only one exclusive system can be permitted. That a logical implication of the metric-only argument: if the units of trade must be exclusive, so must be the language.

Further, because British law wrongfully imposes criminal penalties for non-use of the metric system - wrongfully, in that the European Directive does not require this, which addresses only matters of contract law, not criminal law - it becomes of paramount importance that the consumer should understand the units used. A consumer, facing a genuine criminal charge in a court of law, must, by European law, be charged in, and questioned in, a language which he understands. But an English court, applying English law, on a European charge of non-use of metric units, is apparently under no such obligation: an English consumer can be prosecuted because he does not understand the metric language, that is, he commits an offence by seeking an alternative. The offensive units are not translated into units which he can understand which, by European law, is a fundamental breach of his right not to be charged or questioned except in a language which he can understand.

There is no justification for imposing a European system of weights and measures on the consumer where there is no cross-border trade involved. All regulation of trade by the Commission must be ended wherever it relates to a sale of goods or services by a seller to a purchaser in the same country. Such matters are exclusively for the individual countries to decide: the Commission has no proper role, since no cross-border trade occurs, and so no barrier to such trade can occur. In practice, the existence of a trade policy is commonly used as a pretext for banning any practice the Commission disapproves of, regardless of any bearing on cross-border trade. That, too, is sharp practice.

*BWMA gratefully records the Patronage of the late The Hon. Mrs Gwyneth Dunwoody, MP, Lord Shore, Vice-Admiral Sir Louis Le Bailly, KBE, CB, Lord Monson and Sir Patrick Moore, CBE*

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Trustees:

John Gardner (Director) bwma AT email DOT com

Vivian Linacre

Michael Plumbe

Warwick Cairns (Press Officer) 07711 873740

Website (Thomas Walker) [www.bwma.org.uk](http://www.bwma.org.uk)

Twitter (Bryan Parry): @bwmaOnline

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