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Editor.....Ewen MacLeod

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HONORABLE MEN!

At the recent annual conference of the Canadian Bar Association held recently in Vancouver, the utterances of the specialists in law aroused considerable interest. The general theme of the speeches was, of course, justice. Gather together a coterie of lawyers anywhere and they are sure to feature justice and their general anxiety about it. Jurisprudence, they tell us, gives everybody a fair deal in the courts and guarantees impartial judgment, rendered by the very best minds the legal profession produces, who are, they say, appointed to the bench by reason of their proven worth and fitness, absolutely as impartial judges.

Lord Shaw has insisted upon this being recognized. The "binding force of justice" is his favorite theme, "and it (justice) is a living institution." Lord Shaw is a member of the judicial committee of the Privy Council. The most serious case that has come before that body in the present year has been the appeal case in the Grand Trunk award, a case which very well typifies the niceties of the law and its function in present day society, which is to define justice in disputes concerning property rights, in uniformity with general State administration. In this business the Privy Council spends most of its time and if, occasionally (as in the case of the Russell appeal from the decision of the Manitoba Courts) there appears a case which is not directly involved in determining the nature of or in identifying ownership in any specific property right, such a case can be traced ultimately to the root foundations of society itself today, to property rights in the essentials of social life.

However, we are not very much impressed with Lord Shaw's figure in the face of facts as we find them. He appears to be a highly specialized old-timer in the law, his head stuffed full of its fictions and his viewpoint out of focus with the trend of modern thought. His speeches at the Conference, in so far as they had a bearing on the "rights" of labor as being equal in the eyes of the law with the employer, with whom it is "free to enter into contract," have been long since well summarized by Andrew Carnegie:

"Now the poorest laborer in America or in England, or indeed throughout the civilized world, who can handle a pick or shovel, stands upon equal terms with the purchaser of his labor. He sells or withholds, as it may seem best to him. He negotiates, and thus rises to the dignity of an independent contractor. Not only has the laborer conquered his political and personal freedom, he has achieved industrial freedom as well."—(Gospel of Wealth.—Carnegie).

The "selling and withholding" takes place in West Virginia, Pennsylvania, Kentucky, Montana, Albany, Manitoba, Vancouver Island, Nova Scotia, The Rand, British engineering trades and coal areas,—and we recall also memories of the Homestead riots where Mr. Carnegie very well upheld his end in the "bargaining" process.

This calls to mind the remarks of Sir Francois Lemieux, Chief Justice of the Superior Court of Quebec, made at the Conference:

"Many times the courts have been blamed for their supposed hostile attitude towards labor. This accusation is unfounded and sometimes utterly baseless. They lie in the assumption that the courts are responsible for the social and economic grievances of labor."—"Province," Vancouver, 19th August, 1921.

"Sometimes utterly baseless," says Sir Francois, which, of course, means "sometimes" not. A statement like that, applied particularly in the U. S. A. at the present time, is to be regarded as nothing other than a joke—a popular legal fiction. If the law as constituted stands in the way of regulating labor in the interests of capital, then the case is made to fit such suitable section of the law as may apply. Canada imitates the course in a small way, but effectively.

As to the impartial judicial mind and the manner of its appointment to the bench, Chief Justice Hunter, of the Supreme Court of B. C. is quite candid. At the Bar Association convention he said that "such appointments were made on a basis of 75 per cent. politics, 10 per cent. religion, 10 per cent. geographical location, and 5 per cent. legal attainment." Of course it is! Nobody but the lawyers pretend to believe otherwise. The only matter that may be questioned is the matter of proportion in "attainments" determining appointments.

Charles Dickens caused Mr. Bumble to proclaim, "the law is a hass," but it is not. Emerson said the same thing of the devil, quite as appropriately. The law operates as a corrective to the consequences of a class society. Like the divinity department administrators, the legal profession try to build up the assumption of a superior moral code. The sanctity of property, of which they are the guardians, demands it. Honorableness lies in accord with a veneration for the property foundation. But, as Belfort Bax says, the one administrator of the law, the judge, "cannot be regarded in any more honorable light than its other 'administrator,' the hangman."

When the working people of any civilized country prove troublesome to their masters at any time the name of the law is at once invoked. If they are very troublesome, all the agencies of the master class will be employed to unite in presenting a case against them. As workers they are to be regarded as likely law breakers, this concept having, perhaps, a more reasonable basis than appears at first sight. The worker's task is to work for the profit of his master at the master's behest. All the powers of State regulate the performance of the task and guarantee to the employing class the product of labor. The law recognizes the product as the private property of the employer. Here end labor's rights and its interest in the law. Justice is wrapped in the garments of property right, and its administration by the law is given in terms of the standards and concepts of property right. The moral standards are in accord. The sanctity of the law is the sanctity of private property, the mainstay of the Honorable Men.

NO MORE WAR?

THE universally observed "No More War" demonstrations have hardly had time to adjourn when the thought of war as a likely happening again on a big scale takes shape. Greek and Turk have been contending since 1919 over Greek occupation of Turkish territory, and the bigger interests of the Allied governments have been from time to time brought to the surface in consequence of the various antagonisms and alignments shown in Asia Minor.

It has been British policy for years to control, directly or indirectly the Port of Constantinople and the Straits. With Turkey under German political influence Britain appeared willing to look upon Russian influence as a lesser evil in Turkish affairs. The Secret Treaties made public by the Soviets revealed that fact. Since the Armistice, in the interplay of politics in the near East the mistrust existing among the Allies has united in mutual watchfulness in the joint occupation and administration of Constantinople. Since then the Allies have been in divided council, a condition which has been to the strategic advantage of the dispossessed Turk, operating from Angora. He has managed to find ground for agreement in some measure with France and a Treaty was made about a year ago, the clauses of which are still unknown. The appearance of it is that France has "backed the winner," as the newspapers say. The situation is a little more complicated than that how-

ever. Allies have a habit of quarrelling with one another under changing circumstances. The Turk-Angora government last May entered into a Treaty with Soviet Ukraine, recognising existing boundary lines, cancelling mutual debts, entering as far as possible into trade and diplomatic relationships and undertaking joint resolve to secure for Russian produce freedom of passage through the Straits. Thus Russia, recognised in 1915 by the Allies in this connection—to the extent of promised domination of Constantinople at that time—makes the position of the Allies more complicated than ever in Turkey. The newspapers talk of a Holy War. Holiness has nothing to do with the matter. It is true that religious caste and creed holds the traditional Greek and Turk divided. Religious intolerance has been subject to and used by political and military influence for the furtherance of its purposes, extended toward the control of desirable territory or routes of trade. How often have the "Turkish atrocities" been featured, and how often have the Greek Christian horrors been suppressed in report. Cruelty is not the monopoly of any one religious creed, nor of any one race either. But its advertisement may be exploited and is exploited regularly nowadays for the furtherance of "spheres of influence" and the sanctioning thereof by political sentiment.

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No More War, as a cry for international peace is attractive to those good people who don't realise what wars are about or what causes them. So long as the issue or the point of possible conflict of interests remains undefined, so long as comparatively peaceful times reveal no decisive, quarrelsome question that may on surface appearances give cause for war, the good people pass harmless and generally well meant resolutions. As soon as the question takes definite shape and becomes wrapped in the garments of nationalism, bolstered up with its attendant patriotism, to which is added the support of the press, the pulpit, the business interests, all concentrated on imposing upon the public mind a code of war morals—generally for freedom's sake, and that on both sides—when the question is then brought forward definitely the good people forthwith "join up" for freedom's sake! Quite obviously, "No More War" means nothing at all while the conditions exist that bring war forth. Socialists anyway have no such illusions. The one real last war is the class war. When that's over we'll have peace, and not until then.

HERE AND NOW.

Clarion readers who have been anxiously awaiting Here and Now totals issue by issue have been rewarded by the appearance of a total in the last two issues (and in this one) that is a little more weighty than in the dark days of yore. The dark days we hope are gone, never to return.

But you can't be too careful. The totals have been maintained largely through the efforts of comrades here and there who have managed—adroitly—somehow—to extract a dollar from people who had destined it to other purposes.

Which means to say that to maintain the totals we depend on the interest of Clarion readers. Don't keep a good thing to yourself. Pass it along.

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