

# THE COMMONWEALTH

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WEEKLY; ONE PENNY.

## NOTES ON NEWS.

ON Saturday, 7th, another Trafalgar Square victim was buried with the "honours of war." William Curner, member of the Deptford Liberal Club and N.S.S., was at Trafalgar Square, got bludgeoned, arrested, and in the approved law'n'-order fashion sentenced to fourteen days for doing nothing. The inquest is not finished, and so we do not know all particulars, only enough to make it sure that his death lies at the door of the police. The society to which he belonged gave him a public funeral, in which the Law and Liberty League and Socialist League took part.

He died at home, poor fellow, or there would have been an attempt to smother the affair as at Pentonville, where a man, named Frost, who died from ulcer in the stomach, was kept on gaol diet which he could not eat, and did not eat for *eight days*. He was taken five times to the doctor, who disbelieved his statement, and suspected him of pretending to be unable to eat; the doctors knew he was suffering from chronic bronchitis, yet they reported, "There is nothing the matter that we can detect with the man." This falsehood they admitted they told, but—"out of consideration for his friends!" A letter written by the deceased, dated December 17, seen by the deputy-governor two days afterwards, was suppressed on a pretext of illegibility, and another sent to his wife in its place—the "unreadable" letter contained a clearly-written statement that the two prison doctors "had taken a dislike to him from the first, called him an old impostor, and would do nothing for him."

They had resolved to carry out at all costs their preconceived opinion, and as the poor devil did not fit their ideas, so much the worse for him! Proved up to the hilt as it was, the jury passed by the contradiction between the man's actual state and needs, and the doctor's view and treatment of him, rendering a verdict of "natural causes," while the coroner said "the jury had no concern with the suppression of Frost's letter. That was a question of prison discipline, and if the friends felt themselves aggrieved, they were at liberty to complain to the prison authorities."

As he was only a prisoner for burglary, and a poor man, nobody seems to care about it all, save the *Pall Mall* and ourselves, any more than they do about the conduct of Barendt of Bootle, a doctor who refused to see a dying man "as he was in evening dress and going to a ball!" At this the coroner "expressed dissatisfaction," but the jury, being partly composed of men who would have done the same thing, disagreed, and would add no rider to their verdict.

"The policeman" (P. C. Broad, 120 B) "had trumped up a false charge and not told the truth," said Mr. Partridge at Westminster on 15th. Commenting whereupon the *Pall Mall* says: "If he had said 'deliberately perjured himself,' he would have stated the fact. We have not yet heard that Police-constable Broad, 120 B, has been promoted, but that no doubt will come in due time. If such zealous officers are to be discouraged in this way by magistrates, how can the *esprit de corps* of the force be kept up!"

Broad struck a man who happened to push against him on the pavement, and being out of his awe-inspiring blue-with-buttons, and having no truncheon wherewith to knock his victim senseless, he ran away. Meeting a comrade on duty he returned with him and gave the man into custody whom he had hit, on a charge of assault. Happily he could bring witnesses and got off; but how differently he would have fared if his assailant had been armed with his truncheon, and "corroborative" (police) evidence, to first knock him senseless and then swear away his freedom!

Even Mr. Edlin's best efforts failed on Thursday to convict the drummer Hatwell, who was assaulted by the police in Holborn in flagrant violation of Warren's parole. The Treasury adjourned the case from last sessions because they saw the jury was in favour of justice, with the result that after all another jury has found Hatwell not guilty. Although this was one of the best known cases arising out of the suppression of the right of public meeting in London, not a single daily newspaper save the *Times* and the *Pall Mall* is frank enough even to notice the acquittal. A conviction they would probably have reported by the column.

Scene, Piccadilly; Time, Sunday (New Year's Day) morning. Respectable tradesman walking along; to him enter a man who takes him by the collar, saying "Here, I want you!" The tradesman, with visions of battle, murder, and sudden death before his eyes, calls loudly for the police. A constable standing near comes up at once, but instead of helping him, says to the other man, who it seems is a plain clothes officer, and therefore a privileged garotter, "If you want any help I will give it you."

Thereupon the pair dragged the man through Regent Street to the Vine Street police-station. In vain he asked to be taken in a cab, and equally in vain why he was so treated. "You will know when you get to the station," said the officer. At the station he was charged, to his great surprise, with trying to pick pockets. It was only when he had tendered his card and convinced the inspector of his respectability that he was allowed to go, the inspector warmly wishing him a prosperous new year and assuring him that the little mistake would not become public.

However, the tradesman was not quite satisfied, as indeed might be expected, and went to Mr. Newton for redress. Mr. Newton did credit to his name by finding that the best way of settling the matter was for the tradesman to write to Warren—who from his usual ways and manners may be expected to promote the policeman and reprove his victim for making the affair public.

Speaking on Friday at Dundee Lord Aberdeen sought to reassure those who "were deterred by an impression or misgiving that the concession of self-government to Ireland would in some way or another be a concession to Socialism." He affirmed that "the national instincts and tendencies of the Irish people are not Socialistic," etc., etc. Lord Aberdeen may believe all this, and it is in one sense true. The Irish have been so long slaves to an alien power that their idea of liberty is a slavish one, native slave-owners—or *land-owners* if you will.

But let them once have bitten the Dead Sea fruit of political liberty without economic freedom and they will range themselves under the red flag beside their fellows of other lands. In this sense self-government for Ireland is a step toward Socialism, and a long one. And as to their "instincts and tendencies," the Irish are not so unlike other folk as some would have us think, they are "men like unto ourselves"; if anything, they are fitter for Socialism than most peoples, being less commercial.

Mr. Blunt's appeal has been rejected, and he is in the jail where he is to expiate his "crime." No one, I suppose, expected any other result from the appeal, although a good deal was said about the illegality of his arrest both before the trial (if we must needs dignify it with that name) and afterwards. What is the use of passing a Coercion Act if it has meshes wide enough to let such fish slip through as one's avowed political opponents? Meantime, let us say that now Mr. Blunt is in prison, we will not forget that he spoke out well and boldly for the poor people in Egypt who were condemned to similar torture there by our English stockjobbers.

Apropos of this trial, the *Pall Mall Gazette* asks in a straightforward leader, "Is there any right of public meeting?" Our contemporary, one would think, does not ask the question because it does not know the answer to it, which is a short one enough, "NO." But one may expand the answer by explaining to those who have not thought about the matter, that in a "constitutional" country there is liberty enough for every one belonging to the privileged class, but no liberty for any one else; and what sort of liberty of public meeting is that privileged class likely to allow to "any one else" who is attacking its privilege openly?

The Radical clubs of Hammersmith have sent a delegation to the Metropolitan Board of Works, asking them to adhere to their bye-law as to the newly-acquired Ravenscourt Park, setting aside a portion of it for public meetings, whereas the Hammersmith Vestry have passed a resolution asking the Board to alter this. I may inform those who do not know Ravenscourt that it is a very large tract of ground, and that it would be easy to set aside a part of it for public meetings without in the least spoiling it for recreation. In fact, the Vestry are simply following their kind in trying to put a stop to public meetings in Hammersmith. Considering how much recreation ground will be in and about Hammersmith, it will be preposterous if the inhabitants

have no regular meeting-place allotted them; but no doubt the local curmudgeons will take any excuse they can to put a stop to free speech in this neighbourhood. One would think that there was something hurtful to the public pleasure in a political meeting judging from the way that our Bumbles are dealing with the matter; whereas, to put it on the lowest grounds, a political meeting is a pleasurable excitement to most people who are not very "superior persons." The Hammersmith clubs must be congratulated on taking action in this affair, and it is to be hoped that they will not let it drop. W. M.

## LAW AND WAR.

(Continued from p. 3.)

It is, however, urged that if a system were once started in conformity with justice, it could be amended as occasion arose and circumstances altered. It is impossible to frame a system which shall be just to the infinite variety of the wants of man; I do not mean only his bodily wants, but the necessities and aspirations of his whole nature. It is unlikely, so unlikely as to be outside the need of consideration, that such a system, even if started by infinite wisdom, could be amended from day to day. We are at this moment practically under the law, which was imposed on a large part of Europe by the Roman Empire, and which has lasted from Justinian's time for some 1500 years. His time was that of the decay of the Empire, a decay due to the action of the principle embodied in the established law. It is the principle of *contract*, of gambling with futurity; it treats every man as a liar, and bids us entangle each other with engagements, whose meaning in the present is doubtful, and whose bearing in the future is quite in the dark. Yet the system, when put in form, that is codified, has lasted on with its essential character unaltered, for some fifteen centuries more, and has in that time ruined many another society. It is a signal instance of the curse of an established law, a signal proof of the enormous difficulty of really amending it when once established.

We may go farther back than the Roman Law, eight hundred years farther back than Justinian, and see that even the law as established was only another name for the interest of the stronger. Socrates, one of those men put to death by the privileged class, because he spoke the truth plainly, is discussing the nature of justice with one of the ordinary politicians of the day. The latter expresses himself with cynical frankness thus: "There are different forms of government, tyrannies, democracies, and aristocracies, the Government being that which has power in each state. And the different forms of Government make laws democratical, aristocratic or tyrannical, with a view to their several interests; and these laws, which are made by them for their own interests, they deliver to their subjects as justice, and punish him who transgresses them as a breaker of the law and unjust. And that is what I mean when I assert that in all States there is the same principle of justice, which is neither more nor less than the interest of the Government; and as the Government must be supposed to have power, the only reasonable conclusion is, that everywhere there is one principle of justice, and this is the interest of the stronger."<sup>1</sup>

The interest of the stronger, the interest of the governing classes, that was what was enforced under the name of justice 2000 years ago. It seems to me that "the reverential attitude which befits Force in the presence of Justice"<sup>2</sup> is seen as little now as then, and that our Law and Government, though they call their place "Palace of Justice," rest on force and not on reason, and constitute therefore a state of war.

War is any set of circumstances in which a question is settled not by discussion and the use of reason, but by force. There need not be fighting to make war. An army is reduced by starvation, by wet weather, by toilsome marches, as much as by the actual storm of battle. Moreover, a body of soldiers, posted near to a battlefield, though not actually fighting, is counted as giving assistance by their presence. Thus, in so-called peaceful society, the vast body of police and soldiers, though they seldom actually fight, are always present as supporters of those whose business it is to enforce the law. We are, in fact, all engaged in enforcing the law, some actively, and more by supine acquiescence.

That it is the intention of the privileged governing classes to carry out the law by force, before any question of its justice is admitted, is very clearly expressed by conspicuous members of those classes both in deeds and words. Strikes are battles in which the weapons on one side are semi-starvation, and on the other the prospect of commercial ruin. There is a very serious strike against rent now going on in Ireland, and in regard to this various representatives of the governing classes have expressed themselves clearly enough. Lord Hartington, for example, finished a speech at Newcastle on February 2, 1877, by saying: "So long as you recognise the right of the landlord to any enjoyment of his property at all, you cannot dispense with evictions." He was here alluding to the brutalities of the Glenbeigh evictions. He then went on to urge people "to assist the Government to enforce the law," and ended up with: "In order that these measures (emigration, etc.), may be undertaken, in order that such a policy may be undertaken with any prospect of success, it is necessary, first of all, that the law and the supremacy of the law should be established."

Again, Sir Michael Hicks-Beach, Chief Secretary for Ireland, said in the House of Commons on January 28, 1887, "We are pledged to

maintain the Union, but it is worse than useless to maintain the Union, and it would be better to have separation, unless with the Union we maintain the reign of law in Ireland." That was characterised as a memorable declaration. It may, at least be taken as the openly expressed determination of the governing classes, to enforce their claims, regardless of mercy and justice, as at that very time, and right down to the present time, the law has been enforced in Ireland, by a series of evictions, in which men and women, infants and the bed-ridden sick, have been treated with cold, formal brutality, we see what the enforcement of the law means. It means now what it meant in the case of the negroes before the extinction of chattel-slavery, a few years since in America. Many feel this, but somehow, whether in America, or England or Ireland, our hands are raised in horror, only when not engaged in the self-interested work of enforcing our own legal claims. If the choice, which the bright imagination of the Jewish mind once offered, between seven years of famine, or three months of war, or three days' pestilence, were before us now, we might well follow David, and choose either of those calamities, which did not bring us under the hand of legal war.

The fact that from the earliest periods of history law has not been in accordance with justice, but merely the expression of the interest of the stronger, is, I think, due to the corrupting influence of any legal system when once established.

We may please ourselves with imagining some system of law, originally framed with a straightforward, reasonable attempt to make it just. It could not long continue without creating privileged classes. For if the law as it stands at first is just to all, it must become unjust to the members of the next generation, not only because the whole generation changes, but also because its members and their surroundings differ from each other in ways unthought of before. Thus in the second generation, one kind of man gets more than his due, or than was intended, and another man less. So we have at once a privileged class and an impediment to reform.

Let us suppose for a moment—a ludicrous hypothesis, but it will serve for an illustration—let us suppose that the rents fixed for Ireland under the Land Act of 1881 were fair and just, and such as to allow all small tenants to live decently. Since 1881 prices have fallen, and rents which were just in 1881 are now unjust. Besides this, the prices of agricultural produce have fallen very unequally, so that the farmer producing one kind is scarcely affected, while one, whose farm produces another kind, is ruined. Here, then, is a simple case, in which an arrangement made only four or five years ago acts unequally, and in a way not intended, and this too not from any change in the persons concerned, but because some petty surrounding circumstances have altered. Hence the attempt to be just by means of a fixed law has in these few years actually created a privileged class, namely, those whose rents still allow them to live decently, while others are ruined.

Even with the best intentions it would seem, then, that no fixed system of law can avoid the creation of privileges; and then it cannot be amended without touching class interests of some kind. Amid the infinite varieties of life, and with the impossibility of looking even a small way into the future, any such system, however wisely and ingeniously set going, will rapidly become related to people in all sorts of unexpected ways, will, in fact, include privileged classes of many kinds. Any man who attempts to introduce alterations, whether towards fancied or real improvements, can only do so by treading on this or the other privileged class.

Suppose, for example, that a railway bill is to be passed through Parliament. A great deal, no doubt, is said about the good of the country, but the terms of the Bill are really between the two great parties, who bribe each other by compensation for some imagined injury. The question where the compensation really comes from is never brought forward, nor is it pointed out that of every threepence paid for passenger fare, or for goods carriage, one penny goes off to some injured interest, and another to another.

If we take a wider range, we find the same war of privileges. Just lately there were *fishing riots* at Ostend, and something similar at Nova Scotia. If we look at any account of these disputes, as, for example, one given in the *Pall Mall Gazette* of August 30, 1887, we find over and over again the following phrases: "The privilege that the foreigner has enjoyed for so many years has not been reciprocated"—"a spirit of rivalry and resentment has grown up"—"this malice must be put down by the strong arm of the law"—"the Belgians object as much to the competition of the French as of the English"—"we must protect British interests"—"we must obtain . . . privileges . . . in foreign ports," and so on. There is not one word in all this to suggest that the dwellers on the two sides of a narrow sea, whether we call them foreigners to each or not, are in fact much more nearly allied to each other in race, religion, language, and history, than the different sections of the "British empire." To speak of "protecting British interests" and of "obtaining privileges in foreign ports," to threaten that in the defence of privileges "the strong arm of the law" shall intervene between the dwellers on the two sides of the narrow sea, is as unnatural as it is for these same privileged classes (for these are the persons alluded to in the words *British interests*) to forward in their own country their own private ends, by the process of competition, and by rousing the evil spirit of rivalry.

C. J. FAULKNER.

(To be continued.)

A ballad-singer was sentenced at Dromore last week to one month's imprisonment for singing a ballad having reference to a proclaimed meeting.

<sup>1</sup> Plato's 'Republic,' Bk. i.

<sup>2</sup> Victor Hugo, 'Notre Dame de Paris.'