

# THE COMMONWEALTH

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## NOTES ON NEWS.

THE debate on the Crofters was treated as one expects important subjects to be treated in the House, and as a matter of course those who were anxious to keep these poor people from starving because they are not allowed to use their own land, had no chance at all before the advocates of the snob-made solitude called a deer-forest. The utmost that their rulers think they can do for them is to transport them (some time or another) to some place where they do not want to go. It is sickening to read the speeches of these tyrants and prigs, talking (but not understanding) scraps of Malthusianism, when one considers that the poor people are actually at the point of sheer destitution, and that if they were treated with something like reason, there would at least be breathing space for them.

There is a certain pleasure in being able to say to one's enemy, "Well, do you know I quite agree with you there." Mr. Balfour has given us the opportunity for this pleasure, since he has (at last) found out that the Irish agitation is at bottom socialistic; or in other words that its ultimate aim is not a parliament at Dublin more or less after the pattern of the ignominious assembly in London, but the welfare of the Irish people. Strange to say, his discovery leads to no practical consequences, and he remains still opposed to Home Rule.

Indeed he finished his speech in a way that would make even a pro-pagandist Socialist stare with wonder who is accustomed to the humours of the debates which follow his lectures. Not even the man who says, "Mr. Chairman, I have not heard the lecture and do not know what the subject of it is, but I should like to say a few words in opposition"—not even this genius can quite equal Balfour's impudence. "The laws of property are made much more for the advantage of the poor than for the rich." I am glad to say that the Irish members laughed at this joke.

If one believed that Balfour had not had his tongue in his cheek when he said this, one might ask him to alter this a little and say, "the laws of property are made more for the advantage of those who have no property than for those who have it." But as a matter of fact, his phrase is only a measure of bourgeois hypocrisy in this country, which not only knocks a man down and robs him, but is not ashamed to say at the same time, "My friend, it is for your benefit I do this, in order to stimulate your industry."

This is not the only country where the immigration of "foreign paupers" is a difficulty. America has the same trouble, only the "foreigners" there are many of them English. We are to have an article in the forthcoming *Century*, says the *Daily News*, which suggests a passport system for immigrants, so as to prevent the landing at American ports of all criminals, paupers (say Highland crofters), Mormons, Anarchists, and the depraved classes generally.

Good! So much for keeping out those who are *not* there, but how about getting rid of those that *are* there? What's to be done with the "native American" thieves who live on other people's labour? the "native American" criminals who murder their political opponents by the safe process of false witness in a law court? With the "rogue and whore" varnished over with gentleman and lady, of which "native American" society (like our's) is so largely composed? If the Americans set themselves seriously to getting rid of their "depraved classes," 'tis thought that house rent will fall heavily in the "genteel" quarters of New York, and Wall Street will be quiet enough.

Well, well! so it goes on! let us pass our paupers on if our neighbours will but have them; and if they won't—Well, the Romans fell before the barbarians whom they despised, but who were at any rate *without* their society; while our barbarians are *within* ours! Would it not be cheaper and safer (let alone humanity) not to manufacture paupers and criminals, if we find them so hard to deal with when made?

Do people doubt that our destroyers are in the midst of us? I fear they do. It was thought even by "advanced" persons that John Burns was either joking, or speaking with the extravagance natural to a man who had recently suffered from the hideous den when he spoke the other day so heartily, and wisely also, about pulling down

Pentonville. Will people never understand then, not even Home Rulers and extreme Radicals, what our prison system means? Must we Socialists teach them even this? Pentonville must not compete with the slums, or its terror will be gone; and a very little more and it would compete with them. Therefore its diet and discipline must be on such a scale as is a torture to a gentleman like Graham, or even an artisan like Burns. If only Pentonville could be pulled down before revenge overtakes us for this folly and cruelty! W. M.

The defeat at Doncaster is mournfully submitted to by the Home Rulers as a check to their chance of College Green. But there is at least as much danger to them in such Liberal victories as that at Southwark. There is a danger of the Liberals proving too successful. What if they obtain a majority without counting the Irish party? In that case they are just as likely to pass a Coercion Bill as a measure of Home Rule. It would be a repudiation of their election pledges, certainly; but that is one of the inevitable incidents of the septennial system. If the Home Rulers are wise, they will help the Liberals enough to make them dependent on the Irish party. One vote beyond that will make them quite as dangerous to their present allies as the Tories are. G. B. S.

## SOCIALISM AND LAW.

ONE of the most curious objections urged by our opponents, and yet one we are constantly having to refute, was that put forward by a speaker at a recent discussion at Clerkenwell—namely, that the establishment of Socialism must tend to the multiplication of laws. I have called the objection curious, but think it more than that, for it shows with tolerable clearness, on the part of those who advance it, first, an utter lack of analytical power of thought in the consideration of present society, and second, what we must judge to be a constitutional incapacity for analogical deduction in gathering therefrom the probable form of a future society founded on a Socialistic basis.

To take first the consideration of present society, this apprehension has, I think, its birth in the minds of many individualists, primarily from the habit of superficially regarding existing laws merely as well-intentioned but essentially empirical human expedients for the welfare of society; expedients which at the same time may be regarded by them as invariably mistaken, fussy and meddling, and often pernicious.

It is not difficult to see that such a false and wholly inadequate view of the science of law-making is in reality one result of the failure to recognise the first great fundamental truth, that society as at present constituted, far from being a heterogeneous assemblage of ill-assorted units without guide, aim, or bond, is one clear and distinctive stage in social evolution, having for its basis one all-powerful ruling principle which either creates or moulds all its laws and governs all its institutions—*private property*.

Some time since, in a valuable analysis of criminal law in relation to Socialism, comrade Bax divided, if I remember rightly, the penal code into three great classes intended to deal with (1) offences against property (the largest to a considerable extent); (2) offences against the person (to a great extent actuated by want, or resultant on ill-distributed wealth); (3) sexual offences. Applying the same method of analysis to the civil laws, we shall find that they in like manner can be classed under one of three heads—1st, laws relating to property; 2nd, laws relating to imperial and local government; 3rd, laws relating to individual action and liberty.

The first is of course immeasurably the greatest class, embracing as it does all laws bearing on the relation of landlord to tenant (a class in itself), recovery of debts, inheritance, private "interests," and the thousand and one marvellously ingenious legal contrivances impossible to enumerate. In this class also would have to be included all those modern laws, miscalled Socialistic, but in reality opportune expedients rendered necessary to nullify in some measure the dangerous results of private property.

The second class, a comparatively small one, would be better subdivided by (1) laws relating to central or bureaucratic government, comprising the foreign, home, and other offices and departments, fiscal, army, navy, and other lines of defence, etc.; and (2) those relating to purely local matters—parish and municipal affairs, gas and water supply, public buildings, poor laws, etc. Here it is well to bear in mind that even under the present system the laws comprised in this