

### "OUR POLICY."

"We would simply take for the community what belongs to the community—the value that attaches to land by the growth of the community; leave sacredly to the individual all that belongs to the individual."—Henry George.

## THE SPIRIT OF THE BRITISH CONSTITUTION.

The British Constitution Association is an interesting body ostensibly formed "To resist Socialism, to uphold the fundamental principles of the British Constitution—personal liberty and personal responsibility—and to limit the functions of governing bodies accordingly." Its monthly organ is entitled "Constitution Papers," and it deals with current public events from the peculiar standpoint of the Association. We may confess that we always look forward to its appearance with curiosity and interest, as it generally frankly reveals the spirit animating its mostly highly placed and highly respectable members. The most remarkable article we have ever seen in it, however, appeared in its July number, entitled "The Overthrow of the Constitution," by no less an authority amongst its members than Dr. Thomas Baty, the contents and purport of which will, we are sure, specially interest our readers.

In its opening paragraphs the author joins issue with Mr. A. J. Balfour's recent statement at the Constitutional Club that—"By our Constitution the majority for the time being represents the whole community." This moderate statement, the acceptance of which is certainly necessary to the peaceful working of the British Constitution as it exists, is summarily dismissed by this great constitutional authority as being "Rousseau's antiquated fallacy . . . it is as though the taller of two violent disputants were to claim to speak for both, which is manifestly ridiculous." Wisely, however, Dr. Baty refrains from formulating or even suggesting any principle to take its place, and from informing his expectant readers how "the general sense of the community," in accordance with which, as he himself emphasises, "the attempt must be made to govern," can be ascertained if we are to reject the opinions of the numerical majority of the duly elected representatives of the citizens as in any way revealing it.

Still Dr. Baty holds that—"It is this exaggerated deference to the opinion of the numerical majority on the part of the Constitutional leaders (under which term he evidently here denotes the Tory leaders in the House of Lords) which has hampered them so lamentably in dealing with the Parliament Bill," of which he holds that "the Anti-Home-Rule clause has alone been treated seriously." "The calculation is," he continues, "that the Commons will reject it, and that an appeal to the country will result in an Anti-Home-Rule majority," which would once again place the Government of the country in the safe hands of

official Conservatism. Dr. Baty is not at all sure of the correctness of this calculation, which he says "may find itself seriously wide of the mark. The country does not love the Nationalists, but it is not now frightened by Home Rule. . . . If the Conservatives rely on repeating the victory of 1886 in the altered circumstances, they would surely be wise to have a second string to their bow"—we shall presently see of what material the Constitution-loving Dr. Baty thinks the second string should be made.

Before divulging it, however, he throws cold water on another hope of official Conservatism in the following noteworthy passage:—

"There is another element in the calculation which may prove fallacious. Not a few speakers on the Conservative side have adverted to the certainty that the swing of the pendulum will sooner or later bring the Constitutional party back to office. Is it such a certainty? When once politics have developed into an attack on vital interests, the alternation of parties ceases to have effect. The dominant interest itself develops internal parties when that stage is reached, and the only 'swing of the pendulum' is thenceforth within its own ranks. Do we look for Conservative majorities in Ireland?—or even in Scotland. We are faced by the fact that the Ministerial party is now the organised expression of the self-interest of the artisan class and of the bureaucracy which exploits it. Why should it ever go out of office? To pin one's faith, in the face of this appalling consideration, to some hypothetical pendulum, executing a hypothetical swing, is sheer recklessness."

With this view we are inclined to agree. If the Liberal leaders are wise, bold and well-advised, we, too, see no reason why they should ever go out of office! For we, too, recognise that we are faced by the fact that the Tory, Conservative, Unionist, or Constitutional Party, whichever *alias* they prefer, has for centuries been the organised expression of the self-interest of the landlord classes; it first disfranchised the workers, then robbed them of their inheritance, their God-given and constitutional right to the use of their native land and to share in its ever-increasing value, and thus condemned them to life-long continuous toil, without enjoyment of the present or hope for the future, to life-long helpless poverty, and all the misery, vice, ignorance, degradation, and degeneration that poverty entails on its unfortunate victims. We are face to face with the fact that after long generations of helpless misery the workers have at last awakened from their long and troubled slumbers, have awakened to the fact that they must learn to help themselves—that those who would be free themselves must strike the blow to shatter their fetters. In the Liberal or Ministerial Party, as at present organised and constituted, they have found a capable and willing instrument ready to their hands, to voice their needs, to become the organised expression of their aspirations, to carry out their unflinching demand that neither custom

nor force, but social justice, recognising and enforcing the equal claim of all to life, shall be made the foundation-stone of the social conditions to which they have to conform, which mould their lives and determine their destinies. Truly, if only they are faithful to this high and sacred mission, there seems no reason why the Liberal Party should ever go out of office!

However, it is in the vain hope of hindering, if not preventing, the constitutional accomplishment of this mission that Dr. Baty would forge his second string to the Conservative bow, the nature of which he reveals in the following paragraph:—

“It is surely wiser to recognise the fact that the conventions of the Constitution have become hollow and unmeaning. That the decisions of a class majority must perforce be registered by the Legislature is a conclusion so repugnant to common sense, that the necessity of cutting adrift the hoary convention of the supremacy of the House of Commons becomes apparent. Sooner or later, the attempt must be made to govern in accordance with the general sense of the community, whether the party majority of the House of Commons likes it or not.”

This is plain speaking with a vengeance! If it has any meaning at all, it can only mean that some such body as the British Constitution Association should usurp the power “to govern in accordance with the general sense of the community,” as interpreted by its members, whether the majority in the country or in the House of Commons likes it or not. Nor is the learned doctor at all appalled by the few difficulties in the way, though these might well appal more practical men, for he immediately expresses his opinion that:—

“Such a Government, supported by the best elements of the country (*sic.*), will find, *ex hypothesi*, no difficulty in carrying on its work. It may have to be unconstitutional: that only means that it will be modern, and that it may break the letter of the Constitution to preserve the spirit.”

The specious plea of every despot who has ever attempted to enforce his will upon his fellows: such is the doctrine avowed in their official organ by the members of the British Constitution Association. It would be interesting to know whether such of its members as Lord Balfour of Burleigh, Lord Hugh Cecil, Lord Robert Cecil, to say nothing of the ubiquitous Mr. Harold Cox, the present President, are prepared to endorse this doctrine, and to act upon it. To enforce such a Government upon the country would be a task worthy even of a Cecil; but we have not imagination enough to picture either Lord Hugh or Lord Robert undertaking the necessary action.

To return to Dr. Baty. Though avowedly willing to entrust a Government “supported by the best elements of the country”—*the* elements, of course, who think as he does on public questions—with unchecked power, even to the extent of “breaking the letter of the Constitution,” he still thinks that—“It is reasonably clear that a stand will have to be made”—by him and his “best elements of the country,” we presume—“sooner or later, against the pretensions of the proletariat to unchecked power,” by the establishment, it is to be inferred, of some such Government as he has already indicated. Hence arises “the necessity of cutting adrift the hoary convention of the supremacy of the House of Commons,” the unstable basis of which he indicates in the following passage:—

“What basis does the parroted convention of the Constitution rest upon, that Ministers who are defeated in the Commons must dissolve or resign? On the calculation that the House will refuse them supplies. But what House of Commons, in order simply to affront half the electorate, will disband the Army and Navy in the

face of Europe, and disorganise the public service from which their friends derive such handsome emoluments? The fact is, the Caroline formulæ have become hopelessly obsolete. The statesman who realises that formulæ must correspond with facts has the future at his feet. But we do not recognise his appearance yet.”

Here our author suggests that rather than face Europe in a defenceless position, the people of Great Britain would tolerate a domestic tyranny, such as the Stuarts and George III. in vain attempted to establish. If these were the only alternatives, he might have some basis for his hopes; but they do not exhaust the possibilities of the situation. However, to complete his picture the belligerent doctor should have told us to whom the supremacy is to be entrusted, if “the hoary convention of the supremacy of the House of Commons” is, in accordance with his advice, to be cut adrift. On this supremely important question the doctor, in this article at least, does not give us the slightest information. He concludes his article with the following touching words:—

“It is easier to purchase temporary peace by concessions to the dragon than to embark upon a sharp conflict in which the combatants would risk all. On the other hand, the dragon grows stronger, and its appetite keener, every day. Is there no possibility of invoking a Perseus who is indifferent to risks?”

Surely there is; for the good doctor himself has already invoked him, though he may not come at his call. A Perseus armed to the teeth to rescue the ancient maiden of established privilege and to overthrow the dragon of Democracy who threatens her existence. Dr. Baty is but deluding himself and his followers, if he has any, with false hopes. The dragon of Democracy has nothing to fear from such men, from old, obsolete, hoary sophistries such as these. It can be satisfied only, not by breaking the letter of the Constitution, but by enforcing its spirit.

For what is the spirit of the British Constitution? Even though consistently ignored in his reasoning, nowhere have we seen it better expressed in words than in Dr. Baty's own article, where he says:—

“If there is one thing which characterises the spirit of the Constitution, it is this, that no person or class shall exercise arbitrary power over other persons and classes.”

True! And it is just because this spirit has been ruthlessly ignored and trodden under foot by those entrusted with its preservation and enforcement, because they have secured to themselves and their class “arbitrary power over other persons and classes,” that Democracy is to-day arising to demand in no unmeasured terms that such infringements of the spirit of the Constitution shall cease, that social and political privileges shall be abolished, that no person or class shall henceforth be allowed to exercise arbitrary power over other persons or classes, but that, on the contrary, equal rights to equal opportunities shall be secured to all, favours and privileges to none. Such, indeed, is the spirit of the British Constitution; such is the aspiration and the inspiration of the awakening dragon of Democracy, which no Perseus, however armed and however supported, can subdue. Such also is our aspiration and our inspiration. Not civil war, not class war, but peaceful and constitutional evolution toward Social Justice and Economic Freedom.

L. H. B.

The intelligence required for the solving of social problems is not a mere thing of the intellect. It must be animated with the religious sentiment and warm with sympathy for human suffering. It must stretch out beyond self-interest, whether it be self-interest of the few or the many. It must seek justice. For at the bottom of every social problem we shall find a social wrong.—HENRY GEORGE.