

## Causerie

BY THOMAS N. ASHTON

### SHOCK ABSORBERS

**B**RAVE men of brain and brawn long have battled with the enervating effects of their self-imposed tax system. Taxes to the right of them—taxes to the left of them—into the valley of bankruptcy our brave men have blundered; into the valley of chaos rides two hundred thousand times six hundred.

Yet ever and anon some brave soul invents a gadget—or perfects a plan—whereby society may be succored in its misery without disturbing the cause of its miseries succurrere disco. That's it! To raise taxes without hurting too much. Ah, if we could but find that metaphysical point of maximum efficiency in taxing industry to the hilt without invoking the law of Diminishing Returns upon our hare-brained, hapless heads!

To this end serious souls have lain awake o' nights cogitating upon the lucubration of lessening the impact of taxes upon ability-to-pay.

Comes an inventor with an invention to succor society from the succubus and succuba of its own tax torture.

This time it's shock absorbers.

The idea is simple.

"Government policy should be directed to maintaining a condition of moving equilibrium between farm incomes and city incomes—that is, it should soften the shocks of adjustment of the farm industry to changing economic conditions."

Don't you think that's a swell idea—or don't you?

Nothing could be simpler. All we need is governmentally to provide a spiral-shaped, round and resilient gadget for quickly interposing between the seat of the farmer's jeans and the toe of the tax assessor's boot.

Does that make it clearer and more inviting?

"We have always had a farm problem," sez the shock-absorber economist.

Surely, no one who has read "Progress and Poverty" will contradict this statement by the professor. Under our present tax system the farmer can reap naught else but headaches from tax-bill to tax-bill—from loss of market to loss of market, season in and season out.

"Farmers in the past have suffered from five kinds of disturbances: disturbances in price levels, technological change, or mechanization of farming, political changes induced by the world war—principally the growth of the policy of economic nationalism, population changes in the United States, and changes in consumers habits."

Obviously, the farmer must be secured against this five-way fee-fo-fum, and the first thought which occurs to us is that the Legislature "orter pass a law" preventing the consumers from changing their habits—preventing them from changing anything but their linen. This might be the first step in shock-absorber stabilization.

We've tried price fixin'—'taint so hot.

Political changes, like the poor, we have always with us. That's out.

The technological changes might be precipitated into the two distinct elements of mud and water by the Technocrats. There's a possibility.

Population changes might be placed under the authority of birth control boards and thus relieve the farmer of that headache.

These merely are suggestions for consideration by those economists whom are too busy to read George's "Science of Political Economy."

"There is not one farm problem, but many; the problem of the sharecropper in the South; of the wheat farmer in Kansas; of the lemon grower in California; of the dairy farmer in New England, and many other types of original problems."

In short, there are as many farm problems as there are farms.

"The main problem is how far shall the power of the state be used to give the farmers of the country an assured economic position."

With customary courtesy, and in keeping with professional policies on economics, the problem of constructing an efficient shock-absorber is left in your laps.

### CLOSED SHOPS

Vice-Chancellor Berry, holding court in chancery for the State of New Jersey, has ruled that a contract providing for a closed shop in that State is "unlawful and unenforceable." He employs the words of a United States Supreme Court decision, as handed down in 1892, to the effect that

"Whatever enthusiasts may hope for, in the country every owner of property may work it as he will, by whom he pleases at such wages and upon such terms as he can make; and every laborer may work or not, as he sees fit, for whom, at such wages as he pleases; and neither can dictate to the other how he shall use his own, whether property, time or skill."

This freedom to contract is the Utopia which we hope to see established someday in these United States. It bespeaks the only everlasting mode for continuous harmony between employer and employee. Unfortunately we are not living in Utopia. Unfortunately neither the tax-assessor nor the union delegate will permit that happy state to come to fruition; the statute law requires otherwise of the assessor and the law of survival compels the employment of labor delegates to offset the ravages wrought by our tax system.

Alexander Hamilton expressed the conviction (*Federalist No. 79*) that "a power over man's subsistence amounts to a power over his will." In those twelve words lie the key to the economic duress which, since the enclosure of England's commons, has never failed to prevent the Anglo-Saxon laborer from exercising a true freedom in

working for such wages as he pleased, when and where and with whom he pleased.

It is therefore futile for the New Jersey Court, or any other court, to speak so emphatically and conclusively in regard to legal rights concerning so-called freedom to contract. Whilst the instant case may be settled insofar as New Jersey's judicial cognizance is involved, the case, and all other cases similar thereto, are not in fact settled. The victorious litigant may feel elated and constrained to applaud the decision and to commend the wisdom of the court, nevertheless, the defeated litigant undoubtedly is smarting under the sting of economic adversity and he begins to question the sanity, the humanity and sanctity of the judiciary. The unionist knows, full well, what his lot would be in this distressed nation *if* the labor union was not at hand to combat the natural urge of employers toward longer hours and less wages. The unionist knows, full well, that his unionized faction of society (small in fact) has its greatest obstacle—under the existing order—in the non-union worker. Being men of little, or no, or erroneous learning they have but one method for reaching their objective of higher wages and shorter work-days—the method of coercion.

These legal determinations of economic problems can have but one final consequence—the distrust, disrespect and even contempt of more than ninety per cent of our population for the judicial branch of government. This untoward attitude plainly has been displayed during the recent sit-down strikes in our automobile-factory disputes. It is idle to attempt to command the laborer's respect for our courts of law. Respect must be earned by him, no matter how exalted his position, who desires the highest regard of his fellowmen.

It would seem, therefore, that inasmuch as the judicial branch of government is, supposedly, the most learned—that inasmuch as this branch continually is at grips with matters founded in economic duress—it behooves our learned jurists to add to their learning in the subject of political economy; to speak from the public platform, betimes, in regard to the erroneous economics which infest our statutes and which restrain unbiased judges from rendering true justice between man and man; to inform the public that no laborer is really free to contract as long as monopoly prevents a laborer from working for himself at better wages than those offered by an employer.

For our jurists to stick to their legal knitting despite the words of Hamilton and of his successors who similarly have spoken; for our courts to eternally hand down decisions which conflict with the law of survival; there can be but one consequence—public antipathy toward our courts.

"The exemption of (judicial) salaries from diminution," said Justice Holmes in *Evans vs. Gore*, 1919, "is intended to secure the independence of the judges" for the

reason stated by Hamilton. The true independence of the laborer, against diminution by economic duress, is just as essential and just as inevitable—whether it requires years or centuries to accomplish that end.

Though it is not the official duty of the judiciary to criticise statutes and customs before the points are brought in case, it is, nevertheless, its duty as several citizens of society to lend their efforts toward establishing sound laws, sound taxation and true freedom to contract. To say that the laborer of today, or of yesterday, or of tomorrow is free to take a job or leave it—under the existing order—is to say that a judge is free to refuse to deliver up his wallet at the point of a gun held by a determined thief; the judge is free to refuse and free to forfeit his life. Judicial decisions predicated on such freedom—albeit unwittingly—can have but one, very serious, consequence.

The freedom to contract cannot survive—nor society with it—except that freedom be true in every sense of the word.

The judiciary has been endowed, ostensibly, with the very best of educations; it holds the ultimate authority over social affairs; it occupies the supposedly highest office in government; it speaks with authority and finality insofar as government has provided; but it is subject to the same laws of Nature as is the lowliest laborer who suffers defeat at the Bar in his struggle to use force against the ostensible wisdom of judges, legislators, executives, and so-called capitalists with all their wealth and benefit of education.

The closed shop of labor has its faults, without question, but this institution is inevitable as long as the closed shop of erudition is not receptive to enlightenment on Henry George's treatment of the science of political economy. The closed shop of erudition was instituted when our "best" colleges, universities and law schools reached unanimity in defending the present tax system. The open shops of Dove, George, the French physiocrats, and of their followers, are anathema to the closed minds of those who cling to error as long as it is popular and desired by donors of wealth. Erudition's closed shop must, at all costs, preserve the economic freedom of our pourers of tea and wrist-watch slummers; it must maintain the brass-monkey dignity of professors of political economy; it must preserve the economic platitudes, sophistries and aphorisms which come in meteoric showers it must safeguard the Nervous Nellies' indecision in getting out of the rut of obvious economic twaddle; it must secure the political jobs of those who have the faculty of saying undisputed facts in a Vesuvian way; and to do all this it is content to let Labor drown its misery in beakers of Blatz whilst society continues its hell-bent sprint to Gehenna.

#### EXPERTS

Exactly one century—one hundred years of the ceaseless tide of time—has passed since a memorable "depres-