

Judicial Sacrosanctity.

As judge-worship in the United States is borrowed from Great Britain, along with her dear love of a lord (the latter for use here only on the strict q. t.), these remarks about British judges by T. P. O'Connor in the Chicago Tribune of June 18, with Winston Churchill's excoriation of British judges for his text, is instructive:

While the Tory papers are raging and some of the more decorous Liberals are silent, and while Mr. Emmott, the Deputy Speaker of the House of Commons, has condemned the language of Winston, and he was the other day silenced by a combination of Mr. Emmott's ruling and the angry shouts of the Tories, there is not the smallest doubt that he has given voice to the pent-up feeling of the masses and of the whole Liberal party. This feeling has been created by the judges themselves, with that strange arrogance which so often besets and entices and finally destroys privileges, impartiality, and fair play. The first offense was committed in the election petitions. Under the old law, whenever a petition was presented against the election of a member to the House of Commons, on any ground, the petition was tried by a committee of the House of Commons. That committee was formed on party lines, and its decisions, as a rule, were influenced largely, if not entirely, by party consideration. If the majority of the committee were Liberal, then a petition against a Liberal was pretty certain to be dismissed; if it were Tory, and the petition was against a Tory, similarly the petition would probably be treated in the same manner. When the suffrage was reduced and the masses of the people were for the first time allowed to have the vote and a share in the government of their country, it was determined that all politics should become more honest than it was in the old days of class ascendancy and wholesale corruption; and as a part of this reform the trial of election petitions was removed from the partisanship of the House of Commons to the supposed impartiality of the judicial bench. It was not long before it was discovered that politics had gone from the frying pan into the fire. For the supposed impartiality of the judicial bench was discovered in many cases to be a pure figment of the imagination. In one respect the judicial bench of England stands supreme in the history of the world. It is in all pecuniary matters absolutely without stain; a suspicion even of pecuniary corruption has never been whispered; I doubt if it has ever been entertained by anybody in the country. But those who know the judges best were the first to laugh at this idyllic picture of them as men entirely liberated from the ordinary class and party prejudices of the rest of mankind. Superstitions, however, die hard, and the faith in the absolute impartiality and the Olympian detachment of the judge from ordinary human weakness persisted for many years. It was not till time after time the judges gave undeniable proof of gross partiality that people here began to revise their estimate.

This bit of British history, in absolute conformity to human nature, should attract American attention just now. It confirms the growing and very

sound American opinion that judge-worship is dangerous to popular liberties when judges make law and plutocrats make judges.

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The Lorimer-fund Treasurership.

While swearing that he was not treasurer of any Hines-Lorimer corruption fund, Edward Tilden discloses bookkeeping habits that would make him ideally competent for treasurerships of that kind.

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Logic, Its Uses and Abuses.

Various versions of Woodrow Wilson's expression of contempt for logic in a speech at Portland having fluttered through the newspapers of the country, we are glad to get from C. E. S. Wood in the Pacific Monthly what is doubtless the literal version. Some one in the audience had interrupted one of Governor Wilson's six Portland speeches at a point where he said he had not yet been able to see the advantage of the Recall for judges. "You are illogical!" the auditor shouted; and Governor Wilson made this instant retort: "Yes; I am. Whenever I am illogical I am pretty sure I am right, for in the complexities of human life the logical man generally is bumping against human nature." Paradoxical as it may seem, this is true. But the reason is that "the logical man" who "is generally bumping against human nature" is not logical; or, if logical, his logic proceeds from false or imperfect premises.

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Whether Governor Wilson was indulging in one of those rhetorical figures that are categorized with long names in the old rhetoric books, we don't know. His allusion to "the complexities of human life," and the paradoxical spirit of his retort, make the retort sound like such a figure; and no one can deny that he was fully within the rights of a public speaker if he intended to startle an auditor into doing some re-thinking, by seeming to be contemptuous only of a certain type of logician. Yet Governor Wilson may be one of those schoolmasters whose thought ripples along the surface so helplessly that when their processes of logic and their observations of human nature conflict they say, "There is no logic!" somewhat (and for this we have Scripture) as when they think that God doesn't work in harness with them, they say "There is no God!" We do not at all incline to believe this of Woodrow Wilson. His thought isn't as superficial as a

literal interpretation of that Portland retort would imply; and his sense of humor is precisely of the order from which such a retort might be expected as a rhetorical device for piercing some thick intellectual hide.

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Like double-entry bookkeeping, logic may produce false results from either of two causes. It may be used imperfectly; or, though used perfectly, it may proceed from false or imperfect premises. And inasmuch as it often is used imperfectly, or with reference to false or imperfect premises, it often does bump against human nature—that is, against common sense. But when in bookkeeping absurd profits or losses appear, we don't blame the double-entry system; we blame the bookkeeper. We ask if he may not have fallen into some such error as that of the Scottish "clerk," who astounded his employer with an improbable increase of nearly £2,000 in the profit balance, by inadvertently "adding in the Year of our Lord." If that employer had said, "Double-entry is a bad system, Sandy!" Sandy would have understood the figure of rhetoric. Why not treat Governor Wilson's remark about logic with similar consideration?

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In seriously pointing out the importance of doing this simple justice, as well to logic as to Governor Wilson, before throwing that highly useful science into the scrap heap or the Governor over the rail, we have a dreadful feeling of solemnly trying to explain a Woodrow Wilson joke. But really and truly there is no joke about it. The disposition of "the logical man," on the one hand, to adopt absurd conclusions because he thinks them logical, and of "the scholarly man," on the other hand, to abandon logic because it gives him absurd conclusions, combine to make serious assaults upon the integrity of thought. To deery logic has become an educational fad among the tutored. They seem to be deliberately adopting what in derision their type of scholar was once wont to call "a woman's reason—because!" This swingback from the absurdities into which scholastic logicians had plunged human thinking—also, let it not be forgotten, from the hard economic truths it has now and then disclosed to the consternation of special pleaders for Privilege—is not without its value; but the reaction may go too far. Even as a Woodrow Wilson joke it might come back to pester the joker. To say of a public man that he glories in being illogical, might affect him as unpleasantly as to say of a college president that he advocates tobacco

chewing to stimulate thought, and Governor Wilson knows how unpleasant that is.

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The Risks of Capital.

Once it was argued that capitalists ought to get better pay than laborers because capital incurs risks. Could that argument hold its own against the incident of a few days ago in Chicago when a laborer fell from the twentieth story of a skeleton skyscraper, and was caught by the coat by a laborer on the nineteenth story and his downward flight thus deflected sufficiently to throw him across a beam on the eighteenth? He will recover from his injuries. His rescuer returned to his work. Laborers incur very grave risks these days.

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Woman Suffrage in Washington.

We of the middle West, and our brethren of the East still farther removed from the seat of information, have been regaled, to our pleasure or pain according to the point of view, with veracious news dispatches—so very newspaperly veracious!—about the awful experiences of Tacoma with woman suffrage and the wicked Recall. The whole story, circumstantially and truthfully told, may now be read in the *Pacific Monthly* of Portland, Oregon, under the signature of C. H. Baily. Eastern readers will be surprised, no doubt, at the title, "How Washington Women *Regained* the Ballot." It is not generally remembered that Washington women ever had a ballot to lose and then to regain. But they had. They got it of the Territorial legislature, and lost it by two decisions of Territorial judges appointed by President Cleveland—decisions which, according to the *Pacific Monthly's* story, were judicially indefensible. How well the regained suffrage works in Washington, from the viewpoint of good citizenship, is illustrated in that story by this experience of "one of the shrewdest politicians in the Pacific Northwest," who made a careful study of the recent Recall vote in Seattle and the councilmanic vote that followed:*

For nearly two hours he pored over the figures. At the end of that time he tilted back his hat, turned to a number of his friends and quietly said: "The women paid no attention whatever to the newspapers, to campaign literature, or to what our workers said to them. They went out, studied the situation for themselves, and voted as they d——d pleased. The old-line politician is as dead as a door nail. The women have revolutionized politics."

That this revolution is revolutionary in its nature and not by accident, is indicated by Judge

*See current volume of *The Public*, page 297.