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EDITED BY ARTHUR BRENTON.

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# THE NEW AGE

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## NOTES OF THE WEEK.

We have a good deal more to say about Lord Hewart's book *The New Despotism*.\* Last week we asserted that the fundamental issue was the conflict between Financial Law and Civil Law. Against this background Lord Hewart's brief description of Administrative Law will be seen to present some most impressive significances. He enters into this description because apologists for Departmental lawlessness frequently suggest that it is identical with Administrative Law. He shows that it is not. Administrative Law is a system of law which exists in France (*droit administratif*) and in most other European countries. It differs from the English conception of the Rule of Law in the following fundamental respect, that whereas in England there is one Law for all suits, there are in those countries two codes of law for two categories of suits, the one, the "Common Law," having jurisdiction over the mutual relations of private citizens as such, the other the "Administrative Law," having jurisdiction over the relations between private citizens and public officials. One practical outcome of this juridical dualism is that a public official is not answerable for any act of interference with the liberty or rights of citizens if he can show that it was an "act of State." Neither are agents of the Government similarly responsible for acts done by the orders of a superior. So far it would appear that there is no practical difference between the operation of the single and the dual system. Nevertheless—

"Administrative Law . . . whatever else may be said or thought about it, is at any rate a form or branch of law. The essential idea which underlies and gives meaning to '*droit administratif*' is not that State officials, in their dealings with private citizens, are above the law, or are a law unto themselves. It is rather that the positions and liabilities of State officials, and the rights and liabilities of private individuals in their dealings with officials as such, form a separate and distinct chapter of law, which depends upon principles differing indeed from the principles of the ordinary law.

\*Published by Ernest Benn, 215. Obtainable from the Credit Research Library, 70, High Holborn. (Postage 6d.)

but nevertheless legal principles. Nor is it that the rights and liabilities of private individuals in their dealings with officials as such are matters which are beyond or beneath the reach of established legal procedure. It is rather that for these matters a special procedure is provided, which has its own Courts, its own cases, its own precedents, and its own methods."

So, though there is this reservation of a special class of suits for "Administrative" jurisdiction, the fact and the nature of the reservation are known and recognised by the public. There is no secrecy. Furthermore, the private citizen who is aggrieved by any act whatsoever official or otherwise is able to bring his grievance before some Court; and that Court does hear, and does determine the matter in issue; and, finally, in so determining the matter it does come to its decisions conformably with well-understood principles, and uniformly with preceding judgments. Although the special Courts, as distinct from the ordinary Courts, are more or less closely associated with the Government, the "judicial element," as Lord Hewart calls it, is never absent. If we understand his Lordship, it would seem that, supposing Administrative Law had been in force in this country a few years ago when the Health-Insurance legislation was passed, it would have been open for a medical practitioner who was fined or struck off the panel for "excessive prescribing" to bring a "test case" before a special Court. True that the Court might have upheld the action of the Ministry, but at least only after weighing evidence and arguments. And when it had delivered judgment every member of the public would have known where he stood, and could have taken care to avoid committing the kind of offence then adjudged to be punishable. An even more important consequence is that the public would have been able to consider for themselves the question of the essential—the humanistic—"rightness" of the judgment as distinct from its legal correctitude. Let us put a case. Say that a Doctor Jones had been penalised by the Ministry for the offence of prescribing radium treatment for Mrs. Smith of Walworth, and had brought the matter before a special Court. The case for the Ministry would be that the "country" could not "afford" to allow doctors in

general to prescribe expensive treatment in general. The case for the Doctor would, without doubt, be that in *this particular instance* such treatment was vital and urgent, and his plea might rest on the fact that Mrs. Smith had cancer in the neck. He might be able to inform the Court that the treatment had begun to arrest the growth of the cancer at the time when the Ministry intervened and surcharged him for the excessive cost. Now, however intimately the Court were associated with the Government, it would be impossible for the Judge to ignore his responsibility to the governed. Imagine such a Court adjourning for lunch on the day of the hearing, and receiving an intimation, upon resuming, that Mrs. Smith had just passed away, and not without some little difficulty, since the cancer had broken through to her throat and choked her.

It should now be realised that though Administrative Law may be inferior to the English system of "one Law for all suits," it is immeasurably superior to the Departmental system of "no Law at all for some suits." It is indeed a grim joke to mention the two in the same breath. Lord Hewart describes at length another device of Ministers with regard to their autocratic orders, this being to go behind the backs of the Commons round to the back door of the Courts to get rulings from Judges on points of principle embodied in those orders. Where such rulings have been given (and Lord Hewart quotes several examples from history where Kings have secured them) their authority has been used to exclude persons from access to the Courts. The excuse is made that their cases have been antecedently decided in principle by the Judges and that there is no object in troubling the Judges to try them in detail. In this way the Judges themselves have been manoeuvred into ceding large areas of their proper jurisdiction to despotic government. The Judges have, for a long period, resisted this pressure. But, as Lord Hewart remarks, when Kings resorted to it they did so openly, with the result that everybody knew what they wanted, and decided not to let them have it. But to-day the same illicit objective is being followed by subtle methods. Lord Hewart adduces as the most recent case the Government's Rating and Valuation Bill, 1928. In that Bill was insinuated an innocent-sounding clause which read as follows:—

4. (1) If on the representation of the Central Valuation Committee, made after consultation with such associations or bodies as appear to them to be concerned, it is made to appear to the Minister of Health that a substantial question of law has arisen in relation to the valuation of hereditaments or of any class of hereditaments for the purposes of rating and that, unless that question is authoritatively determined, *want of uniformity or inequality in valuation may result, the Minister may submit the question to the High Court for its opinion thereon, and the High Court, after hearing such parties as it thinks proper, shall give its opinion on the question.*" (Our italics.)

Lord Hewart gives copious extracts from speeches made against this clause in the House of Lords by Lord Hanworth, Lord Merrivale, Viscount Haldane, Lord Atkin, and himself when the Bill was sent up. The result of their criticisms was that the Government had to drop the clause. Lord Hewart, when congratulating the Government on its decision, remarked: "This was a proposal to convert His Majesty's Judges into departmental solicitors."

Notice the justification put forward by the frustrated bureaucrats. They wanted powers to secure "uniformity" in valuation and (therefore) rating. Now uniformity is one thing when it refers to judgments resting on any well-established legal principle, or a combination of such, but it is quite another thing when it refers to the fine details of

administration. For it is in the application of these details that the impact of principle is felt by the individual. Let us refer back to the hypothetical cancer-case. As the bureaucrat would look at the general position he would say to himself something like this:

"The people's collective health must be looked after, but there must be a limit to the collective cost. 'Uniformity' of administration requires that there shall be a flat limit to any individual cost. Therefore any doctor who exceeds that cost must suffer a deterrent penalty. 'Excessive prescription' must be made a legal offence."

Now, supposing this bureaucrat, by virtue of a similar clause to the one under consideration, could go to the High Court and get a ruling on his conclusions from his premises. How could the Judges, within that frame of reference, help but affirm the principle which he sought to establish? How could they say that whereas the allotted collective expenditure for treatment had been legally limited by the authority of Parliament, individual doctors should be permitted to prescribe what they thought fit without regard to cost? It would be equivalent to giving a ruling that the doctors could alter the law. But under the above clause the Judges would be obliged to give a ruling (notice the "shall" in the passage) and the rule would of necessity be that which the bureaucrat was out to secure. And that which the bureaucrat was out to secure they now imagine the equivocal position in which they would be placed if they gave it, and then soon afterwards realised the logic of their decision in the particular case of Mrs. Smith of Walworth. As a matter of fact Lord Hewart is able to quote a case where a rule was given in principle and afterwards was rejected by a Judge who had affirmed it. A clause in the Local Government Act, 1888, provided that:

"If any question arises, or is about to arise" (about the transference of certain powers between various public bodies) "the question may . . . be submitted to the High Court of Justice in such summary manner as subject to the rules of Court may be directed by the Court; and the Court, after hearing such parties and taking such evidence (if any) as it thinks fit, shall decide the question." (Lord Hewart's italics.)

Recourse was had to the application of this clause in 1891 and 1894. In the former case Mr. Justice Vaughan Williams, as he was then, giving judgment, said:

"We hope that the principle upon which these answers are given sufficiently appears. We may in some cases have been mistaken, owing to the exact facts not having been brought to our notice."

"The remark was prophetic," proceeds Lord Hewart.

"In 1898 the decision in both cases was over-ruled in *Theford Corporation v. Norfolk County Council* (1898, 2 Q.B. 468). Giving judgement in the Court of Appeal in this later case (which was a real, not a hypothetical, case), Lord Justice Vaughan Williams said (at p. 483) that he was 'fully satisfied' that his previous decision 'was wrong,' and that he had put a construction upon the material sections 'which I am now satisfied they will not bear.'" (Our italics.)

"Yet," remarks Lord Hewart, "this expensive lesson seems to have been thrown away."

It is no wonder that Judges have consistently sought to guard themselves against premature judgments and have insisted that every suit must be tried on its particular merits. It is precisely these "particular merits" which the bureaucrats wish to exclude, because in a vast number of cases the "merits" include humanitarian considerations; and these, the bureaucrat finds, always impede the performance of his job or render it more expensive to perform, or both. Thus an independent Judiciary such as we have in England comes to be regarded as an obstacle to what is called "efficient" govern-

ment, or what would more exactly be described as ruthless government—government under which Mrs. Smith dies to balance the Budget. It is not surprising, therefore, to hear of an attempt to make the personnel of the Judiciary subject to bureaucratic nomination. It is a proposal, which has already been discussed in the Press, to abolish the office of Lord Chancellor and create a Minister of Justice to perform his functions. Lord Hewart discloses the core of this intrigue when he says that if ever this change came about, and one day a judicial visitor to this country were confidentially to ask some permanent official of the Ministry of Justice: "Tell me, who really selects the Judges in England?" the answer might easily be, in actual and sober fact,

"I am the person who really selects them. The Minister of Justice is but a transient, embarrassed phantom, here to-day and gone to-morrow. But I am always here. Mine is the knowledge, mine the experience, and the task of the Minister is simply to ratify my decision."

Nobody with ordinary knowledge of the pressure of political considerations on appointments of this sort needs to hear this warning elaborated. The Judicial Bench itself has already suffered at times from appointments so influenced. The Lord Chancellor, whose duty it is to nominate people for seats on the Bench in the Supreme Court of Judicature, possesses most convincing qualifications for the responsibility. As president over the ultimate tribunal of appeal it is necessary, as the statute requires, that he should be qualified by long experience in the study and practice of the law. As a rule he has previously held the office of Attorney General, the head of the Bar of England. With regard to the potential Judges which come within his field of choice, the Lord Chancellor has watched them grow up; he has actually heard many of them in the conduct of cases before the House of Lords, and is able, from personal knowledge, and his own skilled judgment, to assess their relative merits. This knowledge has given him the confidence and the courage to resist external attempts to affect his choice. Lord Hewart quotes an example of the effect:

"It is not many years ago since a certain Lord Chancellor, when a Cabinet colleague entered his room, addressed him in some such words as these: 'Now, I know exactly what you have come about; you have come to urge me to appoint one of the Government's supporters in the House of Commons to the vacant judgeship; you will not, I assure you, mention his name to me unless indeed you wish to prejudice his chances; I am perfectly willing to believe that every one of my colleagues in the Cabinet has in his pocket, or up his sleeve, the name of at least one member of Parliament who, in his opinion, is a fit and proper person to be appointed to the Bench.' The rebuke, for such it was, and was intended to be, had on that occasion the desired effect. But how much more difficult it would be for a purely political Minister to take such a stand, and how much less likely he would be to take it."

It will be useful here to draw a parallel between the attempt to secure a new sort of Judge, and another attempt, now approaching complete success, to secure a new kind of industrial administrator. In both cases the objective is to secure ultimately principles of credit-finance. The policy industrial field they are evicting private directors from salaried managers who are either actual agents of the banks or are trained accountants whose science is based on the aforesaid financial axioms. Private directors have hitherto been independent in two respects: (1) They could give as much or as little information in their Reports as they thought prudent in the interests of their companies, provided that they did not break the law; (2) they had complete discretion as regards the proportion of their profits that they distributed as dividends.

From the bankers' point of view, as lenders of credit to industry, these liberties of the "capitalists," so to call them, were not compatible with the security of the loans. The banking interests naturally desire to get instant and accurate knowledge, at all times, of how any company is faring, because in the event of a decrease in profits, or of any indication of the likelihood of such a decrease, the banker wants to "appear on the scene" to withdraw his loans "before the bottom falls out of the market," as the Lombard Street official of Barclays once said in Court. But they used to have to wait six or twelve months at a time to get their information, and, when they did get it, it was not always in such form as they wanted it, and sometimes it was misleading. Directors are not prone to shout loudly about a bad patch of business: one of their reasons for reticence is the very reason why the bankers want frankness; the other is that the directors foresee a better time coming and do not wish unnecessarily to cause nervousness among either their shareholders or their suppliers of material, etc.

Again, the bankers' solicitude about distribution of industrial dividends is easily explained by the fact that reserves of undistributed profits are the best guarantee for the repayment of bank-credits out on loan. Debenture-securities are all very well, but the right to foreclose on these tangible assets does not guarantee that they will fetch any particular sum of money. The new idea will be seen to embody the same doctrine of "uniformity" as was indicated in the Rating and Valuation Bill cited previously. It enables the bankers, through approved administrative agents, not only to control the distribution of profits, but antecedently and necessarily to control the fixing of prices. This objective is the more easily reached by the process of merging industries into trusts, and, more insidiously still, into so-called "public" corporations. Fundamentally this system is one of general taxation visited on consumers or on shareholders, according to how one chooses to consider it, for the purpose of safeguarding a special sectional interest. Neither class of victims has any means of effectively resisting the process. Shareholders have, it is true, a legal right to vote on the policy of the business they invest in, but since the weight of the individual's vote is measured by the value of his holding it is not worth anybody's time and expense to attempt to organise collective opposition.

We do not, of course, expect this parallel to be recognised as relevant to the juridical issue except by people who have studied the credit-question thoroughly. But any reader would grant us its relevancy if he had good reasons for challenging the validity of the financial axioms from which these economic restraints proceed. We do challenge their validity; and our reasons have been stated and explained week by week for ten years, without eliciting any answer from the financial authorities. It is vital that such an answer should be forthcoming if it can be made, because on this issue depends whether the Rule of Law shall revise the operation of Bankers' "Departmental Orders" to protect the liberties of private consumers, in the same way as it has in the past protected those of private citizens against bureaucratic Orders.

We must refer again to the question of Administrative Law. It has been shown to be opposite in principle to "Departmental lawlessness." And, with all its shortcomings to the English mind, it does create an antidote to its potential abuse in the countries where it is operating. At least it does so in France. In that country, by reason of the fact

that administrative law and common law existed together, and were both recognised as authoritative, there arose issues in regard to which both authorities claimed the right of adjudication. Accordingly, in 1872, a "Conflict Court" was established "to decide questions of conflict of jurisdiction as between the administrative and judicial Courts. This Court consists of nine members, three elected by the Judges of the Court of Cassation (the highest Judicial Court) from among themselves; three by the Council of State (the highest administrative tribunal); two by these six members (usually one from each side), and the last the Minister of Justice, who is *ex-officio* President. One great advantage of this Court is that its name and existence are a perpetual reminder that two kinds of Law are in force, implying that there are two kinds of justice for the individual—for if both aimed at a common justice there would be no intelligible object in maintaining them separately, much less a reason for their clashing. The Court of Conflict, in such a case, could be re-named the Court of Coalescence, and be invested with the prerogative of universal jurisdiction after the model of our own Constitution. There is a further, inferential, advantage. The separation of the two Laws must suggest comparisons, and we suppose we are right in assuming that the French people have been afforded plenty of material for making comparisons insofar as they have made themselves acquainted with the evidence and arguments that have taken place in the Court of Conflict. But, however that may be, we are safe in saying that the average Frenchman has, just as any other civilian would, many practical reasons for disliking the operation of the official Law, and is psychologically ready to deride its sanctity. The mere fact that on occasions high juridical authorities are to be seen challenging the jurisdiction of the "official" authorities, would tend to stimulate this impulse. If we are right in this reasoning, it would account for such episodes as the experience of the Englishman in France which we have referred to once or twice in these Notes. He was running a business there, and was subject to income-tax. One day his return-form came along. So he filled it in truthfully and sent it back. What happened to it then no-one can tell (or will say), but the next thing he heard about it was when a deputation of eminent businessmen in the locality descended upon him the following day urging upon him his duty to them as a fellow citizen to scale his income down for taxation purposes. If he told the truth he would, as we should say, crab the market for the rest, besides putting himself to unnecessary expense. This story exhibits with a vengeance the application of the doctrine of "uniformity," but not quite in the form in which our own bureaucrats would appreciate it. There is little room for doubt that the beautifully effective method of avoiding "inequalities in valuation"; and if so, it is just what might be expected of these minor officials, who, formally protected by Administrative Law, have to live their lives in communities not so protected. For in France when anything offends the people they do not wait to find out the authority ultimately responsible but proceed to "take it out of" the nearest official at hand. A stone through the Mayor's window is more telling logic than a Petition to the Chamber. So, after the manner of Mr. Micawber, the local tax-collector would reflect: "Uniformity by scaling incomes down—happiness: uniformity by scaling them up—misery." And "happiness" would have it.

From this point of view Lord Hewart's influence for securing the removal of official autocracy is greater than would appear. As he himself points out, there is no reason to suppose that the Civil Service is consciously supporting it. And what is

certain is that there is no minor official or agent who comes into contact with the victims of these Orders, and sees the effect of their incidence, who has not a hearty distaste for his job. There is an enormous amount of potential support for Lord Hewart's crusade, and it can be mobilised provided that his indictment is not construed as an indiscriminate attack on the whole Service.

We alluded incidentally to his suggested remedies last week. We will now enumerate them.

1. The repeal or amendment of the worst of the offending sections in Acts of Parliament.
  2. The prevention of similar items in future enactments.
- These require "simply a state of public opinion" and what is necessary to create it is "simply a knowledge of the facts." He mentions two methods that could be adopted "easily and immediately."

1. To form in each House of Parliament a Committee to examine every Bill as it is introduced for the objectionable clauses in question. This would be its express and exclusive function. Other Committees could be formed for cognate purposes if thought desirable.
2. To get some at least of the leading newspapers each to appoint an able member of its editorial staff to subject every new Bill to the same scrutiny, not merely occasionally or at the suggestion of another, but regularly and as a matter of course.

The success of these methods depends upon the Press. We have examined several newspapers of November 1 for reviews and comments on Lord Hewart's book, but have not seen the slightest indication in any of them that his suggested methods have even been read, much less that any newspaper is willing to adopt the second. *The Times* gives most space: it publishes a long review and a leading article. *The Daily Mail* has a leading article. *The Star* publishes a special article by A. G. Gardiner. *The Daily Herald*, nothing. *The Morning Post* and *Daily Express* about a column each with four inches which want some finding. *The Evening Standard* a conspicuous headlines. *The Daily Chronicle* about a two-column article with double-spread headlines by Edward Shanks. The whole of the matter, speaking comprehensively, there is nothing but a description of the general argument of the book, written in a these-things-didn't-ought-to-be vein. The nearest approach to any interest in what ought to be done about them is in *The Times*, which remarks how "opportune" it was that the Government had announced the appointment of a Commission of Inquiry into this very matter on the very day when Lord Hewart's book on this very subject happened to come out. The writer of the separate review in *The Times* also remarks on this opportune-ness. Apparently neither reviewer nor leader-writer knew that the book has been promised for the last two years, and that the date of publication was known a fortnight beforehand; or are we to regard their remarks as an example of studied *naïveté*?

*The Daily Telegraph* has been publishing the book (or chapters from it) serially during the last week or two, so the Government has had full opportunity to time the date of its announcement of the Commission. The coincidence of date is itself an astute piece of work by the bureaucrats; for most people who opened their papers on November 1 and saw the Government's announcement side by side with Lord Hewart's indictment naturally thought to themselves: "Good; then there is no need for me to trouble about the matter." Probably most of them even skipped the reviews, not to speak of ignoring the book itself. As a matter of fact Lord Hewart did not ask for a Commission; and whatever the reason the omission was consistent with his main argument. Time and again he points out that the

## SNOWDEN ENQUIRY.

The following letter has been sent to some hundred or so newspapers by the Vigilance Committee formed a week or so ago by members of the Social Credit Movement:—

Sir,—In March, 1927, a public petition was presented to Parliament by Rear-Admiral Beamish, praying that "a full, impartial, and public inquiry should be made into financial principles and policy, and their effect upon prices, taxation, and employment." This petition was signed by some 28,000 persons, representative of all walks of life, and in addition was officially supported by fifty-one Local Government Authorities, representing nearly 2,000,000 of the population.

Although the Right Hon. Reginald McKenna and others have made a similar demand on several occasions subsequently, the Government has taken no action until now, when Mr. Snowden promises an inquiry into the relations between banking and industry.

We are impressed with the seriousness of the national situation, and write to utter an emphatic warning against restriction of the scope of the inquiry within any narrower bounds than those of the petition quoted above. The inquiry needs to be conducted in public, and by persons fully representative of producers and consumers.

We believe it to be of the utmost importance that the terms of reference should not be limited to an examination of financial organisation, but that the underlying principles of the financial system and the policy pursued should be specially brought under review.

During the past eight years especially, our basic industries, though capable of far larger output than ever before, have suffered severely from financial stringency, unemployment has been on an unprecedented scale, and the population has been very generally subjected to extreme insecurity and a lowered standard of living.

It is urgently necessary, therefore, to inquire what modifications in policy are necessary to enable the financial organisations to distribute the overwhelming productivity of modern industry; and, to that end, what change, if any, must be made in the financial principles upon which the policy of these organisations is based.

Unless the inquiry is conducted on the lines we have indicated, we are convinced that nothing substantial will be done, and the problems will be shelved—perhaps once too often.—Yours, etc.,

- G. Stafford Allen, Esq., Stafford Allen and Sons., Ltd., Long Melford.  
 Shipley N. Brayshaw, Esq., Brayshaw Furnaces and Tools, Ltd., Manchester.  
 Wm. Bellows, Esq., Gloucester.  
 G. Bloomfield, A.C.I.S., General Treasurer, National Union of Clerks and A/W., London.  
 Charles Carter, Esq., Carter and Co., Ltd., Poole.  
 J. A. Crabtree, Esq., J. A. Crabtree and Co., Ltd., Walsall.  
 George Garnett, Esq., G. Garnett and Sons, Ltd., Apperly Bridge.  
 A. L. Gibson, Esq., Holmes, Widlake and Gibson, Sheffield.  
 Phillip Godlee, Esq., Simpson and Godlee, Ltd., Manchester.  
 W. C. Goodbody, Esq., C. A. and W. Goodbody, Ltd., Plymouth.  
 Dr. Alfred E. Garvie, Principal, Hackney New College, Hampstead.  
 J. Edward Hodgkin, Esq., Darlington.  
 T. B. Johnston, Esq., Managing Director, Pourtney and Co., Ltd., the Bristol Pottery, Bristol.  
 John S. Kirkbride, Esq., the Old Hall, Lowdham, Notts.  
 H. E. B. Ludlam, Esq., Typographical Association, Coventry.  
 Robert O. Mennell, Esq., Tuke Mennell and Dodds, Ltd., London.  
 Sydney W. Pascall, Esq., Jas. Pascall, Ltd., London.  
 Wm. Dent Priestman, Esq., Priestman Bros., Ltd., Hull.  
 Maurice B. Reckitt, M.A., Guildford.  
 Howard D. Rowntree, Esq., Wm. Rowntree and Sons, Ltd., Scarborough.  
 Arthur Sisson, Esq., M.I.Mech.E., Gloucester.  
 Charles H. Smithson, Esq., Joseph Smithson, Ltd., Cravenedge Mills, Halifax.  
 Reginald Sorensen, M.P., Walthamstow.  
 Rev. Malcolm Spencer, M.A., Hon. Sec., Christian Social Council, London.  
 Angus Watson, Esq., Angus Watson and Co., Ltd., New-castle-on-Tyne.  
 Jas. Edw. Tuke, Hon. Sec. to the Group, Tuke and Bell, Ltd., 1, Lincoln's Inn-fields, London, W.C.2.

bureaucrats themselves have to grant official local inquiries in certain circumstances; but he decisively rejects these as safeguards for the public because the official who presides is in most cases not the official who has to make the decision, and because this latter official is not bound to decide in conformity with the evidence taken, and lastly because in principle these inquiries are virtually trials in which the ultimate judge is at the same time a party to the suit and therefore delivers judgment upon his own case. These objections hold with even more force against the promised Government Inquiry. What is the use of a promise by the Lords High-Bureaucrat to look into their own case? Lord Hewart's instinct is sound when he tries to enlist the support of the Press, although, as we say, he does not look like getting it. However, so long as THE NEW AGE exists, we shall willingly print and comment on any new attempts to insinuate these power-snatching clauses into Parliamentary Bills, provided that we are supplied with the necessary evidence, and provided that the daily Press appears to be boycotting it. The public-spirit of our own readers has set us free of all restraints outside the Rule of Law, and we may preach the doctrine of civil liberty pure and undefiled. St. Paul has said that all things are lawful, but not all things are expedient. Every editor of a newspaper knows how true that is. It is quite lawful for him, on public grounds, to attack the policy of any authority which has the power to control the placing of advertisements. Is it not? This question is intended neither as a gibe nor as a reproach. Were we in the same circumstances we should have to exercise the same circumspection.

"And the commandment which was ordained to life, I found to be unto death.

"For sin, taking occasion by the commandment, deceived me, and by it slew me.

"Was that which is good made death unto me? God forbid. . . .

"For we know that the law is spiritual; but I am carnal, sold under sin.

"For that which I do I allow not; for what I would, that do I not; but what I hate, that do I.

"If then I do that which I would not, I consent unto the law that it is good.

"Now then it is no more I that do it, but sin that dwelleth in me.

"For I know that in me (that is, in my flesh) dwelleth no good thing; for to will is present with me; but how to perform that which is good I find not.

"For the good that I would I do not; but the evil which I would not, that do I. . . .

"I find then a law, that, when I would do good, evil is present with me.

"For I delight in the law of God after the inward man.

"But I see another law in my members, warring against the law of my mind, and bringing me into captivity to the law of sin which is in my members.

"Wretched man that I am! Who shall deliver me from the body of this death?"

[*The Epistle of Paul the Apostle to the Romans, Anno Domini 60.*]

"And he shewed me a pure river of water of life, clear as crystal, proceeding out of the throne of God and of the Lamb.

"In the midst of the street of it, and on either side of the river was there the tree of life, which bare twelve manner of fruits, and yielded her fruit every month; and the leaves of the tree were for the healing of the nations."

[*The Revelation of St. John the Divine, Anno Domini 96.*]

## Current Political Economy.

The week-end Press has devoted its brains and public character to exposing the Labour Government's awful blunder about immediate Home Rule for India. Mr. Garvin makes his leading article longer, and his argument more rhetorical and windy, than usual to drive home the awfulness of Labour's blunder. When the controversy about India began it was Mr. Baldwin who had blundered, and the *Daily Mail* which, as usual, had let the truth out for, if not democracy's sake, then the Empire's, or for something else equally calculated to catch the mob. The whole incident is of interest more political than politico-economic at the moment. Everybody, of course, is aware that members of the Labour Party subscribed in theory to Home Rule for India before it took office; that as Government it has theoretical powers superior to those of the Simon Commission; that there is nothing in law or custom to prevent the Labour Government having a policy about India before the Simon Commission delivers its judgments; and, lastly, that the Labour Government could no more have proceeded to give home rule to India immediately than could or would any other Government.

During the last week or two the Press, both in leaders and news, has been constantly occupied with this week's affairs in Parliament; indirectly, not directly. Lord Beaverbrook, for example, has published almost daily accounts of executions in Russia, whose simultaneity with the Government's proposal to resume full international relations with Russia can scarcely be a coincidence. This week-end Lord Beaverbrook devotes the front page of the *Sunday Express* to a great crisis in the Socialist party, with a detailed description of the points at issue between the various factions. It is doubtful whether any change in policy in Russia suddenly created events eligible to become news. It is equally doubtful whether any change in the internal relations of the Socialist Party elevates the disagreements from something less than crisis to crisis. Lord Beaverbrook, for example, details the attitude of the I.L.P. on the Indian question as a part of the account of the crisis. But the I.L.P. attitude has in no way changed. The reactions of its individual members and groups to the capitalist imperialism of the Labour Government are no more and no less desperate and veiledly hostile than they have been for months past. The only serious criticism of Mr. Thomas's imperial development programme, for example, heard in open Parliament last session, came from one of the more positive members of the I.L.P. and not from the Opposition.

The motives of the artillery barrage just opened on Labour from all sides are not yet clear, with one exception. Labour is being taught what will happen to it should it persist in anything displeasing to the mind that suggests the Press attitude on those occasions when it is unanimous. Mr. Garvin gives his extra long leader a headline to the effect that Labour is receiving its warning in time. It is contrary to the principle of politics that a published warning should relate actually to the explicit issue; invariably the true warning relates to something not mentioned. It seems doubtful that anything is to happen in Parliament this week to which the warning could relate. As the headlines of the political gossip write, this week will deal with India, Russia, and Unemployment. As regards India, Mr. Baldwin is the person with most to explain. As regards Russia the Opposition is likely to show the power of its hands without actually obstructing the

proposal. So far as the other question, unemployment, is concerned, Mr. Thomas has probably been astute enough to find out what is permitted before coming before the curtain. The only questions which the Government might need to receive a lesson in anticipation of folly are the Commission of Financial Enquiry and the coal question. What will result is not yet evident, but it must be interesting to the more romantic of the Labour and I.L.P. members to see how the ground can be prepared for a crisis if Finance foresees the necessity of one.

BEN WILSON.

"In the argument on the Corn Laws there is a *μύθος* εις άλλο γένος. It may be admitted that the great principles of Commerce require the interchange of commodities to be free; but Commerce, which is barter, has no proper range beyond luxuries or conveniences—it is properly the complement to the full existence and development of a State. But how can it be shown that the principles applicable to an interchange of conveniences or luxuries apply also to an interchange of necessities? No State can be such properly which is not self-subsistent at least; for no State that is not so is essentially independent. The nation that cannot even exist without the commodity of another is in effect the slave of that other nation. In common times, indeed, pecuniary interest will prevail and prevent a ruinous exercise of the power which the nation supplanting the necessary must have over the nation which has only the convenience or luxury to return; but such interest, both in individuals and nations, will yield to many stronger passions. Is Holland any authority to the contrary? If so, Tyre and Sidon and Carthage were so! Would you put England on a footing with a country which can be over-run in a campaign and starved in a year?"

"The entire tendency of the modern or Malthusian economy is to denationalise. It would dig up the charcoal foundations of the temple of Ephesus to burn as fuel for a steam-engine!"

"Our productive facilities are being expanded at top speed. Within the past fifty years horse power employed in manufacture in the United States alone has increased nearly 1,500 per cent., and capital engaged in manufacture has increased nearly 3,000 per cent. But in the meantime the total national income does not even average enough to provide for the minimum total subsistence-level requirement. It has been our effort to produce as much as possible without considering whether national income could advantageously absorb the total produced. The result has been over-production—a sad and serious over-production if we bear in mind that by over-production is meant production of more than national income can absorb, rather than production of more than population could possibly consume were it able to buy in unlimited quantities. When national income cannot absorb all that is produced, machinery and men are bound to become idle. Overhead has a way of making idle machines 'eat their heads off.' Unemployment reduces purchasing power and causes markets to dwindle. To date, the remedy has been cut-throat competition, which, by the way, aggravates over-production; because frantic attempts to sell at lower and lower prices are naturally followed by frantic efforts to reduce operating costs; and is not an increase in output the easiest way to reduce operating costs? There is another way—a splendid way for American industry to solve its over-production problem. Why not export? But alas, among the first American industries to seek outlets abroad are the manufacturers of the tools of mass-production. We refuse to give any weight to the growing capacity of North and South America, of Europe and Asia, to produce. We refuse to take into account the limited buying capacity of these countries. To continue to lend our support to unlimited expansion of foreign trade is simply to plunge us further into the abyss of universal cut-throat competition. . . . All mass-productions to-day are employing power-machines, mass-production and efficiency methods to increase their output. Obviously, in a very few years, we will be between the devil and the deep sea—over-production at home and over-production abroad. If industry does not put economic brakes on the machinery of production, the government will be forced to market the surplus. The stabilisation of production through control of the rate of expansion is the key to the solution of the over-production problem. It is a vital issue which must be met to-day, and which must be met by all industries and all nations jointly."—SCOVILLE HAMLIN in *Commerce and Finance*, July 24.

## Drama.

Beau Austin: Lyric, Hammersmith.

Since Sir Nigel Playfair, when very young, saw "Beau Austin" produced by Sir Herbert Tree, he has longed to see "this odd pretty thing" again. After giving anybody really eager to oblige him a fair chance, he has apparently concluded that the only way to realise his wish was to produce the piece himself. It was certainly worth doing. As a play it would be a poor thing if it had to rely entirely on the dramatic virtues. The authors betray a sense of character of a nursery-like naïveté, which almost allows the leopard to change his spots if, at a moment when a sheep is required; only a leopard is available. The impression of Beau Austin himself received before we meet him is of a mere upstart dandy and lady-killer, a Don Juan living a class above his proper station by virtue of powers appropriate to a melodrama villain. He changes gradually but disconcertingly into a fine swordsman and gentleman, with a sense of honour as yet uncreated except among the heroic idols of adolescence. Beau Austin undergoes metamorphosis, in short, from a young lady's bogey to a young man's man. It is the same with one of his conquests—whom at the end of the play he marries—Dorothy Musgrave. She changes, in the manner of figures in dreams, from lovely woman stooping to folly, and tearfully finding too late that men betray, into a prophet of feminine emancipation, and back again. She might, of course, be these and many things besides in the hand of a dramatist of the theatre, but she would be all at once, in one whole, and not as if in separate poses before the photomaton. But Henley and Stevenson were clever enough at something to divert the audience's mind from considering the play they were ostensibly presenting. In the second act especially, one was tempted as a member of the audience to do something that the gods of the theatre almost forbid; one found oneself admiring the author's—not the characters'—style, and wondering whether to close one's eyes the better to enjoy the feel of the turned and polished phrases. In Shaw's Utopia, when the worship of equality has rendered lady, gentleman, manservant, and maid equal in social status and remuneration, and when the Labour Party's education programme has established universities and schools of department for all, everybody will talk and behave as the characters in "Beau Austin." Every character is not only a *beau* or a *belle*, but in addition a master in *belles-lettres*. Altogether the play does not appear to consist of the clash of characters, but rather of juxtaposed self-portraits of characters made while their hands were guided by the style-worshipping Stevenson, Henley being privileged to contribute some of the sentiments. The characters are a tale told about themselves by their authors, and resemble marionettes seen through plate glass. At a time, however, when dramatists, in pursuance of life-likeness, have caused their characters to speak even more prosily than in actual life, it is a real pleasure to hear from the stage the polished, and, as it were, rehearsed, phrases of the age of cultured leisure. Throughout English drama, through Shakespeare, Congreve and Sheridan, commonplace plots have been atoned for by fine language. Although Henley and Stevenson are a little indiscriminating, inasmuch as they deal out the polished lines all round and all the time, their play is enjoyable for the same reason. It is hardly likely to attract large audiences; for the enjoyment of its purplest patches it exercises the intelligence too vigorously for it to draw multitudes.

The production is excellently suited to the work. The actors speak the lines with spirit, with faith in their worth and in the worth-whileness of making

them heard and understood. Mr. Ballard Berkeley's oratory as John Fenwick, in his task of persuading Beau Austin to marry his own beloved Dorothy, after she had confessed her betrayal, was a piece of first-class and highly stimulating work. As Beau Austin himself, Mr. Bertram Wallis preserved the necessary polish and gentlemanly sang-froid throughout, but he lost sometimes the rhythm of his lines, thus causing the shape of them to be dissolved. Mr. Roland Culver's Antony Musgrave, who would no doubt have been called at one time a coxcomb, was very fine indeed. The actresses were all good, though Miss Marie Ney still requires to attend to her vowels, much improved as they are. This actress has also developed a serious additional fault: her in-breathing is done by way of the mouth and is audible in the theatre.

"Beau Austin" is preceded by "Mr. Gladstone's Comforter," a one-act tableau by Laurence Housman. Mr. Gladstone's "Comforter" is his wife. The piece is of no importance, dramatic, political, or literary; but it is pleasant English sentimentality or literary; but it is pleasant English sentimentality such as ultimately becomes combined history and mythology for the patriots who read the Harmsworth publications. As Sir Nigel Playfair said, however, we begin to see repose, if not virtue, in Victorianism, now that Georgettism has tired us out. All round, the present show at the Lyric, with its appearances of Sir Nigel to speak an introduction, a prologue by Henley, and an epilogue by Clifford Bax, and to act the part of Beau Austin's valet, is a good place to go to for any intellectual, provided two things that go together; which are, that he has affection for Sir Nigel Playfair, and is not afraid to enjoy himself.

A Girl's Best Friend: Ambassadors.

A boy's best friend, the pantomime song used to say, was his mother, whose chief distinction was that, when she was gone, you could never get another. The theme of Mr. H. M. Harwood's play is that Joan Trevor is her two daughters' worst rival, precisely as the mother is said to be in the works of Freud. As Joan Trevor had no husband to defend against the Electra complex of her daughters, she carried the war, without knowing it, into the enemies' camp. Being very modern, the daughters rather despised what Elinor Glyn's inventiveness for euphemism's sake has caused to be called "It," so that the mother, brought up on It, steals every young man who comes to the house. Indeed, when the daughters' young men discover the mother, and the daughters' young men discover the champion her against the person who obviously must have hurt her. All comes right in the end, however; the family friend of many years marries the mother and settles the affairs of the children in the way that comedy has continued to carry on in spite of every change of manners.

Mr. Harwood's play depends on the antithesis between what a person wants and what fashion says she may have. At present, fashion says, young women who would be leaders of their age must affect to spurn fidelity and practise sadism on everything their elders managed to live by. In their hearts what they want is love, as ever. On this the play contains some intoxicating dialogue. At times it is as if woman were stripping herself of all her tricks, tired of exercising them either at fashion's command or in defiance of fashion. But this is not enough to make a play. "A Girl's Best Friend" is too brief, and has too little substance, to give an evening's entertainment. The whole play is merely an *hors-d'oeuvre* of which each ingredient is served as a separate course. The moment in the second act when the stage is empty is fatal to it, and the rest of the act is second-rate burlesque. The third act is a painful and far too stretched out winding up, of which the outstanding feature is the arrangement of

exits and entrances for restoring the relationships with which the play began. All that the actors have to do is to speak their lines with the necessary sprightliness, which they do. Miss Cicely Paget Bowman, however, said *gaying* for going three times in three sentences, in spite of Miss Marie Löhr emphasising the word as going immediately after the first one. Miss Helen Spencer's performance as the younger sister was excellent in the second act. Her mannequin work in the first act was also good, but what is mannequin work for an actress?

PAUL BANKS.

## Music.

### The Delius Festival.

The Delius Festival continues, wisely spaced with many days between each of the six constituent concerts, so happily different from the concentrated week's gorge—like the cramming of chickens for table at the Surrey poultry farms—that is the usual course of these functions. It is an ever-increasingly triumphant and complete vindication of the composer's title to a place among the supreme Masters. Only thus can the ordinary music lover realise the extent, the variety, the richness of his genius, for such a test is, indeed, an ordeal by fire—either the composer emerges gloriously or not at all. Such a drenching in pure beauty of line-sound, of colour-tone, is without precedent almost in one's experience. And how the nonsense of certain ones ament the non-melodic and unvocal nature of Delius music can survive after this were incomprehensible did we not know that a slander once well started is *never* overtaken by the truth, no matter how patently false. This music is not so much polyphonic as multi-melodic, in that it is a complex weft of innumerable strands of melody. Of conventional polyphonic structure it has little, if any—it starts from a different point of thinking, the weaving of many independent and *different* melodies or parts into a whole, and of the matchless breath-taking beauty with which Delius does this the *a capella* choral section of the "Song of the High Hills," unhappily omitted from the programmes of the Festival, is a very typical example.

The programme on October 18 contained two first performances, "Cynara" and the "Arabesk," and one unfamiliar work, "Eventyr." "Cynara," originally designed, we are told, as a finale to the "Songs of Sunset," is plainly related stylistically to that beautiful twilight work. It is a lovely little piece that I for one would prefer to hear as a pendant to the parent work. But the "Arabesk" is not only unique among Delius' work. It is surely one of the most astonishing evocations in sound of poisonous, perverse, tuberosity-like beauty that exists. It is indescribably insinuating and haunting, and the mood of the subtly beautiful poem, with its deadly perfume, "the poisonous lily's blinding chalice," is expressed with miraculous insight and power. The work is technically and aesthetically *un prodige*, the musical thought a marvel of appositeness and utter rightness, and had its superb vocal lines only been sung as is their due its effect would have been overwhelming. But as usual the singers let the proceedings down several hundred feet, and in the "Appalachia" with dire results, the glorious closing section of which they successfully ruined. This wonderful series of variations should alone serve to expose the absurdity of the accusation of amateurishness that is so often made against Delius on technical grounds. For a more consummate set of orchestral variations does not, I submit, exist; the variety and inventiveness of the treatment are only equalled by the superb skill with which they are "put across." This, again, I allude to the legend

of Delius' "amateurishness," so sedulously propagated by jealous enemies, is one of those well-started lies that no amount of exposure and refutation will ever stop in its career. The motives which gave it its original impulse are too strong for that.

### Tetrazzini. Albert Hall. October 20.

After an absence of some years this still very wonderful singer comes as another exemplar of the fact that really consummate singers do not lose their voices with the passage of years. Indeed, the lack of any deterioration in the voice itself is amazing. There is the same gorgeous, clear, forward quality, the same marvellous brilliance and evenness, and that deliciously personal quality of *naïveté*, all the more fascinating and *séduisant*, coupled with the dazzling technical perfection and superb mastery of style. Such inabilities as have arisen—a shortness of phrase, loss of sustaining power, and the earlier scintillant florid brilliance, are due to physical reasons, one above all others, I dare swear, is responsible, that is the singer's increase in weight, and that if this were got rid of with carefully graded methods all the earlier control would be recovered. But even so, what a lesson in style and finesse, what perfect poise and placing of the voice, and the marvellous skill with which the artist compromised with her weaknesses. And in a large measure, too, professional inactivity is surely responsible. But with all these debits, what a heavy credit balance! How many leading singers to-day, when their careers are but half or even a third of Tetrazzini's, will be able to do a fraction of what she does? Her singing of *Voi che sapete* was sheer perfection alike in tone, phrasing, and style, and made one realise how just was the comparison made by one of the few critics to appreciate her artistry at its full value. Mr. E. J. Dent, if I remember rightly, who spoke of the Palma Vecchio-like serenity of style that Tetrazzini alone of contemporary singers appeared to possess. And apart from all its sheer beauty, technical and stylistic fineness of grain, her singing had and has an unique fascination and charm.

The young pianist assisting, Shura Cherkassky, is an amazing lad. To an already stupendous technical mastery he joins a profound, fine, and subtle musical sensibility and an insight that are extraordinary in so young a creature, and the polish and style of his phrasing are a joy. While appreciating the justice of the audience's enthusiastic tributes to this young genius, it was cruel to see the obviously none too robust lad dragged back to give extra after extra on top of a series of performances of substantial numbers like a Chopin Ballade, a couple of large Liszt works—performances so big, powerful, and mature that they had well taxed the energies of a full-grown and physically mature artist. Not the least astonishing about young Cherkassky is his quiet, contained, repressed and completely unspectacular manner at the piano, and if only this intense concentrated and ardent young personality is as jealously shielded and guarded as it should be against burning itself out and over-driving itself before its strength is fully grown, we shall see the emergence of a very colossal artist as this wonderful boy grows up. The influence of his great teacher, whose favourite and most brilliant pupil he is—Josef Hoffman—shows itself in the steely clarity and razor-edged cleanness of his finger technique.

### Delius Festival.

The third orchestral concert of the festival took place on October 24. The beautiful crepuscular "Songs of Sunset," done only once before in London, were included in the programme—a first performance of an extract from the last Opera "Fennimore and Gerda," and the wonderful

Country Sketches." It seemed a pity to have included the fairly familiar and frequently played "Dance Rhapsody," No. 1, instead of the lesser-known "Paris," or the matchless "Song of the High Hills." The performances on this occasion all seemed a trifle flat and stale, and there were a number of bad entries. Miss Olga Haley sang the mezzo-soprano part in the "Songs of Sunset" with rare beauty and imaginative insight. She seemed to get right to the heart of the music, and gave a very moving interpretation of it. Her singing was much better, fuller and freer than on an earlier occasion (at a Prom.) to which I referred a few weeks back. She is an artist of such uncommon gifts that she can ill be spared in such long lapses of absence as those of the last few years.

The violin concerto which I am at variance with the general opinion in considering not nearly as fine a work as the 'cello concerto, was played in his usual white, colourless manner by Mr. Albert Sammons with not a little uncertainty of intonation. This performer has neither the warmth nor richness of tone to do justice to the melodic line of the work, and emotionally he did no more than skim the surface of the music.

The episode from "Fennimore and Gerda" is not one of Delius' greatest works, but it is a remarkable evocation of the peaceful, quiet and gentle story around which it moves. It suffered badly from the mishandling of the singers, with the exception of Mr. Heyner, who was obviously not at his ease, having taken another singer's place at short notice.

The "North Country Sketches," with the sting and tang of their harmony, are as unique in Delius' work as the "Arabesque," but in a different way. They are not "impressions" of nature à la Debussy, consisting of delicately decorative and allusive external, but are, as it were, native sounds reaching utterance, to put it rather crudely, through a spirit of extraordinary sensitiveness. There is a psychic or spiritual contact and sense of inner communion with the nature-aspect that prompted expression that is as wholly lacking in the "impressionist" composers' work as in the crudely and vulgarly onomatopoeic realism of the Holst type of composer, for instance.

KAIKHOSRU SORABJI.

## The Screen Play.

### On With the Show.

Hollywood has again bitten off more than it can chew. "On With the Show" (Tivoli) is the first full-length all-talking, all-singing (and all-screaming) colour film, and the Warner Brothers have been ill-advised to rush it on to the market, since its principal distinction is the extent to which it shows that the technical problems of photography in natural colours are still far from solution. Apart from the lack of fidelity to nature, much of the photography in this film is so indistinct and so badly out of register as to impose needless eyestrain on the spectator. Add that the story is of the now inevitable back-stage variety, and that the extremely undistinguished music, together with much of the chorus work, is marvellously reminiscent of pre-war Gaiety musical comedy, I do not think that "On With the Show" will beat the record of the Tivoli Twins, "Bulldog Drummond" and "Would You Believe It?" by staying four months in the bill. Alan Crosland has directed capably, but he should have stopped his art director from designing backcloths more suitable for the "Mysteries of Udolpho" than for a twentieth century "leg show." Incidentally, has any American film producer yet realised that the institution of the understudy prevents a play from being wrecked if the leading lady's bad temper makes her refuse to appear?

### The Devil's Maze.

If I had the space I could utilise "The Devil's Maze" (Marble Arch Pavilion) as the basis of a treatise which endeavoured to show just what was wrong and what was right with English films. This is an interesting and thoughtful production, directed with sincerity and intelligence by Gareth Gundry, well acted in the main, and characterised by good photography and the employment of sound as it should be employed. Moreover, it has the advantage of a dramatic and somewhat unusual theme. Yet it fails to impress; I found it impossible to interest myself in the characters, and was completely indifferent as to whether the heroine's attempt at suicide proved successful or not. Somehow, the film lacks the breath of life, for which a clue is perhaps provided by the fact that it has an atmosphere of almost Galsworthian sombre bloodlessness. Trilby, Clark has improved amazingly since I last saw her, but Ian Fleming is incredibly wooden even for an English film actor, and whoever encouraged the impersonator of the female cottager, who is well known on the stage, in the belief that she is suited to the medium of the screen should immediately revise his judgment, if he has not done so already. Her playing of the part as a combination of all three witches in "Macbeth" and the keeper of a bawdy house is something that must be seen to be believed. The mounting of some of the interior sets, notably the use of palpable plaster, is typical of the parsimony of certain British producers.

### Finis Terrae.

Once again, I find a difficulty in refraining from noticing all the items in the Avenue Pavilion programme. "Finis Terrae" may not be the masterpiece of Jean Epstein, whose "En Rade" and "The Fall of the House of Usher" I have yet to see, but it is an outstanding film. He has described it as portraying the malice of inanimate things, and it might also be likened to a civilian, brutal, and careless of the individual, is here the principal character, with the personages of the drama only the puppets not even of a dignified fate, but of blind chance. Epstein wisely decided to utilise genuine fisherpeople and peasants instead of professional actors and actresses, many of whom might learn a lesson from these amateurs. "Finis Terrae" is incidentally an interesting object lesson in the use of close-ups; short-range "shots" of such subjects as calloused and bleeding fingers, bottles, and bits of broken glass are most skilfully employed, although I am not quite sure whether Epstein may not have to check his fondness for the close-up if it is not to develop into an irritating mannerism. But what a pleasure to see this film after a surfeit of screams, legs, nasal accents, and the prosaic atmosphere of behind the scenes.

### Les Deux Timides.

This delightful comedy, directed by René Clair, has just been added to the programme of the Avenue Pavilion, which is continuing its notable French season. I hope to notice it at greater length next week; in the meantime I recommend my readers to see for themselves how a distinguished French director has succeeded in carrying on the Chaplin tradition.

DAVID OCKHAM.

The M.M. Club's next Meeting will take place, not at the Holborn Restaurant, but at Kingsway Hall (Room No. 22), a few yards down Kingsway on the same side of the road as the Restaurant. The date is Wednesday, November 6, at 6.15.

## Bismarck and Russia.

In years to come, when the student of European history settles down to solid research work or contemplates a review article on the secret diplomacy of the Age of Bismarck, he will probably turn to the Saburov Memoirs\* for corroborative detail—and he will not be disappointed. Also, if he be given to gratitude he will have a few appreciative words for Professor Simpson, of Edinburgh, whose translation and editing of these Memoirs is a model of what such work should be, and, alas! so rarely is. Take, for example, the concise biographical footnotes which constitute a complete "Who's Who" of the many diplomatic personages figuring in these pages, and of whom many have passed, or are passing, into well-merited oblivion. Even the reader fairly familiar with international politics may be pardoned for not being able to place Michael Nikiforovitch Katkov, General Ignatiev, Count Limburg-Sturum, or the Right Hon. Sir Austen Henry Layard, G.C.B., without looking them up in the nearest work of reference—and possibly not finding them. Add to this appendices of the proposed and actual treaties and an adequate map of the Balkan States, and we can truthfully say that "one stone the more swings into place" in the temple of Clio.

The first thing that strikes one on opening this book is the portrait of Peter Alexandrovitch Saburov himself; it seems strangely familiar; but one is not long in doubt, for it is a blurred likeness of the Iron Chancellor: it is as if the soul of Bismarck were looking out of the eyes of the man who worked with him in closest intimacy during the months of intrigue and bargaining that preceded the signing of the treaty known as the "Dreikaiserbund," that league of the three Emperors which helped materially to keep the peace of Europe during the early 80's. How deeply this intimacy affected Saburov can be gathered from a few simple words in a letter to Prince Bismarck, in which he speaks of himself as

"the modest workman" who "wishes to lay aside for a moment his diplomatic trappings to do homage to the Master."

For he is "the Master," and these Memoirs are chiefly valuable for the sidelights thrown on the "Minotaur" (as they called him in Russia) during the building up of one of the many buttresses that supported the fabric of the Reich during the years in which it dominated the landscape of Europe. Perhaps it was the weakening of this particular buttress that contributed to the crash of 1918—but that is another story.

Amongst these "sidelights" are some typical Bismarck touches. Speaking of Russian ambitions and the possible occupation of Constantinople, he said that once the Russians had reached their goal they would be—

"Convinced von der Nichtigkeit aller irdischen Dinge (of the vanity of all earthly things)—as I am," he added, with a sad smile.

Which affords a curious glimpse into the mind of the man of "blood and iron."

Of the Prince's rougher side there is an amusing example given in his handling of the suspicious, meticulous Austrian Minister of Foreign Affairs, Baron von Haymerlé:—

"Well," I said to Haymerlé, "if Russia occupied Moldavia, seek your 'Moldavia' elsewhere. Occupy Wallachia and hold it as a pledge."

"And if Russia occupied Wallachia before us?" remarked the foreseeing Haymerlé.

\* "The Saburov Memoirs, or Bismarck and Russia." Translated and edited by J. Y. Simpson. (Cam. Univ. Press. 15s. net.)

"Occupy Serbia, or Novibazar, or something."  
"And if Russia attacked us for that?" asked the courageous Haymerlé.

"Defend yourself," replied Bismarck.

"Will you guarantee us the territories which we will have occupied?"

"Certainly not," was the reply.

And that is precisely the answer Bernal Osborne gave to "Mamma" when she asked him if his intentions towards Maria were "strictly honourable." There are people in this world who can only be dealt with after this manner. Haymerlé and "Mamma" were of the same kidney.

Finally when the negotiations for the Dreikaiserbund were drawing to a close and Austria proposed a term of three years for the duration of the Treaty, Bismarck said:

"When Austria has worn that flannel for three years next her skin, she will no longer be able to discard it without running the risk of catching cold."

Well, she did discard the flannel and caught a very bad cold. So did Germany and also Russia.—And was there not a certain amount of sneezing and coughing in England?

J. S. K.

## Reviews.

**Moonchild: A Magickal Novel.** By Aleister Crowley. (The Mandrake Press. 10s. 6d.)

I am tempted to quote the description of this novel which is printed on the jacket, just to show that the private presses can write blurbs quite as competently as the ordinary publishers. "This entrancing story, by one of the most mysterious and brilliant of living writers, describes the magickal operation by which a spirit of the moon was invoked into the being of an expectant mother, despite the machinations of the Black Lodge of rival magicians. Exciting plots and counter-plots lead up to the Great Experiment, which takes place in a certain 'abbey' in Sicily. Flashes of humour and invective, passages of romance and serene poetic exaltation, a lucid, narrative style, and an astonishing ending make this novel really memorable." So now you know what it's all about. I had no idea that Mr. Crowley was one of the "most mysterious" of living writers, or even that he was mysterious. What does it mean, anyway? That he writes mystery novels? That it is a mystery why he writes novels? That no one knows who he is? Or what? That he is one of the "most brilliant" of living authors is a statement which can be more tested. Take, for instance, this short paragraph on page eleven: "Lisa was having her fortune told for the eighth time that day by a lady so stout and so iron-clad in corsets that any reliable authority on high explosives might have been tempted to hurl her into Temple Gardens [from the Savoy Hotel] lest a worse thing come unto him, and so intoxicated that she was certainly worth her weight in grape-juice to any temperance lecturer." What would you say this paragraph was an example of? Of his "flashes of humour and serene invective"? Of his "passages of romance and serene poetic exaltation"? Or merely of his "lucid narrative style"? I puts it to you and I leaves it to you, as Doolittle would say. I would add, however, that the author, in a Note remarks that "the book itself demonstrates beyond all doubt that all persons and incidents are purely the figment of a disordered imagination." If you now wish to pay your half-guinea, you may.

**A Life of Peter the Great.** By Stephen Graham. (Ernest Benn, Ltd. 21s. net.)

Mr. Stephen Graham calls Peter the Great "without doubt the greatest monarch in modern history." If by modern history he means the last two hundred or two hundred and fifty years, we may perhaps say that he ranks next to Napoleon, subject to the reservation that the standards of greatness traditionally demanded of Kings and Emperors are less exacting than those imposed on persons of lower rank. In favour of Peter's claim to greatness is that while nothing would have been easier for him than to sink into a life of semi-barbaric and semi-oriental luxury, he chose to rule. Whether he chose wisely in trying to Westernise Russia is open to question, but it is an outstanding fact of history that his territorial conquests and his innovations, although the latter were without exception unpopular, endured until the Revolution. He found Russia

as a country regarded by Europe as a savage community of no particular importance, and he left it, not merely a great power, but a power in the affairs of Europe. Those are not inconsiderable achievements for a man who died in his fifty-third year, and who worked in human material that was mainly composed of a peasantry who had to be taught to distinguish between the left and the right leg, and in an era when smoking and shaving the beard were regarded as heretical and unchristian. It is a defect of Mr. Graham's book, in addition to the baldness of its style and the arid fashion in which military and political events are recorded, that it does not dwell enough on the pathology of its subject. Of this fascinating aspect we obtain significant glimpses, such as Peter's passion for surrounding himself with dwarfs, hunchbacks, and human freaks; his burlesques of the ritual of the Church; his fondness for causing the greatest nobles of the realm to masquerade in fantastic costumes and to ride on pigs and goats. In those manifestations, as in his drunkenness, there was nothing of the Rabelaisian and much of the Sadistic, which also betrayed itself in his sexual orgies. But one must allow for factors which are now studied in psycho-analytical clinics; his dreams were so fearful that at one period he actually recorded them, and if he used to sleep with fat servant girls it was in part because he was terrified of sleeping alone. "He held women in his arms in order to sleep; he held them to save himself from having fits. He must hold on to someone in bed. When he could not get a woman he held an orderly." One must also allow for the period. After the conquest of Livonia in 1702, "The only encumbrance which the army took from the Swedish and Livonian civilians was that of hundreds of girls who slept promiscuously with officers and N.C.O.'s, Colonels and Generals. Among them was Catherine, evacuated from Marienburg, a sergeant girl of seventeen. She became the mistress of a General, for whom she was too vigorous. Menshikof took her to his quarters and she washed shirts for him and was his mistress. Then Peter saw her and slept with her and gave her a ducat. The Tsar and his favourite used her in common."

And that was the woman who was destined to become consort and Empress, and ultimately to rule Russia in her own right.

DAVID OCKHAM.

**The World of Self or Spirit.** By Edmond Holmes. (Cobden Sanderson. 6s. net.)

Metaphysics is coming back. For a long while we have resolutely turned our backs upon it, and busied ourselves with science and biology. But this led us inevitably to psychology, and once there we were definitely committed to the return to metaphysics, for as Albert Hombek said, "Metaphysics is the psychology of the universe." This is also Mr. Holmes's idea, though he expresses it differently. For him, Self is the only reality, and in its highest expression Self is one with the Super Self, which some call God. Our business, then, is to be continually striving to transcend the petty limited selves which we wear for everyday purposes—a task never to be completely accomplished, since it implies Eternal Becoming, and therefore Eternal Life. These ideas, of course, are the ordinary stock-in-trade of the professional mystic. They are, I think, incontrovertible, but too often they remain sterile. That is the worst of the Eternal Verities. To experience them is, no doubt, to gain Eternal Life, but merely to read about them is often to be bored even unto death. This book, however, is interesting, as all books written cogently and sincerely must be. Still, having accepted Mr. Holmes's truths I do not quite know what to do with them. His "Open Sesame" is simply Love. But either one loves or one does not love, and any attempt to force one's inclinations usually leads to disaster. Love comes of itself, so that it would seem that the idea which appears in so many religions, that salvation comes not so much by one's own efforts as by the Grace of God, has, after all, some sense in it, though no doubt the author is right in attacking this idea as applied by the religious to an external God. Meanwhile we are left with the puzzle as to whether love is the cause or the result of "salvation." It is the old problem of the hen and the egg. Let me hasten to express my gratitude to the author for his masterly exposure of determinism as an explicit denial of the freedom of the Self which depends entirely upon an implicit denial of its existence.

N. M.

**Life of Solomon.** By Edmond Fleg. (Gollancz. 12s. 6d.)

Strachey-ism applied to Biblical characters. M. Fleg prefaces his book by stating that there are three Solomons: the Solomon of the Bible; the Solomon who can be deduced from certain sacred Jewish writings; and the Solomon of legend. He has chosen the third Solomon, "for upon him

we have documents more various and more suggestive than upon any of the others." But M. Fleg "has not hesitated to take liberties" with these documents; so there is now a fourth Solomon. He turns out to be quite a good hero for an Arabian Nights tale. An Eastern monarch who gets on friendly terms with a powerful god, and is thus able to command spirits and men, makes a good subject for fiction; and feminine readers in particular will enjoy those scenes in which we see M. Fleg's Solomon slowly engulfed within the bog of sensuality through an excessive love of power, of wine, and of women. No less will such readers enjoy his slow, painful clamber on to dry land, and his subsequent reconciliation with his jealous god. Like all reformed rakes, he turns ascetic, and suggests that though he reached the Palace of Wisdom by the Road of Excess, it were better that most people travel by a less exciting highway. There are many good stories in this book, and they are told with French elegance. It seems to have been well translated by Miss Viola Gerard Garvin, except that she has had to copy the original by trying to write prose like that of the Bible. In a preface, she says that "only close search will reveal what is the Bible in a prose so like it." This may or may not be true of M. Fleg's French, when it is compared with the French Bible; but there is not the least chance of mistaking Miss Garvin's English for any passage from the Authorised Version.

J. S.

**Nudity in Modern Life.** By Maurice Parmelee. With an Introduction by Havelock Ellis. (Noel Douglas. 12s. 6d.)

An exhaustive account of the philosophy and methods of the "Nacktkultur" and "Gymnosophist" groups of Germany and England. The practice of naked sun-bathing in mixed company is considered with reference to its relations to child-rearing, the sex problem, health, comfort, the aesthetics of the human body, and a beautiful mankind, sport, literature, the simplification of life, "humanitarian democracy," and society. The book is well illustrated, and its author makes his points very moderately; he admits that "Gymnosophy is not a panacea for all human and social ills," but would probably claim that, by eliminating morbid complexes, it clears the mind for more efficient use in other fields of activity.

I. O. E.

## LETTERS TO THE EDITOR.

### SOCIAL CREDIT PROPAGANDA.

Sir,—What benefit is likely to result from lengthy discussion as to the relative value of this or that type of propaganda? Surely there is no type without its proper place in our campaign. Speaking as a member, both of the M.M. and also of the E.P., I find that each is doing valuable (and indispensable) work.

The re-orientation of the public mind is inevitably a big task, especially in the complexity of modern communities, but current events give much cause for encouragement. Yet we cannot afford to neglect methods which are found essential by others. Bankers themselves regularly attend "Mystery Meetings" where they discuss high policy in private. Let us remember, though, that they do not stop at this, for their decisions have to be implemented in public action. Like our M.M. Club, they encourage all kinds of individual propaganda, open and veiled, in addition to which they encourage the founding of (reactionary) bodies like the "Sound Currency Association," and make the utmost use of any number of "Parties."

The Economic Party has just carried out a notable piece of work in the form of a dignified appeal to leading Industrialists; this work is of a kind which amply justifies the existence of the Party. Unlike bankers, Social Creditors have but one organised party on which they can rely. Perhaps its critics will now reconsider its claims on their support, but in any case, whether they join it or not, I feel sure they will avoid making difficulties while it is getting into its stride.

ERNEST A. DOWSON.

### THE ECONOMIC PARTY.

Sir,—Perhaps I can perhaps better account for the "lopsidedness" of the present debate than can "Country Member," by stating that over a score of the less inactive members of the M.M. belong to the E.P. This fact seems also somewhat to dull the point of his jeer as to our members being recruited from the ranks of the unemployed.

PHILIP T. KENWAY.

[How does Mr. Kenway define the word "inactivity"?—Ed.]



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