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FOR POLITICAL AND ECONOMIC REALISM

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The Alberta Bill of Rights

The following letters continue correspondence published in THE SOCIAL CREDITER on September 7 and October 19. Readers will appreciate that Dr. Dobbs's letter to us has been in our hands for several weeks, publication being postponed with, in our opinion, wholly beneficial results until we could consult the Chairman of the Alberta Social Credit Board concerning his opinion of its contents. Mr. Bourcier's letter, for which we cordially thank him, follows that of Dr. Dobbs.

The Editor,
The Social Crediter,
Dear Sir,

I should like to thank Mr. Bourcier most sincerely for his letter and for the explanations which he was kind enough to give in it. There is clearly one point at least in my article with which he is in the heartiest agreement, and that is my declaration that "I know nothing about Albertan politics"; but I ask him to believe that in writing it I was very conscious of this, and for that reason limited my remarks to matters within the scope of my experience in this country, and to considerations the validity of which is self-evident, and independent of the special circumstances in Alberta or elsewhere. Consequently, so far as Bill 76 is concerned, I kept to a few salient points in its very broadest outline, as presented to the public, which left me with very little scope for inaccuracy arising from my ignorance of Albertan affairs, with which Mr. Bourcier specifically charges me.

However, before dealing with this charge of inaccuracy I should like to offer some explanation of the sentence which Mr. Bourcier rejects so emphatically as "sheer nonsense." When I say that the Bill was 'concocted' over here, I do not, of course, mean 'drafted', and since Mr. Bourcier is as remote from London as I am from Alberta (a circumstance upon which I can congratulate him!) I do not think he is in a very strong position for being so sure that I am wrong. However, I think I understand that his vehemence arises from the mistaken belief that I was attacking his friends and colleagues who drafted the Bill, whereas my intention was the very opposite; and for this I fear I must take some of the blame, in that, in my anxiety to deliver an urgent warning which could not be ignored, I chose a striking, rather than a more courteous way of putting it, which might have avoided the possibility of such a misinterpretation.

Nevertheless, the fact must be faced that the social security proposals in the Bill, which are the part which has been given most popular appeal and publicity, exhibit their London origin almost as blatantly as they do in the Marsh Report, despite the non-contributory basis proposed in Alberta. Once this fact has been grasped, as few Albertans ap-

pear yet to have grasped it (but they assuredly soon will) it becomes clear that the Government of Alberta, consisting as it does of sincere Social Crediters, cannot be accused without the grossest affront of being the true originators of that part of the Bill which it shares so obviously with the Beveridge Plan. At the same time Mr. Bourcier in his letter has given some indication of the means adopted by the enemy to present these proposals in an innocent light, as an expedient way of circumventing the difficulties placed in the path of the attainment of genuine freedom and social credit.

To return now to the rather serious charge of gross inaccuracy and of dealing for the most part with matters not related to the actual provisions of the Bill, I shall be grateful if Mr. Bourcier will substantiate this, and if the Bill does not, in fact, contain the defects I have criticised my thankfulness will far outweigh any shame I may feel at being shown to be in error.

My article, however, dealt only with two major points in the main structure of the Bill, and one piece of significant illustrative detail (the retirement pension) and it is difficult to see how I could get those wrong, unless, indeed, they have been changed recently. Moreover, the two major points seem to me to be implicitly admitted in Mr. Bourcier's reply, giving the reasons why they have been adopted. They were (1) that the rights of the citizens are to be limited by the laws instead of *vice versa*, from which I conclude that the Bill is not a true Bill of Rights, but its reverse, and this conclusion is absolutely independent of the power of the courts to find such a Bill *ultra vires*; and (2) that the principle of 'work or maintenance' has been adopted in the 'social security' proposals, which I conclude will lead to loss of security and an increase in compulsion, and again these conclusions are independent of the circumstances in Alberta and of my remoteness from them. Here also Mr. Bourcier seems to admit the fact in combatting the conclusions drawn from it, but I should be glad if he will explain exactly what is meant when he says the Bill limits the direct dividend to persons in receipt of less than \$600 a year, and that this \$600 a year is unconditional. Does he mean that the condition that the recipient must not be in gainful employment, so clearly stated by Premier Manning (e.g., in his broadcast reported in the *Canadian Social Crediter* of May 2, 1946) has been withdrawn, and with it all the interference inseparable from the enforcement of such a condition (as outlined in my article, page 3 second para., beginning "The way it happens is all too familiar")? Has also the retirement condition for pensions been withdrawn? If so, my article is indeed off the mark, but I fear that the reference to the *Draft Scheme for Scotland* as a justification for the imposing of conditions indicates that these have been retained.

I wish, now, that I had put into my article the paragraphs on the Draft Scheme which I had intended in case this

happened. Briefly, it seems to be another case of "*Daemon est Deus inversus*." The conditions there proposed are designed to give precisely the opposite effect to those in the Alberta Bill. The dividend is to be dependent on working (if able) not on *not* working, and is additional, not alternative to the wage. Its purpose is clearly to establish the claim of the individual to have a stake in the country, and hence a claim to its inheritance; the other condition, which limits the dividend to those with less than four times its amount *for their own personal use* (remembering that the dividend contemplated was over £300 a year per family, pre-war value!), has again just the opposite effect to limiting it to people with under \$600 (post-war.). In the one case you exclude only the well-to-do whom it can affect very little; in the other you exclude everybody but the extremely poor. Furthermore, as Mr. Bourcier points out, these conditions in the Draft Scheme are an interim arrangement, specifically limited to five years. Is it similarly stated in the Alberta Bill of Rights that the conditions attached to the social security dividends are temporary, and that after a specified time limit they will give place to unconditional dividends for all?

The real crux of the disagreement is this:—Mr. Bourcier believes that, when the available dividend is small, payment to those in greatest need confers more freedom than unconditional payment of a smaller dividend to all, and I venture to deny this absolutely. I beg him to reconsider this, as the difference is of immense importance. The first, which adopts the principle of the National Minimum, associated over here with the name of Sydney Webb, a founder of the London School of Economics, leads down the hill to the servile Scarcity State. The second, however small its beginning, leads up the hill to increasing independence and security. If the available productive power is small, the 'security' available is also necessarily small. The important thing is that it should be distributed in such a way as to encourage, and not discourage, its increase. The dividend does the first, the 'dole' the second. The end does not justify the means, and the adoption of wrong means invariably leads to the attainment of the wrong ends. It is true that some of the right means, *viz.*, tax reductions and price discounts, may also be adopted, and I wonder why these have been so lightly stressed in the public presentation of the Bill, but since these are to be subsidiary, *i.e.*, the balance only after the social security payments is to be distributed in this way, they do not radically affect my arguments. It seems that Alberta is at the parting of the ways.

Report of the Royal Commission

(Order in Council P.C. 411, Feb. 5, 1946).

(ESPIONAGE IN CANADA).

A small proportion of the order placed by Messrs. K.R.P. Publications Ltd., for copies of this Report has now been discharged, and a few copies are, therefore, available for sale (price unfixed).

"... we considered it of paramount importance that there should be available for all to read as complete an account as possible of the illegal activities which had already so seriously affected, and were designed even more seriously to affect, the safety and interests of Canada."—*The Commissioners*.

Orders from *bona fide* students of politics will have priority. Notwithstanding the recommendation of the Commissioners, the *Report* is in short supply.

In conclusion, I should like very humbly to ask Mr. Bourcier and his colleagues to overlook any offence I may have given, and not to lay aside too lightly the warning which has been delivered. We in this country have in recent years passed through such bitter experiences that we have been forced either to give up thinking, or to learn the desperate practical importance of distinctions which formerly looked like mere subtleties of principle. This is certainly no matter for pride on our part, but it does make us anxious to prevent others from having to pass through the same fires. If I had come across one single letter or article criticising the Bill of Rights on Social Credit grounds it is unlikely that I should have ventured to express my views, but since, after waiting anxiously for six months, not one came to my notice, it seemed that 'something must be done' to relieve a dangerous situation—and when a Social Crediter thinks that, he knows that he must do it himself.

Yours truly,

C. G. DOBBS.

October 18, 1946.

From Mr. Bourcier

I wish to tender my sincere thanks to Dr. Dobbs for his reply to my letter. His letter removes the main grounds upon which I took issue with him, namely, the implied motives that he attributed to the responsible members of the Alberta Government in connection with the Bill of Rights.

It will perhaps help to clarify the matter further if the following points are noted:

(1) The Bill of Rights Act has not been presented to the public as a Social Credit measure. Moreover no enactment of the Provincial Legislature, having the scope of this Bill, which could pass the Social Credit test would have the smallest hope of being upheld in any court in this country in view of the adverse judgments standing against the Credit Regulation Act.

(2) The provisions of the Bill of Rights do not limit the so-called Social Security Pension to \$600 a year on the basis of the 1945 price level. Neither does its receipt depend upon the recipient being unemployed. A married man may be in receipt of a net income of only \$300 in any year from his employment. He would still be entitled to an additional \$300 and his wife to \$600 in that year, assuming that the amount of the pension was \$600, a matter which would be determined by the productive capacity of the province. Dr. Dobbs's criticism of the administrative implications are, however, sound. It should be plain that the administrative difficulties involved is a guarantee that the measure as it now stands will have to be amended.

(3) Premier Manning has repeatedly stated that the Bill of Rights will be amended as often as necessary to give the people of Alberta the results they desire.

(4) I must repeat that I did not and do not now say that Dr. Dobbs's criticism of the manner in which benefits are to be distributed is incorrect from a Social Credit viewpoint. In fact his criticism could perhaps be carried much further on grounds of policy, strategy and technical considerations. I objected to the fact that he ignored those aspects of the Bill which if they became operative would place Alberta in a strong strategical position. He also ignored the legal difficulties which had to be taken into consideration.

I should like to assure Dr. Dobbs that I appreciate the motives which prompted him to write the article in question. Though he assumes that I hold certain beliefs, which I definitely do not hold, I cannot see that any useful purpose can be served by prolonging this discussion to the point of splitting hairs. I cannot, however, refrain from informing Dr. Dobbs that I do not believe that payment to those in need confers greater freedom than a smaller dividend to all.

There are other points upon which we are not likely to agree unless we were to live in London for a time and Dr. Dobbs became a resident of Alberta (in which event he would have the best of the deal).

I must congratulate Dr. Dobbs insofar as his article has brought to the attention of all sincere Social Crediters most important aspects of our earnest endeavours to establish a happier society and also because he has by elaboration dispelled the misconceptions which arose from his original article. Hence I need hardly assure him that I concur heartily in the closing phrase of his letter.

A. V. BOURCIER, M.L.A.,
Chairman, Social Credit Board.

November 5, 1946.

ODLUM v. STRATTON JUDGMENT

(Royal Courts of Justice, July 29, 1946.)

Before:

Mr. JUSTICE ATKINSON.

(continued)

Every witness who has been asked about it has agreed that these words would be understood in a defamatory sense. Mr. Main was asked about it, and he said so, and Mr. Cole. Mr. Cole gave evidence about this, and he said that he was in Scotland when this came out on the wireless, but as to how people understood it, they would understand it in the same way whether it came from a newspaper or the broadcast.

Mr. Cole said this on Day two at page 48: "I think the broadcast was round about the 13th, and I was in Scotland from the 21st to the 29th, and I was asked by many farmers in Scotland what sort of a farmer Mr. Odlum was after the broadcast; they had heard it there." Then he was asked: "Can you remember what was said with regard to this matter at the time that Mr. Hudson took the farm over? (A) It conveyed to me that it was really—I should take it, had it been myself, may I put it that way, that it was really a blot on my character, a slur on me as a farmer."

Those were two witnesses who were called for the plaintiff. Now let me take Mr. Price, the writer of this. He said this on Day 5 at page 38: "(Q) And do you think it would be a good advertisement for a man who had occupied such a position to be told when he sold his farm it was in very poor condition? (A) It certainly would not. (Q) It would be the reverse, would it not? (A) It certainly would not do him any good. (Q) It would do him harm, would it not? (A) That I cannot say. (Q) But you say it would not do him any good. Be frank; it would do him harm, would it not? (A) Would you qualify that—in what way? (Q) Harm to his reputation, Sir? (A) As a what? (Q) As a farmer? (A) Yes, I think it would."

I have had a number of officials called on behalf of the defendant, but Mr. Tomlinson said just the same thing. He was asked, on page 46 of Day 8: "(Q) Yes, but if somebody told you that a farm was in very poor condition, you would not take that as something to the credit of the farmer, would you? (A) No, my lord. (Q) You would think it was to his discredit? (A) Unless it was something outside his scope." —What that meant I do not know.—"(Q) If you wanted to say that the farm was in very poor condition, and then you went on to say 'because there has been a very severe frost or the river has overflowed,' and so on, yes; but without some explanation of that sort, it is a reflection on the farmer, is it not? (A) Yes, I think it is."

So that I have the help of those opinions of two witnesses called on one side and two on the other. Speaking for myself, I have not the slightest doubt that any farmer with the most reasonable mind would take that as a reflection upon the plaintiff as a farmer suggesting incapacity or negligence of a bad type at a time when it was a farmer's duty to be doing his best; and whichever way you put it, it seems to me that that would be harmful to the reputation of a man whose reputation until then had stood very high.

Now it was made quite clear by Mr. Slade that the particulars of justification do not go to justify this suggestion of incompetence. I am confirmed in my view on this point by two things, firstly, by the particulars of justification, every one of which points to, well, I think at least deliberate neglect. In the particulars under paragraph 5 it is said: "The grassland on the farms was generally neglected with poor herbage and very weedy, the ditches were silted up with soil and trodden in, and the land was boggy, the hedges were overgrown and neglected; the crops were in poor condition, and some of the arable land was foul with couch and the land was deficient in potash and weedy; the farm implements were in a dilapidated state; the farm cottages were out of repair." Every one of those things points at least to deliberate neglect.

If you can only justify an allegation of this sort by details which all go to defame the person spoken of, it seems to me very difficult to say that they cannot convey a defamatory meaning. Again and again in the witness box the witnesses have attributed this criticism and that criticism to ignorance, to deliberate neglect and the like. If they can only substantiate the truth of these words by personal accusations against Mr. Odlum it is idle to come here and say: This is only a statement which defames the farm; it is not a personal defamation of the farmer. I hold, at any rate, that the words were defamatory. They imputed bad and incompetent farming to the plaintiff at a time when good farming was a duty. I hold that the words were harmful to his reputation as a farmer, a reputation which until then among farmers stood very high.

Now what about fair comment? Fair comment has to be what it purports to be, namely, comment. It has to be comment. It has to be comment on a matter of public interest and it has to be based on true facts. Comment is a statement of opinion on facts. A libellous statement of fact is not a comment or criticism of anything. In the case of *Merrivale v. Carson* (volume 20, Queen's Bench Division, page 275) Lord Justice Bowen said that a positive misdescription is a question not of opinion but of fact and clearly falls beyond the limits of fair criticism. Comment has to

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Saturday, December 7, 1946.

From Week to Week

The only Province in Canada which shows a decline in population during the past year is the only Province, Saskatchewan, which has a Socialist Government. Now laugh that off.

We are strongly of the opinion that a great deal of the rationing combined with huge foreign gifts and "austerity", with the impingement on private rights which is the main principle, if any, of the Labour Administration, borders on High Treason. If we are not mistaken, the Republican Congress which has come into power in the United States will order an investigation of the misuse of war powers by the New Dealers, the group corresponding to our Fabian -P.E.P.-ers, with a view to possible impeachment.

If there really is a Conservative Party in this country, which we are beginning to doubt, they might do much worse than include a similar proposal in their policy, when they have one.

Incidentally, the first step to that end will be the decorous elimination of Mr. Winston Churchill, Mr. Anthony Eden, and Mr. Harold Macmillan from any connection whatever with Conservative politics. All of them would no doubt find a warm welcome in the Fabian Society, to which two-thirds of the Socialist M.P.'s belong.

NOTES ON CONSCRIPTION: "This militarism has rightly been called the cement which bound the whole structure of society into an entity. It was, and still is, an outstanding expression of the efficiency of the Supreme State . . . local branches of the Social Democratic Party (Marxian Socialists) functioned through men of the type of captains, or non-commissioned officers."—Wernher Bruck. *Social and Economic History of Germany.*

"The Imperial Chancellor can rest assured that German Social Democracy (Socialism) is a sort of preparatory school for militarism."—August Bebel, Leader of the German Socialists, 1892.

If Mr. Attlee, the present Prime Minister was correctly reported, and it has never been alleged that he was not, he declared at Southport, in 1934:

"We have absolutely abandoned every idea of nationalist loyalty. We are deliberately putting a world loyalty before loyalty to our country."

A number of men and some women, are serving sentences of imprisonment in Canada for acting on the assumption that they can, at their own discretion, place a "world loyalty," which they identify with Russia, before that of the country

in which they live, have a vote, and to which, if they were born elsewhere, they have sworn allegiance.

We think it is quite time, in view of the strict attention of this Administration to every interest before that of the British, that an answer should be given to the following questions:

(1) Does Mr. Attlee adhere to his statement as quoted above, both for himself and the Party which has placed him in power?

(2) Does he contend that a majority of his electorate understood that they were agreeing to place their interests at the disposal of other Governments, which make no pretence of serving any interest but their own, least of all that of the British, for whom they express open dislike? If not, from whom does his mandate proceed?

(3) Do these other components of a "world" to which Mr. Attlee declared his over-riding loyalty agree that they elected him to represent their interests, and if they did, what was the mechanism by which they procured his election?

We are fully aware of the gravity of the issues which are raised by these questions, which are framed in the most studiously moderate form which will serve to clarify the position. We do not, by any means, date the inception of this policy which has brought down this country, and its hideously betrayed people, to the mere election of Mr. Attlee. The Labour Party was not in power, nominally, between 1931 and the outbreak of war, although we have a strong suspicion that Mr. Baldwin's Administration had many of the characteristics of the Mond-Turner Conference. But there is altogether too much resignation about the "Opposition" to Socialism: a compliant attitude which does not reflect any intelligent section of the public outside the bribed bureaucracy. It is time someone called the game, which is to use the immature ideas of the masses to wreck civilisation.

"The eyes of a fool are on the ends of the earth." The warped mechanic, who is not Works Manager, partly because a better man has the job, and partly because his collectivist ideas have greatly reduced his opportunities, talks rubbish about British Imperialism in India without being quite sure whether India and Indiana are the same place. But his backers know.

That peculiar institution variously known as Beelzebub's Brethren Calling, the "B".B.C., the British Broadcasting Corporation, and the Jews Harp, has, for the second time, been doing its best for the French Communists. In the 8 a.m. News Bulletin of November 25, it announced that the Communists were leading in the Elections of the Grand Electors who will, in their turn, elect the French Council or Senate. In its evening bulletins it awarded the victory to the M.R.P. (Catholic Progressive).

In the 6 p.m. Bulletin of November 27, it disclaimed knowledge.

Both in this and on a previous occasion, the announcement of Communist progress was circulated while decisive returns still remained to be made, and possibly overseas votes cast.

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PARLIAMENT

House of Commons, November 19, 1946.

KING'S SPEECH

DEBATE ON THE ADDRESS

Trade Unions (Closed Shop)

Mr. Frank Byers (Dorset, Northern): I beg to move at the end of the Question, to add:

"But humbly regret that the Gracious Speech contains no reference to the threat to the personal liberty of workers, members and non-members of trade unions by the enforcement of the closed shop in industry nor gives any indication of the policy of His Majesty's Government in this grave constitutional matter."

... As soon as compulsion or the threat of compulsion is exercised and the trade unionists say to a worker, "We will not work with you unless you join," trade union membership becomes a condition of employment.

That is the point. In other words, in order to retain a job a man must be a member of a trade union. The attitude of the Government is that that is a matter which must be left to both sides of industry. I think I am reciting what the Lord President said in the speech which he made in the Debate on the Regulation. I understand that attitude, but is it not a fact that that attitude of neutrality leaves the trade unions free to go ahead and use any compulsion they care to in order to force people to join the trade unions? That is the constitutional issue which is at stake, and that is the reason why this matter has to be raised, in the interests of the union member just as much as in the interests of the non-union member. The non-union member who cannot get into a union loses his job, and the union member who loses his union membership loses his job also, and in some cases his livelihood. This is the battle of the worker against the trade union official in certain circumstances, and we have the right to say that we must stand up for the workers. . . .

It is generally thought that there is little difficulty in joining a trade union. I thought there was little difficulty in joining a general union. I thought that was all right. I would like to spend a few minutes citing the case—it is not a very strong case—of a man named Mr. Throssel. He was a signals instructor in the Royal Corps of Signals, a sergeant, aged 44, with a wife and four children, and a good war record. He came back and was discharged from the Army, and he went to the Fulham Electricity Station as a sub-station attendant. He liked his job, and no complaints were ever made about the way he carried it on. Then the Trades Disputes Act was repealed. The Council, which is a Labour Council, passed a resolution in which they said that all employees of the Council must join a union—not any particular union, but some union. All right. Mr. Throssel made verbal application to the Municipal and General Workers' Union. They said they thought it would be better for him to join the Electrical Trade Union. That was very reasonable. Mr. Throssel therefore made application to the Electrical Trade Union, and his application was refused. I will go into the reasons why it was refused in a minute. Immediately his application was refused, Mr. Throssel rang up the Municipal and General Workers' Secretary and said, "I could not get into the E.T.U. Will you take me?" and the answer was, "Certainly, of course, we will." Two days later Mr. Throssel was informed by the Municipal and General Workers' Union local secretary that he was sorry but he could not take him into the Municipal and General Workers' Union because the E.T.U. had brought pressure to

bear on the union and said, "There will be a row if you take him in." Within a week Mr. Throssel had the sack. He had been earning £6 12s. a week and he is now working as a packer at G.E.C. at Kingsway, in London, at £4 10s. a week, the job consisting of breaking down cases and hammering nails in.

... I put the whole of this matter to the Fulham borough council. This is the answer I got from the town clerk:

"With reference to your letter of 29th ultimo concerning the dismissal of Mr. Throssel, a sub-station attendant in this council's Electricity Department, I have to inform you that the circumstances were reported by the borough electrical engineer to the Electricity Committee as follows: "The employee had failed to join a trade union as required by a resolution of the council passed at its meeting on 17th July last, in spite of the fact that he had been warned immediately following the passing of the resolution in July that it would be necessary for him to do so. He had, therefore, been given a week's notice terminating his employment on 14th September.

"It is understood from the shop stewards that he had made an application to join the E.T.U., but for reasons which seemed sufficient to the trade union, they were compelled to refuse the application, and a further application to join the National Union of Municipal and General Workers was similarly refused. Employees who do not comply with the conditions of their employment are always liable to dismissal from the Council's service and this step was taken in the present instance."

The remarkable thing about that is that there is nothing wrong with it. It can be done. That is the danger. If we try to put a Question down, the Table is quite right in refusing it, and it is very difficult to see what the answer to this is.

I am not saying that Mr. Throssel is entirely in the right. I wrote to the National Secretary of the E.T.U., and he was good enough to send me a copy of a letter sent to somebody else about the same case. Here is a paragraph from that letter:

"In this particular case it appears that on the candidate being admitted into the branch room for the purpose of answering questions, which is the usual procedure, he was not in some cases prepared to reply. . . ."

Unwise, I agree:

"... The branch, however, had certain information regarding him which they were desirous either of confirming or rejecting but were unable to do this owing to his attitude. As a result, the candidate was not admitted."

It is interesting to note what took place in this interview. It took five minutes. Mr. Throssel was asked had he done anything to join the union voluntarily before the council passed their resolution? I think that is irrelevant. The answer was, "No, he had not." Perhaps that was an unwise answer. Perhaps he should have cooked something up in order to get in. It is a terrible thing if one has to do that sort of thing in this country. Mr. Throssel was then asked what part-time employment he was undertaking. He replied, "Do I have to answer that question?" and the answer was "No." He said, "Then I prefer not to." The chairman then turned to the other members and said, "Any questions?" One member said, "Will you definitely confirm that you did nothing whatever to join the union voluntarily before the council passed the resolution?" Mr. Throssel said, "No, I did not."

The important point about this case is that Mr. Throssel is working as a night telephonist as a part-time job. He considers, rightly or wrongly, that he is responding to the call of the President of the Board of Trade and the Lord President of the Council for more output. He is working for the Postmaster-General in the Kensington telephone

exchange. He may be right or wrong, but that is what he is doing. The trade union committee on the other hand, dislike his having a part-time job. . . .

Mr. W. J. Brown (Rugby): . . . Indeed, in the opening sentences of this document [a memorandum on 'the closed shop' circulated by the General Council of the Trades' Union Congress] they begin by saying that they do not like the closed shop "in the American sense." But the closed shop is a closed shop, whether in the German, American, British or any other sort of sense. It has a connotation. It means making a man's right to follow his job dependent upon his being a member of a particular organisation or type of organisation. They go on, having repudiated the closed shop in the American sense, whatever that may be, to express approval of it in relation to three categories of people; first, non-unionists, men not members of any union; second, members of "splinter" or breakaway unions; and third members of unions which are not affiliated to the T.U.C. . . .

I now invite the House to notice that the Trades Union Congress is not only an industrial body. It is, to a very large degree, a political body as well. Its agenda—I am not criticising this, but we have to recognise the fact—will cover everything from China to Peru, from Poles to the Control Commission in Germany, and so forth. It claims the right to speak politically as well as industrially. When we are dealing with political affiliations we provide a contracting-out clause, so that if I happen to be a Tory, and I do not want to be affiliated to the Labour Party, I fill up a contracting-out form. I rather agree with hon. Gentleman opposite that there is not much bones made about that. A man can get a form and fill it up. A little moral persuasion against this may be exercised, but normally it does not go beyond that. However, when we come to affiliation to the T.U.C., there is no "contracting-out" at all. Affiliation is made to a body which is political but there is no "contracting-out" provision. If the closed shop was carried to its fullest extent, what should we find? We should find 21,000,000 people in Britain, compulsorily members of trade unions, compulsorily affiliated to the Trades Union Congress, which is political, and which, in turn, is a partner of the Labour Party. In other words, if this thing is carried to its logical conclusion, we will get all the wage earners of Britain—

Mr. Percy Morris (Swansea, West): May I put this point? Would not the hon. Member agree that trade unions affiliating to the Trades Union Congress and to the Labour Party, pay only on the degree of affiliation of their membership?

Mr. Brown: No. That does not apply in the case of affiliation to the Trades Union Congress. I think probably everybody on the opposite side of the House is as familiar with these rules as I am. In the case of the Labour Party, payment is made upon the membership not "signed out." In the case of the Trades Union Congress payment is made upon the total paying membership. That is a standing rule, and I am not arguing with it. I am attempting to point out that if the closed shop is carried through to its full extent in the areas where the T.U.C. favour the closed shop, then 21,000,000 wage earners in Britain will be compulsory members of trade unions affiliated to the T.U.C., which, in turn, forms part of the political Labour movement. If that is not in principle—not in intention, I do not wish to be misunderstood—a close imitation of the Nazi Labour Front or the Fascist corporations, then I do not know what is.

And now may I remind my comrades opposite that there is nothing immutable in human affairs. They have seen, as I have in my lifetime, a very considerable penetration of the trade union machine by the Communist Party.

Mr. Gallacher (Fife, West): The same old story.

Mr. Brown: If I had mentioned that that penetration had been trivial, the hon. Gentleman would have regarded that as a criticism of the efficiency of his Party. Hon. Members opposite know it is true that, in varying degrees, in different parts of the movement, the penetration has been very considerable.

Mr. Gallacher: That story is grey-headed.

Mr. Brown: At least it is not bald.

Mr. Gallacher: It is about time it went into honourable retirement. Why does the hon. Member want to bring in that kind of nonsense?

Mr. Brown: I hope I am not putting it unfairly in any way when I say that there is Communist penetration, and that some unions already are in the grip of the Communist Party. There are possibilities of a conflict between the Communist Party and the Labour Party. Does anyone deny that?

Mr. Gallacher: Yes.

Mr. Brown: I hope I am not being unfair to the House, and I hope hon. Members will not be unfair to me.

Mr. Gallacher: The hon. Gentleman is very concerned about the Labour Party.

Mr. Brown: I am trying to argue a serious issue. . . . Hon. Members have the right to reply to me but, at least, I ought to be able to state my views. There is a possibility of a political clash between the Communist Party and the Labour Party. If that ever comes, we may see in Britain the Communist-dominated trade unions getting together into one group, and the Labour Party-dominated trade unions in another group. The closed shop may be all right when it adds to one's political supporters. But one may find it very far from being all right if its effect is to strengthen the political opponents who have already passed the death sentence upon one. I think hon. Members opposite would be wiser if they eliminated the closed shop now and did not wait until that situation arose.

. . . We are told that we can trust the unions not to exercise their powers unworthily. I want to quote one case which comes to me today:

"Up to the moment, about 40 men and women have been discharged rather than join the Transport and General Workers' Union in the organisation of London Transport. The Transport and General Workers' Union have now become extremely vicious, notably with the imposition of a £5 fine, knowing full well that, in a good many cases, the men have not got £5 with which to pay. The latest case is that of a man at the Hanwell Central Bus Garage who is a member of the Passenger Workers' Union. He decided to join the Transport and General Workers' Union rather than be dismissed. He was told that he would have to pay £1 of the £5 fine immediately and a contribution of 8d. Evidently, the 8d. is the real entrance fee. He was then told that he would have to pay 9s. 8d. every week until the rest of the fine was paid. He has 33 years' service with the Board and its associated companies, and an absolutely clean record. He informed them that he was unable to pay this amount, and offered a lesser sum say 5s. On the following day, the chairman, secretary and a delegate called at the man's private house and asked the man if he would let them look at his card. He handed them the card, they looked at it, and then said, 'You are not a member of the Transport and General Workers' Union and you will be sacked.' On the following day, he was

sent for by the employer and discharged with a week's money in lieu of notice after 33 years in the service."

[HON. MEMBERS: "Shame."] I do not care what anybody else says about this; I say it is damnable and outrageous tyranny! . . .

I have dealt with this matter from the trade union point of view. Now I would like to deal with it in a wider connotation. I agree with the hon. Member who moved this Amendment that there is a deep constitutional issue involved in this problem. It is of the essence of the British Constitution that, under it, a man is "free to live by no man's leave, underneath the law." Provided that he observes the law, a man may go hither and thither on his lawful occasions, do his work, establish a home, bring up a family and so forth. But here we have another body under the State which says: "Though you observe all the laws, you shall not be free to work save by our permission, and that permission will be conditional upon your being either a member of a union, or a particular union, or a union of a given character." It is true that there are other examples of the closed shop. There are the cases of the medical profession and the law, but, at least, there is some sort of argument there. [Laughter.] Well, I was going to say that there are two points about those closed shops. The first is that they are established by Acts of Parliament; the second is that they are directed primarily to safeguarding the standards of proficiency in medicine and law and so on. Here is a case where no question of proficiency comes into the question at all, where Parliament has not approved the procedure, and where, I venture to say, Parliament would not approve it if it was brought before the House. That seems to me to be a very grave constitutional issue.

Mr. Wilfrid Roberts (Cumberland, Northern): . . . I do not come to the problem like the hon. Member for Central Bristol (*Mr. Awbery*) with 26 years' experience as a trade union organiser; I come to it as a Member of Parliament desiring to help those I represent, and I wish to put to the Minister of Labour a comparison between two of my constituents. Two neighbours happen to have been members of the trade union mentioned by the hon. Member for Hulme, the Aeronautical Engineers Association. Both were trained under the Government scheme during the war. Today one of them is a member of the A.E.U., but the other has stuck to the other union. The one who is a member of the A.E.U. is safely in employment, while the one who is not is under threat of dismissal, the moment there is any redundancy at the works. There is no difference in the training of those two men. They are equally skilled and both went through the same processes, but one is classed as a dilutee, because he is not a member of a particular trade union. An hon. Gentleman opposite shakes his head, but it is a most extraordinary thing that at Belfast, where 98 men were concerned in a thing of this kind, just by chance of course, the 18 who joined the A.E.U. are all classed now as skilled workers, whereas the 80 who did not, are "redundant" workers and have either been dismissed or removed to other work.

Mr. Lee rose—

Mr. Roberts: I am not going to give way. It is, no doubt, a pure coincidence that has made these particular people safe in their occupation. The hon. Member also left out one vitally important point, namely that at the time this union was formed these men could only join the A.E.U. under that class of membership which is devoted to completely unskilled men and in which the benefits are practically *nil*.

I believe this is known as Class 5A—I have tried to instruct myself on behalf of my constituents. That was the reason why the other trade union was formed. They could not get into the A.E.U. which would not have them except as unskilled workers. This other trade union was an organisation formed either of men who had been trained during the war, skilled workers in training centres, or else ex-airmen. Today it consists to the extent of almost 80 per cent. of ex-Service men.

Just before the General Election, attention was paid to this organisation by the Labour Party. Speakers, including the Lord Privy Seal, addressed a large gathering, including all the leaders of this union, and made them so enthusiastic about working class unity that they agreed that they had made a mistake in the past, and they applied to the T.U.C. and the Labour Party for membership. That was just before the Election. They applied as I say to the T.U.C. With a licence from the T.U.C. to be skilled, and to be employed, then one is all right, whatever the name of the trade union is. What happened? The matter was referred to the A.E.U. and to several other trade unions which were affected. The application to the T.U.C. was turned down—after the election. I would ask the Minister of Labour to recognise that this matter affects my constituents vitally, and to tell me how one gets into the T.U.C. How can an organisation get into the T.U.C.? What determines affiliation? What are the rules? Is the decision purely arbitrary? Are there any rules an organisation can follow to ensure that it will be accepted. [Laughter.] . . .

I come back to the case of my two constituents. One man was a branch secretary of this union. He joined, I am informed, the Communist Party and the A.E.U. at the same time. The other remained faithful to this organisation and is under a threat of dismissal—[An HON. MEMBER: "Is he a Liberal?"] I do not know what he is—I ask the Minister to say whether the cases which have been cited do not reinforce our argument that this matter should be looked into? It is a matter the facts of which ought to be made public, by a proper inquiry set up by the Government. . . .

House of Lords, November 27, 1946.

Espionage in Canada

The Earl of Mansfield asked His Majesty's Government what steps are being taken to make available to members of both House of Parliament, the full official Report on espionage in Canada; and when it is expected that copies of this Report will be on sale to the general public in this country.

Lord Pethick-Lawrence: The Report of the Canadian Royal Commission on Espionage is published by the Canadian Government and copies are not available to members under the usual free supply conditions but a copy has been placed in the Library of both Houses for the convenience of members. Supplies of the report for sale purposes were ordered from Canada in August last by the Stationery Office and the order has had to wait for a reprinting. The supply is now on the way and copies will be placed on sale to the public by the Stationery Office as soon as they are received.

Scottish Universities Bye-Election

22,152 constituents voted for Colonel Walter Elliot, the ex-Fabian "Conservative" candidate. Approximately 41,000 didn't. Approximately 31,000 of these did not vote at all.

"From Week to Week"—(continued from page 4)

It is a fact well known to political campaign managers that nothing is more likely to turn votes than the probability of victory, and this is particularly so in a corruptible electorate. The desire to cash in on backing the winner, and its converse, the fear of victimisation for opposing him, can be safely counted upon to outweigh any political principles in a mass electorate. There was no reason why the "B."B.C. should broadcast an opinion on the probable result in advance, and even if it had been correct, it would have been highly objectionable; as it is, we trust someone will ask a question in the House of Commons on the steps which have been taken to censure the individuals responsible.

But who so scrupulous as the "B."B.C., if International Finance-Socialist policies are criticised? Lady McRobert, all of whose sons were killed in the war, was very properly asked to broadcast on Remembrance Day. Equally properly, she proposed to indicate her conception of why her sons gave their lives, and her estimate of whether they would consider they had died in vain. The following are her words, which the "B."B.C. suppressed:

"I am left trying to do some of the things they might have done, but like a great many people to-day, I have a sense of extreme frustration. Often I wonder what they would think of our country and the world to-day.

"They would not enjoy the ever-increasing restrictions and prohibitions. How many of those who fell would think the sacrifice worth while?

"They fought to preserve freedom and liberty, but we see freedom being taken from the people bit by bit. The men who won that fight for freedom—those who fell, and many of those who returned—had enterprise. They were daring and loved adventure.

"What do we find? The spirit of enterprise is discouraged by party politicians who find themselves in power. Personal liberty is made to appear undesirable.

"In fact, the right to work is denied those who do not support the vested interests of the favoured union. Did our men fight and die for such things as these? I think not."

To win an election by secret ballot on the lines of the democracy which Mr. Winston Churchill so enthusiastically supports, involves certain propositions, not mutually exclusive.

The first proposition is that the "platform" put forward shall contain the maximum bribe to the greatest number—primarily a materialistic bribe but by no means excluding revenge, hatred of culture, abstract idealism—the more mystical the better—and many other factors which it is the business of campaign psychologists to identify.

Since the outcome rests on the acquisition of a bare majority, the "Fact" that there is no Law but the Might of Numbers, is implicit in the process. Once obtained, the mandate supposed to be conferred (on the assumption that a majority is *ipso facto* the manifestation of Power, and therefore of Right) can be exercised by a pre-selected gang.

The second proposition is that the bribe need not be paid, because once having conferred its hypothetical mandate, the majority breaks up. A third is that a mandate conferred by a majority automatically confers exactly the same Right, based on the same theory, as that exercised by the highwayman or the robber baron of Mediaeval Europe. The mandate

is invariably used to rob a minority under the pretence of keeping an election pledge; but in fact, for the benefit of the robber barons and their gang.

We will not waste space on sympathy with the robbed. Nothing which cannot be phrased in terms of the 'cahmon' man is fitted to this attractive century which is dedicated to him.

But there is a quite general argument from experience which is independent of the victim of any particular outrage. Too many, and too successful, highwaymen, discourage enterprise. The difference between the buccaneering business man of the nineteenth century and the Fabian Socialist is that the former annexed too much of a new exploitation of wealth. The latter concentrates on taking it off someone with more enterprise but less artifice. To assess the result, look around you.

"Odlum v. Stratton"—(continued from page 3)

be founded on fact, either stated, referred to or assumed, and it must be quite clear which it is.

Lord Justice Moulton, as he then was, in *Hunt v. Star Newspaper Company Limited* (1908, volume 2, King's Bench Division, page 309) said this at page 320: "Any matter, therefore, which does not indicate with a reasonable clearness that it purports to be comment, and not statement of fact, cannot be protected by the plea of fair comment." It must indicate with reasonable clearness that it purports to be comment and not a statement of fact.

I think that this plea breaks down at every point. I cannot see, in what way the condition of this farm thirteen months before was a matter of public interest. Conceivably, though I very very much doubt it, the present state of a farm, although merely one in 5,000 in a county, might be a matter of public interest, but how the state of a now flourishing farm when it was sold over a year before could be a matter of public interest, I cannot imagine. In the three important current text books on libel there are lists of headings and there is not to be found one under which this case would find a place.

Going back to the South Hetton case for a moment, there there had been a statement defamatory of the condition of a number of houses on a building estate, and it contains this paragraph in the Judgment of Lord Justice Lopes at page 143: "Is the matter commented on one of public interest? This is a question for the Court. The attack upon the plaintiffs is in respect of the sanitary condition of their property, involving the health, comfort, and well-being of over two thousand human beings. The sanitary condition of this large population is placed under the control of a public body who do not interpose. Can it be said that this alleged state of things is not a matter of grave public interest? It may be that there is no case in the books holding a matter like this one of public interest; but I am clearly of opinion that a matter like this now before the Court may be made the subject of hostile criticism and of hostile animadversion, provided the language of the writer is kept within the limits of an honest intention to discharge a public duty." That is the kind of thing which is a matter of public interest.

(To be continued)