

# THE SOCIAL CREDITER

FOR POLITICAL AND ECONOMIC REALISM

Vol. 21. No. 17.

Registered at G.P.O. as a Newspaper.  
Postage (home and abroad) 1d.

SATURDAY, DECEMBER 25, 1948.

6d. Weekly.

## From Week to Week

In its issue of November 10, the Joint Editor of *Human Events* (Washington, D.C.), Mr. Felix Morley, muses on the significance of the stock market as a political barometer of greater general reliability than the various public opinion polls which have been somewhat (we use the word advisedly) discredited by the defeat of the Republican candidate for the Presidency, Mr. Dewey. It should be remembered that the stock market in the States is a popular institution replacing the English or Australian race-track and book-maker. Many interesting issues are raised by this line of thought, the first of which is that which we have connected with the open vote. A dealer in stocks and shares, like the English betting man, gives his very serious attention to his "vote" because he is going to lose or gain by it. That in some form or other this principle will have to be substituted for the irresponsible secret ballot seems so obvious that for the moment we will not elaborate the subject, but pass on to other aspects of Mr. Morley's thesis which appear to have almost equal importance.

As he remarks, "Investors do not divide into bulls and bears on the basis of campaign promises. For that reason, they tend to represent accurately the considered judgement of the business community at any given moment." Taking as the basis of his opinions the Dow-Jones Averages, which are recognised as reliable and authoritative, he points out that the nomination of Mr. Dewey roused no investor enthusiasm, but on the other hand, the re-nomination of Mr. Truman produced a heavy fall in the market.

The similarity of this situation to the political outlook in "Britain" needs no emphasis. Mr. Dewey corresponds to Mr. Churchill; and if anyone had any doubts of the policy of the *soi-disant* Conservative Party should it come to power, Mr. Churchill's fevered demand for the immediate recognition of the State of Israel ought to resolve them. To put the matter quite shortly, the next Election in this country, on the basis of present political arrangements, will decide whether Jew interests will be in the care of Mr. Churchill, who has been their standard bearer since the beginning of this century, or be fostered by Sir Stafford Cripps, Mr. Sidney Webb's nephew, the expositor of the policy of Mr. Churchill's friend Sir Ernest Cassell, who endowed Mr. Sidney Webb's London School of Economics.

In the view of the late A. R. Orage, politics at bottom is merely a faction fight between sections of Jewry. This was probably more true, but less obvious, thirty years ago than it is to-day, because the kind of politics which has brought the world to the pass in which we stand was secret politics, "gentleman's [*sic*] agreements," Bankers' Consortia and other "arrangements", of which the extra-national

Boards, such as the "B."B.C., the Coal Board, the Central Banks, etc., are the progeny.

That parent of the Furies, Woodrow Wilson, surrounded by Jews and personally as capable of dealing with the problem as a blacksmith with a Kew chronometer, nevertheless "had something" when he demanded "open agreements, openly arrived at." (Observe the facial resemblance between Wilson and Sir Stafford Cripps).

But with that hell-bent demonstration of the awful truth, "The letter killeth, but the spirit maketh alive," Wilson played straight into the hands of the centralisers.

The League of Nations was a scheme of the Freemasons, but Wilson sponsored it; and with the possible exception of its successor, that grisly joke U.N.O., no institution ever did more in shorter time to compass the destruction of a continent and the murder of innocent men.

This dreadful corruption of the best into the worst, this blasphemous and barbaric vandalism which seems to accompany the appearance of the Cromwells, the Crippses and the Woodrow Wilsons on the world stage is the power complex masquerading as religious and Utopian fervour. It is unteachable; the historic fact that all "great" men have been a curse to humanity, as Sir Patrick Hastings pointed out in an admirable letter to the Press ten years ago, is nothing to them. *I will do the Lord's work; I will build Empires and pull them down; I will decree austerity; I will put down the mighty from their seat: I am humble and meek and will exalt myself; I will be the judge of the virtuous and the deserving and will see that they get their deserts.*

And the black-marketeers, the vote-snatchers, the purveyors of the Caliph's favour, and the dispensers of short-cuts to licenses snigger and give thanks, what time Merlin stirs in his grave. Or does he?

So far as party politics in this country can affect the issue under their present arrangements we think the best outcome for the country at a general election, if ever held, would be for the present Administration to be returned with a very small majority.

The only political virtue in Parliament resides in the back benches; and that would give them a chance.

The Carnegie Foundation for International Peace, may, for all we know, have been started with some idea corresponding to its title.

It is now well recognised that its objectives, like those of Sir Stafford Cripps, involve the dismemberment and dissolution of the British Empire as a primary step; and there is no very convincing evidence that the further steps involve

anything more than the transfer of the assets of the defunct Empire to New York. For this reason it seems doubly hard that it has for President Mr. Alger Hiss, who "as the un-American activities Committee sees it" (*New York Herald-Tribune*, Paris; December 11) "is No. 1 suspect." It is all very complicated, involving Mr. Nathan Levine, Mr. Chambers who gave Mr. Levine a packet of secret papers and was a former Communist courier, and subsequently editor of *Time*, and Mr. Hiss, who was in the State Department. The only point which seems clear is that the British were sold down the river, as usual.

## PARLIAMENT

*House of Commons: December 6, 1948.*

### Dumped Radio Equipment

*Mr. Hugh Fraser (Stone):* . . . the matter which I have to raise is one of considerable concern and is related to very grievous allegations I made against the Ministry of Supply a few weeks ago. The allegations were about the dumping of radio equipment in what is called the Wonder Pit at Cheadle, in Staffordshire, and I propose now to substantiate those charges.

This matter was first raised by me nearly three years ago. I was told by the then Minister of Supply, when I put a Question asking whether this radio equipment which had been dumped had had withdrawn from it parts and valves, that the sets were damaged, unserviceable, not worth repairing, and unsuitable for civilian use. I was also told that useful parts, such as valves, had been removed, and that dumping in an abandoned mine shaft was chosen as an economical method of destroying small articles. This statement was reiterated on November 15, 1948, when the Minister of Supply went further and said that most careful inquiries had been made to see whether the apparatus was saleable or usable.

One naturally expects that the premise of Questions in this House, and the way business is conducted, is that the answers given to Questions should be true. I should like to examine this matter and to say that two of my constituents, Mr. George Eyre and Mr. Thomas Weston, did not have my simple faith in the accuracy of Ministerial replies. They went so far as to dig up the Wonder Pit, where they discovered a large quantity of supplies. What they discovered was that 10,000 sets had been dumped and that also far from being unusable, many had guarantee of serviceability labels. A large number had arrived in cartons and they were still in them on the site. In 90 per cent. of the sets, no valves whatsoever had been removed; some had been smashed, but it is a tribute to British workmanship that, although sets had been jettisoned with great force, 60 per cent. of them were in workable condition. Far from being of no value, there were 500 cathode ray tubes. I have brought a considerable amount of this equipment to show to hon. Members, and if it is desirable to do so, I will exhibit it in the Tea Room. I also have a question to ask concerning some rubber goods, with which I will deal in a moment.

It was only on Friday last that the Joint Parliamentary Secretary to the Ministry of Supply was complaining that the production of television sets was being held up because

of a shortage of cathode ray tubes. It was only the other day that the Minister of Health said that the thing which was holding up certain X-ray services in hospitals was cathode ray tubes. Here are 500 of them, worth between £10 and £15 each. The sets contained certain other items—two diode tubes, three E.F. 50 valves, the most useful of all radio receiving valves, and which are applicable especially to civilian sets.

In addition to these 10,000 sets, there was one 12 to 240-volt reversible rotary convertor. These items, apart from a great miscellaneous collection of transformers and condensers, are of considerable value. Even if we assume that the prices which are quoted today are the best, diode tubes are from 30s. to £2 each, and valves are from 18s. to 20s. each. Mr. George Eyre has found them of sufficient value to himself to be able to construct a small bedside set for six guineas by using this equipment. What is certainly true is that the rotary convertor is a piece of equipment of considerable value, selling on the market today at £2.

I should like to go further and investigate the riches of the Wonder Pit. Even assuming that all these valves had been broken, there still remain parts of considerable value. It is all very well for the Government to spend a great deal of money on the prevention of waste, and to appeal to people, by millions of posters, to save bones, scrap metal, and waste paper; but they have themselves wasted a considerable amount of precious raw material. These 10,000 sets quite apart from the valves, contain 2½ lb. of brass, ½ lb. of copper and ¼ lb. of zinc. Even without the valves, the basic raw materials in these sets are worth 23s. 6d. in each set. Even more remarkable is the fact that, far from these sets having been properly salvaged, they still contain—perhaps the Minister knows it—a small quantity of platinum. As perhaps the hon. Gentleman knows, platinum is extremely important in the hot-spots in radio, and to quote Mr. Hilaire Belloc:

"I shoot the hippopotamus  
With bullets made of platinum,  
Because if I use leaden ones,  
His hide is sure to flatten 'em."

This is a very serious matter. Eight little blobs of metal worth £23 an ounce! To each 25 sets there is approximately 1 oz. of platinum. That is considerable. It means that about £1 worth of platinum in each set has been buried in the mine. Certainly the National Coal Board, and even some studious gentry in South Africa, might take a lesson from the Minister of Supply in salting mines.

I asked the Minister for an inquiry, which was refused. I carried out a further investigation myself. I can produce these sets from the Wonder Pit, and I seriously inform the House that this whole process of dumping is much more extensive than just this one instance. Throughout the country, I am informed, there are many other mines which have been used as dumping sites by the Ministry of Supply. For instance, in a nearby pit, New Hayden, 1,800 tons of rubber was dumped and, while some of the tyres were useless, several thousands were perfectly good. At the time the dumping took place, bicycle tyres were fetching between £4 and £5 apiece. Brand new tyres, wilfully slashed, were being dumped by vehicles having tyres which could hardly keep them on the road. Even at this moment there is a very firm rumour going round—and I believe that it is very near the truth—that the Board of Trade are contemplating the dumping of another 8,000 tons of rubber in a disused pit in

Staffordshire. I should very much like to have an answer on that point.

The accusation against the Government is three-fold. It flows from the fact that the system of dumping war stores was bad. I talked to one gentleman responsible for dumps, and he said that on one occasion he had 30 men waiting to dump goods into a pit. It was bakelite scrap. He rang up the factory. The factory said "How are you doing?" He said "I am waiting here with 30 men." The factory said "You will have to wait a bit longer, the stuff is not made yet." The system was ill worked by the Government for three reasons.

First, there was no serious operation of salvage carried out by the Government. In 1945 and 1946 it would have been perfectly possible to have seen that no valuable materials were thrown away. We have this single example of Cheadle, of which I know the facts, but there are thousands more throughout the country. It is no good the Minister saying that it was impossible to do anything else, for we now know that after the goods had been taken 200 miles from London and left in the pit for two years, private enterprisers have got the stuff out and disposed of it at a profit. If that had been done by the Government three years ago, the saving to the country would have been very great indeed—£30,000 in this pit alone. The cathode ray tubes are worth about £10,000, the platinum about £8,000 to £10,000 and the valves and so forth probably another £10,000. That is my first accusation—there was no proper salvage.

My second is that war contracts were sloppily terminated. It would have been far better to have spent money in saving the raw materials. It would have been far better to have paid the cost-plus, and if need be have sent the men on holiday, than waste precious raw materials. Thirdly, I have been told on two occasions in this House—I do not know what is the Parliamentary expression—little less than a terminological inexactitude about what is going on in Cheadle. At that time I demanded an inquiry by the Government. Today I reiterate that demand. Cheadle is but a microcosm of what may have happened. There is still a chance of recovering these goods if the Government are bold enough to let private enterprise recover what they have squandered.

*The Joint Parliamentary Secretary to the Ministry of Supply (Mr. John Freeman):* . . . The disposals policy which this Government has followed was worked out by the Coalition Government in war time and published in a White Paper at the end of 1944. It was agreed by all parties. The substance of it was that where there were surpluses which were disposable in the civilian market they should be so disposed of through normal trade channels, and that consultations should take place industry by industry to work out what was the proper method of disposal. Accordingly, panels were set up in the different industries to work out detailed methods.

Radio equipment was regarded by everyone from the very beginning as presenting one of the most difficult problems of all for two reasons: (1) it had been produced in astronomical quantities in war time, and there was every prospect that this high production figure would continue in peace time, and, (2) a large percentage of this production had been for highly specialised purposes. It was felt by the trade, by my Department and by the Board of Trade

both in war time and after the war, that radio equipment was the one that was going to present one of the greatest disposal difficulties of all.

The panel was assembled to discuss the problem of how to get rid of this surplus and the trade was represented by the Radio Industry Council, which the hon. Member will probably agree was best fitted to represent the radio industry. That panel made no progress in its operations, and months after it had been assembled the Government had not succeeded in finding an adequate way of getting these disposals started, mainly for the simple reason that the trade strongly agreed with our view that it was going to be a very difficult matter to release these vast quantities on to the market without wrecking the radio industry. They were unable to suggest methods of disposal and a situation arose after a period where my Department felt that it was intolerable to go on procrastinating any longer. We had therefore to take a decision, whether the trade were prepared to be helpful over it or not. I would emphasise that I am not making a general attack on the radio industry over this at all. I think that on this particular occasion the Radio Industry Council was not very helpful, but the reason for that was precisely that they did agree with the view, subsequently expressed by my own experts and technicians, that the problem was very difficult and did not lend itself to a very favourable solution.

The first step, when it was decided that disposal was to go ahead, whether the industry was prepared to co-operate or not, was to try and estimate which items of this vast quantity of equipment had a civilian use and which, broadly speaking, had not. This had to be done by our own technical advisers, simply because the trade itself was not prepared to put forward adequate proposals . . .

. . . I must emphasise at this point in regard to the figures the hon. Member has bandied about that, to the best of my knowledge, there were about 300 tons of this equipment dumped though it is of course a little difficult to investigate at this date. The total figure of radio surpluses which we have disposed of by sale and other methods, is something of the order of 50,000 tons. Whatever the exact *percentage* may be, this dump represents substantially less than one *per cent.* The decision was taken to dump this equipment, because the stuff was, *prima facie*, unsaleable. Whether it is unsaleable today, I do not know, the fact remains that the radio industry would not handle it at that time, and my technical advisers agreed that it was unsaleable. What has happened afterwards, I will come to in a moment.

Even if we had been able to sell it, the sale would have helped to knock the bottom out of the market for more extensive sales of higher grade equipment which we had and for which we were legitimately trying to obtain a market. We had in fact £600 million worth for sale. In addition, it would have been far too slow and costly to break down the equipment in question for component parts, and that is another reason why dumping was decided upon. . . .

. . . However I will not quarrel with him [*Mr. Hugh Fraser*] and I will admit that possibly if the equipments which were dumped had instead been held all this time they might have fetched something. For that reason, since it became apparent that the market was greater than had been thought, the policy of dumping was completely suspended and nothing is dumped now unless there is some special

(Continued on page 7.)

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This journal expresses and supports the policy of the Social Credit Secretariat, which is a non-party, non-class organisation neither connected with nor supporting any political party, Social Credit or otherwise.

SUBSCRIPTION RATES: *Home and abroad, post free:*  
*One year 30/-; Six months 15/-; Three months 7s. 6d.*  
 Offices: (Business) 7, VICTORIA STREET, LIVERPOOL, 2, Telephone: Central 8509; (Editorial) 49, PRINCE ALFRED ROAD, LIVERPOOL, 15, Telephone SEFton Park 435.

Vol. 21. No. 17.

Saturday, December 25, 1948.

### Happy Christmas!

In wishing our readers a Happy Christmas, may we remind them, before Strachey's joins his shade, that Cromwell was the originator of our present poverty of celebration?

The high-shoe lords of Cromwell's making  
 Were not for dainties—roasting, baking;  
 The chiefest food they found most good in,  
 Was rusty bacon and bag-pudding;  
 Plum broth was popish, and mince-pie—  
 O that was flat idolatry!

So Christmas was threatened with extinction by act of parliament, and the chandlers complained they could find no sale for their mustard. The mustard was to garnish the head of the boar, "first at the feast and foremost at the board."

*Caput apri defero,  
 Reddens laudes Domino,  
 The boar's head in hand bring I  
 With garlands gay and rosemary;  
 I pray you all sing merrily,  
 Qui estis in convivio.*

The boar's head, I understand,  
 Is the chief service in this land;  
 Look wherever it be found,  
*Servite cum cantico.*

Be glad, both more and less,  
 For this hath ordained our steward,  
 To cheer you all this Christmas—  
 The boar's head and mustard!  
*Caput apri defero,  
 Reddens laudes Domino.*

And, yes, we have an earlier song to shock Mr. Ede and his blood-brothers (or should it be water-brothers?) Messrs. Morrison and Cripps:

Lordlings, Christmas loves good drinking,  
 Wines of Gascoigne, France, Anjou,  
 English ale that drives out thinking,  
 Prince of liquors, old or new.  
 Every neighbour shares the bowl,  
 Drinks of the spicy liquor deep;  
 Drinks his fill *without control*,  
 Till he drowns his care in sleep.

May we wake to find that something deeper than sleep has drowned our cares with theirs. As is so often the case, the emphasis in the verse is ours.

### "Human Ecology"

Owing to faulty 'copy' we recently gave the name of the publishers of Dr. Thomas Robertson's book incorrectly. It is William MacLellan (Publishers) Ltd., of 240, Hope Street, Glasgow, C.2.

### Power and Authority

IT OUGHT TO BE, BUT UNFORTUNATELY IT IS NOT, APPARENT TO EVERYONE WHO TAKES AN INTELLIGENT INTEREST IN THESE MATTERS [THE "FUNDAMENTAL SUBJECT MATTER WITH WHICH WE HAVE ALWAYS BEEN CONCERNED, WHICH IS THE RELATIONSHIP OF THE INDIVIDUAL TO THE GROUP"] THAT THE FUNDAMENTAL PROBLEM HAS BEEN GREATLY COMPLICATED BY THE DEVELOPMENTS OF THE PAST TWENTY YEARS; AND THAT THE IMMEDIATE ISSUE IS IN THE REALM OF LAW AND MILITARY POWER, NOT OF BOOK-KEEPING.—*The Social Crediter*, October 16, 1948.

The lawyers are in an incomparably better position to discuss their affairs (and ours) with either the public or the Government than the doctors were or than the educators are going to be. The former were tripped up from the start by their false assumption that because they were experts (such as we have) in the treatment of disease they were experts in politics and administration. The educators should know better, and would know better if their foundations had not been undermined; but their foundations have been undermined, and they don't. The lawyers are playing an 'at home' game, and know the terrain—or should do so. At the same time, they are by habit and training literalists rather than social philosophers, and the reference to them in the New Testament, and the charge brought against them there should not pass unremembered—that they took away the key of knowledge, and not only did not enter in themselves but "them that were entering in, ye hindered." We shall see how they get on.

In the meantime, we think we have spotted a confusion of the essential point in M. de Jouvenel's treatment in that excellent book, *Power*, to which reference has been made in these pages. The point is the relationship between Power and Authority, and M. de Jouvenel's book IV opens with the statement that "Power is authority and makes for more authority." He goes on to say that Power (which is authority) "is force and makes for more force. Or, if a less metaphysical terminology is preferred, ambitious wills, drawn by the lure of Power, expend unceasingly their energies in its behalf that they may bind Society in an ever tighter grip and extract from it more of its resources."

As a proposition concerning *something*, this is incontestably right; but is that something authority? In a later passage M. de Jouvenel reveals that he has been not so much 'metaphysical' as rhetorical in his identification, for he recognises that, when Power is expanding, 'those who wield authority in Society' are Power's 'natural enemies.' So there is an authority which is not Power's authority until it has possessed itself of it. As we thought, just as there is power with a 'lower case' p and Power with a capital initial, so there is an ambiguity about the notion of authority. The Authority in which we, and we believe the world, are vitally interested is an Authority which no one can 'wield,' not even Power.

There is nothing mystical in this conception. What Douglas has given to the world is at once a conception of the just relationship of Power and Authority and the technical means of effecting their separation from one another in any other relationship but a Right relationship. This resolution is *necessary* to the continuance of human life and society.

### "Soviet Justice"

We record below a further selection of current material concerning the development of tension between the public and the administration, particularly in Scotland, where newspapers have been more alert than in England, over the 'rush' tactics employed to pass measures ostensibly designed to facilitate the poor man's access to legal aid.

The outstanding feature of our selection is the leading article from *The Scotsman*, ending with a reference to the fate of Charles I and James II; but it is significant that the campaign of exposure has, in Scotland, reached the popular level of *The Bulletin and Scots Pictorial*, which it would be invidious to compare with *The Daily Mirror*. *The Bulletin* for December 16 carries a forthright article entitled "English Law and Scots Anxiety," which perhaps distinguishes too narrowly between the English and the Scottish predicaments (they are the same), but also it gives visible expression to its fears in a cartoon depicting the London Bureaucratic Legal Control Black Maria (run on Juggernaut Lines) driving to Woodburn's Police Station over the prostrate body of a Scottish lawyer (whose brief case, containing Scots Legal Freedom, is thrown to the dogs—a touch of pictorialism which perhaps reveals the artist's unconscious respect for 'the Canon?').

Our extracts from the Debate in Parliament on the Second Reading of the two Bills (English and Scottish) are not yet to hand; but we have received a photostatic copy of "Soviet Justice," with its introduction by Mr. D. N. Pritt, K.C., M.P., to which reference was made by Mr. Campbell in his letter to the Acting Secretary of the Scottish Law Agents' Society which we published last week. It will be recalled that this document had disappeared suddenly from places where it had been freely obtainable, the suggestion being that it was not desired that too close a connection should be established between communist-inspired moves inside the House of Commons and Communist propaganda and realisation outside.

We hope to give some account of this pamphlet next week. A more cynical piece of special pleading we do not know; but it is the sort of drivelling nonsense which, apparently, captivates the recidivous mind of an all too large fraction of the modern electorate.

It will be noticed that Sir D. Maxwell Fyfe, according to the seven lines of his speech reported by *The Times*, blessed the English Bill on behalf of the Opposition, and that Mr. Medlicott, a National Liberal member, was also satisfied that there was no harm in it. Since the name of Sir D. Maxwell Fyfe is frequently mentioned when possible alternatives to Mr. Winston Churchill are discussed, and since he is one of the Party Leaders whom we believe to have been specially persuaded to bestir themselves, his density is discouraging, and should not pass unstarred.

What must be kept in mind is not how far the Bills now in process of passing go, but what is the direction in which they go. The first step, however short, is all important, and it makes the second easier by inducing a conviction of necessity. So we begin this selection with passages from Polish newspapers, which are now familiar with the unification of 'Labour' and 'Communist' parties:—

*Gazeta Ludowa* of May 30, 1947 writes, under the heading "Can a Barrister undertake defence of persons accused of High Treason?":—

"On May 25, 1947, a meeting of the Supreme Council

of Barristers was held in presence of Minister of Justice, Mr. Swiatkowski. The Council has passed a unanimous resolution to the effect that although it is permissible for Barristers to undertake voluntarily defence of persons accused of high treason, it is, however, the duty of District Council of Barristers to make sure that Barristers who undertake the defence in such cases should act in accordance with the interests of the nation, the State and sense of justice of the people.

"Before the Barrister undertakes the defence he is obliged to inform his intention to the District Council of Barristers and also to disclose reasons which induced him to undertake the defence. He must also give the amount of fee he is going to receive for the defence.

"After the hearing in Court he must prepare a detailed account of the trial and his defence."

*Gazeta Ludowa* of November 7, 1947, under the heading "Compulsory resettlement of Barristers" brings the news about a decree which provides for compulsory transfer of Barristers in order to provide the population with adequate legal aid.

"According to this decree the Minister of Justice has a power to transfer a Barrister to any place where there is at least a Borough Court. Within two months from the date of handing such a decision the Barrister must transfer his office to a new place. Failing this the appropriate District Council of Barristers deprives the Barrister of his rights until he submits to the decision of the Minister who directs the case for a disciplinary action."

*Zycie Warszawy* of November 27, 1948, brings news about a project for a reform in the profession of Barristers.

"We are informed that the project is based on the principle of collectivism, of changing the profession of Barristers into a social body and its aim is to integrate it with the working class."

"Teams of Barristers/Boards of Barristers/will be created and they will be based on extension of Offices of Legal Advice which were formed last year."

#### FROM THE LYNSEY ENQUIRY

*Liverpool Echo*, December 15:—

"Excusing himself for not remaining for the rest of the day, the Attorney-General said he had to open the Second Reading on the debate on the Legal Aid Bill in the House of Commons.

"Mr. Justice Lynskey.—The task you are engaged on will be of great benefit not only to future litigants, but to many of your learned brothers and sisters."

(This incident was not reported by *The Times*.)

#### "OPPOSITION SUPPORT"

From *The Times* Parliamentary Report:—

"Sir D. Maxwell Fyfe (Liverpool, West Derby, C.) said the Opposition were in general agreement with the Bill. This was a workable and helpful scheme which would improve the position of a section of the community which badly needed help, and would, at the same time, preserve the independence of a great profession. . . ."

"Mr. Medlicott (Norfolk, E., L.Nat.), who agreed that there was a clear need for the Bill, said it was a matter for general satisfaction that there was no suggestion of a national-

ised legal profession.”

#### THE FACULTY OF ADVOCATES

From *The Scotsman* of December 14:—

Edinburgh, December 13, 1948

SIR,—My attention has been drawn to the fact that the second reading of the Legal Aid and Solicitors (Scotland) Bill will be taken in the House of Commons on Thursday, December 16.

The Bill, as presented to Parliament, although in certain respects gravely affecting the interests and independence of the Faculty of Advocates, has never been discussed in detail with representatives of the Faculty, nor have any observations or representations been invited either by the Secretary of State for Scotland or the Lord Advocate.

In a matter of this nature which so closely affects the professional interests of the Bar of Scotland it seems somewhat extraordinary that a consultation and discussion in detail should not have taken place. What is the urgency? It is quite apparent from the short and entirely insufficient period that has been allowed for public perusal and consideration of this Bill between its publication and the second reading debate that there are grounds for the gravest apprehension that the independence of the legal profession, and in particular the Bar of Scotland, may be seriously threatened and that a man's professional life and career may be placed at the mercy of the Executive.

It may be urged that the wide powers which the Bill confers on the Secretary of State—not, be it observed, on the Lord Advocate who discharges so many of the functions of a minister of justice in Scotland—will not be used; the simple answer to that is if *unnecessary*\*(1) they should find no place in a Parliamentary enactment.

The Faculty of Advocates has for centuries prided itself that no poor man's cause should remain unheard for lack of the service(2) of “leal and wise advocatis” and has never complained that the burden was too great. It does not do so now. There are, however, grave apprehensions that something more is at stake than the mere provision of a system of legal aid—independence of action and freedom of judgment—and the *inexplicable*(3) haste with which this measure is being hurried through Parliament does nothing to allay these apprehensions.

I wish also to make it clear that the provisions of this Bill are in certain important particulars at variance with the recommendations of the Committee over which I *had*(4) the honour to preside.

In conclusion, I would add that as the considered views of the Faculty of Advocates(5) have not been sought in the preparation of this measure it is by no means to be assumed that the Bill in its present form is one which in any way commands the assent or represents the matured judgment of the Faculty of Advocates whose duties, rights, and functions are so intimately affected by it.—I am &c.

JOHN CAMERON,

Dean of the Faculty of Advocates.

\* (1) “necessary” in *The Times*, which also published this letter on December 14.

(2) “services” in *The Times*.

(3) Omitted from *The Times* version.

(4) “have” in *The Times*.

(5) Omitted from *The Times* version.

*The Glasgow Herald*, which printed the letter agrees with *The Times* in respect to (2), (3), (4) and (5).

#### THE SCOTTISH BILL IN PARLIAMENT

From *The Times*, of December 17:—

“Major G. Lloyd (Renfrew, E., C.) said he had received many protests about the Bill. All the talk about legal aid for the poor was to some extent laid on with a brush in order to camouflage the Socialist theory of getting hold of the legal profession and bringing it under some form of control.

“The people of Scotland had had no real opportunity to consider the matter because of the way the Bill had been rushed. The fact that the means test was made through the Public Assistance Board was causing great indignation among the public.”

“Mr. Ross (Kilmarnock, Lab.) welcoming the Bill, said there was no question of nationalising the legal profession. The Law Society was going to run this whole scheme.” (Cp. The Medical profession and the B.M.A.—Editor, *T.S.C.*)

#### “A SINISTER BILL”

From *The Scotsman*, December 14:—

“On the face of it the Legal Aid and Solicitors (Scotland) Bill, the second reading of which is to be taken in the House of Commons on Thursday, has a benevolent appearance, but a closer scrutiny reveals it as a possible mask for rather sinister designs. The avowed purposes of the measure are such as naturally to enlist a wide measure of public support—to make legal aid and advice in Scotland more readily available for persons of small or moderate means, to establish a Law Society of Scotland, and to amend the law relating to solicitors in Scotland. But examination of its provisions discloses that powers are being sought which, if exercised, will place the legal profession in Scotland under the control of the Executive, and go far to deprive it of that independence which is one of the few remaining guarantees of personal liberty in a planned and collectivist world. The Dean of the Faculty of Advocates and chairman of the Cameron Committee, which reported on legal aid in Scotland, states in a letter published in our columns to-day that the Faculty were not consulted about the Bill, nor were any representations invited either by the Secretary of State for Scotland or by the Lord Advocate, and he makes it clear that its provisions are in important particulars at variance with the recommendations of his Committee.

“The Bill starts by making clear that the Courts to which its provisions relate extend from the House of Lords in respect of Scottish appeals to any court of summary jurisdiction, but it is surprising to discover that what Parliament is asked to provide can be taken away at the whim or discretion of the Secretary of State. Further—and this is a matter of some gravity—not only may the relationship between counsel or solicitor and his client be interfered with

#### THE “PALESTINE” PLOT

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by Executive action, but the principle on which the discretion of any Court to which the Bill extends is exercised may be limited and defined by Executive action at the hands of a Minister with no Legal responsibility. In other words proceedings of the House of Lords in so far as they relate to Scottish appeals may be subject to the dictation of St. Andrew's House—a somewhat startling proposition. But the matter does not end there because the Secretary of State may also control the professional prospects of any lawyer in Scotland. This is made clear when the extraordinarily wide powers of making regulations conferred on the Secretary of State by Clause 11 (1) are related to the disciplinary provisions of Clause 5 (2). It is worth while quoting the precise language of Clause 11 (1):—"The Secretary of State may make such regulations as appear to him necessary or desirable for giving effect to this part of this Act or for preventing abuses thereof." Could arbitrary authority be more widely given or more neatly expressed? To permit such a clause to pass into law without a struggle would be to surrender at one blow the whole structure of professional independence which has so laboriously been built up and the continuance of which is so essential in the interests of the citizen.

"In addition to these wide powers the Secretary of State has a complete control over the scheme which the newly created Law Society of Scotland has to propound for the administration of this new system of legal aid. The Law Society through its relevant committee, on which the Faculty of Advocates are to have a minority representation, may propose the terms of the scheme, but the decision rests with St. Andrew's House. Thus the benevolent purpose of extending State aid to those who are financially ill-equipped to bear the cost of litigation or to defend themselves against the assaults of the Executive is turned into an engine by which the Executive can dominate and control the whole legal profession in Scotland and by means of regulations bend its members to its will or break them. Although professing merely to implement the recommendations of the Rushcliffe and Cameron Committees this Bill goes very much further, and, indeed, in making the Secretary of State the arbiter and master of the Scottish legal profession, is directly at variance with one of the principal recommendations of the latter Committee.

"The Bill bears all the marks of looseness of thought and hasty drafting. It is plain that it goes much further than its framers profess to be going—whether from accident or design it is not possible to say. But whatever the cause the consequences of this Bill passing into law in its present state will be to reduce in great measure a formerly independent profession, to which the liberties of Scotland in the past have owed much, into a potential slave of an unrestrained and arbitrary Executive. The speed with which the measure is being pushed through its Parliamentary stages is as unnecessary as it is in the circumstances unseemly. It is easy in a clause passed by a docile and subservient Parliamentary majority to destroy the patient work of centuries, and meddling and well-meaning folly can as effectively open the way to tyranny as the most deliberate and crafty assault. What the Stuarts failed to achieve the present promoters of this measure may well attain—the destruction of the native vigour of the law of Scotland. It is a comforting thought to remember the fate of Charles 1 and James II.

## The Inward Eye

*The Inward Eye*, B.B.C. Third Programme. December 5. Visit to Hiroshima, by J. Bronowski (U.N.E.S.C.O.) whose impressions "are not merely those of physical appearance. They form a spiritual enquiry, an attempt to arrive at a philosophy for our time."

Freedom first. *Freedom from what?* says the guide-philosopher, and in the preposition pin points the basis of his philosophy . . . *Responsibility is exact—if it exists*; but none of his representative companions (The Girl, the Pilot, the Scientist etc.) will admit choosing the atom bomb. Perhaps that is as well, for *the price of freedom is choice, the price of choice is error, and the price of error is death.* To avert death avoid freedom. Again to the attack; *If someone willed the whole design, do you admit that it was you?* Well, no; in poetic diction his companions will not have it.

No further evidence is called. Prosecution retires, and the judge, Mr. Bronowski, sums up. *Each minutely made this vast confusion . . . the sin that was committed was the slow erosion of goodwill . . . and, conclusively: In this is nothing larger than your own small naked soul.* Responsibility, though exact, apparently does not exist, not appearing in the judgment.

There are many pearls which we could cast, but this may be a forbidden direction. So here is rough hewn comment from that old reprobate *Gulley Jimson*: "*Progress*" he says, "isn't done by governments or spirits, but by chaps. A few rich chaps gambling on their fancy, and a few young chaps backing them up in order to give papa and mama a shock . . . what keeps it moving is not the big public shoving its little foot forward, but the little mosquito biting a big public behind." The activities of this mosquito are recommended for the study of the B.B.C.'s guide-philosopher.

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### PARLIAMENT (continued from page 3.)

reason why it should be and unless the Minister has personally authorised dumping. For all practical purposes that means that nothing is dumped nowadays.

Nevertheless, the decision which was taken at that time, the background of which I have now gone into very fully, was entirely reasonable at that time, and no responsible person dissented from it . . .

*House of Commons: December 7, 1948.*

### EMPLOYMENT: Prosecution, Nottingham

*Sir John Mellor* asked the Minister of Labour why he prosecuted the employer of Sarah Alterkovsky at Nottingham on October 22 for engaging her without his consent, having regard to the fact that neither then nor since has his Department been able to offer her alternative employment.

*The Parliamentary Secretary to the Ministry of Labour (Mr. Ness Edwards)*: The defendants were prosecuted for engaging a worker otherwise than through the Exchange or an approved employment agency.

*Sir J. Mellor*: What was the point in undertaking this senseless and vindictive prosecution when the Ministry were unable to offer this lady any employment and subsequently allowed her to remain in her present employment?

*Mr. Ness Edwards*: The facts are not as suggested by the hon. Baronet. The employer was definitely informed that there was alternative employment, or employments, to

offer to this young lady. He actually defied the Ministry by retaining this girl in his employment. He knew that it was contrary to the law. I am surprised that the hon. Baronet should encourage other people's constituents in this way.

*Sir J. Mellor:* Why did the Ministry permit this lady to remain in this employment?

*Mr. Ness Edwards:* We did not want to make the lady herself the victim of her employer's action. She had been in this employment for some time during the prosecution. It was felt that, the employer having been punished, that was adequate and we ought not to impose any penalty upon the employee.

### Artificial Insemination (Royal Commission)

*Mr. Driberg* asked the Prime Minister if he will consider the appointment of a Royal Commission to examine the social and legal implications of the practice of human artificial insemination, including A.I.(D.), with special reference to the problems of legitimacy and inheritance involved; or extend the terms of reference of the Royal Commission on Population to include this subject.

*The Prime Minister (Mr. Attlee):* I should prefer first to see the general Report of the Royal Commission on Population, which I understand is in the final stages of drafting.

*Mr. Sydney Silverman:* Is my right hon. Friend aware that in an answer given on behalf of the Attorney-General yesterday on these matters it was said that the question of an inquiry into the legal implications of this decision was being considered? Does the present answer mean it is not being considered until after the Royal Commission on Population has reported?

*The Prime Minister:* I said in regard to the setting up of any Royal Commission that I should prefer to see the general Report of the Royal Commission on Population.

### Communists and Fascists

*Lieut-Colonel Lipton* asked the Economic Secretary to the Treasury how many civil servants have, since the announcement on 15th March, 1948, been either dismissed or transferred on account of Communist or Fascist connections.

*Mr. Jay:* None have been dismissed, two have resigned and six have been transferred to other work. Arrangements are in hand for the transfer, if suitable employment can be found, of a further nine.

### Applications

*Mr. Janner* asked the Minister of National Insurance what is the average number of applications received weekly from members of the public who had not yet joined up under the National Insurance Act since it came into force; and how many persons he estimates have still to join.

*Mr. J. Griffiths:* In the middle of November, the latest date for which figures are available, the weekly rate was about 46,000, including applications from those then becoming insurable for the first time. I regret that I am not in a position to give the figures asked for in the last part of my hon. Friend's Question.

### United States Geologists

*Mr. Erroll* asked the Secretary of State for the Colonies if he will publish a list of the development schemes, including railway extensions, on which the U.S. geologists and geodetic engineers, now being recruited by his Department, are to be employed.

*Mr. Creech Jones:* Approval in principle has been given by the United States Economic Co-operation Administration to three proposals involving assistance from E.R.P. funds. These are:

First, a proposal to employ 25 American geologists on a temporary basis to fill vacancies in the Colonial Geological Survey.

Secondly, a proposal to employ 24 to 30 American geodetic engineers to assist the Directorate of Colonial Surveys on ground control work in areas where air photography has been completed or is now in progress.

Thirdly, a proposal to employ under the auspices of the East African High Commission, some 20 engineers and seven consultants to survey, from the engineering and economic viewpoint, proposed routes for a rail link joining the Rhodesian and Tanganyikan railway systems, and possible routes between Broken Hill and the new port of Mikindani.

Further consideration is now being given by the United States authorities to the legal, financial and administrative implications of these proposals.

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