

rangements will soon have been effected with England making this possible. The action of our own government in expelling Mr. Martens on grounds that would apply equally to any agent whatsoever purchasing for the Russian government practically excludes American producers from supplying any part of the Russian requirements. That, however, would appear to be mainly a matter between American exporters and the outgoing administration. Russia will be able to get from England whatever she needs, if she can pay for it.

But the matter of payment is by no means simple. However great the potentiality of Russia as an exporter of raw materials, the actual supplies accessible to the ports can not be large. They can not be sufficient to enable the Soviet government to assume the role of mere middleman between the Russian producer of raw materials and the foreign producer of industrial goods. The Russian consumer will have to draw chiefly upon domestic production, or go without, as he has done through the last six years. And it is hard to believe that the mass of the Russian people, who are not communists, will long acquiesce in the Soviet system if it means war privations continued indefinitely.

The Soviet government will have to make visible progress in restoring production, or see the ebbing of the zeal of the communistic party which sustains it. But is it possible to restore production while clinging resolutely to communistic principles? Lenin was long ago forced to accept the theoretical necessity of paying high salaries to experts. He was also forced to admit the expediency of piece wages. In the vast work of reconstruction to come, these principles are likely to find far wider application than the purely communistic principle of requiring each to work according to his ability without special reward. For it is not a question merely of using existing abilities but of developing new abilities, something that presupposes a cooperative spirit not compatible with forced labor.

It may be that the Soviet government possesses sufficient vitality and genius to restore industry on a basis of differential rewards without departing from its essentially communistic character. That appears, however, improbable. In a country where between eighty and ninety per cent of the population are living in the villages under a system which is more bourgeois than communistic, no considerable number of concessions can be made to private initiative in industry without conceding the essence of communism. It is therefore not so much a question of whether the present governing group will retain power, as it is whether they can continue, under peace, to adhere to the principles that carried them into power.

Liberty by Bayonetting

THE world owes Britain an immeasurable debt for its traditions of liberty and law and order. But how many floggings and how much torture are permissible in the name of liberty and law and order? This is a practical point upon which even so sensible a man as Lord Derby seems to be confused. So anxious is he to impose "peace" on Ireland that he regards the present reign of terror as a necessary part of a great liberal process. He accepts martial law. If enough martial law is applied to the south of Ireland, he appears to believe, English liberty and English law and order will be sufficiently endeared to the southern Irish population that they will give up their ideas of independence. If they are ordered to spit upon de Valera's photograph often enough, de Valera will renounce his political and economic program and remit his ideals. This seems to be the pretty theory, although, as the British Labor delegation phrases it, "things are being done in the name of Britain which must make her name stink in the nostrils of the whole world."

The obduracy of the Sinn Fein Republic is clearly as unacceptable to the British government as any obduracy could possibly be. Sinn Fein proposes to the British government not only a loss of men and money and the handing over of a friendly minority to a new Sinn Fein state, but also, at a moment of victory and aggrandizement, it proposes a loss of prestige. This, in the phrase of pride, is unthinkable. Yet the alternative of breaking down the will of Sinn Fein by the exercise of unlimited and unqualified brute force is not in itself the way to enhance British prestige throughout the world. British prestige rests on moral as well as physical foundations. In Egypt and particularly in India the success of British administration requires that faith in British principles be preserved. It cannot be preserved anywhere very long when, as the Labor delegation says, "not only is there a reign of terror in Ireland which should bring a blush of shame to every British citizen, but the nation is being held in subjection by the Empire which has proudly boasted that it is the friend of small nations."

In the present mood of Europe and America — baffled, discouraged and semi-cynical — it seems only too natural that another nation should be held in subjection. The fact that Britain is making a free "gift" of Home Rule with one hand and enforcing martial law with the other does not strike many people as a fantastic parody of the whole

idea of extending self-government. But the tragedy that is back of this farce is the needlessness of victimizing Ireland in order to preserve British prestige. In a world less sick as a result of its own excesses, the virtue of liberal and democratic processes could not so easily be forgotten.

Those processes do not include the incendiarism that has been attributed to Sinn Fein or the vengeful ambushing of small bodies of troops or the general adoption of assassination. Neither does it include those acts of tyranny that have been sanctioned by British authorities in Ireland. The presence of British troops in Ireland is now manifestly a negation of law and order. There can be no proper solution so long as British domination is thus embodied and enforced on a terrorized population. The withdrawal of British troops should be the first step toward restoring the British tradition of liberty and law and order. A reliance on that tradition calls for a free consultation of the will of Ireland. Without that, there is hypocrisy in public protestations of principle, and a moral bankruptcy which the Empire is not likely to survive in the East.

Palmer Pleads Guilty

The Government will take no appeal from the decision of Judge Anderson in the Federal Court here, last July, that twenty alleged Reds should be discharged excepting in the cases of Mr. and Mrs. William Colyer, Frank Mack, and Lew Bonder.

THE foregoing quotation from a Boston journal cloaks facts that should move Congress to action unless all its concern for law and order be the rankest pretence. This announcement, so quietly made by the government and wholly overlooked by a daily press preoccupied with common burglaries, is nothing less than a plea of guilty by Attorney-General Palmer to the charges of lawlessness brought against him last summer.

It will be recalled that twelve lawyers filed a report, charging the Department of Justice, under A. Mitchell Palmer's direction, with specific violations of the Constitution. Former Justice Hughes referred to this report last June when he said "very recently information has been laid by responsible citizens at the Bar of public opinion of violations of personal rights which savor of the worst practices of tyranny." On June 23, 1920, two days after this utterance by Mr. Hughes, Judge Anderson filed his opinion in the so-called Colyer cases, in which he found as facts the charges of illegalities made by the lawyers against Mr. Palmer's Department of Justice.

It becomes necessary briefly to recall Judge Anderson's decision. He had before him two sets of aliens: four, the Colyers, Mack and Bonder were avowed Communists, people of intelligence, and accorded a fair hearing in the deportation proceedings against them. Their cases raised purely the question, as to which Judge Anderson felt considerable doubt, whether the Communist party is, as a matter of law, "a force and violence party within the purview of the Act of October 16, 1918." From his ruling on this point the government is now appealing. He had before him a dozen other aliens. As to these aliens, a wholly different issue was presented to Judge Anderson and decided by him. These were the aliens caught in the raid of January 2, 1920, planned by the Department of Justice without legal authority and executed by it in violation of specific Constitutional provisions. In effect, the Department of Justice, through its Bureau of Investigation, usurped the functions which Congress had imposed upon the Department of Labor and by systematic violations of the Constitutional safeguards against searches and seizures and arrests without warrant, proceeded to make wholesale arrests under circumstances which led Judge Anderson to say, "I refrain from any extended comment on the lawlessness of these proceedings by our supposedly law-enforcing officials. The documents and acts speak for themselves. It may, however, fitly be observed that a mob is a mob, whether made up of government officials, acting under instructions of the Department of Justice, or of criminals, loafers and the vicious classes." From eight hundred to twelve hundred persons were thus arrested in New England. Where public meetings, under the auspices of the Communist or Communist Labor parties were being held, the whole audience would frequently be gathered in. In Worcester, about one hundred out of the audience at a public mass-meeting were rounded up and thrown into jail, and kept through all or a part of the night; yet by morning it had been discovered that as to all but sixteen of them there was not sufficient evidence to warrant further detention. In Lynn, thirty-nine persons, half of them citizens of the United States, had gathered in a hall to discuss the formation of a cooperative bakery. All thirty-nine were arrested, held in police cells overnight, and docketed as "suspects." Next morning thirty-eight of them were discharged for lack of evidence.

In all, from one-third to a half of the prisoners were released, after detention in cells ranging from a few hours to two or three days, either because they were citizens, or for lack of evidence. The remainder, about four hundred and forty in num-