

LETTERS TO THE OUTLOOK

RUSSIA'S INJUSTICE

No one who has watched the dealings of Russian courts and Russian officials with political offenders during the past year can doubt for a moment that Tchaikovsky owes his acquittal and Madame Breshkovsky her comparatively light sentence to the intervention and support of their English and American friends. Every one who knows their records is well aware that they have both been closely connected with the modern revolutionary movement in Russia from its very beginning; that both are hostile to the present Russian Government, and that both have been steadily and persistently working against it, at home or abroad, for more than thirty years. Now, what has the Russian Government been doing recently with persons of this class—and persons even less obnoxious—whose cases have not attracted attention abroad, and whose defense has not been taken up by powerful English and American friends?

Professor Maxim M. Kovalevski, a member of the Council of the Empire, a scientific man of the highest rank, a lecturer at one time in the University of Chicago, and a Moderate Liberal, never even suspected of revolutionary activity, has just been sentenced to two months' imprisonment for a historical article on Russian punitive expeditions which he did not write, but which he allowed to appear, *four years ago*, in the St. Petersburg newspaper "Strana" (the Country), of which he was then editor.

On August 5, 1909, N. N. Guseff, private secretary of Count Tolstoy, was exiled for two years, without trial, on a charge of revolutionary activity, which was not supported by any proof whatever.

On May 27, 1909, M. Selden, a publisher of St. Petersburg, was sentenced by a court to six months' imprisonment in a fortress for printing one of Count Tolstoy's brochures.

Less than six weeks ago Mr. V. Y. Yakovlev-Bogucharski, a well-known Russian author—a writer on historical subjects—was exiled for three years to the sub-Arctic province of Vologda, without trial and without proofs.

In October, 1907, Madame Marie Ugrelidze, of Tiflis, was arrested on a charge of revolutionary activity and held in prison, without bail, for eighteen months. When she was brought to trial, April 9, 1909, the Government procurator declined to proceed with the case, for the reason that there were no proofs whatever against the accused. Madame Ugrelidze then went to St. Petersburg and became a student in the Women's Medical Institute. She was thereupon arrested and exiled to the sub-Arctic province of Archangel for three years, without trial and without proofs.

In December, 1909, Mr. V. V. Vodrozof, an eminent Russian publicist, was sentenced to one year's imprisonment in a fortress for

articles, not at all revolutionary in character, published by him in the newspaper "Nasha Zhizn" (Our Life), in 1906.

On November 12, 1909, A. I. Hillerson, a well-known Russian lawyer, was sentenced to one year's imprisonment in a fortress for a speech made in court in defense of a political prisoner.

In the course of the year 1909 fifty-three Russian editors were imprisoned in jails or fortresses, either by sentences of courts or by administrative order without trial or production of proofs.

The whole number of political offenders tried in Russian courts in the first eleven months of 1909 was 9,248. Six thousand nine hundred and seventy-seven of them were found guilty and 3,206 were sentenced to penal servitude or death.

This record of recent cases, which might be greatly extended, is sufficient to show that in their dealings with political offenders generally Russian officials and Russian courts have not always done justice and have seldom shown mercy. It establishes a strong presumption, moreover, that if Tchaikovsky had been an ordinary Russian, without friends in England or America, he would have been prosecuted with more vigor and better success in court, or would have been punished by administrative process after the court had found him not guilty, as scores of other Russian politicals have been.

He escaped, and Madame Breshkovsky received a comparatively light sentence, simply because condemnation of the one and severe punishment of the other would have made a very bad impression in Great Britain and the United States, where both had numerous and influential friends. The result of the trial is a convincing proof that Russian political and penal methods *may* be changed or modified by the pressure of enlightened public opinion in England and the United States. The letters and cablegrams sent to Premier Stolypin from New York have borne fruit. GEORGE KENNAN.

WHY LABOR ARBITRATION HAS FAILED

The Philadelphia general strike emphasizes anew the failure that has attended, in recent years, the attempts at arbitration of important labor disputes. The New York and Philadelphia shirt-waist strikes afford other fresh examples of this significant fact. These failures in cases which contained the utmost promise for the intervention of peace-makers contrast strangely with the hopeful industrial peace movement started about ten years ago and led by the late Senator Marcus A. Hanna.

Then all elements were aglow for arbitration. Labor chiefs, prominent employers, and public men organized as a permanent board of arbitration and conciliation. The National Civic Federation, the name adopted, instituted a series of peace meetings, often

followed by banquets that were without a parallel. The long dreamed of amity between capital and labor seemed about to be a fact. All that money, influence, and industry could do to create an "atmosphere" for peace was done. At first a few minor successes attended the efforts of the Federation. The real test came with the hard-coal strike a few years later.

What followed is too well known to need repetition here. Nothing was left undone to avert this calamitous struggle, and later to end it. Finally President Roosevelt, through his famous strike commission, succeeded where the Federation failed. This commission laid down certain broad principles bearing upon the rights of employers and unions. The sagacious Hanna, after his last futile effort, remarked to his associates, "Boys, we haven't made good, and so will we be judged."

From that time on arbitration became a declining factor in labor troubles. A succession of devastating disputes followed in the machinery, printing, paper-making, lithographic, and garment trades. The Chicago teamsters' strike will long be remembered for its turbulence. In all these the Civic Federation proved uniformly impotent. The New York subway strike, in 1905, marked the close of the Federation's activity as a peace body. There could have been no more impressive demonstration of the ineffectiveness of arbitration than this strike. Mr. Belmont, the President of the Interborough Company, was also the head of the Civic Federation. The leaders of the National and local unions of street railway employees were active on the Federation's Executive Committee. The disputants, sitting on the same committee and pledged to arbitration, displayed a rancor toward each other that was extraordinary.

In justice to the Civic Federation, it must be said that its efforts were often supplemented by citizen committees, and with no better results. The arbitration bureaus maintained by the different States have long been distinguished for their worthlessness.

The question which this discouraging situation raises is whether there is something inherent in labor disputes which precludes settlement through third parties. The theory of the Federation was that misunderstandings were at the bottom of the disputes, and hence the remedy lay in bringing the warring parties into closer association. On so munificent a scale was this object promoted and under auspices so propitious that it is fair to conclude that this theory has been fully tested. Indeed, these get-together meetings seemed to promote the opposite from the result expected. Misunderstandings were surely cleared up, but not in a way conducive to peace. They strengthened rather the points of difference and rendered more clear the motives of the opposition. The industrial relations to all appearances underwent no change, certainly not a favorable one. The utterances of Mr. Gompers and his

lieutenants, if anything, are more defiant, and also those of Mr. Kirby and the other employer leaders.

Where is the stumbling-block to industrial peace? Perhaps the answer may be found in the final declarations of employers and unions to each other.

The Philadelphia Rapid Transit Company, in response to the appeals of the business interests for arbitration, defined its attitude in these words:

First, the right of our employees to deal directly with us without the intervention of an organization officered and controlled by outside men.

Second, the right of this company to have the same freedom in hiring and discharging men that the men have in staying with or leaving the company.

These rights are fundamental and inalienable, and do not submit themselves to any form of arbitration. To surrender them to any outside interest would be to abrogate the management of the corporation, which duty the law imposes upon us as directors.

The Association of Waist and Dress Manufacturers of New York, after conceding all wage demands, declared irrevocably against discrimination "in the hiring or discharging of employees because of membership in a labor organization." This proposal was emphatically rejected by the union.

It will be seen how alike in essentials are the labor disputes, how the issues are resolved into rights, and how alike are the conceptions of those rights by each side. It will also be seen how ready the unions are to stake all, rather than yield on that ground.

The employer demands the right to bargain with his help directly and on the individual merit basis, and the union demands the right to bargain for the employees, and, in order that all shall be bound, demands the exclusion of non-members. The tendency of employers of recent years has been to modify their attitude to the extent of being willing to treat with employees' agents, but this is contingent always upon personal merit as the condition of employment.

The labor problem, in other words, simmers down to a fight over control, and the rights asserted by capitalist and laborer are such as would justify their positions. With the employer the fight is to retain the unrestricted mastery of his business, and with the union to restrict it. Ostensibly better pay and treatment are the immediate objects of labor combination, but in reality the power to dictate working conditions is the underlying and the first object sought. To this end the influence of the leaders is directed, and often against the desire of the rank and file, who are looking for immediate concessions in pay.

To the leaders' policy in making control the first consideration there is hardly a reasonable objection, excepting as to the manner by which that end is sought. Were it sought on the strength of the workers' solidarity, it would be viewed in a far different light than where sought through monopoly in the shop, by forced compacts with the employer, and through the coercion of the unwilling worker.

However this may be, it appears that the

labor struggle is destined to be fought out on this line until one side or the other succumbs, which would be a calamitous outcome indeed, or until leaders arise from both sides with broader conceptions of rights, which will express the social instead of the strained and self-interested viewpoints of the combatants.

The difficulty presented on the labor side toward an adjustment of rights is immeasurably greater than on the other. The employers' position is the time-sanctioned one of free competition in labor, and among the more liberal of employers revised so as to admit of the collective bargain, where the right of the worker not to participate in such bargain is recognized. The unionist's position is dictated by a new code of rights, in which the union takes the place of the separate worker and refuses to consider the non-member. According to the latter doctrine, the less efficient worker is entitled to the same protection from the union, and so it resents the individual merit principle of the employer.

Manifestly there can be no compromise in these positions. The employer will resist to the last every trespass upon what he deems his indispensable authority. He will resist for practical, if not for moral, reasons. The union, on the other hand, can afford to go far to meet the employer's view on that point, as the industrial world is by no means ready to accept its doctrines as embodied in the closed shop. It can afford to retreat, provided the collective bargain principle be respected.

The successful Railway Brotherhoods attest the practicability of this policy. Unquestionably the reason why so many threatened railway strikes are averted is because the question of union control never enters into the controversies. It is hoped for the same reason that the grave troubles apparently imminent on the Western roads will not materialize. It is significant that the Trenton car strike, inspired by the Philadelphia trouble, was quickly settled, and to the advantage of the men. Unionism was not made an issue. In their formative period unions have to contend with the open shop, and it is when they gain the strength to demand the closed shop that the closed shop is considered vital to the union. The anthracite miners' unions are on an open shop basis, though involuntarily. The British unions do not, as a rule, make the closed shop an issue.

The conviction of the writer, himself a former union leader and member of the National Civic Federation, is that the recession by the union movement from its policy of compulsory membership and the recognition by it of certain rights essential to the

employers' function will at once open the door wide to the adjustment of wage disputes through friendly intercession, and put an end to a situation like the present, which is as menacing to the unions' existence as to social peace.

HENRY WHITE.

New York City.

[Mr. White's views on the settlement of labor troubles are of special interest because he has been a trade union official and the editor of a trade journal, "The Garment Worker," as well as a member of the Executive Committee of the Citizens' Union of New York and of the National Civic Federation. The position of *The Outlook* as regards public service corporations and their employees was stated last week in an editorial called "The Way to Peace."—THE EDITORS.]

PROFITS NOT EARNED

Last April an enterprising citizen of Atlanta invested \$26,175 in real estate and sold in March, 1910, at a profit of \$28,925. This fact was published by the Atlanta "Constitution" as an illustration of the rapid growth which Atlanta is now enjoying. It is a splendid illustration of what most Americans admire as enterprise, but it is a still better illustration of the folly of the American people in that they will allow themselves to be held up in any such fashion.

The presumption is that the enterprising citizen of Atlanta who made a profit of over one hundred per cent in less than one year had made no improvements on his lots. Indeed, he seems to have done nothing except exercise a little foresight and sit down to wait, also blocking, it may be, the wheels of society. The last supposition certainly is true if any one was ready and wanting to use that lot for business purposes. No sane man can argue that the real estate man had earned the profit which he took. If the property had increased in value, it was due to the activity of the 100,000 citizens of Atlanta, the 2,500,000 of Georgia, and the 90,000,000 of the United States, of whom he was only one. Had he lived in monarchical Germany his fellow-subjects of the Kaiser would have compelled him to share with them a small part of his profit in the form of a tax on the unearned increment. They will do the same in England when Mr. Lloyd-George's bill becomes a law. But in democratic America we still allow men to hold us up and block the wheels of society until we pay the price they demand. Some day, perhaps, we will make such enterprising citizens share their profits with the public treasury. In the Atlanta case at least eighty per cent ought to have been "confiscated."

DAVID Y. THOMAS.

University of Arkansas.

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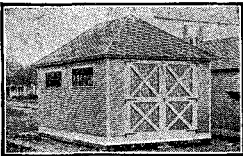
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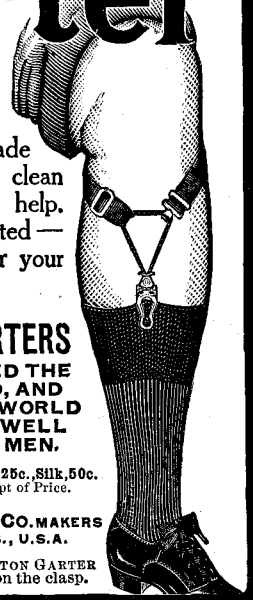


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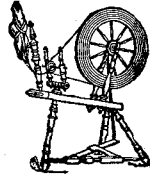
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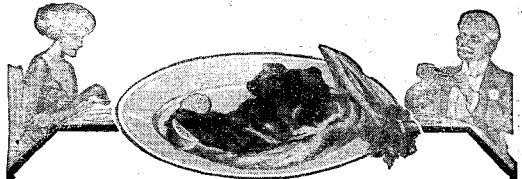
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