

# DAILY PEOPLE

VOL. 10, NO. 20.

NEW YORK, TUESDAY, JULY 20, 1909.

ONE CENT.

EDITORIAL

## SENATOR HALE'S INDISCRETION.

By DANIEL DE LEON

ONCE it was the presidency, then it was Congress, now it is the Courts that have become the Holy of Holies of the capitalist class. The last of these Holy of Holies is hedged in with an odor of sanctity that transcends the incense formerly burned in and around its two predecessors. The presidency may nowadays be poked fun at and slurred; Congress may be hauled over the coals; but the Courts—to utter the slightest stricture upon these is the unpardonable sin. All usurped authority, such as that of the capitalist class is to-day, needs mystification. A presidency that may change every four years; worse yet, a Congress that does change every two years; these are obviously not centers around which mystification can successfully gather. Otherwise with the Courts. They are long-lived. Especially so the Supreme Court of the United States which is a life job. It matters not what deified Lincoln said of these very Courts; if any thing, it matters less what the Constitution provides on the matter. The Courts, especially a life-long Federal Supreme Court, lend themselves to the requisite mystification. True enough, the history of the land, though short, records more than one instance of Federal Court incumbents treated the way all misdemeaning officials should be treated by a self-respecting people. But that was not recently; and the bourgeois hide the inconvenient historic fact, as they hide all facts of history that are unpalatable to their rule. Anything and everything to dope the masses.

In view of this it was crass indiscretion on the part of Senator Hale of Maine to say what he did in the course of the July 7 debate in the Senate.

A Customs Court being provided for by the Aldrich Tariff bill, and opposition to the same being made on the ground that there was the United States Court with jurisdiction over the matters that would now be referred to the proposed Customs Court, Senator Hale defended the proposition with these words:

“One consideration that was very strong in the minds of the committee was the testimony that came before the committee, that the interpretation of the statute relating to the revenue and duties and classification was almost invariably in the direction not of the original statute, but in the way of amplifying it, and that the result was almost always against the Government.”

These be indiscreet words from a Senator of bourgeoisdom, with its “sacred” Courts.

Either the Federal Courts decided rightly and rightfully, in which case it is sacrilege to find fault with their decisions: and the sacrilegious act is a bad precedent which sacrilegious Socialists will not be slow to improve upon.

Or the Courts decided wrongly and wrongfully, in which case they can not be sacred.

Whichever way, Senator Hale—and he spoke for the majority—impales himself and his majority.

All of which comes from raising mystifications, and from topping that with indiscretion.

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Uploaded September 2010

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