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EDITORIAL

LET'S NOT BE DUPED.

By DANIEL DE LEON

THE gist of Mr. Joseph F. Darling's letter, published in this issue¹ on the recent decision of the Court of Appeals of this State pronouncing unconstitutional the Workmen's Compulsory Compensation Act, is that the opinion of the Court which accompanies the decision "rather favors than opposes the struggle for the uplift of humanity" inasmuch as the opinion reveals "at least an undercurrent of deep sympathy, and understanding of the evils of our present economic system," and that the Court itself points out the way to meet these evils by the changing of "the people's supreme mandate,—the Constitution," which now, seeing it ignores the evils, but being "the supreme mandate," leaves no choice to the Court but to uphold the said evils. In other words, Mr. Darling interprets the decision of the Court as an instance of Intellectual Rectitude immolating Sentiment upon the Altar of Duty. Still in other words, our esteemed correspondent immolates himself upon the Altar on which all the Innocents are immolated who fail to grasp the psychologic force of a Ruling Class's bias.

No doubt the Judges expressed "sympathy"; no doubt they showed a knowledge "of the evils of our present economic system"; no doubt they indicated a desire for "the uplift of humanity." What is more, no doubt they were sincere in all this. Man's essence is neither fiendishness nor hypocrisy. What the essence of Man is is revealed in the Judges' opinion that the people's "supreme mandate" forbade them to indulge their sympathies and uplift cravings. The essence of Man is submission to Class Interests.

He who were to derive his information of the Constitution from the Court's opinion would be justified to conclude that the pivot upon which the Constitution revolves and the corner-stone upon which it rests is the Rights of Property, to the

¹ [To be appended at a later date.—R.B.]

exclusion of all else. The conclusion is false. The Constitution followed too close upon the Declaration of Independence not to be deeply colored by the latter's impulses. At every turn in its sections and clauses the evidence is found, not by implication but by express utterance, that, whatever thought preoccupies the Constitution with regard to Property, it is preoccupied at least as much, if not more so, with matters concerning the Individual's Welfare. The Court, however, shut its right eye and three-quarters of its left eye to the clauses affecting the latter, and kept its remaining one-quarter eye open only upon the former factor of the Constitution. To express the same thought in sociologic language, the Court betrayed its Ruling Class's class bias.

Important to practical measures towards Progress is the recognition of the fact.

Failing to recognize the fact, Mr. Darling sees the remedy in a formality, such as a referendum to the people. Did he recognize the fact, he would pin his hopes upon a practicality, the organizing of the class whose Class Interests, instead of lagging behind, as happens with the Class of our present Judges, is abreast of the Ethics of the Century,—the Working Class. In other words, instead of becoming the dupe, of the Judges' phrases Mr. Darling' would have profited by their total posture.

The Judges' opinion that the Constitution dictated their action is a glaring instance, not of Intellectual Rectitude immolating Sentiment upon the Altar of Duty, but of Ruling Class Bias extinguishing Sentiment upon the Altar of Ruling Class Interests. The "referendum" that is to straighten up all this will come. That tidal wave is now gathering its forces. The process of gathering of its forces consists, not in talking "referendum," but in drilling class-consciously the Class Interests that demand the overthrow of the Capitalist Class, without which drill all referendum is a rattle to entertain and beguile the gullible; and with which drill the referendum comes as a matter of course, a powerful, a settling weapon.

Transcribed and edited by Robert Bills for the official website of the Socialist Labor Party of America.
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