What Are You Doing - Where Do You Stand?

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WHAT ARE YOU DOING—WHERE DO YOU STAND?

It is the prevailing sentiment in this country that the revolution in Russia in March, 1917, was the awakening of the Russian nation from its lethargy of centuries. True, the shackles of feudalism were thrown off for a new order of government, but the revolution was the direct result of the protesting peoples whose opposition to the oppressive system had been met with deaf ears, or perhaps, a free trip to Siberia. Russia had been plodding along in a rut, because she had been kept ignorant by the minority in power, who ruled not for the people, but for themselves. The strong arm of force was used to keep the people in line with the existing system. But as history points out to us, force cannot keep down the spirit of a subjected peoples.

The Russians met secretly to discuss their plight. I am told they met in dug-outs, in thick forests, in attics, and from these places disseminated their doctrines. They formed various parties, the two leading ones being the Mensheviki (meaning minority), and the Bolsheviki (meaning majority). The former proposed to change the existing political order by slow progressive action. It was the latter’s motive to set aside the old order and establish a new based upon the doctrines as laid down by leading German radicals.
Those in power in Russia knew that the people were very much dissatisfied over their condition, but made no effort to improve it. The sentiment of the ruling minority correctly expressed in the words of Milukov, who, upon looking from his window and seeing a throng of the revolutionists carrying the red flag said: “There goes the Russian revolution and it will be crushed in fifteen minutes.” But he was mistaken, for he had misjudged. The very forces upon which the Tsar’s government had relied were swayed by the passions of the masses. The Cossacks joined the revolution and the old regime was replaced by Kerensky and his followers.

The world rejoiced, for those in power proposed to set up a Democracy fashioned after ours. The people were told to go back to work, for the next move was the formation of a state. The people went back to work. They gathered together into small organizations and elected one of their number whom they could trust to represent them as a delegate at Petrograd. These organizations were formed according to the trade in which a man earned his livelihood as, for instance, the machinists, engineers, teachers, farmers, and so on. This action was spontaneous wherever there was a group of Russians, even to the warships in the foreign waters. At Petrograd the delegates elected formed the All Russian Soviet of Workmen and Soldiers.

The Soviet was the natural organization of the Russian people. It would appear to have its origin in the mir of the village and the artel of the city. The assembly of the mir under the old regime was made up of all the peasant householders of the village community, who elected a headman called (starosta). This organization governed the village community from very early history. The mir was dominated by police commissioners representing the government.

The artel clearly manifests the co-operative spirit of the Russians. It has been one of the prominent features of the Russian social life, and is characteristic of the very people who formed it. When any workmen would migrate from any of the provinces to an industrial center, they would immediately unite into groups of from ten to fifty, settle in a house together, and each was then obliged to pay his share to the elected elder of the artel. Wherever there was a gathering of Russian people, whether in industry, in the forests, on journeys, there was a network of artels.
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After the successful political revolution the people of Russia were not satisfied. They demanded the land, the factories, for they claimed that everything should be nationalized for the people. It is at this juncture of the turmoil that followed the revolution that the Bolsheviks saw their opportunity, for the minds of the great mass of the people were neutral, as the psychologist would put it. They changed the pleadings from "Let the people rule, but let them rule through us" to "Let the people rule themselves." They said, "All power to the Soviets," "Land to the Peasants; Factories to the Workers; Peace to all the World." This marks the advent of the second Russian revolution, the Economic revolution of November, 1917. "All power to the Soviets," but the big giant was helpless, for it knew nothing of governing itself. It needed an overseer as the system of the mir and the artel. Here is where the man who has startled the world stepped in with his adversaries. This is Vladimir Ilyish Ulianov, known as Lenine. He is the "dictator of the proletariat." He is unscrupulous when attempting to accomplish his end. He is commendably frank in his statements, as is shown by a statement attributed to him in the Internationale:

"Just as 150,000 lordly landowners under the Tsarism dominated the 130,000,000 of Russian peasants, so 200,000 members of the Bolshevists' Party are imposing their proletarian will on the masses, but this time in the interest of the latter."

Lenine understands the people with whom he deals. He knows their weaknesses, and realizes their strength, for he is quoted as saying: "For every honest Bolshevik there are thirty-nine scoundrels and sixty fools." He has held the high hand of force over the scoundrel, and inspired the fool that he may be utilized.

There are many in this country who would overthrow the present order of government and society for some utopian or syndicalist experiment. They fail to understand the nature of the people with whom they are dealing in America. The customs, ideals, and the traditions of a nation are largely determined by local conditions. Can you not see the fallacy of a system such as the Soviet in our own country? The people know nothing of the customs of the Russian. It is most logical that each country should be allowed to work out its own problems. Regardless of
what can be said for the Soviet of Russia, it is an experiment. Will it stand the test of time? The question is an interesting one and cannot be decided hurriedly, for it seems that the Russian people are satisfied with the same at present.

The adherers of the cause in this country may be divided into several categories. There are those who feel that capital has oppressed them. They perceive no relief except by the establishment of a new social and economic order, failing to discriminate between the governmental and the economic system, of which the latter is the cause for their trouble. Their failing lies in their lack of knowledge as to economic principles. They need enlightenment instead of condemnation.

Then there is that large class which acts upon the impulses of its emotions rather than the intellect. It is that element that is easily swayed by the emotionalists, and will act through mob psychology and spirit for either Radicalism or Americanism, depending upon the chronological sequence of events.

The idealist who has hitched his destiny to some syndicalistic ism holds a prominent place. He dreams of the brotherhood of man, but he has failed to take cognizance of life itself. He never considers the weaknesses of man, for his ideas are not based upon hard, bare facts as they exist. There is not enough romance in facts for one who insists on wandering off into the seven heavens, losing sight of reason in his wild chase for ideals.

In one of the hearings of the Senate Committee on Bolshevism a remark was made that startled many people of this country, for it was shown that there are men and women of wealth associated with this movement. They had hitched their purse strings to some syndicalistic ism, which is rather hard to conceive. It is true nevertheless, but just to place one's finger on the motive for such action is difficult, nigh impossible. In most cases the women are most intimately connected. They are not of the class who wish to make a splurge, but on the contrary, are women of "culture" and "training." They are minutely analytical and have a mania for pointing out the imperfections in our complex social edifice. They are relentless in their attack once they become the adherers to a cause and have no trouble making the Soviet appear superior to Democracy on paper. They have a very forceful manner in disseminating their doctrines, and are not loath to grasp any opportunity to further the cause.
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There is a class which has arisen in this country within the past two years. As a class it does not wish to see the overthrow of the present order of society, but there is an occult sympathy for the radical. It is a quandary to this class why everyone picks on the “poor devil.”

We shall turn our attention to the real Bolshevik in this country. He is intolerable, for he is almost hysterical in behalf of the doctrines he substantiates. He will permit no one to address him who is not in accord with his views. He is excessively emotional—not rational. He is best characterized by abnormality of his mentality, because he permits his passions and prejudices to guide him, since his mind is nourished and fostered by just one class of literature. He has thwarted the growth of his intellect by failing to reason except in one direction. He is very inconsistent as to his real ideal of freedom. In the course of a moment he can condemn a government that constitutionally guarantees him free speech and laud and praise one which denies it. Through sympathetic meetings he condemns all the sentences placed upon political prisoners during the war, notwithstanding he will sanction all the cruel killing of those whose ideas do not conform with the principles of the “dictator of the proletariat.” This same class objected very strenuously to the draft in this country, but they heartily agree with a government that has adopted conscription. Ask them to condemn the outrages and the cruel treatment of the bourgeoisie or bureaucracy of Russia and they stand mute. Is it because of some mental inhibition that they cannot apply to America those principles they so glibly and freely apply to Russia?

Let us compare some of the provisions of the constitution of Democratic America with those of Soviet Russia.

UNITED STATES CONSTITUTION

INTRODUCTION

We, The People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

CONSTITUTION OF SOVIET RUSSIA

INTRODUCTION

The declaration of rights of the laboring and exploited people (approved by the third All-Russian Congress of Soviets in January, 1918), together with the Constitution of the Soviet Republic, approved by the fifth Congress, constitutes a single fundamental law of the Russian Socialist Federated Soviet Republic.
POWER VESTED

Article I, Section 1. All Legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

Article II, Section 1. The Executive Power shall be vested in a President of the United States of America. He shall hold his office during the Term of Four Years, and, together with the Vice President, chosen for the same Term, ***.

Article III, Section 1. The Judicial Power of the United States shall be vested in one Supreme Court and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

TAKING OF LAND

Amendment—Article V. No person shall *** be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.
Amendment-Article XIV. * * *; nor shall any State deprive any person of life, liberty, or property, without due process of law; * * *.

WORK
Amendment-Article XIII, Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

Amendment-Article XIV. * * *; nor shall any State deprive any person of life, liberty, or property, without due process of law; * * *.

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sion of exploiters, the establishment of a Socialist Society, and the victory of Socialism in all lands, the third All-Russian Congress of Soviets of Workers', Soldiers' and Peasants' Deputies further resolves:

A. For the purpose of realizing the socialization of land, all private property in land is abolished, and the entire land is declared to be national property and is to be apportioned among husbandmen without any compensation to the former owners, in the measure of each one's ability to till it.

B. All forests, treasures of the earth, and waters of general public utility, all implements whether animate or inanimate, model farms and agricultural enterprises are declared to be national property.

C. As a first step towards a complete transfer of ownership to the Soviet Republic of all factories, mills, mines, railways and other means of production and transportation, the Soviet law for the control by workmen and the establishment of the Supreme Soviet of National Economy is hereby confirmed, so as to assure the power of the workers over the exploiters.

WORK
Article I, Chapter 2—3f. Universal obligation to work is introduced for the purpose of eliminating the parasitic strata of society in organizing the economic life of the country.

Article II, Chapter 5—18. The Russian Socialist Federated Soviet Republic considers work the duty of every citizen of the Republic, and proclaims as its motto: "He shall not eat who does not work."
SPEECH AND PRESS

Amendment-Article I. Congress shall make no law * * * abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for redress of grievances.

MODE OF AMENDING CONSTITUTION

Article V. The Congress, whenever two thirds of both Houses deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by Congress; * * *; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

SPEECH AND PRESS

Article II, Chapter 5.—23. Being guided by the interests of the working class as a whole, the Russian Socialist Federated Soviet Republic deprives all individuals and groups of rights which could be utilized by them to the detriment of the Socialist Revolution.

MODE OF AMENDING CONSTITUTION

Article III, Chapter 9.—49. The All-Russian Congress and the All-Russian Central Executive Committee deal with questions of state such as:


C. Establishing and changing boundaries, also ceding territory belonging to the Russian Socialist Federated Soviet Republic.

H. Foreign relations, declaration of war, and ratification of peace treaties.

Article III, Chapter 9.—51. The following questions are solely under the jurisdiction of the All-Russian Congress.

A. Ratification and amendment of the fundamental principles of the Soviet Constitution.

B. Ratification of Peace Treaties.

52. The decision of questions indicated in Items c and h of Paragraph 49 may be made by the All-Russian Central Executive Committee only in case it is impossible to convene the Congress.

UNIVERSAL MILITARY TRAINING

Article II, Chapter 5.—19. For the purpose of defending the victory of the great peasants' and
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workers' revolution, the Russian Socialist Federated Soviet Republic recognizes the duty of all citizens of the Republic to come to the defense of their Socialist Fatherland, and it, therefore, introduces universal military training. The honor of defending the revolution with arms is given only to the toilers, and the non-toiling elements are charged with the performances of other military duties.

There is no word in the Soviet constitution which makes any guarantees as to the political rights of the people, unless it be Article II, Chapter 5, 10, which follows: "** The entire power, within the boundaries of the Russian Socialist Federated Soviet Republic, belongs to all the working people of Russia, united in urban and rural Soviets."

Under our own Constitution we are guaranteed a Republican Form of Government by Art. IV, Sec. 4. The right of Freedom of Speech and Press and the right to Peaceably Assemble and Petition the Government by Art. I of the Amendments.

The Soviet constitution mentions no word of the rights and the safeguards of the accused. Under our Constitution the accused has certain safeguards, namely: No Bill of Attainder or ex post facto Law shall be passed, Art. I, Sec. 9 (3). Protection against self-incrimination, Amend. Art. V. Protection against unreasonable searches and seizures by Amend. Art. IV. Indictment must be by Grand Jury, Amend. Art. V, and a trial by jury is guaranteed in all cases except impeachment, Art. III, Sec. 3. The right to be confronted by the witnesses against him, Amend. Art. VI. The right to be heard by himself and counsel, Amend. Art. VI. There shall be no excessive fine or bail imposed upon him, Amend. Art. VIII. The accused shall not be subjected to cruel and unusual punishment, Amend. Art. VIII. No person shall be put twice in jeopardy for the same offense, Amend. Art. V.

Which one of the two Constitutions better suits your taste? Would you be willing to change for the new order of a free Socialistic society as established in Russia?

The revolution in Russia was the effect of a bad system of government, which kept the people in ignorance. That the Russian people have many fine traits of character, and have given to
the world many artists, philosophers, musicians, and writers is not denied. But it is almost inconceivable why men should wish to tear down our stable government for an experiment. Why should anyone in this land of justness represented in Lincoln, or of equal opportunity represented in the men who have amassed fortunes, wish to supplant our cherished ideals, usages, traditions and customs which we summarize in the word “Americanism”? We must admit that many who would place before us almost constantly this word are not always those true Americans of which we may feel proud. Sometimes it is to further some selfish aspiration or to cover some unfair tactics that the word “Americanism” is desecrated. Perhaps someone has become very repugnant because he has seen such tactics used, and has become one in the class of occult sympathy.

All of those who avow their adherence to the idea of radicalism in any form are not men who look almost uncanny, who have their inception in the mind of some ardent cartoonist. There are many who are strong, virile, native-born Americans. Are their minds perverted? If so, then what of the man who has the occult sympathy? Perhaps he has delved into the matter before he has hurled his vituperations and his epithets. We have the effect of some weakness in our social system. Have you ever thought what that weakness might be? We have brought force into play to deal with the effect. To laud and to praise these laws and to agree with the man who says “All radicals ought to be shipped out on the ark,” without making any effort to find the underlying cause would be decidedly stupid. Nevertheless, it would seem to be the very course we are pursuing. One cannot cure smallpox by removing the postule, neither can radicalism be cured by shipping out radicals on the ark.

Have you ever had the opportunity of conversing with a native-born radical? He is usually a well-appearing fellow, more or less indifferent to society in general, who seems to have inculcated that mobile spirit which we sometimes sum up in the word “floater.” The use of the word is a misnomer, for a “floater,” in the strict sense of the term, is a first-class mechanic who wanders from one industrial center to another, never being satisfied in any one place. He has no home ties to bind him. He takes no pride in any civic adventure or in any particular community. Ask him where he comes from and he is loath to tell you. Ask him where he is bound, he may tell you that “the world is large.” He
is despised wherever he goes and is very often driven from one city to another. We find the larger percentage of this type in the West. Have you ever taken cognizance of the kind of labor they perform in our economic order? They work in the harvest fields in the summer months, in the fall they shift into the fruit belt of the Pacific coast, and in the winter they go into the woods. Picture yourself in the same situation, and compare it with your present environment. You may say "he doesn't have to do it." But is it not true that someone must do it? What can we expect from the man whose very life of roaming and his occupation is that of destruction? He perhaps never realizes the indirect result of his labors, namely, bread for the peoples, fruit for the table of the household, or lumber for the homes or the ships that carry produce. When he finishes in the wheat fields he sees nothing but the stubbles and the prairie where stood the golden wheat; after completing his labor in the fruit belt, the bare tree greets his eye where hung the ripened fruit; after his sojourn is ended in the woods, stumps are prevalent where the majestic kings of the forests once stood. Have you ever thought that perhaps our present economic system might have an important bearing upon our problem of eliminating the syndicalistic ism? It is a very easy matter to chide an individual, but it is another proposition to attack a system. Perhaps some day we will be able to educate the men who have become a part of this system in the true principles of "Americanism," that they may cherish the ideals which we are more fortunate to realize. Then perhaps the "wobblie" will be effaced as an eruption on the face of our present order of society.

Why do the foreigners help to swell the ranks of the radicals? The foreigner, regardless of his nationality, has the same human desires that we have. If he has a family, he wishes to see his children acquire an education that they may be better fitted to take their position in life. He wishes to see them acquire more than he has in his short span of years. He dreams the same kind of dreams about his sons and his daughters that you do and have done. He may picture his son as a great physician, lawyer, engineer, or perhaps a legislator in the Senate. He sees no possible chance of realizing his dreams in his foreign home. He has heard much of America, the land of hope and opportunity. He comes, determined to work hard that he may acquire his goal. Can you imagine his surprise? When he lands at the American port he
is not asked for what he may be best fitted. Information is given
him that here or there lies a job. Perhaps he goes into the coal
districts or into one of the large steel mills; in fact, any industrial
center is ready to welcome him. Often it happens that he has
been a toiler of the soil in his home land, therefore is ready for
nothing but the job of a "flunkie." He begins to work and is
very much astonished, for in this land of opportunity everyone
hustles and bustles, but no one seems to pay any attention to him.
Shortly after his arrival he adopts the name of John, the "wop"
or "hunkie," not by choice, but by custom. He plods along, picks
up a word of English here and there, but makes no advancement
in his work. He comes to the conclusion that he is destined to
do only the heavy work. He never receives a word of credit and
is happy when not cursed. His enthusiasm wanes, thereby be-
coming more morose each day. His heart fills with resentment,
when along comes Mr. Radical, perches himself upon a soap box,
and soon a foreigner who might have been a staunch supporter
of our Democracy has his resentment nourished to a point of
repugnance. He decides that Democracy and Capital are synony-
mous. He works half-heartedly, for he concludes that he is
making too much money for the boss. We have to a certain de-
gree been responsible for this condition, for we have paid no
attention to our foreigners after they have arrived. What is
more, we have paid little or no attention to our immigrants when
landing to find out just where they would fit in best in our com-
plex social system.

To lay all the blame upon the man who has radical ideas incul-
cated into his mind would be folly and decidedly pedantic. To try
to kill the spirit of discontent by force would be to break nature's
laws. History has too well shown us within the past four cen-
turies the fallacy of too much force. We must create a desire for
the discontented to serve our government by making them feel
that they are a part of it. How much spirit can you create in
your office by holding above it the strong arm of force? You
create a desire in the men who serve you, by aiding them to get
the most for the time spent with you, or by "giving 'em a chance,"
in the popular street phrase. Let us teach out this radicalism and
discontent now that we have eliminated the most dangerous lead-
ers by force. How can a man cherish our traditions, usages,
customs and ideals, if he knows nothing of them, let alone the
reason for them? At this time we should pass less laws of a
SPECIAL VERDICTS

curbing and forceful nature and resort to more enlightenment of the individual. If we cannot prove the superiority of our government over that for which the radical strives, except by force, we are admitting a weakness of our government. Let us not wait until this radicalism becomes a severe menace. To spread knowledge of our traditions, ideals and customs would appear to be the duty of every true American. Anyone can hurl vituperations and epithets, everyone can laud an effect, but it takes a real big, broad, high-minded American to eliminate the cause which underlies the effect. What are you doing? Where do you stand?

GILBERT E. BRACH, Editor.

SPECIAL VERDICTS.

Hon. Thomas H. Ryan,
Formerly Judge of the Municipal Court of Outagamie County

It is the settled rule of law in this State, that "it is reversible error for the trial Court by instruction to the jury to inform the jury expressly or by necessary implication of the effect of an answer or answers to a question or questions of a special verdict upon the ultimate right of either party litigant to recover, or upon the ultimate liability of either party litigant." Banderoeb vs. Wis. Cent. R. Co., 133 Wis. 249.

The purpose of this article is to inquire into the soundness of this rule.

It will be admitted that the purpose of the trial of a case is to ascertain the truth, to the end that justice may prevail. Is the information given by the court to the jury of the effect of an answer or answers to a question or questions of a special verdict, upon the ultimate right of either party litigant to recover, inimical to justice? If it is, then it is due either to the fact that such information is bad in itself, or to the fact that the jury is less honest than the court. If such knowledge is bad in itself, it follows that the source of the knowledge is immaterial. Whether the jury possessed the knowledge before they were impaneled, or acquired it during trial from an intelligent juror, or from the attorneys, or from the court, will make no difference in the result. In other words, the answers of the jury to the questions will not be different because of the source of their information. If the knowl-