

EDITORIAL

CLASS BLINDNESS, OR WHAT?

By DANIEL DE LEON

IN 1898 the so-called Erdmann law was enacted by Congress, the tenth section of which forbade railroads or other carriers engaged in interstate commerce to discriminate against, by discharging, employes on the ground of membership in labor organizations. Recently, William Adair, a master mechanic of the Louisville and Nashville Railroad, discharged O.B. Coopage, a fireman in the employ of the company, upon the express ground that Coopage was a member of the Brotherhood of Locomotive Firemen. Coopage, or his organization, brought an action against Adair under the Erdmann law, and Adair was indicted, convicted and fined \$100 by the Federal Court in east Kentucky. The case went to the Supreme Court of the United States, and on January 27 the Court rendered a decision in favor of Adair, declaring the Erdmann law unconstitutional. The gist of the Court's decision is that the Erdmann law was "an arbitrary interference with the liberty of contract which no Government can legally justify in a free land," and that "it was the right of the defendant [the employer in this case] to prescribe the terms upon which the services of Coopage would be accepted, and it was the right of Coopage to become, or not, as he chose, an employe of the railroad company upon the terms offered to him."

The question forces itself upon one on reading the decision of the Court: "Is this a case of class-blindness on the part of the Court, or is it a case of what?"

As jurists, the learned judges know that there is no such a thing as "liberty of contract" except between parties that are equally free. As men, of whom it may be expected that they are posted upon the economic conditions of the land, the judges must be aware of the fact that the workingman is not at liberty to "accept or reject" the terms offered to him. To reject the terms offered by an employer means starvation to the worker. The billions in the savings banks, "owned by the workers," never cut any figure except in statistical reports palpably intended to mislead; the

billions do not exist except as blinds. The proletariat lives from hand to mouth. Not so the employing capitalist: he has plundered enough from the workers to be able to get along without the worker, at least for a while. The status of the two is not the same—the one is “free,” the other is under compulsion, and he is held under compulsion by the very party that enjoys freedom. Under such circumstances the “liberty of contract” is a snare and a delusion. Does not the Court know this? If it does not, then the Court’s decision is a monumental evidence of “Class-Blindness.” Does the Court know the facts? Then its action is unspeakable.

Whatever the answer to the question may be, the action of the Court is a goad to the enlightenment of the Working Class. They have so long been told that they believe the yarn about the existing Government being a Government of the whole people. Finding themselves no match in the struggle with the employer, they resorted to their Government for that protection which all Government is there to furnish to its part-owners. The Erdmann law was passed, affording such protection—it was thought. Now the workers discover they leaned but on a broken reed, in other words, that they are no part-owners in the present Government, the same being only of, by and for the capitalist class.

The discovery is correct. As absurdly false as the insinuation is that, the per capita of wealth in the land being \$1,500, the workers have each that amount to their credit, so absurdly false is the claim that, seeing the capitalist Government styles itself “the people’s Government,” the workers have any property-rights in the said Government. As completely as the Capitalist Class owns all the per capitas of wealth, so completely does it own the Government.

There is no way out but voting down the capitalist political parties, and the supplanting of the capitalist political State with the Government of Labor industrially organized.

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

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