

ONE WAY OUT

WHEN Russia fell under Bolshevik rule in 1917 it appeared as if a civilization had passed away. In 1919, when Fascism appeared in Italy, it seemed at first that this was but another form of Communism, but by 1926 it was clear that Fascism was making good, and the reconciliation with the Holy See in 1929 established it as the great political idea of the age. To-day it is permeating society. The U.S.A. and Germany are Fascist in principle, if not in name. Catholic Austria has set up a Fascist government. Ireland is fast approaching the same position, and a Fascist Party has been established in France. We may well ask ourselves what this Fascism is, and how it has succeeded so quickly in capturing the great nations of the world, with the exception of Great Britain.

The first thing to note is that Fascism and Communism have succeeded in Italy and Russia because their leaders *believed* in the soundness of their principles and had the courage to put them into practice. The root idea of Fascism is *Action*, and therefore it is the opposite of Parliamentarianism, which is founded on *Debate*. Debate is perhaps a satisfactory form of procedure when a landed oligarchy is the dominating power in society, and when the opposing parties have common interests in preserving this power, but when real control has passed into the hands of those who have no stake in the country, and parties have arisen which are opposed on the fundamental question of the form of society itself, it is an impossible position.

There are two alternatives before the nation to-day. Both are founded on the necessity for planning a scheme of life for organized society, socially as well as economically, but after that they differ. Communism, which at the moment is triumphant in Russia, is founded on an amalgam of materialism and idealism. It holds that conflict and class-war are inevitable—that material success alone counts, and that to obtain this success man must surrender liberty. That ends logically in the deification of the State and the foundation of the Servile State.

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The Fascist is a realist. He accepts the necessity for planning, but has the true idea—which is that the State exists for the protection of the weak. This is a return to the medieval idea of Function which was expressed in the Guilds, and meant that privileges should exist, not for the sake of a class, but in order to ensure the due performance of duties. This principle is indispensable to the reconstruction of society, for at present those who control money are in the strongest position (*i.e.*, the financiers and the distributors). The producer is dependent on their good offices, which are obtainable only at a price, and, in consequence, the workers, the technicians and, ultimately, the consumers bear the brunt of the battle. Fascism wishes to organize each trade or industry as a unit in which employers and employed are represented, and the interests of the consumer as well as the distributor, are not forgotten. These corporations will ultimately form a Parliament of Industry, an idea which was put forward some eight or nine years ago by as staunch a Conservative as ever existed, Sir John Marriott. It seems that this Parliament will take the place of the House of Lords and the Commons will be replaced by the Fascist executive in a House elected as at present.

It is in this reorganization of society that the strength of Fascism lies. It tackles questions about which we have been feebly talking for almost a generation, and it is better to make mistakes than to do nothing at all.

Exception is taken in many quarters to its assumption of arbitrary powers, but such power has always existed. It is the very essence of government, and the Parliament of Great Britain is as absolutely sovereign as the Machiavelian 'Prince.' In the well-known words of Sir Edward Coke, quoted by Blackstone:

'It hath sovereign and uncontrollable authority . . . concerning matters of all possible denominations . . . this being the place where that absolute despotic power *which must in all governments reside* . . . is entrusted by the constitution of these Kingdoms.'

In a discussion as to the nature of Parliamentary authority in Britain, one of the first points to be noted is the

distinction made by Montesquieu in his 'division of powers.' In a well-ordered State the functions of the Executive, the Judiciary and the Legislature should be co-ordinate but distinct. In England we have Parliament as the legislative body, the Judges in the High Court, and the Executive—or King in Cabinet. In Anglo-Saxon times the three offices were combined in the King, and the development of Parliament has mainly been concerned with the transference and differentiation of the three functions. This transference did not take place without a struggle, and the arbitrary methods of the Tudors only paved the way for the downfall of the Stuarts and a premature seizing by Parliament of the control of the Executive. The Revolution of 1688 completed the process, and in 1701 the Hanoverian line was established under a Parliamentary title. Nevertheless, in theory at least, all three powers are still vested in the King, and there is little or no difference between the ultimate position in the British Constitution of George the Fifth and our Anglo-Saxon, Norman and Plantagenet rulers.

On what grounds, then, can we now contemplate a drastic re-organization of Parliament and Parliamentary procedure? First, because in England the constitution has grown as only a living organism can grow, but the process has been unchecked and like its symbol the Rose, which, left to itself, deteriorates, barren suckers taking the vigorous life which still pulsates from the root, it must be severely pruned if it is to remain, as it once was, Queen of the garden.

In common with so much of our legislation, the process was begun at the wrong end, with the passing of the Parliament Act in 1911. This was indeed an end and not a beginning, for it was the last lap of the struggle for the control of the executive which began with Cromwell. Until then the King had not only reigned but governed, for even after the commencement of Parliamentary legislation, he had been able to enforce his will under the form of Ordinances and Proclamation (Dicey, *Law of the Constitution*). By a Statute of 1539, the King was empowered to legislate

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in this way, provided that nothing was 'prejudicial to any person, inheritance, office, goods, chattels, or life This Statute was repealed by Edward VI, but it established the distinction between laws and ordinances—the latter being decrees of the Executive power rather than Acts of the Legislature. Royal proclamations have therefore no longer the force of law, but the King can issue Orders in Council under Statute.

Professor Dicey tells us that this state of affairs exists in most Continental States to-day, and is of great practical utility. In foreign countries general principles are laid down, and left to be supplemented by decrees and regulations which are the work of the Executive. In England the physical impossibility of examining in detail the immense mass of legislation which awaits attention leads to the shelving of many needed reforms and the obscurity of many completed Acts of Parliament, which have to be referred to the statutory authorities for interpretation and are supplemented by the relative departments, which have the power to issue Orders and make rules having the force of law. This is an indirect move towards bureaucratic government, and tends to confuse the legislative and judicial functions, a state of affairs which approaches the state envisaged by Montesquieu, who said that 'the constitution of England will perish, when the legislative power will become more corrupt than the executive.'

Now while waiting for the complete re-organization of the State, we are faced with the fact that just so long as the delay, so will be the confusion and misery of the people. Who that sees the moral and physical deterioration of the unemployed and the misery of the bewildered poor in *all* classes of society, can wait with patience for an event which, though it cannot be very far off, is still not even in sight?

There yet remains a power to which we can appeal, a power which is more accessible in England than in any other country just because it is not enshrined in a written Constitution. It is the power of the King, ancient and inalienable, because it springs from the very nature of man and is analogous to the power and authority of the Church.

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The Englishman has the right of direct appeal to the King, and his response to that appeal is justified by the general constitutional principle that with us individual rights are the *basis*, not the *result*, of the law of the Constitution (Dicey).

Without involving the Crown in any conflict, such an appeal could be justified to-morrow by the fact that the people are in need. Man's first and fundamental requirements are for food, clothing and shelter, and there are thousands in England to-day, in England with her fields full of food, and her banks full of money, who though technically can be fed, housed (after a fashion, in slum or work-house), and clothed are in actual fact slowly starving for want of these three prime necessities of life. Housing schemes are in progress, you will say. Trade is improving. Industry is reabsorbing the unemployed. We know all that, but the fact remains that we have got on to wrong lines, and that only a fundamental and rapid change will save this generation and the next, and the next after that, from suffering as their fathers and mothers suffered in the last century before the public conscience was awake. The King, the man who *Can*—as Carlyle put it—the King and his four sons can lead England back to prosperity and righteousness by leading her back to the land. England herself could reabsorb ten thousand in the spring if the powers of the local Authorities under the Small Holdings Act were set in motion, and 100,000 men with their families could at the same time be embarked to Australia, as in the scheme detailed by Sir James Connolly. The result would be immense and immediate improvement in our internal industry, a far more important thing than foreign trade. House-building, ship-building and all the trades involved would have to work at full pressure through the winter for this gigantic trek. It would re-awaken the old spirit of the romance of adventure in hearts that are commercialized, and deadened by the paltry shillings of the Dole. It would quicken religious activities, for no great movement can take place without a revival of religion and faith, to strengthen loyalty and purify ambition. In an article in the October

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number of the *English Review* Mr. Douglas Jerrold tells us that England to-day has 'neither the spiritual vitality nor the moral authority' to build on the foundations which she laid during the sixteenth and seventeenth centuries. Such a spirit can only be re-kindled by *Action*. Men can go on talking and considering indefinitely, but they *live* when they put their principles into practice.

It is both practical and easy to set the ball rolling by an appeal to a King whom we know to be accessible, wise and just, and whose sons have shown themselves to have the same spirit of statesmanship which he possesses. Perhaps it is in them that we can discover the lost spirit of the statesmen who once led England.

J. M. D. SCOTT.

CORRESPONDENCE

HAWKER OF MORWENSTOW

To the Editor of BLACKFRIARS.

Sir,—There are one or two minor errors in Mr. Sewell's article in your October issue.

R. S. Hawker was born here on 3rd December, 1803 (not 1804) and died here in 1875, being buried in the 'Old' Plymouth Cemetery, where his epitaph begs prayers for him in Saint Monica's oft-quoted words. His second wife, who died in London, 1893, did not become a Catholic till after his death.

Baring-Gould's biography of Hawker is not wholly accurate, indeed, some of it was repudiated by the widow and others of Hawker's family. The standard life is that by his son-in-law, C. E. Byles. One of Hawker's three daughters became a religious.

R. S. H.'s stirring Trelawny ballad is based upon a wrong identification. The chorus, the sole relic of the original song—if ever there was one—does not refer to the Bishop sent to the Tower in 1627, but to John Trelawny, his grandfather.

During the Sunday evening service in Plymouth Cathedral, which Hawker and his wife attended, the sermon, on *The Sanctity of the Church*, was preached by Fr. P. A. Sheehan, a 'new curate' lent from the Diocese of Cloyne, who was destined to become even more famous in the literary world than Hawker himself.

Yours faithfully,

Plymouth.

P. J. MOWAN.