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FOR POLITICAL AND ECONOMIC REALISM

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THE STEVENAGE CASE

The following transcript of the shorthand notes of Cherer & Co., 2, New Court, Lincoln's Inn, W.C.2, and Walsh & Sons, 4, New Court, Lincoln's Inn, W.C.2, is reproduced because of the wide interest excited by the judgment it records itself and because of its references to the rights of the Subject "which flow from the Common Law conception of natural justice."

HIGH COURT OF JUSTICE, KING'S BENCH DIVISION,
February 20, 1947.

Before Mr. Justice Henn Collins, IN THE MATTER OF THE NEW TOWNS ACT, 1946, and IN THE MATTER OF THE STEVENAGE NEW TOWN (DESIGNATION) ORDER, 1946.

Mr. ARTHUR CAPEWELL, K.C., and Mr. G. D. SQUIBB (instructed by Messrs. Sharpe, Pritchard & Co.) appeared on behalf of Mr. William Vernon Franklin, Mr. George Leonard Hearn and Mr. Michael Hubert Tetley (Applicants).

THE ATTORNEY-GENERAL (Sir Hartley Shawcross, K.C., M.P.) and the Hon. H. L. PARKER (instructed by the Treasury Solicitor) appeared on behalf of the Minister of Town and Country Planning (Respondent).

Judgment

Mr. JUSTICE HENN COLLINS: This is an application to quash an Order made by the Minister of Town and Country Planning on the 11th November, 1946, designated as the "Stevenage New Town Designation Order, 1946." The application is made upon the grounds: (1) That the Minister did not act within his powers in making the Order, and (2) (putting it shortly) that the Minister was, in considering the objections to the proposed Order, and deciding thereon, exercising a quasi-judicial function, and that he failed as his duty was to give the objections fair and proper consideration.

The first of these objections—that the Minister acted *ultra vires*—depends upon the proper construction of paragraph 3 of the First Schedule to the New Towns Act, 1946. The words are these: "If any objection is duly made to the proposed Order, and it is not withdrawn, the Minister shall, before making the Order, cause a public local inquiry to be held with respect thereto and shall consider the report of the person by whom the inquiry is held."

The contention of the Applicants is that the word "thereto" qualifies both the objection and the proposed Order, from which they say it would follow that the proposed Order being a subject of the Inquiry must be supported by evidence at the hearing, and that no such evidence was adduced.

I do not think it necessary for me to decide whether that consequence would follow if the proposed Order was made the subject of inquiry, because I do not think, on the true construction of the paragraph that the word "thereto" refers to the "proposed Order" in the collation "objection

to the proposed Order." I regard the words, "to the proposed Order," as being merely a definition of the objection with which the paragraph is concerned. Read like this the paragraph is not ambiguous. Once the objection is identified, the words "to the proposed Order," can be omitted and the paragraph would then read thus: "If any objection is duly made and is not withdrawn, the Minister shall, before making the order, cause a public inquiry to be held with respect thereto..." That in my judgment, is the meaning of the paragraph.

The second objection is more formidable. It raises first the question whether the Minister acting under the New Towns Act has, in relation to a public Inquiry for which the First Schedule of that Act provides, merely ministerial acts to perform, or whether his duties are at any stage judicial, or what has been termed in relation to somewhat similar legislation, quasi-judicial.

If the true view is that his function is not only administrative but also judicial, the question arises whether he acted in his adjudication, to quote the words of Lord Justice Bowen from *Jackson v. Barry Railway Company* (1893 1 Chancery, at page 247), "as an honest judge of this very special and exceptional kind."

It is a commonplace feature of this class of case that a Minister should exercise both ministerial and quasi-judicial functions, and it is often difficult to draw a line between the two. Here, if I accepted the argument of the Attorney-General, no such difficulty arises, for he contends that at no stage is the Minister put in a quasi-judicial position, but that he acts throughout administratively, not only in making the original order, in having a public Inquiry at which all concerned may state and elaborate their objections, but also in considering the report of the officer who holds the Inquiry, and in deciding whether or not to confirm his original Order.

If that is the true view of this legislation the result, put it how you will, is that an objector who may have everything at stake, has legislative permission to fulminate, but he can do no more. However real his grievance, it can be forced upon him without any consideration of the merits of his case. Although invited to state his case in public he cannot secure that what he says will be weighed and considered on its merits, or indeed at all.

This is at any rate a sturdy contention, particularly in view of the line the Courts have consistently taken of the rights of objectors under earlier legislation providing for public Inquiries. One of the functions of the Court is to stand between the Executive and the members of the public so far as the Common Law requires and legislation permits; and if it sees that being done which is contrary to natural justice, then, within those limits, it will intervene. It is not, and should not be, astute to find in legislation reason or occasion for curtailing that jurisdiction; nor should it assume that legislation involves anything which is contrary to natural

justice. Natural justice—a sense of fairness—may be impossible to define, but it is none the less real, and is deeply embedded in the Common Law, and it would take, in my view, explicit words in a Statute, or irresistible inference from the words used to abrogate the rights which flow from the Common Law conception of natural justice.

The words relied upon as giving the Minister an arbitrary power, that is to say a power tempered only by public opinion so far as it can make itself effectively heard, are to be found in Section 1, Subsection (1), of the Act. Omitting what is immaterial for this purpose, the words are: "If the Minister is satisfied . . . that it is expedient . . . he may make an order designating an area as the site of the proposed new town."

Now, as was pointed out in *Liversidge v. Sir John Anderson* (1942 Appeal Cases, page 206), words of that kind may either mean that the Minister is to be satisfied on reasonable grounds, in which case his powers are not arbitrary in the sense I have indicated, because they rest upon something other than the state of his own mind, namely, the existence, apart from his opinion, of a state of things; or they may mean that the state of his mind—his "satisfaction"—is the sole basis of his power.

The answer to the question in which of these two senses such words are to be read requires a conspectus of the legislation in which they occur. In this Act I find substantially the same provisions made for the making and hearing of objections to the action of the Minister as have appeared in a number of Statutes in which there is no colour for suggesting that the powers of the Minister are arbitrary. Under such provisions it has been held time and again that the functions of the Minister concerned are quasi-judicial and not arbitrary, the two conceptions are incompatible, and I have no doubt but that the words I have quoted from the Section are not intended to, and do not mean, that the Minister's power depends solely and absolutely on his state of mind.

To take any other view would reduce the provisions for objections, the holding of a local public Inquiry, the report of the officer who holds it, and the consideration of that report by the Minister to an absurdity, because when all has been said and done, the Minister could disregard the whole proceedings and do just as he pleased. The Attorney-General argued that that was, indeed, the position, and that the sole use of the liberty to make objections was that the objectors (I am quoting his words) might blow off steam, and so rally public opinion to which alone the Minister might bow.

The Attorney-General enforced his argument upon the words of Section 1, and sought to discount the considerations to which the provisions as to objections give rise, by contending that to saddle the Minister with any functions which are not administrative, but are quasi-judicial, is to make him a judge in his own cause; and that that is so impossible a position that it is an irresistible inference that his functions are only administrative. He must have formed a view before he makes his original Order. That is required of him by Section 1 of the Act, and it is the correctness of that view which the Objectors challenge. The Minister's view, the Attorney-General contends, is a matter of policy—the decision of the Government, and, I suppose he would add, as such immutable, at the instance of Objectors. I myself prefer the view that all matters of policy are embodied in the

Act, and that its application to a particular place is not a matter of policy. But be that as it may, the fact remains that if there is a public inquiry the Minister is bound to consider the report of it made by the officer who presides at the inquiry. But to what end if his first view of the matter is immutable? Why should Parliament have required the Minister, in a part of the Act which deals with the rights of Objectors, to consider the report, unless it be, to some extent at any rate, if not wholly, for the protection of the Objector?

No doubt the Minister is put in a difficult position. To act fairly in a matter about which one has, before hearing and considering all the evidence and arguments, formed and expressed a view, requires a firm mind and enough moral courage to say one was mistaken. But are those qualities out of the reach of a Minister of the Crown? I should be loath to think so, or to suppose that those who passed the New Towns Act did not have that faith in the Minister.

I see nothing in this Statute which drives me to conclude that the Minister in giving his decision after a public inquiry is acting only in an administrative capacity. He was bound, in my judgment, to bring to bear upon the controversy between himself, as Minister, and the Objectors, as the complainants of his administration, a mind open to conviction.

The next question is, did the Minister do so? If I am to judge by what he said at the public meeting which was held very shortly before the Bill, then published, became an Act of Parliament, I could have no doubt but that any issue raised by Objectors was forejudged. The Minister's language leaves no doubt about that. He was not saying there must and shall be satellite towns, but he was saying that Stevenage was to be the first of them. But when he made that speech, and gave his answers to questions which were asked, he had no administrative functions in relation to the Act in question, for the Act had not then been passed. But though that was his attitude two days before the Bill received its Second Reading, it is upon the Objectors to prove that the Minister was in a like mind, or at least had not an open mind from and after at latest the inception of the public Inquiry, which was held in October.

I was invited to say that, even if the Minister was ever required to act judicially, it was enough if he fairly considered the objections, and that at that point his judicial capacity ceased so that he could then properly allow the Administrator at the critical moment of decision to get the upper hand. I think that on further consideration the Attorney-General receded from that contention, but whether he did or not, I cannot accept it. It is idle to say that a judge has functioned properly if all he has done is to see that the case is conducted in seeming fairness, without for example having one party behind the back of the other and so on, and even to apply his mind to the evidence, unless he has also brought an open mind to the decision. Any other view would reduce the necessity for fairness, or the appearance of it, to a farce.

This is not to say that in making his decision he must exclude from his consideration any of the material which was in his mind before the objections were made, but that he must weigh all fairly together. If objections have been raised which in his honest opinion are met by other information, albeit extra judicial, he may simply overrule the

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BEFORE THE NEXT CRISIS

NOW that Mr. Churchill is reported to have advised the electorate (?) to do all in their power to rid itself of the present administration, and the idea of Petitioning the King is being canvassed in the obscurer columns of political gossip transmitted *via* Fleet Street, we remind our readers:—

- (1) Majority rule could not have a greater exposure than this Government.
- (2) The World Plan was in full operation under Mr. Churchill.
- (3) An unreformed titular Conservative Party could easily prove fatal.
- (4) Reform means the effective elimination of Financier-Socialist *policy* from *any* administration.
- (5) We have published some names: Mr. Walter Elliott, Mr. W. S. Morrison, Mr. Anthony Eden, Mr. Oliver Stanley, Mr. Leslie Hore-Belisha.

The List is not exclusive.

PARLIAMENT

House of Commons: March 3, 1947.

Transport and Planning Bills—Allocation of Time

Mr. Quintin Hogg (Oxford): ... Sometimes, coming into the House as a Member of a great majority, as I was then, the first thing that strikes one is the tremendous waste of time indulged in by hon. Members opposite, on whichever side of the House one happens to be. One thinks the Rules of Procedure are tiresome, and archaic, and one wonders why the hon. Member for So-and-So must take up so much time in answering what appears to be a trivial point. Then it begins to dawn upon one, after a time, that the whole nature of freedom consists in people in this House, elected by constituents, judging for themselves—within the Rules of Order—what is important, and what is a waste of time. It is not for the majority, nor for a Member of the majority, newly-elected to the House, to tell us what we, representing our constituents, ought to say about matters which interest us. The nature of Parliamentary democracy is that we should be allowed to raise in this House and in Committees, to the length to which you permit us, Sir, matters which we consider of importance. We are ruled by our constituents, and not by a majority confining our discussions... It seems to me that there is, or may be, a fundamental cleavage in this matter between the two sides of the House. I hope it may not be so... But I find there is growing up on the opposite benches—and not only on the back benches because I see with great pleasure the Attorney-General in his place—a view of criticism which is totally foreign to that which we hold on these benches. The view held opposite, which the right hon. and learned Gentleman ventured to put forward in elsewhere with less success than he usually enjoys in this House, is that criticism is only a form of blowing off steam, and that it is good for people to be allowed to blow off steam, provided that it is not imagined for one moment that the kind of steam they blow off has the slightest effect on the actions of Ministers. That view was not acceptable to the court to which it was submitted, but it is nevertheless the growing view of criticism of hon. Members opposite.

... That is not the way in which Parliamentary Oppositions, have, in fact, conducted their opposition in the past. We recognise that hon. Members come to this House and that right hon. Gentlemen bring their proposals to this House with fairly clearly defined views about the great issues of

politics. The view we take about Parliamentary criticism is that the actual weight of what is said against the proposals, even after they have been brought forward, even by Ministers who may have started with a strong preconception in favour of them, should be considered, and it should even be possible to persuade Ministers that they may conceivably be wrong... This country is governed by a curiously balanced Constitution, in which the Executive, provided it has the undisputed control over the majority of the House of Commons, enjoys far wider legal powers than is the case in any other country. The only thing which really entitles this country to be called a Parliamentary democracy is not the right of free speech but the right of an Opposition, which has something serious to say in opposition to a Measure, not merely to say it plainly, but to say it at such length as the subject really deserves.

If the Government said at the beginning of any day's Debate "However unreasonable we are, however little attention we pay to the criticisms of the organised minority in this House, we will still get our business just the same," this would not be a free country, and this would not be Parliament. It would be a Reichstag, and the precise criticism which we on this side of the House have to the Guillotine proposal now before us, is that without any provocation or justification being offered, or at any rate suggested, from the Front Bench opposite, this House, for the two most important Measures which it has had to discuss, perhaps, in this Parliament, is being turned into a Reichstag. However unreasonable they are, they can stifle criticism and steamroller their proposals through.

Dr. Morgan: Who started the Guillotine in this "Reichstag"?

Mr. Hogg: The Guillotine is a Measure which has been introduced since about 1888, when it was invented, I think, by Mr. Gladstone, to deal with the deliberate obstruction of the Irish Party. It has always been resented by Oppositions upon whom it has been applied, and rightly resented, because it has always been seen that it had in it the seeds of dictatorship. It has appeared from our discussions to-day that never before, even in the face of the deliberate and determined obstruction of the Irish Party, never before in the whole history of Parliament, has a proposal of this kind been put before the House of Commons, when a Measure is not merely bundled upstairs to a Standing Committee of 50 Members, but is Guillotined in Standing Committee, Guillotined on Report stage, and Guillotined on Third Reading in the House... The arguments which have been used today by right hon. Gentlemen on the Front Bench—and I do not think I have missed any of them—amount to this. In the first place, it is suggested that the Parliamentary Labour Party has a mandate to carry all these Bills and, therefore, it is suggested that that mandate entitles them to carry this Motion for the Guillotine and for the repression and curtailment of discussion. That is the first argument. The second argument is that Parliament has given them authority, by the Select Committee and the Sessional Order which followed its first Report, to do this kind of thing. The third argument, as far as I realised it, was that such slow progress has been made with the conduct of these Measures that the Government have really no alternative but to force this gag through. The fourth argument, which I thought was perhaps a little destructive of the earlier three, was that after all it was very inconvenient to hold an Autumn Session and that, therefore this Motion ought to be accepted.

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From Week to Week

"The bell-wether in the Glasgow upheaval is a Jewish tailor named Shinwell; in the Belfast strike Shinwell's counterpart is one Simon Greenspoon, a Jew of Russian descent. These are the two Trotzky's of Belfast and Glasgow; they have Trotzky's aims and are pursuing Trotzky's methods, and there is little doubt that they have a common source of inspiration. Their design is nothing less than the destruction of this country and its industries; they propose to make England another Russia."

—*The Morning Post*, February 1, 1919.

Well, it's taken him longer than he thought it would, but he's getting there. Remember who financed Lenin and Trotszky.

"Our first target is Great Britain, even though there may be a general impression that that country is only of secondary importance, and that all our forces should be directed against the United States. It should not be forgotten that Great Britain exerts a strong influence on four continents. Once this influence is extinguished, we shall have the masses at our disposal, and the field of action will be open. Everywhere we shall find allies in our fight against the British octopus, and against the head of that octopus, England herself."—"Marshal" Tito, reported in *Continental News Service*, November 5, 1946.

The nice, friendly, "Marshal" is armed with British guns and munitions, and fed by U.N.R.R.A.

Only that outstanding characteristic of d'markzi, hatred of quality, stands in the way of understanding the history of the past hundred years of British history.

The Dark Forces quite correctly recognised that the form of aristocratic tradition which had developed in the British Isles and built up the British Empire was an insuperable barrier to the Slave (?Slav) World. There is no better guide to the realities of this situation than the plough-boy William Cobbett. The problem they set themselves to solve was to retain and increase the powers of the ruling class, substituting fresh bureaucratic names for the offices, and filling them with individuals—the more alien in extraction, the better—who neither possessed the tradition of patriotism, nor inherited the co-terminous culture of Mediaeval, or Christian, Europe. Taxation and encroachment on land was the key, emphasised by Colonel Goldschmidt in 1905. It is grimly significant that the Officers Club, which was blown up in Jerusalem, was named after him.

We now are living under tyrannies far greater than those dreamed of by the most arrogant aristocracy, unrestrained by any cultural code. The momentum of the old habits of thinking acts as a temporary restraint. One generation

would wipe that out as an effective force.

The only two Governments outside these islands, but in what was once the British Empire, which are Socialist, administer declining populations. They are Saskatchewan and New Zealand. The former has a population of about 925,000 which is leaving at the rate of twenty per day, chiefly for Alberta and British Columbia. New Zealand is probably the most attractive country still awaiting considerable population, its total inhabitants, including Maoris and the inhabitants of the various Pacific islands administered from Wellington, amounting to less than one and a quarter millions. The population of British descent is decreasing by emigration, largely to other parts of the Empire.

It is quite possible that this decline in British-derived population is one of the objectives of Socialism. The drive to force out British stock from the British Isles, and to restock them from the ghettos of Europe, under cover of "shortage of labour," can be seen by anyone. Gresham's Law applies to population. "Bad money drives out good."

TO BE UNDERSTOOD IS TO BE FOUND OUT.

HOUSE OF COMMONS, CANADA, FEBRUARY 7, 1947:—

"Mr. Norman Jaques: I am not wrong, and I can prove it. Let the C.C.F. [Socialists] show me one policy on which they have not agreed with the Communists.

"Mr. Zaplitny, M.P.: You would not understand.

"Mr. Jaques: I understand too much for you, my hon. friend."

—*Hansard*, Ottawa, February 7, 1947.

Have you noticed the frequency with which political paragraphs, advertisements, syndicated columns *etc.*, are preceded or otherwise marked by a five or six-pointed star—the Star of David?

Dear Mr. Strachey has arranged for the purchase in U.S.A. of 10,000 tons of turkeys. No. Clarence, of course, you won't get any turkey—the Press hastens to say so when making the announcement. Most newspapers keep a suitable paragraph permanently in type, to this effect. But you'll get the turkey's bill. Haven't you noticed that the only persons who get good meals out of Mr. Strachey's efforts are Mr. Strachey and the refugees from Hitler's tyranny, who are assured of turkey at your expense for the next six months, when kind Mr. Strachey will go over and buy them some more? Ten thousand tons of turkeys is something over a million large birds.

The Secret Service

"... what we call the Secret Service must be very limited in its scope. I don't say that its work is not of enormous interest or that its methods of obtaining information are not marvellous. I'm sure they are. But the information it desires relates entirely to current events. It is merely of the kind to interest the Departments concerned... The War Office... The Home Office... It is not the business of the Secret Service to enquire into the motives or hidden causes of the world's events... It has never attempted to build up a consecutive theory by studying the origin of world movements, for the past does not exist for it..."—Julian Sterne: *Secret of the Zodiac*.

An Introduction to Social Credit*

By BRYAN W. MONAHAN

Part 1.—PHYSICS.

(4)

So immense, so far removed from mere animal existence, are the processes and developments we have been considering, that it is all too easy to misapprehend them; and the very division of labour confuses the total picture and conceals the totality. To gain some perspective and clarity, it is legitimate to adopt a special point of view.

So we may consider Mankind and its history as if it were one man who has lived part of his span of life. In the beginning, that man is a helpless infant, whose almost sole external activity is suckling at his mother's breast. Later, he is a child, taking more concentrated foods, and possessing a surplus of energy which he spends in play; but that play teaches him the techniques embodied in his cultural environment, and he learns more and more how to do things for himself. By degrees his play becomes more purposive; it is consciously directed to the acquisition of knowledge and skill.

At some point the child begins the accumulation of possessions. To begin with, they are toys, but soon they become tools in the more general sense. By virtue of the knowledge gained and tools accumulated, the child, become adult, is able constantly to add to his possessions; and some of these outlast his lifetime and pass to his successors.

This man displays two essential types of activity: there are those that merely subserve his simple existence, and those which are a sort of efflorescence. The former are those which relate to the production of the materials for his necessary consumption of food, clothes and shelter, and the latter those which relate to his production of permanent assets in the most general sense. The former activity is the production of consumer's goods, and these, of course, may go far beyond the bare necessities; the latter is the production of capital goods.

Now just as one man can pursue both types of activity, so Mankind does. The division of labour means that one man grows wheat, while another lays bricks to build houses.

But if it is possible for one man to do more than provide for his own sustenance, and he devotes his surplus energy to capital activity, in the broad sense, then the same is true of Mankind; and there is an exceedingly important special consequence. Mankind in the aggregate has been engaged during its history in the construction of an industrial machine, just as the individual in his spare time may engage in the construction of his own work-shop. The result of this aggregate activity has been to shift the burden of the maintenance of life from the backs of men on to the backs of machines. The consequence is, in Major Douglas's unsurpassed description, that "the industrial machine is a lever, continuously being lengthened by progress, which enables the burden of Atlas to be lifted with ever-increasing ease. As the number of men required to work the lever decreases, so the number of men set free to lengthen it increases." (*Credit Power and Democracy*).

*Now appearing in *The Australian Social Crediter*. The commencement of Dr. Monahan's essay, publication of which has been interrupted, appeared in *The Social Crediter* on January 25.

This is the conception known in mathematics as acceleration; in production, if the principle of "capitalisation" can be introduced at all, it results in an acceleration of capitalisation.

But there is a limit to the amount of capital which can be usefully utilised; there is no sense whatever in adding to the number of boot-producing factories when the existing factories can produce all the boots that people want; there is a limit to the miles of railroad which will be put to use; and the limit to capitalisation is approached at an accelerating rate.

The difficulty at this point is to obtain a comprehensible estimate of the magnitude of this process. Probably the clearest picture is given by the war-time activities of the United States of America. During the war, the general standard of living in America rose by 40%; at the same time, twenty-one million people were engaged in the armed forces and in munition production, and were therefore a pure drain on the resources of the country; munition production reached an almost incredible volume, and consisted of a considerable proportion of highly elaborated production, including complex new inventions; and on top of this tremendous industrial resources were devoted to research into and production of "atomic energy." The meaning of all this is that it was a complete demonstration of the fact that a small proportion of the population could provide the requirements for a high standard of living of the *whole* population, and that at the same time another proportion could increase the capitalisation of the country.

The ultimate meaning of industrialisation in a developed country is that the *necessary* amount of work to maintain a high standard of living is something of the order of an hour per day per man. "The primary fact on which to be clear is that we can produce at this moment, goods and services at a rate very considerably greater than the possible rate of consumption of the world, and this production and delivery of goods and services can, under favourable circumstances, be achieved by the employment of not more than 25% of the available labour, working, let us say, seven hours per day. It is also a fact that the introduction of a horse-power-hour of energy into the productive process could, under favourable circumstances, displace at least ten man-hours. It is a fact that the amount of mechanical energy available for productive purposes is only a small fraction of what it could be.

"It seems, therefore, an unassailable deduction from these facts that for a given programme of production, the amount of man-hours required could be rapidly decreased, or conversely, the programme could be increased with the same man-hours of work, or any desired combination of these two could be arranged." (C. H. Douglas: *Social Credit*.)

This, then, is the physical and realistic basis of "plenty." It should be carefully noted that all considerations other than the physical have been excluded. But it is particularly important that the student should have a thorough appreciation of the physical situation, which is rooted in the history of thousands of years, and underlies economic vagaries as the ocean underlies the waves on its surface. It is particularly to be understood and remembered in the case of America, for America is virtually a self-contained economy, with industrialisation further advanced than anywhere else and still accelerating. It must be obvious, therefore, that in no physical sense (apart from military invasion or cosmic cataclysm) can America suffer a "crisis." The crises that

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PARLIAMENT

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... This argument about mandates is only the same argument as Hitler used when he got the mandate from his people. For ten years he dominated them with the appeal to the various "Yeses" which he had obtained by one means or another, and denied the right of Parliamentary discussion because he was afraid of all the criticism there might be.

Major Sir David Maxwell Fyfe (Liverpool, West Derby): ... I wonder whether the hon. Gentleman has realised what we are being asked to do in the Transport Bill Committee at the present time? I should not think he has. We are being asked to deal with 121 Clauses and 13 Schedules—or if he likes it another way, 127 closely printed pages—in four and a half weeks. What does that mean? The right hon. Gentleman has suggested that he will shortly ask the Committee to sit in the afternoon, and, as he has a majority, he can do that. I ask the hon. Gentleman to accept that as one of our prospects. It means that we may have five sittings of the Committee in a week, or 22 sittings, or 55 hours in all—an average of 24 minutes for a Clause or a Schedule.

I ask the hon. Gentleman to consider that because he has previously come to this point with honesty of purpose and with an attempt to achieve clarity of vision, can he say that that is a fair attempt at legislation by the Mother of the Parliaments of the world? It is not; It is an abrogation of all that this Parliament, through its hundreds of years of history, has ever tried to do...

Basic English Foundation

Mr. Wilson Harris asked the Minister of Education what use the Government proposes to make of the copyright of Basic English for which £23,000 has been paid.

Mr. Hardman: The payment of £23,000 to which the hon. Member refers was not made solely in order to acquire the copyright in Basic English, but was intended also to compensate Mr. Ogden for liabilities and losses incurred by him during the negotiations which were started by the Coalition Government two or three years ago following the publication of the White Paper (Command 6511). In order to secure the advantages of a widespread use of Basic English as a means of international communication and as a simple introduction to the English language, a Basic English Foundation is now being established and, subject to the provision of the necessary funds by Parliament, will be assisted by a grant-in-aid carried on the Vote of my Department. Suitable arrangements are also being made for the co-operation of my Department and the other Departments concerned with the foundation in the furtherance of its work.

Weekly Periodicals (Suspension)

Sir E. Graham-Little asked the Minister of Fuel and Power under what regulation and with what legal sanction the publication of some 500 periodicals was recently forbidden; and what consultation took place with the Ministry of Health before the suspension of medical journals; and what was the estimated and the actual saving of fuel achieved.

Mr. Shimmwell: The suspension of publication of weekly newspapers was not the subject of any statutory order. It was secured by an instruction issued after consultation with bodies representing major interests in the newspaper and periodical Press. In the circumstances it was not possible

SOCIAL CREDIT LIBRARY

A Library for the use of annual subscribers to *The Social Crediter* has been formed with assistance from the Social Credit Expansion Fund, and is in regular use. The Library contains, as far as possible, every responsible book and pamphlet which has been published on Social Credit together with a number of volumes of an historical and political character which bear upon social science.

A deposit of 15/- is required for the cost of postage which should be renewed on notification of its approaching exhaustion.

For further particulars apply Librarian, Croft House, Denmead, Portsmouth.

to give exceptional treatment to any kind of periodical and there was therefore no ground for consultation with the Ministry of Health regarding medical journals. No estimate of the saving of fuel achieved can be given.

House of Commons: March 4, 1947.

Stevenage (High Court Decision)

Mr. Derek Walker-Smith asked the Minister of Town and Country Planning what action he proposes to take in regard to the proposed new town of Stevenage, in view of the quashing by the High Court of the Order made in respect of it.

Mr. Silkin: Notice of appeal against the recent decision has been given on my behalf.

Mr. Walker-Smith: The House will await the result of the appeal with interest; can the Minister give some indication of the interim effect of the quashing of the Order? Will there be any effect on any action already taken, which may now be *ultra vires*, such as premises acquired, salaries paid, and so on?

Mr. Silkin: The interim effect is, of course to hold up the procedure.

Espionage Commission, Canada

Sir E. Graham-Little asked the Prime Minister if he is aware that it took from 8th October, 1946, to 15th January, 1947, to fulfil the undertaking given to the hon. Member for London University in a Parliamentary answer of 8th October in the last Session of Parliament, that copies of the Report of the Royal Commission on Espionage by the Soviet Embassy in Ottawa should be on sale at His Majesty's Stationery Office; that that undertaking is no longer fulfilled; and if he will take steps to renew the supply.

Mr. Glenvil Hall: I have been asked to reply. The answer to all three parts of the Question is "Yes."

House of Commons: March 6, 1947.

Savings of Coal (Emergency Restrictions)

Mr. Lipson asked the Minister of Fuel and Power how much coal has been saved up to date as a result of the recent restrictions; and how many days' effort on the part of the miners this represents at the present rate of production.

Mr. Shimmwell: It is estimated that the savings of coal at power stations, gas undertakings, coke ovens and industry during the period 10th-24th February was about 1,100,000 tons. This is about two days' output at the present level of production. Figures for savings during the last week of the restrictions on industry are not yet available.

Investigating Officers (Powers)

Sir Ralph Glyn asked the Financial Secretary to the Treasury which are the nine Departments whose officers are at present authorised to carry out inspections and investigations into private houses and premises without a search

warrant; whether, before this is done, permission has to be obtained from a Permanent Under-Secretary or from whom is such authority obtained; and on what sources of information is action taken.

Mr. Glenvil Hall: The required particulars are as follow:

Department concerned and purpose of entry	Manner of authorisation.	Sources of Information leading to action.
<i>Admiralty.</i> Inspection of contractor's books.	Specific authority of Permanent Secretary or an Under-Secretary in each case.	Examination of accounts in normal course.
<i>Ministry of Labour & National Service.</i> (a) Inquiries under Control of Engagement Order. (b) Deferments under National Service (Armed Forces) Acts.	Individual authority issued by a senior officer not below rank of Assistant Regional Controller.	Information coming into possession of the Dept. during the course of day to day work.
<i>Ministry of Works.</i> Inspection of land under Defence Regulation No. 85.	Power no longer exercised.	
<i>Ministry of Health.</i> (a) Inspection of Insurance Doctors' records. (b) Premises for manufacture of therapeutic substances.	(a) Regional medical officers have general power. (b) Medical officers empowered under Regulations.	In normal course of duty.
<i>Ministry of Food.</i> (a) Food undertakings (b) Rodent and Insect Inspection.	Warrants issued to enforcement officers by Permanent Secretary and Under-Secretary. Warrant issued by Permanent Secretary.	Variety of information from the public and from departmental investigation.
<i>Board of Trade.</i> Inspection of trading activities.	Specific authority of an Asst. Secretary.	Trade associations, notification by other traders or member of the public. Examination of records and returns of other traders.
<i>Ministry of Agriculture.</i> Various	General certificate of authority issued on behalf of the Minister by a Senior Officer.	Wide variety of outside sources and also as result of routine investigations (e.g., arising out of outbreaks of foot and mouth disease).
<i>Department of Agriculture for Scotland.</i> Various	General authority issued on behalf of the Secretary of State.	Usually arising out of applications by persons concerned for statutory licences; routine inspections under regulatory legislation; requests by local sanitary authorities or police; complaints received.
<i>Ministry of Transport.</i> (a) Inspection of Vehicles. ... (b) Removal of offending traffic signs.	No special authority as entry is usually by invitation. Specific authority of an Asst. Secretary.	In normal course of duty. Exceptionally on complaint received by Regional Transport Commissioner.

Introduction to Social Credit (continued from page 5.)
have occurred, and which threaten, must be due to something super-imposed.

At this point it is convenient to observe that the theoretical limit to industrialisation is a condition where all production derives from solar energy, operating through machinery which is fully automatic and self-renewing; man is completely superfluous and displaced. Now while it is improbable that such a limit will ever be reached, it is quite certainly the direction in which production is moving *at an accelerating rate*—a rate which has been calculated to be proportional to the fourth power of the increment of time. Clearly, only either leisure, or "employment" *outside production* can dispose of the "unemployment problem."

The problems of economics and politics are absolutely conditioned by the physical realities described; short of sabotage or cataclysm, the progress of the situation is inexorable; and anyone who really grasps what is involved can "see through" the confusions which result from a wrong positing of the problems. Now if "employment" is regarded as the problem, the result will be increasingly artificial employment—employment outside production, as for public works whose only benefit will be to yet unborn generations, or for a surplus of exports over imports. That is the real physical situation, and it will gradually dawn on everyone involved in it that he is engaged in unnecessary work; and he will have to be constrained by force to continue in it, or else the objective will have to be altered. That is the aspect of high politics; but before we consider it, we must examine the financial economics of the situation.

(To be continued).

The Stevenage Case (continued from page 2.)

objections, and the objectors cannot complain. And if he says nothing, but simply confirms the Order, this Court might have little, if any, ground for saying that he had not acted fairly in the light of all his information. In other words, the Objectors, as Applicants in this Court, might fail to discharge the burden of proof. It would, however, be lamentable, as the Attorney-General was quick to acknowledge, if a Minister of the Crown were to take refuge, as it were, in silence, for nothing could be better calculated to create the impression among the public that the inquiry was a mere sham, and that all the trouble and expense of the Objectors had been foredoomed to futility. As I have no reason to anticipate any such conduct on the part of a responsible Minister, I content myself with saying that this Court might share the public impression.

In this case, however, as was only to be expected of him, the Minister has dealt, in writing, with the substance of the objections—with one exception, namely, that directed to the difficulties of water supply and sewage disposal. It is obvious that those difficulties must be met before the scheme can go through. The Minister acknowledges that they have not been met, and that he is taking advice as to how it can be done. *Nova constat* that any way will be found. And yet, with that fundamental problem still outstanding, the Minister confirms his Order. How can it be said that he weighed the objection with an open mind when he acknowledges that he did not and does not know the force of it?

When, therefore, I ask myself whether the Objectors have satisfied me that from and after the inception of the inquiry up to and including the moment at which the Minister decided

to confirm his Order, he had not an open mind, my answer is that they have.

I am convinced that he did not consider or decide the question Aye or No should the Order be confirmed with an open mind, but that he meant to confirm it whatever the force of the objections might be, trusting that some solution would be found.

This, in my judgment involves a denial of natural justice, and I accordingly quash the Order, with costs.

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