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EDITORIAL

THE LAWYER AT HIS BEST.

By DANIEL DE LEON

NOT unjustly has the legal profession fallen into the bad graces of the people. To a great extent the profession has become a trade, and the trade degenerated to the ignoblest. That this should be so was to be expected. It is one of the symptoms of the Time—when an old social system is passing, and a new is aborning—when elements, once needful, are left behind, if not cast off. This is the fate of the lawyer.

To-day, “lawyer” and “shyster” are almost invertible terms. It was not always thus. Time was when the lawyer, a jurist, was a paladin of Progress, the vocal paladin, who expressed the aspirations of a revolution in which he was to be a central figure. That was the time of the Bourgeois Revolution. The Pymys and the Eliots in England; the Robespierres and the Dantons in France; more recently the Castelars in Spain and the Mazzinis in Italy; and before them the Jeffersons, the Madisons, the Henrys, and later the Clays, the Douglasses and the Lincolns were all lawyers—jurists whose profession was born of; thrived with; illumined, and who, in turn, were themselves illumined by, the Star of Progress. To-day it is substantially otherwise. With the Bourgeois at the end of his mission, the lawyer has, as a general thing, degenerated to an apologist of what is; where he did not degenerate even lower yet, to a social scavenger.

It is at such a social season refreshing to find a lawyer who seizes the opportunity offered to-day for the profession to vindicate its past glories, and even justify its existence. This was done by George Gordon Battle, the jurist who took up, of his own motion, the case of Cipriano Castro, ex-President of Venezuela, in whom the feudo-capitalist administration of President Taft has been endeavoring to violate that great conquest of the Bourgeois Revolution for civilization—the right of emi-

gration, immigration, and re-migration.

Readers of *The People* are familiar with the case of Castro. When President of Venezuela, he remorselessly pilloried the Dollar Diplomacy of Washington. The move hurt many a political purse. Castro's arrival in the United States was seized by the Dollar Diplomats at the White House to get even with him, incidentally also to keep him from disgracing them some more, with some more revelations, and thus hurting their piratical business ventures in Venezuela. The Administration endeavored to prevent Castro from landing. To this end it, at first, twisted the quarantine laws awry; and, finding that did not stand, it sought to close the country's gates in the face of Castro upon "international law principles." At this stage of affairs George Gordon Battle stepped in.

A favorite manoeuvre with iron-handed feudal rule was simply to clap in prison whatever individual menaced its comforts. The writ of Habeas Corpus in England, the fall of the Bastille in France, were manifestations of awakening civic virtue. Any person can now, if he have information of the wrongful detention of a human being, sue out a writ of habeas corpus. It is compulsory upon any Judge to sign the same and order the prisoner to be brought before a court, there to have the legality of his detention established. Such a writ was sued for in Castro's behalf, and, of course, granted. The move did its work. Political intrigues were resorted to in order to frustrate the writ, but accomplished only one thing—Congress, now on its good behavior, took a hand, and demanded from the President all the papers in the case. No wonder Washington despatches promise the uncovering of ill-smelling secrets.

George Gordon Battle, the lawyer who set these wheels in motion, exhibits the lawyer at his best—and points the path that the profession is to tread during the days when Capitalism, being yet in the saddle, the virtues of the Bourgeois Revolution still have the opportunity to be vindicated.

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