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EDITORIAL

A SWEEPING DECISION.

By DANIEL DE LEON

VICE-CHANCELLOR Pitney, of Jersey City, put things very clearly in issuing an injunction restraining the striking silk weavers from interfering with the non-union hands employed by Frank & Dugan. He put things so clearly, in fact, that he substantially said that the strikers had no rights whatever. They are restrained from doing picket duty, from looking at the scabs, and from speaking to them. They {are} not allowed to argue the matter without first obtaining permission from the persons now employed by Frank & Dugan, and in order to obtain this permission Vice-Chancellor Pitney says that a letter must be written begging for it. Were the letters written, it would doubtlessly be an easy matter to make the case a Federal one, and the postal authorities could step in and prosecute the strikers for sending “threatening and abusive letters” through the mail.

There were some gems among the utterances in court Monday, as for instance: “If these defendants haven’t done anything, then there is no harm in the restraining order.—Anything that renders it inconvenient or disagreeable for these girls to go to work is against the law.— The only way to do is to let them entirely alone and treat them as though they were not in the mill.—I don’t think the statutes of ’83 give you (the defendants) any rights whatever, and I so order.”

Sweeping decisions are so common that a few thousand, more or less, can be passed by with no more than a glance. But at times an excellent example is given, and it is worth while to hold it up for inspection. The legislature that passed the statutes of ’83 was elected to do the bidding of the capitalist class. Vice-Chancellor Pitney holds office to do the bidding of the capitalist class by his “interpretation” and application of the statutes. The police and other and stronger bodies, if necessary, exist so that they can enforce the statutes in the way that the Pitneys decide they should be enforced. Every department in the series is complete, and works in perfect harmony. The instinct of self preservation sets in motion the powers of thought, and means of protection are evolved. When they are perfected the strong arm, the striking arm, is ready to put them into operation. From first to

last, from the legislative to the judicial and the administrative, the capitalist class has such undeniable, such unavoidable, such absolute power that Vice-Chancellor Pitney is able to sit on the bench and tell a vast body of citizens that they have no rights, no standing before the law, and in doing that he sticks both to the letter and the spirit of the law.

He says even though the men are not criminals there is no harm in branding them as criminals. He says that the strikers have no right to strike, because, though he concedes their right to go out of the factory, he denies to them the right to approach those who have gone into the factory. Finally, he tells them that they have no rights under the statutes of '83, that is, they, as workingmen, can find no protection in the law. The only conclusion from this statement is that the statutes of '83 were framed against the working class, and for the capitalist class. Where, then, does the old cry of "class legislation" come in? All legislation is class legislation, but in order to be enforced it must be passed in the interests of the capitalist class, and interpreted by the tools that the capitalist class has placed on the bench.

The workers of Jersey City have seen this man Pitney deliberately admit that they have no rights. They have seen him brand their fellow workers as criminals. As he is the product of the ballot, the working class should direct it against him, and not only remove him from the courts, but also disinfect the courts.

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

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