

## EDITORIAL

ARTICLES written as a special 'feature' in the daily press are usually of transitory interest, and often an advertising device in the interests of the paper that prints them. But Mr. R. E. Corder's contributions to the *Daily Mail* under the title 'The Seamy Side,' now happily collected in *Tales Told to the Magistrate*,\* are of a different character. With delicate humour and picturesque touch they recount the humdrum tales our magistrates up and down the country must listen to day by day, and tell how these same magistrates deal with every case brought before them. Human nature brings to the police court most of its weaknesses, quarrels and anxieties, and only a sane understanding of human nature can hope to deal with them in a practical way. On the author's showing, our magistrates are blessed with, and exercise, this sanity of vision. As occasion requires they correct, compel, counsel and comfort: like the priest in the confessional, they know that circumstances alter cases, and that homely advice is often a surer deterrent from crime than threats and penalties. Every case is taken on its merits or de-merits, and considered in the individual, not in the abstract. So is justice sought and done in every town. Mr. R. E. Corder (what a happy pseudonym!) shows us the seamy side of life and the humane side of law with ready wit and kindly insight. No one better than he, so generous himself, could have written this very human document.

Reading these pages of wise counsel and sane comment makes us regret the dramatic gestures recently reported of a certain County Court judge. The business of a judge is presumably to pass judgment by

\* Melrose; 3/6.

applying the enactments of law to a particular case. It is not his business to hurl his private opinions at the heads of offenders. If a judge is so misguided as to believe in illicit birth control, he has no right to use the bench as a platform for propaganda. Yet when a woman was summoned for arrears of rent before this particular judge, he is reported to have pointed to the child in her arms, and to have remarked, 'That is one of the causes of your arrears, in your arms.' The woman immediately added to his discomfiture by adding that she had six other little ones at home. Whereupon she was told that it was a pity she was not taught not to have them, that she was ruining herself and the country, and that even bishops were now agreed that it was an unwise thing. This is not an isolated case. Twice, at least, recently have we noted the reported remarks of the same judge in similar circumstances. On one occasion he expressed the view that it was a curse of this country that people got married too early and had huge families, and on another he told a father of twelve that it was an injury to the country for a man in poor circumstances to have such a family.

Now it does not really matter what a judge believes privately, provided he does not use his public position to air his views. A man might conceivably be an excellent judge who believed that two and two make five. But we should expect such a judge to keep that belief to himself, and not to inflict it on an unfortunate debtor who owed two pounds to one man and two to another. Or a judge, estimable in every other way, might believe privately in prohibition, and inform a confirmed drunkard that the cause of his arrest was his belief in beer. The fact that the judge's opinion happens to be true does not affect the matter. No doubt a man who believes in prohibition never gets drunk; and a woman who has seven children finds it a hard job to make ends meet. But no judge in this country has any right to

urge prohibition on a drunkard, or illicit birth-control on a poor mother. Privately he may be convinced that these excesses are sometimes good, but as a paid official for the administration of law he has no right to preach them from the bench.

Dr. E. W. Barnes is evidently one of the bishops referred to above who thinks it is an unwise thing for some parents to have as many children as they want. Invited to preach at Brighton a week or two ago, he said that the victories of medicine and hygiene over disease may be disastrous to the public welfare unless the desire for many children . . . is held in check. Speaking of poor, unfit parents with large families, he said that such parents had done wrong in producing children under such conditions. These utterances of his lordship of Birmingham shocked the vicar of the church in which they were given forth, and this gentleman hastened to inform his lordship and the congregation that he himself was not in agreement with such views, and that had he (the vicar) been told beforehand what was to be the subject of Dr. Barnes's discourse, the Brighton pulpit would not have been at his disposal. Besides this honest disclaimer, the vicar reminded his flock that while in his own see a bishop's words were supposed to carry the Church's teaching, what he chose to say in another diocese was not to be taken as an expression of the teaching of that diocese. This division in the moral teaching of the Church of England must have come as an unpleasant surprise to the good people by the sea—unless they are accustomed to it already. One diocese, one doctrine!

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At last the House of Laity has got rid of the most uncomfortable phrase in the Athanasian Creed. 'They that have done evil (shall go) into everlasting fire' was, in the opinion of the proposer of the motion, 'the

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most terrible sentence which had ever appeared in all history.' The fires of Smithfield had gone; why not, therefore, the fires of hell? An eminent lawyer proclaimed that the Athanasian Creed had spoiled the happiness of services for him for years and years. Another speaker thought it was quite time the laity protested against the use of these damnatory clauses. So the motion was comfortably carried, and eternal punishment passed into the realms of myth.

Or perhaps not. The fact is, we never like to dwell too much on 'uncomfortable' doctrines, just as we try to swallow unpleasant medicine at a draught. These laymen who dictate the dogma of the Anglican Church hated to be reminded of the possibility of hell, even when that reminder was sweetly warbled by a well-trained treble. The possibility of punishment for not keeping the Catholic faith 'whole and undefiled' struck an aggravating note of discord in the comfortable atmosphere of any respectable church. Yet the truth may lie even deeper than that. This drastic phrase of the ancient Creed is out of place in a book (the Prayer Book) which 'pretends (*sic*) to supply the gospel of salvation to sinners.' It is not in keeping with the intentions of those who want to abolish creed as a necessity in religion, and to reduce the following of Christ to an easy gospel of love, without the trappings of fixed dogma and morality. But is it easy for a man to love what he does not know, or to live by what he does not believe?

EDITOR.