# CURRENT MAGAZINES

**Retrospect: Nos. 1-500**:—The Editor, in the *Quarterly*.

**How Shall We Deal with Crime?**—Judge J. M. Proskauer, in *Harper's*.

**Ramsay MacDonald Again**:—Sir Philip Gibbs, in *The World's Work*.

**Atheism and Religion in Russia**:—Mrs. Harold Williams, in the *Nineteenth Century*.

**The Scandal of Fee-Splitting Doctors**:—Dr. J. F. Baldwin, in *Current History*.

LAST issue of *The Quarterly Review* was the five hundredth since the first appearance of that magazine in February, 1809. The occasion is naturally one to be "improved", as the old divines used to put it, by reflections on what has been the influence thus exerted on the national life for one hundred and twenty years.

To begin with, it is no small achievement for a magazine to have lived so long and preserved the same character throughout. Not, as in some others, the agility of chameleon-like change to catch the passing mood has accounted for the *Quarterly's* length of days. Conservative it was stamped by Lockhart; Conservative it still remains. Lying on one's table side by side with the *Edinburgh*, keeping even its original buff coloured cover against the rival blue, it carries one back in imagination to the time when Sir Walter Scott and his friends first began to plan an organ of Toryism. They wanted a political antidote by which the tempting poison of Jeffrey and Macaulay, of Sydney Smith and Henry Brougham, might be counteracted ere it was too late. This reminiscent article reminds us that the very name "Conservative" was first applied to a political group in the pages of the *Quarterly*. It was John Wilson Croker who, in its issue of January, 1830, wrote as follows:

> We have no reluctance distinctly to avow our political opinions. We despise and abominate the details of partizan warfare; but we are now, as we have always been, decidedly and conscientiously attached to what is called the Tory, and might with more propriety be called the Conservative party; a party which we believe to compose by far the largest, wealthiest, and most intelligent and respectable portion of the population of the country, and without whose support any administration that can be formed will be found deficient both in character and stability.

The name, thus coined somewhat casually, was so expressive of just what the party meant that it was never allowed to drop. A few years later the epithet "utilitarian" was to be manufactured from the materials in a novel by John Galt (the same after whom Galt, Ontario, was called). In his *Annals of the Parish* one of the characters notices the constant reference of public issues to a consideration of "utility" rather than to that intuitive principle by which earlier generations were guided, and the chance to form hence a descriptive adjective for his school in general was seized by John Stuart Mill. It was indeed a time when novelties in language, like novelties of more importance, issued fast from that seething caldron—the Napoleonic wars.

The *Quarterly* bids us recall in what a turmoil Europe found itself in 1809. Napoleon was "at his worst strength". Pitt, on whom the hopes of many countries besides his own had rested, was dead. Domestic difficulty complicated England's foreign problem, for the effects of the Industrial Revolution were mixed with the effects of the long drawn-out war in Europe, and soaring prices at home were the accompaniments of the collapse of foreign trade. So widespread was the system of doles under the Poor Law that Southey could note how one person in every nine was a recipient of parochial relief. A "new and serious voice" was obviously called for, and even in that revolutionary time it was quickly shown that the ear of the country could be caught by the accents of an intellectual Conservatism. The sales of the *Quarterly* mounted fast, until in 1830—when the Reform agitation was at its hottest—it was found to circulate as many copies as all the other Reviews in Great Britain put together. Twelve thousand subscribers, wrote Scott proudly in a letter to a Conservative friend, while "the *Edinburgh* does not sell six thousand, or all the rest above the same number"!

Its best early work, upon which, in this centenary year, emphasis has been justly as well as sagaciously laid, was its championship of the cause of the humblest workpeople in England against the tyranny of the rising Middle Class. In particular, the little children who were victimised by the Factory System, and whose hardships were watched without either sympathy or remorse by the apostles of *Laisser Faire*, had their cause presented—we are here told, for the first time—in the pages of the *Quarterly*. A moving appeal by Robert Southey, published in that magazine in 1812, is quoted as the first impulse to a movement that was to culminate in the Factory Laws. It was a great Conservative, the seventh Lord Shaftesbury, who was to lead this enterprise to

a triumphant conclusion, and the magazine of the Conservative interest was among his chief helpers in the press.

The retrospect recalls, further, what the *Quarterly* did to aid in the campaign for the abolition of the West Indian slave trade, how it opened its pages to the enthusiasts of the Ragged School movement, and with what persistent appeal it urged a reform in the abominable methods of treatment so long inflicted upon the insane. Passing from the humanitarian crusades to a survey of a hundred years of general journalism, the editor next notes that his magazine was always alert in drawing attention to new developments in science, and that it commonly did so through the accepted experts. "From Halley's comet to the Zoo"—all that appeared above the intellectual horizon was taken as proper material for popular and yet well informed discussion, while such social changes as the rise of the railway no less than religious changes like the Oxford Movement, or Higher Criticism of Scripture, or the issue of the Revised Version of the Bible, were considered in turn. And it is a notable list of contributors that can be recalled—Scott and Lamb, Hallam and Keble, Washington Irving and J. A. Froude, George Borrow, Ruskin, Kinglake, Gladstone, to mention only a few of the best known.

Though the history and fortunes of a great Review are of minor interest to the general public, they are of major interest to those concerned in the production of work that is similar in purpose, and they ought to be significant even for those who do not produce but merely read (more or less fitfully) our magazine literature. It was said by Lord Morley that the men of the French *Encyclopedie* were the first "men of letters", because they were the first to issue popular expositions of learned research. In a sense the magazine writers of the century and a half since then are carrying on that tradition, and the *Quarterly* has made good its claim to have rendered such service in five hundred successive numbers. It has had a keen eye for what was passing in the world of literature and art, in politics and government, in scientific enquiry and industrial development. To those who, without time or capacity to follow such changes for themselves, desire to have them explained with a minimum of technical language or detail, and to have their significance assigned with competent discrimination, the magazine is invaluable. Whether this work, done so well by the *Quarterly*, can be combined with definite propagandism for a particular political side, might be doubted—if we had not the case of the three great enterprises, undertaken in different interests by Lockhart, Jeffrey and Mill, to check a doctrinaire objection.

It would be ungracious to enquire with rigour at this time into the *Quarterly's* right to all the self-congratulation in which it has indulged. Yet certain queries do suggest themselves. It certainly took up the cause of a section of the distressed poor in the years after Waterloo, and published trenchant articles against those who were callous to such suffering. But one cannot help noticing that its sympathy was limited to such poor as suffered under the tyrant manufacturer, commonly a Liberal, while its wholehearted support was given to the tyrant landlord, who was almost always a Conservative. At least as grave a source of general distress as the absence of Factory Laws was the presence of Corn Laws, but Cobden's committee had no more stubborn and persistent assailants than in the *Quarterly Review* men. If they poured scorn on the fanatical economists, who were such a buttress to the Whig party, they were the unceasing eulogists of a fanaticism no less gross in the landed gentry upon whom Toryism had to depend. To do the editor justice, he does not fail to note such qualifications under which the record of his magazine must be extolled, nor does he altogether forget those strange literary appraisals which made the *Quarterly*, from the days of Byron, so common a jest in the circles of literature. No mention of its early days can omit a reference to what it said about Wordsworth and Keats.

But reflections of this sort are more serviceable for renewing one's acquaintance with literary and social history than for fixing the proportions of credit. All the great Reviews have a record of mistake, as well as of judgments that time has confirmed, of subservience to the group that founded and sustained them, as well as of disinterested apostolate for the public good. It is safe to say that British literature would be poorer, and perhaps British social progress would have been distinctly slower, if any one of the four—*Quarterly, Edinburgh, Westminster, Blackwood's*—had not been started and maintained, that it might check as well as supplement the others. It is a field of British literary effort of which we have reason to be proud.

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NO one will question the timeliness of Judge Proskauer's question in *Harper's*, "How Shall We Deal with Crime?" For the writer is an Associate Justice of the Supreme Court of New York, and has the spectacle of his country's lawlessness to keep him thinking, just as that spectacle has worried Chief Justice Taft and all other serious observers. Of course, if the anti-prohibitionists are right in their diagnosis, the answer to his question would

be—give the country abundant alcohol. But Judge Proskauer does not suggest that.

What he finds amiss is that there is too little attention to psychiatry. Punishment continues to be applied without due regard to the differences of criminals, to the varying causes which led them to anti-social behaviour, and to the consequent need for adjusting reform methods to the individual case. The penalty should be made to fit, not the crime, but the criminal, and the still lingering idea that it should be vindictive must give place entirely to the purpose of amelioration. The judge feels that the scale of punishment needs amending, because offences classed now as minor often indicate a disposition more dangerous to society than others classed as major. Increased severity, he insists, is no cure for the present lamentable state of things, as has been shown over a very long past when crime seemed at its worst contemporaneously with the use of the most drastic sentences. Treating symptoms here, as in medicine, is a poor method when compared with getting at the causes of the disorder, and these will often be found removable once they are truly diagnosed. Boys sent to prison are often worse when they come out than when they went in:

> Such an offender should be handed over to a board authorised to confine him, to study his peculiarities, mental, physical, social, and moral, to cure him if he can be cured, to retain him in custody as long as he is a menace to society, and to release him when serious risk to society from his conduct has disappeared.

Reflections such as these, trite and commonplace as they are, have to be urged a long time before public opinion is roused to act upon them. After all the exposition of them for the last twenty-five years, it ought to be impossible to doubt their importance, at least —as Mr. Birrell would say—impossible for persons who can read. But the article may fitly be considered on another side. There is a reason, not wholly discreditable, why public opinion on this matter is so hard to move. And there are other elements explanatory of increased lawlessness to which the judge has made no reference.

Frankly, the psychiatrists have largely themselves to blame if they are met with a conspiracy of inattention. There is perhaps no subject on which, with a residuum of valuable truth, we have seen more nonsense written or witnessed more charlatanism practised under the name of science. Ever since Lombroso proposed to identify "the born criminal" by the shape of jaw and ear and a few more "stigmata", we have had a succession of preposterous doctrines coming from the laboratory, mutally destructive of one

another, yet all pretending to be final. Sensational front-page articles have poured from the press, until the public is tired of watching one psychiatrist make all other psychiatrists look ridiculous. The thing has now passed into the comic papers. One remembers how after the "expert" evidence by which Leopold and Loeb were enabled to escape their obviously proper fate, a cartoon represented Cain nursing his club and soliloquising thus: "Now for a good lawyer, and a couple of insanity experts". As the tired reader has inflicted on him the latest discovery in this field, he may well reflect, adapting the words of scripture, "The feet of those who buried thy predecessor are at the door, and they will carry thee out." This is not said in condemnation of genuine research, which here as elsewhere may have to pass through a period of delusion, and even fraud, on its way to true discovery. There has been very valuable progress in the direction Judge Proskauer indicates. But one reason why he has such public obstinacy still to deplore is that the swindling stage and the stupidly sensational stage have taken so long to outgrow. Moreover, it is not a field in which the public safety will allow of indiscriminate experimentation.

There is a further point that Judge Proskauer omits to notice in speaking of the ineffectiveness of punishment to stop crime. It is easy to point out how the criminal classes have often been most numerous when penalties were most severe, and it is plausible to infer from this that penalties are futile. But what needs to be remembered is that, side by side with their savage severity, was an extreme uncertainty of their being inflicted. If English courts now impose much less Draconian sentences, there is also a greatly increased effectiveness of detection, and it may well be the rise of the latter at least as much as the fall of the former that has mattered. The United States parallel goes far to bear this out.

Is it not likewise worth noting that the old retribution theory of punishment at least kept before the public eye a conception of the relative heinousness of acts of wrong-doing? The Criminal Code does much to form a social conscience. Nor can we lightly omit so valuable an accessory in building up national morals. Conversely, where the administration of penal justice is lax, where it is known that wealth confers an immense advantage in a so-called court of justice, where fraud on a sufficiently large scale is discussed in the press with just a hint of covert admiration, and the talk of the street or the car is rather complimentary than reproachful to those who achieve some great coup of "graft", the disastrous consequence will reach far. This is the creation of a moral climate

whose growths one can easily foresee. How much harm is done, and how much future lawlessness is prepared, by such a spectacle as "Teapot Dome" or such a trial as that of the Chicago brothers, how commercial honour is brought into contempt by the glib jocosity with which men speak of the sale of votes, how justice itself becomes distrusted and despised when the press at a great capital trial is full of irrelevant and indecent gabble about the wealth of the accused if he is a rich man or his improper politics if he is poor,—all this would make a subject for a volume. If crime is not so great in England as in Judge Proskauer's country, some, at least, of the reasons are by no means obscure.

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THE Labour Prime Minister of Great Britain occupies the centre of the stage just now in a good many magazines, and the portrait sketched by Sir Philip Gibbs in *The World's Work* has some memorable features.

One does not readily think of a Labour leader as a sentimentalist. It is rather the fashion to suppose him a man hardened, if not coarsened, by constant contact with the grim realities of toil. In France, such thinkers as Ernest Renan used to look forward with alarm to the prospects of fine art and the intellectual values in general when sons of the soil should have the direction of a country whose art treasures a very different class of men had been so long collecting. But according to Sir Philip Gibbs, the Labour Prime Minister is a man "whose imagination and spirit are steeped in historical and sentimental tradition". One can indeed see that in Mr. MacDonald's published essays. He had a hard personal fight with circumstance. Having spent his early days in the little fishing village of Lossiemouth, he came to London penniless, worked as clerk in a warehouse on three dollars a week, and thought it great promotion when he was employed at a meagre pittance to be secretary to an obscure politician. But even then he had the vision of a great future.

It was of a regenerated social order that he had begun to dream. Back in the eighties and nineties of last century, when he was winning his way by the weight of his knowledge and his effectiveness in debate to a conspicuous place among the spokesmen of Labour, he was always prepared for a long endurance of abuse and even menace from the interests he challenged. Nor had he all the qualities that go to make the ideal mass chieftain. Sir Philip Gibbs reminds us that Mr. MacDonald is a Highlander, with something of the shyness and aloofness that belong to that

breed, and with a temperamental reluctance to being explored by every curious eye. What is specially to be noted, however, is his dogged persistence, his amazing gift for recovering a place he had lost through some deliberately unpopular championship of a cause, and—above all—his very impressive and very convincing belief in that parliamentary government which Mussolini and others have temporarily discredited. He is the sworn foe of a Communism which would rise to power on the destruction of the House of Commons. This he has fought in the Labour ranks and in parliament, until to-day—contrary to the prophecies of those with whom the wish was father to the thought—he has Communism almost wiped off the map of effective political forces in England. As Foreign Secretary, he was an unqualified success. And now, with far greater power than in his previous administration, "he is tackling the job with a surer hand". Sir Philip Gibbs, who avows himself no party man, but outside all parties, decides that the bookish, historically-minded and yet passionately Labourite premier is "one of the most remarkable men, and one of the most curiously interesting personalities, in the world to-day".

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MRS. HAROLD WILLIAMS has published in a *Nineteenth Century* article some very interesting details of the war against religion in Soviet Russia. Undeterred by the French example of a century and a half ago, the Bolshevik leaders have made this side of their revolution a public laughing-stock to a still greater degree than was ever done by Hébert and Chaumette. Surely never in all history have been seen such abstract, formula-ridden doctrinaires as the present group in Moscow!

Religion, they intimated at an early stage, is—like all else—a product of the class-struggle, and supernatural belief of every sort is but an instrument of the bourgeois reactionnaries. So it had to be abolished, and these simple souls thought the abolishing was an easy thing if cruelty on a ruthless scale was used at the first. They "legislated" religion out of existence. All Church property, including the very vestments of the clergy, was confiscated. Priests of every sort were disfranchised, together with all other persons described in the genial dialect of the Soviet régime as "servitors of the cult". A great many of them were executed, others imprisoned or exiled. With firm belief in the value of what the Americans call "publicity", a magazine called *The Godless* was established, and put into immediate circulation. Its contents may be readily imagined, but will not be here described, further than by compari-

son with those burlesque demonstrations at Christmas and Easter of which it was the fitting accompaniment.

It was declared against the law to meet for any sort of worship, unless a permit was first obtained from the police. Church buildings were turned into clubs, cinemas, and hostels. Mrs. Williams notes the curious fact that while all sorts of religious organization are hampered by the Soviet restrictions, the Christian is more abhorrent to a typical Bolshevik than either the Jewish or the Moslem. Moreover, special regulations have been passed to prohibit the association of any kind of benevolent or social work with a Church. And, of course, the schools have been transformed, with teachers who are ordered "to create in children moral aversion to religion":

> The money collected from the population is used to create hosts of atheist propagandists, to print leaflets, books, magazines, blasphemous posters, to organize vile processions in which hooligans impersonate Christ and the apostles, and street women the Virgin Mary.

But, says Mrs. Williams, all this apparatus of publicity and compulsion is acknowledged to have effected very little. Despite its alluring title, *The Godless* can't be sold! "Flaming Youth" might buy it on this side of the Atlantic, but it is unsaleable in Russia. Nor is it just the reactionnaries who report this with glee. It is such an organ as *Pravda* that reports it—in distress. The "Godless League" representatives are bringing back to their headquarters the sort of report that is called in party political circles "black as night" when it comes from an organiser. Shop assistants say, when asked for the anti-Church literature, that they have stopped keeping it, owing to the slightness of the demand! This last news came from Oryol, and the melancholy comment of *Pravda* was "Unfortunately, there are many such blockheads, not at Oryol alone". Of course, public institutions are compelled to subscribe for *The Godless*, and the libraries are stocked with it. But though it is the national manifesto of what they quaintly call the "war on the anti-religious front", only 6,000 copies are now printed for a nation of 140 million people. In one library, during three months only 120 anti-religious books were borrowed, while the total number taken out of all sorts was 20,000.

Mrs. Williams has brought together, in such pictures as these, a great deal that is provocative to thought. It was obviously from the very first only a question of time, and nothing—not even the wild Communistic experiment with which they began and which they so quickly abandoned—showed as plainly as the "anti-God

Movement" in what fatuous ignorance of human nature these regenerators of mankind meant to work. Of course, the people are returning in vast numbers to religious habits, and the clearer minds among the Bolshevik leaders are preparing to accept the inevitable with as much "saving of face" as may be. It is a passage from Matthew Arnold that comes back to me as I read this article, —one of those incisive passages in *Last Essays on Church Questions*:

> If the matter were not so serious, one could hardly help smiling at the chagrin and manifest perplexity of such of one's friends as happen to be philosophical radicals and secularists, at having to reckon with religion again when they thought its day was quite gone by, and that they need not study it any more or take account of it any more, but it was passing out, and a kind of new gospel—half Bentham, half Cobden—in which they were themselves particularly strong, was coming in. And perhaps there is no one who deserves more to be compassionated than an elderly or middle-aged man of this kind, such as several of their parliamentary spokesmen and representatives are. For perhaps the younger men of the party may take heart of grace, and acquaint themselves a little with religion, now that they see its day is by no means over.

Good advice, that last! But one fears it will be long ere the Soviet leaders adopt it. Perhaps when their economic disillusionment is over, this new field of enquiry may be opened up.

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A SARDONIC smile, surely, will play around the lips of Mr. Bernard Shaw if he should ever see that article on "Fee-Splitting" which has been published by an American medical man, with a long and distinguished record in the profession. It is enough to make the layman wonder whether the pictures in *The Doctor's Dilemma* were as much exaggerated as he had been led to suppose.

Dr. Baldwin takes it for granted, as a fact no one will dispute, that medical men have lost prestige during the last two generations. There has been a great advance in discovery about disease, but the altruistic virtues of the doctor are not now, as formerly, a matter of general belief. How could they be, this critic asks. Mr. Shaw was far nearer the truth than he knew when he wrote that doctors will perform unnecessary operations, or manufacture and prolong lucrative illnesses. If he had only had before him the facts about "fee-splitting"!

It seems that at least eight States in the American Union have enacted laws to prohibit "the division of fees between physicians". By this, one gathers, is meant the truly scandalous procedure

under which a general practitioner advises his patient to see such and such a specialist, probably a surgeon with a view to possible operation, and then shares with the specialist the large fee towards which he has helped him as an agent selling his services "on commission". In short, he recommends the highly-paid artist, just as an insurance canvasser recommends his particular company, and with the same prospect in sight. One can think of various shocking consequences that arise from a system of this sort. Especially there is the moral certainty that the men who practise it will sacrifice those sacred interests in their charge to what is required for working the unholy partnership successfully. "Experts" are advertised or neglected according to their complaisance. No layman, unless perhaps Mr. Shaw, would have cared to venture on such an indictment as this doctor has brought against very many of "the noble profession" in his own country. He writes as follows:

> Patients are diverted from the specialist they prefer. The fee-splitting doctor damns with faint praise, or even lies about, the experienced, honourable and accomplished specialist, while he lauds to the limit the inferior or unknown.
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> The fee demanded is usually exorbitant. This is explained to the patient as due to "the wonderful difficulty of the operation". He is told that the operator was "the only man in the city who would have undertaken the case" or "who had the necessary skill to carry it through".
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> If a bad result follows, as is so frequently the case, by the death of the patient or his continued ill health, the confederate doctor is ready with excuses and explanations to relieve himself and his accomplice of blame.

I quote this without comment, for to do justice to it is beyond me. Commercial exploitation of this indescribable kind is, one hopes, the shame of but a few. So I shall fall back on the advice given in *Othello*, to those who have no deeper infamy to fear than the infamy they have already incurred. One may bid such a fee-splitting doctor

> Do deeds to make heaven weep, all earth amaz'd,
> For nothing canst thou to damnation add
> Greater than that.

But is there no longer such a thing as striking a doctor off the roll of the profession for "infamous conduct"?

H. L. S.