

The Judge Is Right

By Daniel De Leon

The *New York Evening Post* has started a controversy with the Pennsylvania Judge Elbert Henry Gary, chairman of the executive committee of the Steel Corp.,* on the subject of William Ellis Corey,** the president of the aforementioned corporation. Mr. Corey having dropped his wife for an actress, and the wife having thereupon begun divorce proceedings, some capitalist moralists set up the claim that Mr. Corey should vacate the office of president. That being the issue, Judge Gary declared, "I see no reason why one should think Mr. Corey will or ought to tender his resignation as president." With this declaration the *Evening Post* joins issue. This moralist argues, "The private life of a merchant may be as lax as his conscience will allow, because he is answerable only to himself. But a man who takes a position of trust—from a minor clerkship in a bank to the presidency of the Steel Corp.—has deliberately assumed assumed obligations not only to keep his fingers out of the till, but to carry himself so upright in all his ways that no man can suspect his fidelity. He cannot do as he likes with his own money, if he likes to affront the moral sense of the community." The judge is right; the *Evening Post* is all twisted.

The pedestal upon which the capitalist, be he merchant or manufacturer, takes his stand and poses is that he fills a public function, aye, a ministry. Indeed, his stand is that he is the latest and final anointed of the Lord. What is more to the point, around that pedestal stand politicians, professors, pulpiteers and press, the *Evening Post* conspicuous among the lot, clouding the pedestal with their incense. The ministry, or steward, function of the capitalist may be a capitalist "joker," one of their "legal fictions." But blowing hot and cold upon the subject will not do. The whole capitalist class either fills a stewardship, or it does not. The "legal fiction" that he does is a mystification necessary to the stability of capitalist rule. The whole capitalist class—not the functionaries only whom the *Evening Post* singles out—comes within the ministry or stewardship halo. It is a case of whole hog or none. Either the whole capitalist class must pretend that, in the sanctity of their ministerial function they are stewards for the working class, or the pretense must be dropped altogether, and all, not some of them, must be recognized as stewards for themselves.

Judge Gary is wise in his generation. His opinion is planted upon the above obvious reasoning; and he wisely concludes that the slightest hole bored through a mystification is dangerous. The mystification of the capitalist's sacred stewardship implies also the immaculateness of his morals. Consequently "there is no reason," in capitalism, why

DANIEL DE LEON

Mr. Corey should step down. The *Evening Post* is a bungling devil's advocate. The season is ticklish for monkeying with the mystifications that capitalist felony and lewdness must needs wrap themselves in.

Daily People, December 9, 1905
Socialist Labor Party

*Elbert Henry Gary (1846–1927) was chairman and chief executive officer of the U.S. Steel Corp. from 1903 until his death.—SLP

**William Ellis Corey (1866–1934) was president of the Carnegie Steel Corp. (1901–1903) and the U.S. Steel Corp. (1903–1911).—SLP