

St. John's Collegian

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Hamartia De Ouk Ello-geitai Me Ontos Nomou*

This could have been the title of Mr. Martin's lecture; but it wasn't. And perhaps we feel that this would have been more valuable—a discussion of what it is, from which law derives its authority. We cannot help remembering the "Republic."

For the first thing that the lecturer made quite clear was that he was not giving a definition of law, but rather, as he called it, "a description of applicability." Nor was he unjustified in so doing; the very fact that any definition tendered would have been attacked indicates that everybody, in a sense, knows what law is, at least in that aspect illuminated by Mr. Martin.

The next task was, after the manner of the Eleatic stranger, to delimit certain regions wherein law did not obtain; of these, the most important was one's thoughts. There is no Law without society, or without government. This restricts it to men.

Here is the nexus of the problem for the night. According to Mr. Martin's story, at least, one cannot have Law without known and published statutes, impartial juridical procedure, and relations between citizens and the law, which have what may be called impersonalized validity. This is, we think, what was meant by the title, "Laws—and Not Men." (An interesting logical form may be imposed on this title if desired.)

Law therefore must always be quasi-universal; it has the appearance of universality within its limits. What really seems to be implicit, is a certain arbitrariness which attaches itself to certain laws. E.g., corporation laws, for the corporation which is the subject of the law is artificial. Perhaps even to all laws; the point was not explicated. The conclusion that ap-

peared to be drawn was, then, that although good (just) laws are desirable, it is really *essential* that there should be law of some kind, which can be inspected, known, and observed.

Henceforward the lecture seemed, one would say, to ramble. Purportedly the rest of it was by way of illustration of the point made first. Mr. Martin enjoys the legal profession, and obviously knows it well. This is, however, no excuse for a pseudo-anecdotal description of various systems of law.

The difference between the British and the Gallic civil codes was taken as another illustration of the point. In general, the British courts feel obliged to stick to the findings of an earlier court, while the French think that the law may be re-interpreted to fit each case. The function of the British common law, then, is to give more stability to the legal system, while yet removing from it the aspect of arbitrariness which would be apparent if the legislator were to try to cover all conceivable cases.

All this relates somehow to commercial law. Here again are two extremes. Either in the case of inter-corporational conflicts the Government can say "hands off," which leads to anarchy in this field, or it can stand behind its big corporations, sit in on their international tie-ups. It is largely between corporations—at least Mr. Martin explained that this field was typical—that the danger of men replacing law is evident. Two corporations would rather arbitrate—and get something decided before, for instance, the product in question had ceased to be—than to get their "rights," which might very well by then be useless.

Yet, he maintained, this psychology is closely tied up with that of "the man on horseback." For the legislative function one substitutes the executive.

Between international corporations there could be genuine law, the speaker thought; as also between their respective governments.

But in either case there must be some government over both the entities, under which there is a form for the matter of law. This is the real reason why so-called "international law" was not "efficacious"—the power to enforce it was lacking. In France we have an example of the need for international law in the economic and political sphere. The inference was from the supposed loss of the French chemical and mining industries to the better organized Germans.

If this, said Mr. Martin, implies "Union Now," it is all right with him. . . .

A general statement about Mr. Martin's lecture would be, not like Aristotle's on Speusippus, "His premises are false, and his conclusions don't follow," but, "His premises are obscure, and his conclusions inadequately shown." But it may be that in Mr. Martin's case both are true.

H. W.

* Romans, V, 13.

The Face on the Classroom Floor

(This may be considered as allegorical or trivial. It will most certainly be considered as irrelevant. To those who seek its literal meaning, it can only be said that it was found on the floor of the classroom which undoubtedly produced it.)

The Gospel of Mr. Hyman

"In the beginning was the lab, and the lab was with Mr. Hyman, and the lab was Mr. Hyman.

The same was in the beginning with Mr. Hyman. All lab sheets were assigned by him; and without him was not any lab sheet made that was made.

In him was the lab, and the lab was the light of the freshmen; and the freshmen comprehended it not . . ."

War Meeting

To the twenty-five students who attended Messrs. Kieffer, Nabokov, and Klein's discussion Sunday evening of the recent German bomb plot and purge, this may serve as a review. But it is not an attempt to reconstruct that meeting for the remaining three-quarters of the college who were too busy studying "The Politics." No one could relay the insights that these men presented, two of whom are acquainted with many figures on the German scene. Such sources are rarely open to us as are offered in these Sunday evening discussions.

Mr. Kieffer started by stating what he thought might be a typical American reaction to news of the bomb plot and purge. On the assumption that the plot was a phoney one, he referred to an article in Sunday's *Times* by Curt Riess. Mr. Riess believes this is a sign that Nazi movement is going underground. In order to give the Nazis a hero to rally around during their period of hiding, attempts must be made on the Fuehrer's life to show the dangers he endures for the cause. To complete the making of the hero, these attempts must finally be successful.

If the plot was serious, Mr. Kieffer suggested that, in Col. Taylor's terms, the generals might have decided that the war will be lost and have asked Hitler to make peace now. Hitler would fiercely and romantically refuse to cease fighting, feeling that to do so would mean giving up the only thing which is meaningful in life, the struggle for domination through war. On the other hand, such a refusal to stop the war might arise from an inherent irrationality in war which will not allow men to employ a science of war to control it, once violence has been resorted to. This would mean that the German generals, and all those who are fighting for the peace to follow, are the romanticists.

The wealthy land-owning Junker class, from which most of the German officers come, is most important for our consideration, Mr. Nabokov suggested. The confused reporting which comes from Nazi chieftains might indicate that they were the conspirators. Whether or not the Junker generals in-

stigated the plot, the consequent purge shows that there is opposition between the Nazis and Junkers. Believing the war lost, the aristocratic Junkers want peace, in order to save something of their economic power, and, perhaps, to start preparations for the next war. We in America and England have a Junker class. Will they conspire with their German brothers to pursue their common interests during the interim?

Mr. Klein outlined the different viewpoints a historian might take in interpreting and evaluating these events. He might consider them in terms of their historical consequences; but this would require the perspective of history. Or he might consider them as the result of hidden forces, or the working of forces of Anarchy, Revolution, Right, etc., in history. But each of these viewpoints tends to neglect the actual events, in the nature of which is often to be found their historical significance. On the other hand, a microscopic view, which deduces much from a few individual facts, is likely to be very misleading in this case. For the Nazis control all information that comes out of Germany. By suggesting topics and events at the proper times, they are able to start discussions in the democracies, which have the effect of making us blind to more timely issues. The topics of radio commentators and most newspapers are so determined.

Mr. Klein interprets these recent events as signs of an increasing though not new struggle between the Nazis and Junkers. The Nazis as a lower middle class group are hungry for power and property and would always be at odds with the land-owning Junkers, but they will never submit to defeat, prudent though it might be. For the Nazis have inculcated a belief among their youth that life has no meaning except in struggle and conquest. The spoils are secondary and of no real worth. This then is the fundamental difference and cause of struggle between the generals and the Nazis at present. The Junkers have property and class position to maintain even in defeat. The sooner peace is concluded now that they see the victory is lost, the better chance they have of maintaining these two things. They joined the Nazis in fighting only because they believed it might gain for

Germany, and consequently for them, advantages. But for them war is justified only by the achievement of wealth and class superiority. They have been shocked, at least since Stalingrad, by the Nazi treatment of Russian prisoners, Jews, and rapine within the state, for these policies can only contribute to strife within Germany and hostility from without.

Whether the assassination plot was real or Nazi faked, the consequences have been good. The Junker generals, whom we Americans would be too soft-hearted to execute, are being killed. And it is from this conservative German class, Mr. Klein believes, that the real menace to peace will come next.

H. R. M.

Carthage, Calypso and a Road Map

In the days of the new program before the war, there was a charter granted to an organization known as the Cotillion Club, the expressed purpose of which was the social affairs of the college community. The actions and policy of the club were controlled by a Cotillion Board, composed of one junior, as chairman, and five sophomores. At the end of a school year, the board elected one of its sophomore members to the chairmanship, and also elected five new members from the incoming sophomore class to complete the board for the coming year.

This is the outline of the social organization in the college until July of last year. Since the college lost most of the upperclassmen to the armed forces, a new social organization had to be planned from what remained. The same general organization as that outlined above was used, but the board was composed entirely of sophomores. This was due to the fact that no member of the junior class was interested in the social life of the community. It was the decision of this board that there would be no formal dances and they would center the social program about a series of movie-dances. This plan was followed throughout the summer term. In the fall term the board decided to add an informal and a formal dance to the program. Both of these dances were held and might be termed as successful for the board and

the community. With the winter term the board dropped the movie-dances and arranged an informal and two formal dances for the coming ten weeks. The informal dance ended as an interesting evening for the few persons who thought it might be nice to have dates at a dance.

The board had many failures on this dance, the greatest being the band. The first formal of the term had a much better appearance than any of the prior affairs but it was successful only because of the number of ex-St. Johnies from the navy present. The last dance of the term was the Senior Ball, held in honor of the Class of Forty-four. The board started preparations for this dance with grave misgiving, since it was evident that a great number of people in the college community were not interested in the dance or in the success of the social organization. Nevertheless, the dance was held and from all appearances the persons who attended found it an excellent affair. But the lack of support cost the Cotillion Club all the reserve funds which it possessed and a few dollars more.

With the start of the spring term the board concluded that they had been working from the wrong end and without a representative body. New members of the board were selected from all classes and a program was arranged whereby the students would have an opportunity to meet girls from the town and hinterland. When the program was given to the student body, it was stressed that this program would be the test of the continuation of the club. The important part of the program, helping the students to recognize possible dates, was a total failure on the part of the board. On the three dances held, the board operated excellently. These were an outdoors informal, a square dance, and a formal. The reluctance of the members of the college community to support these dances caused the board to resign at the beginning of the present term.

The purpose of social activities is amusement and relaxation. The failure of our community to support a social program may, or may not, indicate that the community is not in need of relaxation. If this failure means that

Backcampus

This week, heeding the criticism of many, we will devote more time to the description of games and less to the usual empty chatter which we are becoming noted for. Last Wednesday and Thursday saw no activity on the athletic field and the only sound was the patter of raindrops. On Friday, however, activities were resumed as West Pinkney eked out a victory over Paca-Carroll. At the end of the fourth inning the two assortments were tied 4-4. In the last of the sixth Paca-Carroll put together a run only to see the lead evaporate in a last-ditch rally by the newer Freshmen. The final score: 6-5. Schutz, Pinkney's fervid first-sacker, socked two for three, and Higman collected two for two. Horney was the backbone of the Paca attack—two for three. Hungerford and Sherman performed in one of the year's best pitching duels.

the college has no need of amusement and relaxation, then one must conclude that the community isn't doing any work, for one only needs relaxation from work but not from loafing. This leads to the conclusion that there is no community at St. John's, but only an aggregation of individuals reading a number of books: for a community implies a common good and this can only be gained from work. If the failure of the college to support a social program doesn't mean that the college is in no need of relaxation and amusement, then the converse of the above is true, and the failure is due to the persons in charge of finding the right means for the community to relax.

If the last statement is true, then the St. John's Social Cooperative can find the right means for our community; for with the cooperative organization, the student body will have direct control over the means which are selected. But if the students fail to join the cooperative, the only conclusion that may be drawn is that they aren't interested in social affairs, hence they are members—by their own election—to a "community" without relaxation, without work, without a common good, and without hope.

B. F. P.

Now turning to Tuesday on the calendar, we take pleasure in announcing a win by East Pinkney. With good pitching, batting and fielding and a lot of ringers, East Pinkney got enough men for a forfeit.

The East Pinkney team returned to its old form on Wednesday as they held Paca-Carroll to a score of 13-6. Paca-Carroll bunched hits in the second, fifth and sixth, while the Easterners could only bunched them in the fifth. Sherman added to a reputation already well established as he personally accounted for 11 men. He was supported by the energetic plate work of Gorman and Thomas, who both got two for four. Behind him also was the Paca-Carroll acrobatic infield which gives performances at every game.

Our old friend Atwood (sometimes known as "Happy Birthday to You") Garis sparked his Randall boys to a 7-4 victory over Chase-Stone yesterday. Mr. Garis exhibited his intellectual prowess if not his ethics as he stumped the experts, Mr. Pumphrey and the magnificent Mr. Ross, with a play that was unique to say the least. We were in laboratory at the time, but when we arrived on the scene tempers were still hot. Inquiring around we got seven versions of the play from seven people, so we gave up and conceded that the press had failed. Van Doren and Garis each got three for four to take batting honors for the opposing teams. Durlach and Robertson twirled for the opposing teams and Eissler and Campbell completed the batteries.

Turning from baseball we give you a story on the increased track activity on the campus. The other day, with a PMish glint in our eye we hobbled down to the basin on the rear of the campus, prepared to investigate this new and evil design to get undergraduates into shape. Slipping and sliding down the bank we arrived safely at the bottom and were greeted by a hello from a little figure sitting beneath a very tall signpost which read "seeded keep off." He introduced himself as Jim Horney and asked us if we were interested in track. We blushed, looked coy, and turned to run up the bank again. But finding escape impossible, we volunteered to run a little bit for Mr. Horney to demonstrate

our stride. We ran a quarter lap, turned, walked back, and collapsed at Mr. Horney's feet. Then Mr. Horney gave us an intelligent and interesting pep talk on how to run. It has helped a lot and it will help a lot of other people around here. Kidding aside, Jim, you are doing a great job, and because of this we give you this week's award—a pair of gold-plated track shoes.

College Meeting

Mr. Campbell was the first to speak last night, making a statement concerning the relation of the newly-founded Social Cooperative, and the King William Players. He acknowledged the players' status as a self-containing unit, but now, by force of the charter granted to the Cooperative, a part of the latter. The problems raised by this incorporation will be discussed in an open meeting in the near future. Thus the impending explosion is being averted by arbitration.

After this, Mr. Barr delivered a sequel to his speech of last week on property. Having made himself clear on the matter of property per se, he outlined the manners and mores concerning its use, and community life in general. The manners and mores of property are very simple, since they can be determined by an established set of rules. In regards to community life, i. e., personal relationships, this is much more difficult.

Appropriate manners are essential to get along at all, he stated, citing something rarely found here, good seminar manners. These are, of course, not easily defined. However, we can safely set up one law: respect persons—not as individuals, but as human beings. In the seminar, everyone is on equal level; and every person is presupposed to be intelligent and honest. Socratic irony, but not sarcasm, is a paradigm for manners in human relations.

Manners and Mores are here not empty rules of etiquette and decorum, but an essential prerequisite for under-

standing among individual human beings. Politeness reduces the amount of friction and annoyance, and encourages declarative questioning. This leads to the second paradigm: fitness for human intercourse is the ability to listen, which implies respect for the other man not only as a person, but also for his opinion.

The next step from personal relations, is the intercourse of communities. The most tangible example of a bad condition in this instance, is our position in regard to the town. The outward manifestations of mutual dislike, are only caused by an inward feeling of disrespect. Therefore, "Prithee, sacrifice a little to the Graces."

CALENDAR

ST. JOHN'S COLLEGE

Fri., Aug. 11—Sat., Aug. 19, 1944

Friday, August 11:

3:00-5:00 P. M.	Athletics	Back Campus
4:00-6:00 P. M.	Recorded Concert	Music Studio
8:00 P. M.	Formal Lecture— <i>Virgil</i> —Jacob Klein •	Great Hall

Saturday, August 12:

10:00 A. M.-12:00 M.	Athletics	Back Campus
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Monday, August 14:

3:00-5:00 P. M.	Athletics	Back Campus
7:30 P. M.	Dormitory Manager's Meeting	Room 21

Tuesday, August 15:

3:00-5:00 P. M.	Athletics	Back Campus
4:00-6:00 P. M.	Recorded Concert	Music Studio

Wednesday, August 16:

3:00-5:00 P. M.	Athletics	Back Campus
4:00-6:00 P. M.	Recorded Concert	Music Studio

Thursday, August 17:

3:00-5:00 P. M.	Athletics	Back Campus
7:30 P. M.	College Meeting	Great Hall

Friday, August 18:

3:00-5:00 P. M.	Athletics	Back Campus
4:00-6:00 P. M.	Recorded Concert	Music Studio
8:00 P. M.	Formal Lecture— <i>Poetic and Scientific Analogy</i> —John S. Kieffer	Great Hall

Saturday, August 19:

10:00 A. M.-12:00 M.	Athletics	Back Campus
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