BOOKS

Number 2

Ten Thousand Commandments

In 1878, Benjamin Hill addressed his fellow senators on the subject of monopoly power:

> "I do not dread these corporations as instruments of power to destroy this country, because there are thousands of agencies which can regulate, restrain and control them. But there is a corporation we may all dread. That corporation is the Federal Government. From the aggression of this corporation there can be no safety if it is allowed to go beyond the well-defined limits of its power. I dread nothing so much as the exercise of ungranted and doubtful powers by this Government. . . ."

In 1951, Harold Fleming, business reporter for the *Christian Science Monitor*, addressed a similar warning to his fellow citizens of the United States. His 214-page examination into the workings of the antitrust laws – entitled TEN THOUSAND COMMANDMENTS – is written for the layman, yet it carries all the citations necessary for those of a legal turn of mind. Laymen and lawyers alike should be grateful for this fascinating, though somewhat frightening, record of the perversion of a good intention. Mr. Fleming does not directly question either past or present need for antitrust legislation. He simply proves that within the framework of these laws there operates an instrument of power and tyranny which threatens the very life of competitive enterprise in America.

TEN THOUSAND COMMANDMENTS explains that the "power" being taken from business organizations in the name of antitrust action does not automatically revert to individuals, but is being appropriated by the prosecuting agencies to feed the source of all monopoly powers – the government itself.

"The present situation cannot last," concludes Mr. Fleming. "It involves a preposterous contradiction in American ways of getting things done. The morals of the business community and the findings of law of the federal courts are in head-on collision. Almost straight through the fabric of American business, what is honorable and useful by one standard is criminal by the other."

PAUL L. POIROT, *of the Foundation staff*

TEN THOUSAND COMMANDMENTS was originally published in 1951 by Prentice-Hall. A special paper covered edition – with an index added – was published in June of 1952 for this Foundation.

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