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Adventures in the Desert of American Liberty

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IN selecting this title for my traveling notes I little realized how significant it would prove.

“Adventures in the Desert of American Liberty”! Its barrenness and utter desolation were not new to me. Yet never did that desert seem more real, more deadening than when I reached Philadelphia.

There it was that American liberty was born; there, too, it has been stabbed to death; what is left of it, is but a hideous nightmare that benumbs the mind and weakens the spirit of the erstwhile liberty-loving Philadelphians.

Mindful of the petty police persecution in that city in 1901 and 1903, the Free Speech Committee wrote to Henry Clay, Director of Public Safety, informing him of our intention to test free speech. “Of course, he would not interfere with the right of free speech; he, the guardian of the City of Independence.”

When I saw Henry Clay I realized how much he must have enjoyed the credulity of the Free Speech Committee. Credulity, indeed, to suppose that Henry Clay knows anything of Philadelphia’s traditions in regard to liberty.

When Dr. Reitman presented himself before the watchdog at the City Hall, he found him suffering from hydrophobia. Such must have been the nature of the poor man's affliction. Else one could hardly account for his mad ravings against "that woman who will never speak in Philadelphia."

Some good friends have severely censured Dr. Reitman for his militant methods in dealing with the police. As a physician he probably knows that mad dogs, if not muzzled, are highly dangerous.

On the day of the meeting hallucinations set in at City Hall. The Director of Public Safety imagined himself the Russian Tsar. He despatched two Cossacks to my hotel, demanding that I submit my manuscript for the consideration and approval of His Majesty. That I refused to do, of course. (I shall show later that what was self-evident to me, seemed "imprudent" and undiplomatic to some who call themselves liberals.)

In the evening the neighborhood of our hall had the appearance of being under martial law. When, in company with Mr. John H. Nelson (our attorney), I reached within half a block of the hall, we were charged by the brave two hundred and forced to go,—not where we chose (no such rights in the Independence City), but by the route mapped out for us by Henry Clay. The meeting, however, was "graciously" permitted to proceed.

The day after the memorable event, and for nearly four weeks, the real Philadelphia liberty reigned. I was shadowed by those most contemptible of all human professionals—detectives. Hotelkeepers were annoyed and harassed until they ordered us to leave. When I finally found shelter, the house was constantly watched, and the servant offered a bribe if only she would tell of the terrible conspiracies that were being hatched in my rooms.

The awe of authority is deeply rooted in the average American; even the liberal man and woman have implicit faith in it. This is no doubt the reason why American liberty has long since departed. The worship of law has taken its place.

Judge Wilson "kindly" informs us, that as "avowed Anarchists" we are not entitled to protection. That absolves us from any consideration or recognition of the position of Judge Wilson and the institution he represents. Anarchists need no protection. But a government that will put a ban on any set of people, for their ideas, must protect itself, for it is indeed in danger.

a white-livered specimen. To put red blood in its veins it will have to be clubbed still more, and starved and kicked about. And even then it may never give birth to the spirit of revolt. It is hardly credible, but nevertheless true, that the Philadelphians will stand more bullying than any European people I know. When, after four weeks of a complete despotic reign, of the stopping of a Ferrer memorial,—though held in all monarchical countries,—after four weeks of petty persecution and torture the police of Philadelphia broke up a private meeting in a private house, a few meek voices were heard to protest. Not against the reign of terror. Oh, no; but against the invasion of the sacred rights of property. Oh, yes, the Philadelphians, like all Americans, are sensitive in that respect.

Yet, even Philadelphia deserves to be saved, because of her two wonders: Mrs. Weda Addicks, a Socialist bigger than her party, and—a thrice blessed wonder, a Baptist minister, Rev. Cooper Ferris. Weda Addicks, outside of our own immediate comrades, was a friend indeed. She helped in every way possible to interest people, but soon found herself facing an iron wall. Rev. Ferris protested very loudly, delivered a sermon on Anarchism which, I hear, was very good. He also tried to get his congregation to take a stand, but out of eight hundred only thirty-eight had the courage to go on record.

A few contributed small sums to aid the fight, but were so fearful of public opinion that they did not dare to allow their names to be used.

Under such impossible circumstances' why throw pearls before swine? Why exert energy on free speech for people who have neither ideas to express nor rights to exercise? Such is the reasoning of my practical, utilitarian friends.

Fortunately, I am neither. Nor am I particularly concerned whether or not the Philadelphians want free speech. I want it, and having learned that unless one is willing to take his rights, they will never be given to him, I do not yet consider the Philadelphia chapter closed.

During years of public activity I have often been reproached by many good people for attacking the machinery of government from the standpoint of theory rather than from experience. "There is nothing the matter with the law," they would say; "it's the abuse thereof. The police are arbitrary and despotic; they break the law; why not appeal to the courts? They surely will stand by constitutional rights."

Strangely and possibly inconsistent as it may seem to my comrades, I finally consented to appeal to the courts. Not because I believed that justice could possibly prevail; but because I wanted the court itself to substantiate the Anarchist contention so powerfully set forth by Ralph Waldo Emerson: "All governments, in essence, stand for tyranny."

As expected, the appeal was refused; but the grounds on which it was refused brand the court and government more forcibly than the bitterest attacks of the wildest fanatic.

For the benefit of *Mother Earth* readers I quote the major portion of the argument, as set forth by Judge Wilson:

The question which the plaintiff would have us determine is, whether or not public officers, entrusted with the preservation of the peace, acting, as we ought to presume the defendants would, in the honest exercise of their judgment, should be restrained from prohibiting the delivery of lectures which would be likely to excite public disturbances and to result in a breach of the public peace. If such public officers should attempt to interfere in such a case, their interference would be justified, not upon the ground that the person to be affected by their action was an alien or a citizen, but by the knowledge that of dangerous and disturbing sentiments tending to disturb the peace would be uttered. We do not mean to say that an alien has the same or as full a right to attack the institutions of our country and to advocate the abolition of the constituted and constitutional government of the land that a citizen might have, but, so far as the case which is before us is concerned, we should regard the right of a citizen as no higher than that of an alien.

The Constitution of Pennsylvania, in giving the right to citizens to speak freely, confers the right subject to their being held "responsible for the abuse of that liberty." The plaintiff is an avowed anarchist. However honest or able she may be, she does not hesitate to declare that, in her belief, all government should be abolished and that every citizen should regulate his or her own conduct according to his own views of what is right and wrong, and that force may be resorted to for the purpose of destroying government and establishing the right of individual independence from governmental control. It necessarily follows from the holding of such views that it would be considered as the right of any individual to determine, according to his own judgment, when the time arrives for the exercise of force to accomplish the destruction of government. That the utterance of such views in the community would be likely to excite such feelings and antagonism as would result in a breach of the peace, is by no means unlikely. It is not unreasonable to hold that such speech is an abuse of the liberty to speak freely on any subject. Whether it be a citizen or an alien who desires to advocate ideas which, if carried out, would naturally lead to the destruction of government, whose protection that person seeks, it would seem that, in the exercise of that right of self-preservation which belongs as well to governments as to individuals, such abuse of the right of free speech might, not unreasonably nor unlawfully, be prevented.

That the plaintiff intended to advocate such destructive views as have been before mentioned, was admitted by her when examined before us. If she avowed a purpose of delivering a lecture advocating wholesale assassination of any class of public officers or persons, we think it would hardly be questioned that the peace officers of the city would be justified in preventing the utterances of such views. We are unable to perceive that there will be any well defined line of discrimination in such a case, one in which the views would be destructive of the life of the nation.

By the laws of the United States there is a discrimination against those who are known as Anarchists. The right of naturalization is

forbidden to them and, when known, they are excluded from admission into the country. If when entering the country they are not known to belong to the class of disturbers and are afterwards discovered to belong to it, within a prescribed time they may be deported from the country. The ban of governmental disapproval is thus placed upon the utterance of sentiments such as the plaintiff holds and desires to advocate in public. We are asked to afford an opportunity for the poor Anarchist and advocates of the destructive and dangerous sentiments and to compel officers of the peace, notwithstanding they may be of the opinion that breaches of the peace would result therefrom, to abstain from interfering with the holding of public meetings for the expression of such ideas. This we do not feel called upon to do. It is a familiar principle of equity that plaintiffs cannot ask relief if they do not come into court with hands that are clean. We cannot avoid reaching the conclusion that one who openly and in advance announces the purpose of advocating such doctrines and sentiments as the plaintiff avows, is not within the class that can claim protection and relief from a court of equity.

It requires but little wisdom to see that Judge Wilson has made frantic efforts to get out of a dilemma. He failed, however. True, the decision has increased the arrogance of the police; but the decision also stands as the greatest indictment against the absurdity and cowardice of the law.

As I said before, I expected nothing better; I am, therefore, not disappointed.

The disappointing and discouraging feature of the Philadelphia experience is the utter lack of interest in the issue of free speech,—or if not indifference, it is certainly lack of spirit, absolute lack of backbone. The handful of liberals who were at first inclined to make a stand for free speech, because I was not "diplomatic" enough to let Henry Clay act as censor, withdrew their assistance. The party Socialists played the usual sorry part, as in all questions of liberty. As to the public at large, no other city represents such