

cans contented themselves with newspaper protests; nowhere was there a vigorous, concerted, and continuous effort either to restrain by law the speeches of Anarchists inciting to crime and glorifying it when committed, or to rebuke by public opinion the speeches of embittered partisans transcending all the bounds of honorable public debate.

At the same time practical anarchism was defended and acted upon in all sections of the country. Labor unions undertook to determine who might work and under what conditions, and mobs stood ready to enforce their lawless decrees. Men who dared to work on other conditions than those prescribed were set upon, beaten, and half killed; trains and trolley-cars which were operated by such men were assailed, stalled, or derailed; their operators, and in some instances their passengers, were attacked. Elsewhere men suspected of crime were caught, shot, hanged, or burned, without a trial and without an opportunity for defense. These mobs were sometimes justified, sometimes excused, sometimes mildly condemned, very rarely seriously punished. We do not recall a single instance in which any ringleader of any such mob has paid the penalty of his crime with his life.

These three evil forces were allowed to run their course unchecked: first, the unrestrained passionate abuse of the chief ruler of the Republic; second, the doctrine, sedulously taught without hindrance, that it is any man's right to kill at sight any ruler; third, the practice, permitted with but mild rebuke, of any collection of men adjudging any man guilty of crime and punishing him without trial. At last a man of feeble intellect and feebler conscience, excited by that ambition for notoriety which a sensational press does much to stimulate even in stronger men, and led on by the examples of violence with which the press had made him familiar, put the public teaching of the partisans and the private teachings of the Anarchists together and carried them to their logical conclusion. The one had told him that William McKinley was a tyrant, the other that all tyrants ought to die, and he resolved to achieve a martyr's crown by carrying into execution the lesson he had learned. It is idle to charge the result to immigration, or to think that its repetition

can be guarded against by sentinels placed at the landing-piers of our Atlantic cities. Booth, Guiteau, and Czolgosz were all native Americans, and Czolgosz was a pupil of our public schools. The assassination of William McKinley was the ripened fruit of seeds sown in acts of mob violence perpetrated in all parts of the country against private citizens, in partisan invective against the Chief Magistrate, which public opinion regardless of party should have sternly rebuked, and in Anarchistic counseling of crime which public law ought to have forbidden under severe penalty.

If this interpretation of the causes which led to the assassination of President McKinley is true, it indicates the direction in which the country should look for remedy.

1. It should be made in every State a penal offense to counsel by print or speech acts of violence against person or property, or to commend such acts. Liberty of speech does not mean the right to use the tongue or the pen without restriction. It is no more legitimate to violate the rights of person or property by speech than by hand; nor is it less criminal to incite a man to commit murder than to do the murderous deed. To touch the match by incendiary speech to an inflammable mind is as guilty as to touch the flame to an inflammable bomb, and society has equal right to protect itself against the one crime as against the other. Liberty of speech involves two principles, established for all English-speaking peoples by the labor of Erskine, and not likely ever to be abandoned. The first is an uncensored press. No public official acting for government is to determine beforehand what may be printed or spoken and what not. But this principle does not in the least imply that he who speaks may not be called to a rigid account if by his speech he commits a crime in destroying the honorable reputation of his neighbor or leads on to crime by inciting another to commit it. The second principle is the full and free discussion of all doctrines, whether political or religious. We affirm the right of men to declare that there ought to be no government, and to endeavor to persuade their fellow-men to abolish all law and all penalty and leave every man to do what is right in his own

eyes. This doctrine is so irrational, so subversive of all civilization, so impossible of application, so like the dream of a disordered brain, that it never can find much currency outside an insane asylum. But the remedy for it is discussion, not repression; education, not penalty. Indeed, we can conceive no better remedy than for the civilized governments of the world to secure by purchase some fertile island and offer to all Anarchists to transport them thither, and even support them for a single season until they could sow and gather one crop, in order that they might have the best possible opportunity to prove their faith in their principles, by giving to the world an object-lesson of Anarchy in a community of individuals wholly unrestrained by law.

But the doctrine of the Terrorists, who do not deserve the name of Anarchists, the doctrine of John Most and Emma Goldman, is not merely that there ought not to be any government; it is that all rulers ought to die, and that it is the right of any man to slay them at sight. We quote again the doctrine of these Terrorists as published by John Most before the assassination of President McKinley: "If we wish for humanity, we are obliged to wish for murder. We say, 'Murder the murderers. Save humanity by blood and steel, poison and dynamite.'" This is not discussion of a theory, it is incitement to crime. Now that we have seen the result of such criminal incitement, first in the assassination of King Humbert of Italy, planned in this country, and then in the assassination of President McKinley, perpetrated in this country, we have public ground enough—and it was not lacking before—to justify us in making such utterances as these a felony, punishable by the confiscation and destruction of the press which prints them, and the imprisonment for no brief term of the man who utters them. We are glad to note in the public prints the report that an association has been organized to meet by intelligent discussion the theories of no-government advocated by the philosophical Anarchists. That is right; let us have education for the ignorant. There ought also to be some concurrent action by the Governors and Legislatures of the several States to secure combined and concurrent action carefully defining the

difference between the unfettered discussion of theories and the advocacy of crime. Czolgosz by his act struck at the very heart of self-government, for he declared to the seventy millions of people in the United States, You shall not have the man of your choice for your chief magistrate. Not only the man who deprived us of our choice by murder, but the men who incited the murderer to this blow at both law and liberty, ought to be called to account; and if in our carelessness we have provided no law to prevent such a crime—and the discharge of Emma Goldman seems to demonstrate that to be the fact at least in Illinois—we should be careless no longer, but should make it our immediate duty to repair the fatal defect by a law making criminal all speech or publication which incites to crime.

2. It is not, however, enough to make new laws against theoretical Anarchism, even when it expresses itself in forms of speech which directly incite to lawlessness. Still more important is it to enforce the laws which already exist against actual lawlessness. Democracy cannot have one law for the private citizen and another for the public official. It cannot tolerate lawlessness which wrongs the humble and the poor and punish lawlessness which wrongs the exalted. It is not possible to allow the violence which hangs or burns without trial an unknown individual in the South or West, or which derails a railroad train or stops all street-car traffic in the East, and prevent the violence which threatens a Governor or a President. It is not possible at the same time to praise lawlessness and to rebuke it, to punish the speech of an Emma Goldman which incites a Czolgosz to assassinate the President, and applaud the speech of a reckless preacher who publicly regrets that the nearest bystander did not assassinate Czolgosz. Between the doctrine that the Pole may decide that McKinley is not fit to live, and may kill him at sight without a trial, and the doctrine that a bystander may decide that Czolgosz is not fit to live, and may kill him without trial, there is no difference. If we would protect our Presidents from assassins, we must begin by protecting all men from assassins, whether the assassin be an individual or a mob, whether he profess Anarchism or only practice it.

3. But it is a mistake to suppose that the only or even the chief restraint of the spirit of lawlessness must be accomplished by law. We have a right to punish the speech which directly counsels crime and incites to it. We have a duty to restrain by public opinion without statutory enactment language which inflames partisan prejudice into passion. The time is appropriate for recalling and enforcing the words of the Master: "Ye have heard that it was said by them of old time, Thou shalt not kill; and whosoever shall kill shall be in danger of the judgment. But I say unto you that . . . whosoever shall say to his brother, Raca, shall be in danger of the council; but whosoever shall say, Thou fool, shall be in danger of hell fire." While Americans are studying how they may restrain by law the violent tongues of professional Anarchists, they should learn how to restrain by public opinion their own scarcely less violent tongue.

Some years ago, when Charles Kingsley was visiting this country, he was asked at a dinner what he considered the greatest danger threatening the American people. He replied: The abuse of its public men; such abuse already prevents honorable men from accepting public office, and if it continues it will banish the best men from public life. It was, he said, the ruin of Greece and of Rome, and he feared it might be the ruin of the Republic. These are wise and weighty words, and they are enforced upon public thought and conscience by the assassination of President McKinley. It has only been necessary to elect a man to public office, from that of alderman in a city to that of President over the Nation, to make him at once a target for vehement and even vindictive abuse. The public acts and utterances of an official are always subject to criticism. The policies which he advocates and represents must always be freely discussed, and such free discussion may at any time involve freedom of condemnation. It is perfectly legitimate for one who is opposed to the policy of expansion to declare his conviction that it will lead to the overthrow of the Republic and the establishment of an empire upon its ruins; but it is not legitimate to vilify the President, to fling opprobrious epithets at him, to call him vile names, to

impute to him the basest motives, to endeavor by every effort to bring him personally into public disgrace. The ancient Hebrew law, "Thou shalt not revile the judges, nor curse the ruler of thy people," was both just and wise. Its enforcement in a free community must be left to public sentiment. It cannot be enforced by statutory penalties. Not until audiences refuse to listen to foul-mouthed revilings of their public men, and readers refuse to purchase and advertisers to advertise in journals which employ both pen and pencil to bring the Nation's leaders into contempt or under odium, can politics be purified or public men be safe in either their persons or their reputation.



Railroad Taxation in Ohio

In response to our comments two weeks ago upon Mayor Johnson's argument for the equal taxation of railroads in Ohio, we have received two copies of the "brief in reply" submitted on behalf of the railways, together with a statement from Attorney-General Sheets that he did not "attempt to exclude" any of the evidence presented to the State Board of Equalization as to the proper valuation of railroad property, but merely insisted that the State Board of Equalization had no legal authority to increase the total of the appraisements returned by the county boards. We gladly accept the Attorney-General's correction of the impression we had received from an Ohio newspaper's report of the proceedings before the State Board, and also gladly present a summary of the brief in reply to Mayor Johnson submitted on behalf of the railways. Taken in their order, the important points in this brief are as follows:

1. The "sole function" of the Ohio State Board of Equalization as defined by statute is "to *equalize* the value of railroad property 'as fixed by the county auditors.' . . . If the Board adopts Mr. Johnson's theory, and multiplies by three the valuations as fixed by the auditors, this Board is no longer one of equalization, but becomes a board of original appraisalment."

2. "But, assuming for the purposes of argument that this Board has the powers claimed for it, Mr. Johnson's whole argument is based on the proposition that 'farms, city real estate, and ordinary manufactures and merchants' are assessed for taxation in Ohio at sixty per cent. of the real value of their property. . . .