

Is New Seditious Law A Menace?

By SAMUEL W. STAGG

May I express my amazement that a country with our democratic ideals should have the kind of a seditious law which has just been signed by the President. The law itself is a throwback to reactionary conservatism but what startles me even more is the utter silence of the press. I am intrigued by the question: Have we actually already lost our freedom of the press?

I wish to call attention to the fact that this seditious law has enough teeth in it, under "inspired" judicial interpretation to gag the press, destroy the right of assembly and the right of free speech, to check effectively any vital movement of social reform and to make every citizen a spy upon his neighbor.

In my humble opinion this law is not the product of a sane understanding of the principles of good government but rather the product of an undignified hysteria of fear—fear that the masses might stage an uprising.

Need I call attention to the fact that a democracy that bases its legislation upon fear of the masses has already ceased to be a democracy in fact and the question is pertinent—in whose behalf is such legislation made?

The law clearly draws the issue of whether this government is now to become Fascist or remain Republican in form.

The law sounds innocent enough until we come to those words "tend to dis-

turb," "tend to instigate." It is a well known fact that our judiciary is subservient to political interests. Those innocent little "tend to's" can, when interpreted by a politically obligated judiciary, wipe out the last vestige of constitutional rights. Let us see just how these "tend to's" could work.

Suppose a group of exploited tenants on the hacienda of a merciless cacique should wish to hold a meeting in order to prepare a petition asking for better treatment. It would be so easy for the cacique involved, who often is the local political boss, to persuade the constabulary that such a meeting might "tend to instigate." There would follow a suppression of the right of assembly.

Suppose an opposition news paper, (if we had one) might wish to criticize the action of the G-men in suppressing such an assembly. The editor of the paper, under this law might easily be convicted of the crime of, "tend to."

Suppose I might wish to make a speech criticizing the seditious law in defense of the Constitution. How easy it would be to convict me (in the local courts but never in the supreme court of the United States) of the crime of "tend to."

How easy it will be for the party in power to get rid of effective political opponents under this law. It should not be too difficult for an "appointed fiscal" to

persuade an "appointed judge" that the political opponent was guilty of the crime of "tend to." Just what kind of a law is it that puts a man in jail for "tend to"?

I also point out the fact that this law aims at nothing less than the making of every citizen a snooping tattletale.

Of course it has been said on good authority that this law will not really be enforced but such a statement makes us all the more suspicious. What business has a legislature in passing laws not intended for enforcement?

I cannot escape the growing conviction that some of our leaders seem to be more interested in throttling the cry of the oppressed than they are effective in alleviating the suffering of the people.

I also am beginning to wonder if the really subversive elements in our country may not be found in the Assembly that would stir the people beyond endurance by passing measures that seem to "tend to" take away the constitutional rights of the little man.

In order that I may not be accused of seditious I hasten to urge that all people obey this new law but I earnestly hope that it will quickly be tested in the proper legal manner provided for in our Constitution. I fear that in the long run this law will prove to be more subversive to good government than the evil it allegedly seeks to cure.

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