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# Civil Rights Dead in America; Labor Must Build Anew:

—Albert De Silver

## Problem is to Change Conditions So That Under Workers’ Administration Free Speech and All Civil Liberties Will Be Guaranteed, American Freedom Convention is Told: Permanent Organization Planned.

by H. Austin Simons

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CHICAGO — “It is funeral stuff to talk about our historic rights and liberties. They’re dead. The problem confronting labor today is to change conditions so that, under administration of workers, free speech and all our rights will be guaranteed.”

This was the statement of Albert De Silver, Director, the National Civil Liberties Bureau, speaking late Friday [Sept. 26, 1919] before the American Freedom Convention on “The Historical Background of Civil Liberties.”

“The whole vice of suppression of civil liberties lies in the alternative that a society that suppresses the honest expression of political opinion must either decay from lack of new thought, new blood, or else must become an autocracy,” he said. “Organized labor is the only element in our society that can prevent either condition today.”

De Silver told of an interview a New York publisher had with Postmaster [General] Burleson. The publisher asked the official to suggest how a certain book should be changed so that it could be circulated.

“I can’t tell you that,” Burleson replied, “because that would be censorship. And censorship is forbidden by the constitution of our nation.”

### Civil Liberty Lost.

“We have departed from the old tradition of civil liberty,” De Silver continued. “The wartime sedition

law was copied almost verbatim from the sedition law passed in 1798, except that in the previous law the truth told for justifiable purposes constituted defense. Today some of our courts have ruled that sincerity and honesty are not defense, but that they aggravate the crime, since they are more likely to give force to the utterances.”

Introducing the subject of peacetime sedition acts, Seymour Stedman, Chairman of the session Friday night, referred to the League of Nations.

“We inherited our court-martial system from our ‘mother country,’” he said, “and it looks as if the mother were readopting its child — as if England were undertaking the responsibility of governing the United States through the proposed League of Nations.”

### U.S. Ruled by Great Britain.

“This country is not now governed by the United States,” declared attorney Patrick H. O’Donnell, who spoke on Irish Freedom. “It is governed mainly by the English ministry and by the financial oligarchy that supports the ministry. The League of Nations as it now stands is the deadly enemy of labor in its unions, of democracy in our political institutions, and of morality in religious beliefs.”

Charles T. Hallinan, Executive Secretary of the American Union Against Militarism reviewed his address on the court-martial system.

**OBU Resolution Rejected.**

The principle of “One Big Union” stirred the convention. Robert M. Buck, Chairman, Committee on Resolutions, submitted a majority report recommending that a resolution identifying the convention with the One Big Union movement be tabled as improper subject matter for the convention.

T.J. Neary, Chicago, delegate from the Machinists’ Union, attacked the report, declaring: “Craft unionism is so old that it’s got long whiskers and has lost its eyesight. Craft unionism — the AF of L — is responsible for Mooney’s being in prison at the present time. The craft unions, as represented here, are not competent to function to release the class war prisoners.

**Would Limit Work to Amnesty.**

G.T. Franckel, representing another Chicago lodge of machinists, rejoined: “It’s true that craft unions have great faults. But they represent a large and powerful organization. And such an organization is better for our purpose than one that exists only in the ideals of some members of the convention.

“We were sent here to get the men out of prison. We were not sent here to start a new movement with alien ends.”

Irresponsible ultra-radicals have no real place in the Freedom Convention, Mrs. Winnie Branstetter,

representing the Socialist Party of Oklahoma declared.

“I wasn’t sent here to sabotage on the men in prison in order to put across some personal propaganda. And that’s what some revolutionary-mouthed persons are doing,” she said.

**To Report on Organization.**

The resolution was handed to the committee for reexamination. Discussion will be continued on the floor Sunday morning [Sept. 28] when the committee will report. There will also be a joint report of the Committee on Ways and Means and the Committee on Permanent Organization.

These bodies instructed Roger N. Baldwin, New York, to draw up a preliminary report on permanent organization to be submitted to the convention to crystallize opinion as to what kind of an organization the delegates want. This plan provides for the establishment of a new organization with a national office and Executive Secretary; for the issuance of labor press bulletins, pamphlets, and other literature pertaining to the prisoners in jail; for the routing of lecturers throughout the country, and for the financing of this organization by the 1,250,000 persons represented at the convention.

Submission of this report is expected to centralize strength on the amnesty issue and to prevent a defection of fire toward radical industrial unionism.

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