

**Fear of Dissent**

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| http://chnm.gmu.edu/courses/hist409/margin.gif | http://chnm.gmu.edu/courses/hist409/dot_clear.gif This completely and thoroughly ridiculous episode, taken from *The Nation,* April 17 1920, would be funny if it had not ended up in a jail sentence. It demonstrates the ridiculous lengths to which fear of dissent might be taken."The Most Brainiest Man"http://chnm.gmu.edu/courses/hist409/dot_clear.gif A BOND salesman named Herbert Warner walked into a clothing store in Waterbury, Connecticut, in January. He had been told that some one there might buy bonds. Joseph Yenowsky, a salesman, met him. Yenowsky's savings consisted of $300 in Liberty bonds, and he refused to convert them. The result was an argument about bonds, sugar, and Lenin, followed by Yenowsky's conviction under the Connecticut Sedition law, and his sentence to six months in jaiLhttp://chnm.gmu.edu/courses/hist409/dot_clear.gif This Connecticut Sedition law, be it said, is one of the shortest and most comprehensive laws on the statute books. "No person," it declares, "shall in public, or before any assemblage of ten or more persons, advocate in any language any measure, doctrine, proposal, or propaganda intended to injuriously affect the Government of the United States or the State of Connecticut." The measure advocated, it will be noted, need not involve force or illegality; the sole test of its criminality is some one's opinion as to what is "injurious."http://chnm.gmu.edu/courses/hist409/dot_clear.gif Now Yenowsky is a Socialist and a member of the American Legion, and on both counts he disliked a bond salesman who had never been in the army. When Warner suggested opportunities for rapid wealth, Yenowsky retorted "There is only one way of making money quick, and that is to steal it." "Steal in a legal way," he explained. "Rockefeller, he can go out and steal millions and get away with it."http://chnm.gmu.edu/courses/hist409/dot_clear.gifHere the testimony diverges. According to Warner, "We talked on some things which I do not remember." According to Yenowsky, Warner thought Rockefeller's method "a good way to get ahead." This naturally led the discussion to wander. It touched the price of sugar, and led to a copy of the *Liberator*Iying on the table. Yenowsky pointed to a picture of Lenin.http://chnm.gmu.edu/courses/hist409/dot_clear.gif "There is what I consider one of the brainiest men in the world," he says he remarked. According to Warner, however, he declared that Lenin was "the greatest, the most brainiest man on earth today."http://chnm.gmu.edu/courses/hist409/dot_clear.gif"Are you sure he used that expression?" the Magistrate asked, when the case came up in court.http://chnm.gmu.edu/courses/hist409/dot_clear.gif "Yes.""The most brainiest man on earth?"http://chnm.gmu.edu/courses/hist409/dot_clear.gif"Yes, the greatest and the most brainiest man.""Which did he say?""He said the most brainy man on earth today."http://chnm.gmu.edu/courses/hist409/dot_clear.gif "He said the most brainy, not the most brainiest, man?"http://chnm.gmu.edu/courses/hist409/dot_clear.gif "Yes.""On earth today?"http://chnm.gmu.edu/courses/hist409/dot_clear.gif "Yes."This matter settled, the Court relapsed into silence.http://chnm.gmu.edu/courses/hist409/dot_clear.gif Warner, however, had more to say. He insisted that a third man had intervened to declare that Yenowsky was a "Bolshevik." According to Warner, Yenowsky had also said he did not like the government of the United States, and would like to see a soviet form of government here, but that he would not go back to Russia because he was going "to stay here and fight for the freedom of the government." At that, Warner reported, "I got so thoroughly wrought up I could not stand it any longer." So he went out and got a detective to arrest Yenowsky.http://chnm.gmu.edu/courses/hist409/dot_clear.gif This entire conversation was denied by Yenowsky. It was also denied by Abraham Lichtenstein, proprietor of theclothing store, who heard the discussion, and by another employee. The man who, according to Warner, had intervened to declare Yenowsky was "a Bolsheviki," could not be discovered, and the only other witnesses at the trial were character witnesses for the defendant. Lichtenstein remembered the argument about bonds, but had heard nothing about the government of the United States or soviets. "They were arguing about the bonds, see," he testified, "and he said he has got enough bonds, and he showed him the picture. That is where that man got hot-headed.... Mr. Yenowsky said 'He [Lenin] is a brave man,' and that is all." Louis Levine, the other clerk, heard them "arguing about sugar, twenty-five cents a pound, and then they were talking about bank bonds, and then when the argument was all over Mr. Warner got hot-headed and asked Mr. Yenowsky for his name, and Mr. Yenowsky refused to give him his name, and he went out and he brought a detective with him and they took Mr. Yenowsky to the station."http://chnm.gmu.edu/courses/hist409/dot_clear.gif Charles M. Peach, twice Socialist candidate for mayor of Waterbury, and John W. Ring, secretary of the Socialist local, testified to Yenowsky's reputation for truth and veracity, and that they had never discovered symptoms of communism or anarchism in his conversation.http://chnm.gmu.edu/courses/hist409/dot_clear.gif The Court was once more aroused to interest. "You did not talk about the principles of Lenin or Trotzky or any of those people?" The Court was back on the trail of the most brainiest man. "No," Ring replied, "I know nothing about them only what I have read in the newspapers here."http://chnm.gmu.edu/courses/hist409/dot_clear.gif "And more than most of us want to know about them," came from the Magistrate.http://chnm.gmu.edu/courses/hist409/dot_clear.gif The defense rested. There was no summing-up.http://chnm.gmu.edu/courses/hist409/dot_clear.gif "I will take jurisdiction," the Court announced immediately. "Six months in jail. Bonds for an appeal, 51,000."L. S. G. |