

**FREE PRESS
ANTHOLOGY**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649588152

Free Press Anthology by Theodore Schroeder

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

THEODORE SCHROEDER

**FREE PRESS
ANTHOLOGY**

FREE PRESS ANTHOLOGY

COMPILED

BY

THEODORE SCHROEDER

PUBLISHED BY

THE FREE SPEECH LEAGUE, 120 LEXINGTON AVENUE

AND

THE TRUTH SEEKER PUBLISHING CO., 62 VESEY STREET
NEW YORK CITY

1909.

B7212.3



Copyright, 1909, by Theodore Schroeder



TABLE OF CONTENTS

Sec. I. The Areopagitica, John Milton,.....	1
Preface to "Liberty of Uncensored Printing," Thomson,.....	18
Sec. II. Further Important Defenses of Free Speech, 20.	
Spinoza, 20. John Locke, 23. Voltaire, 28. Friends of Free Inquiry, 30. Friends to the Liberty of the Press, 31. Rev. Robert Hall, 31. Thomas Eschine, 33. Tunis Wortman, 36. Jeremy Bentham, 38. Thomas Cooper, 40. John Stuart Mill, 44. Thomas Henry Huxley, 75. Herbert Spencer, 76. George Jacob Holyoake, 80. W. H. H. Lecky, 81.	
Sec. III. Laconics of Toleration and Free Inquiry,....	86
Sec. IV. An Explanation Concerning Obscenities, Peter Bayle,.....	114
Sec. V. The Modern Censorship of Obscenity,.....	149.
Louis F. Post, 149. Robert Buchanan, 162. B. O. Flower, 167. Theodore Schroeder, 171. Edwin C. Walker, 176. John Russell Coryell, 178. The New York Home Journal, 181.	
Sec. VI. Briefer Defenses of Free Sex-Discussion,....	185
The Case of Moses Harman, 210. The Case of D. M. Bennett, 215.	
Sec. VII. Liberty of Conscience and Speech for Anarch- ists,	225
Appendix	249
Theodore Schroeder: Censorship of Sex-Literature.	

The concealment of truth is the only indecorum known to science.—WESTERMARCK.

INTRODUCTION

A FEW YEARS ago I went to a public library containing 250,000 volumes, and found in its catalogue only two items indexed under freedom of speech and press. In several smaller libraries nothing upon this subject was found. Such conditions evidence a supine and lethargic security which is ever the best possible encouragement for the destroyers of liberty. I was therefore partially prepared for another extraordinary discovery.

A comparative study of the laws persuaded me that, notwithstanding our paper constitutions to the contrary, liberty of speech and of the press, in some parts of the United States, is now abridged to a greater extent than it is in England, or was, even a century ago. While the cruelty of the penalties has been much relaxed, the number of penalized ideas has been increased. Now, as then, these repressive laws are not generally enforced, but are always readily and successfully invoked against persons who have otherwise made themselves unpopular. Furthermore, the uncertainty of the criteria of guilt, in these censorial laws, has been materially increased, in spite of our constitutional guarantees against constructive crimes. The arbitrariness of the lawless suppression of free speech by ignorant, hysterical, and tyrannical police officers, and through the extension of executive process and government by injunctions, and the unjust discrimination manifested in the exercise of a lawless discretion on the part of municipal executives and our quasi-official moralists for revenue, should be apparent and abhorrent to all who view current events with an earnest and intelligent desire to promote truth, justice, and liberty.

The most discouraging feature of this state of facts arises from the total absence of anything like a formidable protest. Where in England a century ago riots resulted from attempts to enforce laws abridging free speech, and the right of free assembly, the present American public views such conduct with utter indifference. Although the repression is often unwarranted even by an unconstitutional statute, yet, in most instances, the mass of the public applauds this official lawlessness. About a century ago the American love of liberty was such that the passage of the Alien and Sedition law resulted in the defeat of the Whig

party. To-day similar and more pernicious statutes receive all but general approval, so has our love of constitutional liberty degenerated.

This deplorable condition of the public indifference to the facts, and the unconsciousness of their wrong, or of the future import of these precedents abridging free utterance, together with the quite general judicial indorsement of this abridged freedom, make such a book as this an unappreciated necessity, and useful in spite of its many defects, simply because it is the only thing of its kind in existance.

A few words of explanation are necessary as to the contents of the book itself. The great diversity of spelling, capitalization, and punctuation to be found is due to my endeavor to reproduce as closely as possible the method of expression as well as the thought of the writers, of different times and countries. In the matter quoted, very little will be found which antedates Milton. The reason is that I discovered nothing belonging to that earlier period which extendedly defends *unabridged* freedom of speech. The chief arguments of that time may be thus summarized:

I. We heretics are biblically correct, therefore should be tolerated;

II. The Bible commands toleration, therefore we should be tolerated.

Those who are interested in these "first articulations of infant liberty" are referred to a collected reprint of them by The Hansard Knollys Society, in a large volume entitled, "Tracts on Liberty of Conscience and Persecution. 1614-1661," published in London, 1846.

The present volume is also defective in that it contains no adequate discussions of the free speech issues as related to its present-day abridgments. At the end of this volume will be found a bibliography of recent magazine literature in relation to some of these later-day problems. These articles are seldom quoted from herein, for the reason that the present writer is the author of most of them, and it is intended soon to publish these in a separate volume.

THEODORE SCHROEDER.

New York City.

FREE PRESS ANTHOLOGY

SECTION I.

MILTON'S AREOPAGITICA

[1644]

EDITORIAL NOTE.—Owing to the historical importance of this immortal essay practically all of it is here reproduced.

HE WHO freely magnifies what hath been nobly done, and fears not to declare as freely what might be done better, gives ye the best covenant of his fidelity; and that his loyalest affection and his hope waits on your proceedings.

. . . That clause of Licensing Books, which we thought had died with his brother quadragesimal and matrimonial* when the prelates expired, I shall now attend with such a homily, as shall lay before ye, first the inventors of it, to be those whom ye will be loth to own; next what is to be thought in general of reading, whatever sort the books be; and that this Order avails nothing to the suppressing of scandalous, seditious, and libellous books, which were mainly intended to be suppressed. Last, that it will be primely to the discouragement of all learning, and the stop of Truth, not only by disexercising and blunting our abilities in what we know already, but by hindering and cropping the discovery that might be yet further made both in religious and civil Wisdom.

. . . Unless wariness be used, as good almost kill a man as kill a good book: who kills a man kills a reasonable creature, God's image; but he who destroys a good book, kills reason itself, kills the image of God, as it were in the eye. Many a man lives a burden to the earth; but a good book is the precious life-blood of a master spirit, embalmed and treasured up on purpose to a life beyond life. 'Tis true, no age can restore a life, whereof perhaps there is no great loss; and revolutions of ages do not oft recover the loss of a rejected truth, for the want

**Quadragesimal and matrimonial.* Ecclesiastical Orders as to the keeping of Lent and Marriage Cereimonial. Milton held that there was no ground in Scripture for the claim of an ecclesiastical control over the civil contract of marriage.