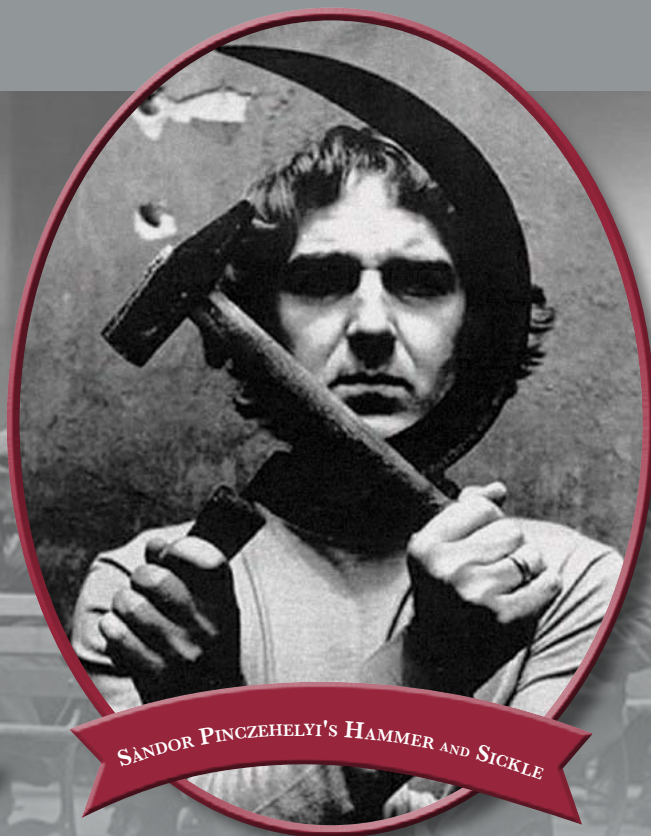


THE GREAT RED SCARE



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SANDOR PINCZEHELYI, HAMMER AND SICKLE

THE GREAT RED SCARE

BY ALLAN L. DAMON

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In 1919 the U.S. Attorney General swooped down on a alleged Bolshevik revolutionaries and deported them by the boatload. For a while he was a national hero; he dreamed of the White House. But then . . .

In November, 1919, and again in January, 1920, federal agents of the Department of Justice conducted a series of lightning-like raids on private houses and public buildings in cities across the United States and took into custody upwards of three thousand aliens suspected of plotting to overthrow the government. The mass arrests were enthusiastically acclaimed as Attorney General A. Mitchell Palmer's answer to "the sinister agitation of men and women aliens . . . either in the pay or under the criminal spell of Trotsky and Lenin." Indeed, within hours of the January roundup, William J. Flynn of the Bureau of Investigation (now the F.B.I.) told newsmen, "I believe that with these raids the backbone of the radical movement in America is broken."

If, as some have said, A. Mitchell Palmer was "a nervous man," he had a great deal of company in the spring and summer of 1919. Only a year later, William Allen White was to write a friend, "What a God-damned world this is! . . . If anyone had told me ten years ago that our country would be what it is today . . . I should have questioned his reason." It was a sentiment that many Americans had known in the months following World War I; for amidst the normal but unsettling confusions that marked the nation's transition from war to peace, there had appeared signs of deep-seated dislocations seemingly unlike any the country had experienced before.

There was, to begin with, considerable uncertainty over the peace treaty that Wilson

had brought back from Versailles. As the Senate and the nation argued over its terms, a bitter debate on the League of Nations unleashed political passions lately held in check by a wartime truce. A business recession had set in, and although it was not unexpected, its crippling effects were intensified by a series of explosive industrial disputes.

Labor and management had been uneasy partners under federal controls during the war; now they were again familiar antagonists in what, by the year's end, totalled 3,600 separate strikes. Collective bargaining, higher wages, shorter work days, and union recognition were generally the

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issues at stake, but as violence and instability mounted—riots were common that year—the labor unrest took on a sinister cast.



Since the Russian Revolution, the hammer and sickle have come to represent various communist parties and socialist states.

SÁNDOR PINCZEHELY, HAMMER AND SICKLE

Inevitably there were those who remembered the old slogan of the discredited and now nearly defunct Industrial Workers of the World: "Every strike is a little revolution and a dress rehearsal for the big one." Typical headlines of the day proclaimed: "Red Peril Here" . . . "Reds Directing Strike" . . . "Test for Revolution." By autumn, the widely respected *Literary Digest* warned, "Outside of Russia, the storm center of Bolshevism is in the United States."

There seemed to be, indeed, cause for alarm. Communism had triumphed in Russia and in Hungary; semi-anarchy reigned in postwar Germany; and there was political unrest in Poland, Italy, India, and China. The Third International had been organized in the spring of 1919 with world-wide revolution as its goal, and in the summer not one but two Communist parties were formed in the United States.

A far more frightening phenomenon had also appeared. On April 20, Mayor Ole Hanson of Seattle, Washington, had received a package containing sulphuric acid and dynamite caps. The triggering device had failed to operate, however, and Hanson, an outspoken foe of the I.W.W. and other radical groups, survived; he told reporters that the infernal machine was "big enough to blow out the side of the County-City Building."

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Hardly had the papers carried that story when a brown-paper parcel, bearing the return address of (Umbel) Brothers in New York, arrived at the Atlanta, Georgia, home of Senator Thomas W. Hardwick. The Senator, chairman of the Committee on Immigration, was not in, and a maid unwrapped the package. This time the detonator functioned properly and the parcel exploded, lipping off her hands.

By nightfall, the Hardwick bombing was front-page news, (diaries) Kaplan, a New York postal clerk on his way home by subway, was alerted by the newspaper description of the package delivered to the Senator's home. He quickly changed trains and hurried back to the General Post Office, where he remembered having seen sixteen small, brown-paper boxes set aside on a shelf because of insufficient postage. They were there, all with counterfeit Gimbel labels, and each addressed to a high-ranking government official or a well-known private citizen. Included were Attorney General Palmer, Secretary of Labor William B. Wilson, Supreme Court Justice Oliver Wendell Holmes, Jr., Judge Kenesaw Mountain Landis, John D. Rockefeller, and J. P. Morgan, Jr. Every package contained a bomb.

During the next week, watchful postal inspectors elsewhere in the country turned up sixteen more, each in its distinctive wrapper and addressed to a prominent person. The identity of the sender was never learned, but the newspapers and probably a majority of the public believed that the parcels had come from a Red bomb shop.

A month later, on June 1, seven explosions in five eastern cities ripped apart homes, public buildings, and a rectory, killing one man. In Washington that same night, an assassin came after the Attorney General again. Palmer had been reading in the first-floor library of his home in a quiet residential section of the city. At about eleven o'clock lie put aside his book and

went upstairs. He and (Mis) Palmer had just retired when the thump of something hitting the front porch echoed through the house and a violent explosion shattered windows throughout the neighborhood. The Palmers were unhurt, but the downstairs front of the house, including the library, was ruined. On the lawn, in the street, and on the sidewalk of Assistant Secretary of the Navy Franklin Delano Roosevelt's home opposite, "great chunks of human being" told the story. What had saved the Palmers from death was the clumsiness of the bomber, who evidently had stumbled and fallen, dropping the bomb before it could do serious damage to anyone but

On June 1, seven explosions in five eastern cities ripped apart homes, public buildings, and a rectory, killing one man.



himself. Near the shattered body on Palmer's lawn and scattered along the street lay some fifty copies of Plain Words, an anarchist pamphlet that promised death to government officials ("There will have to be murder; we will kill...") and proclaimed the triumph of the revolution.

Although, according to a reporter, Palmer remained "the coolest and most collected person" in the crowd that gathered to examine the wreckage, by morning he was understandably a badly frightened man. As lie learned of the other bombings elsewhere on the eastern seaboard, he saw it all as part of a Red conspiracy to destroy the American way

of life. He must act to save it.

The Attorney General had little difficulty persuading Congress to grant the Justice Department funds for the task. Yet as the summer of 1919 came (un) Palmer appeared to be hesitating. The slowness of his preparations came as no surprise to his friends; he had always been a meticulous and somewhat cautious planner. But to many editors who daily ran stories of new Red plots, the Attorney General seemed reluctant to (rush) the threat the nation faced.

In truth, Palmer was at this point uncertain about the course he should follow. Alter the excitement of the bombings had died down, and despite the speed with which he had sought congressional aid, he became increasingly skeptical that the Reds were as active as many people claimed. Several of his close advisers predicted that the bombers would strike again and again; nothing of the kind happened. They warned that the Fourth of July would bring Bolshevik uprisings in major cities; the day passed quietly. Palmer adopted a policy of watchful waiting.

In part, his liberalism restrained him. A Wilsonian to the core, he believed strongly in the constitutional protections of the Bill of Rights, which as Attorney General he had sworn to uphold. He had been elected to Congress in 1908 with support from Pennsylvania steelworkers, coal miners, and clay-pit laborers, many of whom were recent immigrants. Now, years later, (lie) continued to think of himself as "a radical friend of labor," and despite public pressures to the contrary, he had thus far refused to intervene in the strikes that were crippling the economy.

That kind of liberal restraint had marked his entire political career and. lie was sure, had helped him move with comparative ease from the obscurity of a Pennsylvania law practice to the prominence of a Cabinet post. Given the right set of circumstances, it might conceivably carry him on to greater power and prestige in the White House itself.

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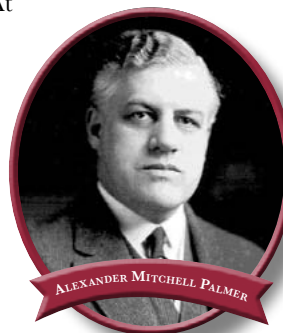


The 1919 United States anarchist bombings were a series of bombings and attempted bombings carried out by anarchist followers of Luigi Galleani from April through June 1919. These bombings fed the Red Scare of 1919–20. The above photo shows damage done by one of these bombs at Attorney General A. Mitchell Palmer's house.

Such a thought was not an idle dream, for at **fortyseven** the Attorney General was superbly equipped for the part. Tall, trim, and handsome, Palmer used his many talents with skill and grace. Besides his commanding physical presence, he had a quick and active mind, self-assurance in abundance, and above all, boundless energy. If—as one biographer has written—he was at times “too combative, too dogmatic, and too conceited” for his own good, **lie** nevertheless had made more friends than enemies in high places. And if—as another has noted—his major weakness lay in his effort always “to win power by carefully attuning himself to what lie felt were the strong desires of most Americans,” he was no mere opportunist. He chose the issues he would support as much from deep personal belief as from political expediency.

Born of Quaker parents of *mwleratc* means, **lie** was determined, he once wrote, “to be somebody,” and his drive for power did not slacken as the years wore on. Graduating *summa cum laude* from Swarthmore before he was nineteen, he read law in the office of a former congressman, entered a lucrative

practice at **Stroudsbuig**, and soon became embroiled in the **freewheeling** political life of the local scene. By 1909 he was in Washington, where he swiftly rose to a position of leadership. At the end of his first year in the House, he secured a seat on the powerful Ways and Means Committee, placed himself in the forefront of the progressive Democratic wing, and during three successive terms became identified with tariff reform and the cause of labor.



At the Baltimore convention of 1912 he delivered his state's delegation to Woodrow Wilson, hoping for the post of Attorney General as a reward. But the expected appointment fell through: instead, Wilson decided to name him Secretary of War. “I am a man of peace,” Palmer said, declining the offer, and **lie** returned to **he** House once more. Two years later he suffered his first major setback when, acceding to the President's blandishments, **lie** entered a hopeless Senate race in Pennsylvania and went down to defeat.

With America's entry into World War I, Palmer was again in the national news. Despite his professed pacifism he was fiercely patriotic; “I made up my mind that I just must get into it somehow, even if I had to carry a gun as a private,” he told a friend. His change of heart, however, never carried him to that extreme, and he accepted Wilson's appointment as custodian of property in the United States owned by enemy aliens. For over a year he worked with such vigor and aggressiveness that the press labelled him the “Fighting Quaker,” a title he wore as a badge of honor. Some of his critics suspected that his prowar views were tied to his political hopes, but Palmer emerged from the war with his popularity intact.

In March, 1919, he claimed his long-

awaited reward, appointment as Attorney General of the United States.

He had been three months on the job when the bomb burst outside his home. Despite his uncertainty about the seriousness of the Red threat, Palmer did proceed to reorganize the Department of Justice to cope with the problem. By August he had created the General Intelligence Division, a special arm within the Bureau of Investigation, to root out the Communist conspiracy if one existed. He gave charge of the

new bureau to J. Edgar Hoover, a twenty-four-year-old lawyer who, in the summer of 1917, had come fresh from George Washington University Law School to serve in the Department of Justice as an aide in charge of Enemy Alien Registration. Now as a special assistant to Palmer, Hoover with his G.I.D. put together an elaborate filing system of over 200,000 cross-indexed cards containing information on 60,000 persons, several hundred newspapers, and dozens of organizations considered dangerous to the national interest.

But this quiet, systematic preparation did nothing to allay the fears of the public, or to satisfy their panicky desire for drastic action. For if the nation had been alarmed by the riots and bombs of the spring, it was terrified by the events of late summer and early fall.

July brought race riots in Cleveland and in Washington, D.C. Labor unrest continued without letup all summer long. Then, during the first week of September, the Communist party and the Communist Labor party emerged from separate Chicago conventions. Almost immediately there were reports that their combined memberships exceeded 100,000; some accounts placed the number at six times that figure. Recent studies have shown that the most modest of these estimates was

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greatly exaggerated; but in the fall of 1919 it was the rumors that counted.

Already groups like the National Security League had published stories to the effect that most labor unions, the leading universities, some churches, the League of Women Voters, and a host of other organizations were under Red control or sympathetic to the cause. Some newspapers asserted that outspoken reformers like John Dewey, Roscoe Pound, Jane Addams, Robert M. La Follette, and Thorstein Veblen were linked to the growing Red menace.

In such an atmosphere and at such a time, it was difficult to know what was true and what was not. But as Bolshevism in Russia hardened into tyranny, and as magazine articles by the score rang continuous changes on the same terrifying theme of **it must not happen here**, even those who had discounted the earlier scare headlines became alarmed.

In September the Boston police went on strike. Two days of limited violence and looting followed before volunteers and some 5,000 National Guardsmen restored order. Governor Calvin Coolidge, who had done little to correct the situation, then sent his famous telegram to the A.F. of L.'s Samuel Gompers saying, "There is no right to strike against the public safety by anybody, anywhere, any time" (see "The Strike That Made a President" in the October, 1963, *American Heritage*). Later in the month federal troops were sent to quiet the nation's steel towns, where a bitter dispute had just begun. When 394,000 coal miners left the pits on November 1, the public feared the beginning of a nationwide general strike, or worse.

Meanwhile, Attorney General Palmer had been suffering under a terrific barrage of public criticism. "I was shouted at from every editorial sanctum in America from sea to sea," he complained later. "I was preached upon from every pulpit; I was urged to do something and do it now, and do it quick and do it in a way that would bring results." In mid-October of 1919, the Senate took up the cry; it unanimously demanded an

explanation for Palmer's inaction, and in a censure resolution implied that **lie** might well face removal from his post.

The Senate's censure was a harsh blow, especially in the light of Palmer's presidential dreams. Woodrow Wilson's debilitating stroke in mid-autumn had already awakened speculation among many men about possible successors in the election year ahead. How seriously Palmer took his own candidacy at this point is anybody's guess (he did not mention it openly until February, 1920); but he was too experienced a politician not to know that once he lost the public's favor he would be hard pressed to regain it. It is not surprising that a man of his ambition began to react profoundly to the clamor that he "do something"

Moreover, Palmer was surrounded by men who had long since become convinced that the Red menace was real. Among his Cabinet colleagues, Secretary of War Newton D. Baker, Secretary of the Navy Josephus Daniels, and Secretary of State Robert Lansing had been writing and speaking about the threat of revolution from

Palmer was too experienced a politician not to know that once he lost the public's favor he would be hard pressed to regain it.

early summer on. Even President Wilson had inserted antiradical themes in his speeches on behalf of the League a few days before he fell ill. **Hut** it was the men whom Palmer numbered among his closest advisers in the Department of Justice itself whose influence was greatest. They had taken the Reds very

seriously from the start. To be sure, almost all the information they possessed had come from theoretical discussions in radical newspapers and books; there was little worthwhile evidence of active preparation for revolt. Nonetheless, to these advisers, where there was smoke there was probably fire. They were ready to act.

By November, Palmer was ready too. Now convinced by his own reading of anarchist literature that the nation was besieged by "thousands of aliens, who were the direct allies of Trotsky," he declared that the time had passed when it was possible or even desirable to draw "nice distinctions ...between the theoretical ideals of the radicals and their actual violations of our national law."

The time for watching and waiting was over. "Like a prairie-fire," he himself wrote in **Forum** magazine the next year, "the blaze of revolution was sweeping over every institution of law and order... It was eating its way into the homes of the American workman, its sharp tongues of revolutionary heat were licking the altars of the churches, leaping into the belfry of the school bell, trawling into the sacred corners of American homes, seeking to replace marriage vows with libertine law, burning up the foundations of society." To put out the fires, Palmer decided to enforce a part of the immigration code, introduced during the war, that outlawed anarchism in all its forms. Aliens who violated that code, even if only by reading or receiving anarchist publications, could be arrested and, if found guilty, deported.

There was a beautiful simplicity to Palmer's solution. Deportation hearings were neither lengthy nor complex. They were handled as executive functions by the immigration officers of the Department of Labor. Although the aliens were supposed to be protected by the procedural safeguards of the **Kill** of Rights, only minimum proof (usually a warrant of cause) was needed to show that some part of the immigration code had been violated. The rulings of the

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hearing officers were, in effect, arbitrary, checked only by the construction of the deportation statutes, a possible appeal to the Secretary of Labor, or, in rare instances, by a writ of habeas corpus, which led to a federal court trial. Palmer decided to test both the effectiveness of deportation as an anti-Red measure, and the public's response.

On the night of November 7, 1919, federal agents from the Bureau of Investigation and city policemen quietly surrounded the Russian People's House on East Fifteenth Street in New York. Inside the four-story brownstone that served as a meeting place and recreation center for Russian aliens, some two hundred men and boys were at work in night-school classes. That evening was the anniversary of the Bolshevik uprising in Petrograd two years before, but the directors of the school had planned no special observance, even though the school's sponsor, the Federation of Unions of Russian Workers in the United States and Canada, had been a leading publisher of anarchist tracts.


Shortly after nine o'clock the agents swarmed into the building. "The harsh command to 'shut up, there, you,' brought silence" in the classrooms, the **New York Times** reported next day, and in the hush that followed, the agents announced that all present were under arrest. A teacher who asked why (for no warrants had been produced) took a blow in the face that shattered his glasses. Then, while some agents searched the bewildered suspects for weapons, city policemen tore open locked files, overturned desks, pulled down

pictures from the wall, and rolled up rugs in an unsuccessful hunt for incriminating evidence. At last, no weapons having been found, they herded the prisoners toward the stairs and—as an investigator from the National Council of Churches reported later—forced them to run a gantlet of officers who lined the stairwell armed with blackjacks. By the time the suspects reached agents' headquarters, thirty-three of them required medical treatment. Their bandaged heads and blackened eyes, the *Times* remarked, were "souvenirs of the new attitude of aggressiveness which had been assumed by the Federal agents against Reds or suspected Reds."

Elsewhere in the nation that night, federal officers in nine other cities east of the Mississippi raided other Russian centers. In all, about four hundred and fifty persons were rounded up. Before the night was over, more than half of them were released as innocent, but Attorney General Palmer was distinctly pleased with the results.

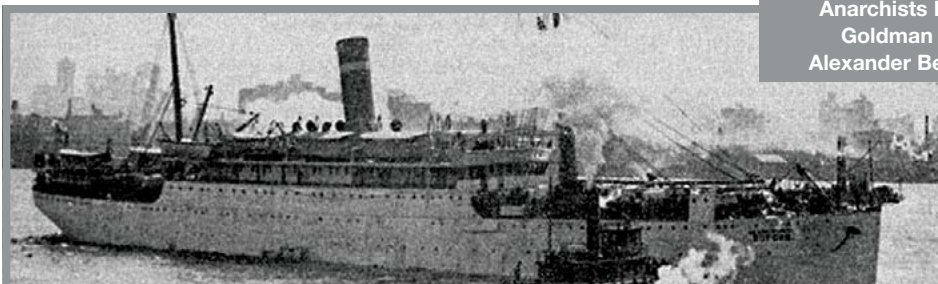
For by morning he was a national hero, praised by the very press that only the week before had been railing at him and demanding his resignation. Now, as one paper put it, he was "a tower of strength to his countrymen." He new answer to the Reds, said another, was "S.O.S.—Ship or Shoot." Still another suggested that the new year might bring a three-point trade program of "import—export—deport."

By December, Palmer was riding the crest of enthusiastic public support. Working quickly now, he secured deportation orders for 199 Russians who had been found guilty under the immigration law. Taken to Ellis Island, they were joined by fifty other deportees, including Alexander Berkman, the would-be assassin of Henry Clay Frick in the Homestead Strike twenty-seven years before, and Emma Goldman, a well-known anarchist writer whose work had allegedly inspired Leon Czolgosz to murder President McKinley. All 249 aliens were to be deported to Russia by way of Finland, the Finnish government having agreed to act in this case as the agent for the United States, which had yet to recognize the Bolshevik regime.

Although immigration officials had promised that no married men would be deported and that ample time would be given the aliens to settle their affairs, neither pledge was honored. In the early hours of December 21, the aliens boarded the *Buford*, an ancient army transport now nicknamed "the Soviet Ark." Two hundred fifty armed soldiers patrolled the decks, but, with the exception of a short-lived hunger strike, the voyage passed uneventfully. In mid-January, 1920, the *Buford* docked at Hango, Finland, and under a flag of truce—the Finns were now at war with Russia—the deportees passed into Soviet hands. 



Anarchists Emma Goldman and Alexander Berkman



THE SOVIET ARK: The United States Transport *Buford*, which deported 249 non-citizen immigrant political prisoners in December 1919.

After the furor attending their departure from the United States and the news of their arrival in Russia, the *Buford* deportees dropped out of sight. The majority apparently remained in Russia, hut two, at

least, did not. Berkman, ever the anarchist, was quickly disillusioned by what he found in the Communist state, and by 1925 had published two highly critical books, *The Bolshevik Myth* and *The Anti-climax*. He had, of course, left Russia by then, and he spent the remaining years of his life wandering aimlessly through Europe. He

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January 20, 1920, New York, NY
Anarchists, Reds, and radicals who were rounded up
in NYC in raids on the 19th, arriving at Ellis Island.

committed suicide in Nice, France, in 1936.

Following disagreements and an open break with the Bolsheviks in 1921, Emma Goldman too left the country and two years later wrote *My Disillusionment in Russia*. In 1924 she was permitted to re-enter the United States for a lecture tour under the terms of a curious arrangement whereby she was not permitted to discuss politics in public. She was not allowed to remain, however, and crossed the border into Canada. She died in Toronto in 1940.

Meanwhile Palmer readied a second attack on the Reds. If the November raid had netted hundreds, the new series would bring in thousands. Hoping to speed the process, Palmer asked Secretary of Labor Wilson to change that part of the deportation rules that permitted the aliens to secure counsel, and at the same time he requested a blanket deportation warrant to cover any aliens who might be arrested once the raids began. Wilson refused both requests, emphasizing that the immigrants, despite their lack of citizenship, were nonetheless entitled to the protection of the Bill of Rights. Palmer, no longer sounding like a confirmed liberal, insisted that all too often it was lawbreakers, not the innocent, who were protected by these legal safeguards, but Wilson held firm.

For the moment, the Attorney General was stymied. Then, in mid-December, Secretary Wilson went on sick leave. His duties were divided between Louis F. Post, his assistant, and John W. Abercrombie, the Labor Department's solicitor and a Palmer appointee. To Palmer's relief, Post, whom the press had labelled a "Bolshie coddler," took up the Secretary's main duties, while Abercrombie assumed control of immigration. On December 29, Abercrombie consented to a change in Rule 22 of the deportation-hearing procedure so

that it no longer required the arresting officers to inform aliens of either their right to counsel or the charges against them. Two days

later he issued some 3,000 mimeographed warrants for the arrest of aliens whose names were to be entered in the blanks.

The night of January 2 was chosen for a new set of raids. Agents who had infiltrated Communist cells were asked to arrange meetings for that evening "to facilitate arrests." The others were instructed to bring in as many aliens as they could find. Their orders, issued over the signature of Frank Burke, the assistant director of the Bureau of Investigation, said, in part, "I leave it entirely to your discretion as to the method by which you gain access to such places [where aliens might be].... If, due to local conditions in your territory, you find that it is absolutely necessary to obtain a search warrant for the premises, you should communicate with the local authorities a few hours before the time for the arrests is set." Otherwise plans for the raids were to be kept secret. The aliens were to be held incommunicado, and the agents were urged to secure "confessions" as quickly as possible.

The all-out raid went off on schedule in thirty-three cities in twenty-three states. Palmer's men were joined by local police, and in a few instances, though Palmer had earlier refused their help, by volunteer members of patriotic societies like the National Security League. By midnight of January 2 they had collected well over 3,000 suspects from the eastern industrial states, and from California, Washington, and Oregon in the West. The true number will never be known, for the records of that evening are hopelessly confused and in some areas nonexistent. All 3,000 mimeographed warrants were used—the names in many instances being added after the arrests were made—and an estimated 2,000 other suspects were picked up and held for some time without being charged.

Whatever the number, the results were

spectacular. Editorial pages swiftly echoed the praises of public officials, and Palmer's reputation was at an all-time high. The effect of the raids, said the *New York Times*, should be "far-reaching and beneficial." Even the *Washington Post*, which had called the November arrests "a serious mistake," urged that the deportation of the new suspects take place as speedily as possible. "There is no time to waste," it said, "on hairsplitting over infringement of liberty." The *Philadelphia Inquirer* ran a jovial headline: ALL ABOARD FOR THE NEXT SOVIET ARK.

It was not, however, to be all that easy. After the initial enthusiasm had died down, and as complaints of wanton disregard of the aliens' civil rights found their way into print, a number of people began to question whether Palmer had not done more harm than good. The National Council of Churches started an investigation of the events of January 2. So did the Department of Labor. In Detroit a group of businessmen that included dime-store magnate S. S. Kresge looked into the raids that had taken place in that vicinity. Elsewhere other organizations did the same.

Their combined evidence revealed some shocking particulars. One man in Newark had been apprehended simply because—as the arresting officer put it—he "looked like a radical." Boston agents with drawn pistols had broken into the bedroom of a sleeping woman at 6 A.M. and dragged her off to headquarters without a warrant, only to find that she was an American citizen with no Communist connections. Attracted by the commotion on East Fifteenth Street, where the Russian People's House had again been raided, a New Yorker questioned a policeman about what was going on and shortly found himself on his way to jail. Police in Detroit arrested every diner in one foreign restaurant, and jailed an entire orchestra. Philadelphia agents booked a choral society en masse, and in Hartford, Connecticut, sympathetic aliens who were inquiring about some imprisoned

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friends were themselves held as suspects for nearly a week. Of 142 persons arrested in Buffalo, thirty-one turned out to be cases of “mistaken identity.” In Detroit, where nearly eight hundred were arrested, less than four hundred warrants were served; four hundred and fifty warrants arrived to cover the other suspects two weeks after the raids had taken place.

Treatment of the aliens after the roundups was in many cases harsh. Four hundred men rounded up in New England were jammed into an underheated and overcrowded prison on Deer Island in Boston Harbor; there, in the next few weeks, one of them went insane, another jumped to his death from the fifth floor of the main cell block, and several others attempted suicide. When they were finally released, as most of them were, many were ill and a number showed signs of beatings. In Detroit, eight hundred suspects were lodged in a corridor of the United States Post Office building, without exterior ventilation, beds, or blankets. No food was distributed for twenty-four hours, and there was one toilet for the entire group. After two days of questioning, 340 of them were released, but over a hundred were imprisoned for more than a week in a detention cell 24 by 30 feet in the basement of the Municipal Building, where they lived on coffee and biscuits.

But the investigating committees discovered more than just dramatic instances of physical mistreatment. Twelve nationally known lawyers, including the Harvard Law School’s Felix Frankfurter, Roscoe Pound, and Zechariah Chafee, Jr., issued at the end of May “A Report on the Illegal Practices of the United States Department of Justice.” It was a sweeping indictment, solidly supported by evidence, of Palmer and his raids.

The real danger to the country, the lawyers wrote, lay not in the possibility of Red revolution, but in Palmer’s obvious misuse of federal power. The Department of Justice, they said, had ignored due process of law in favor of “illegal acts,”

“wholesale arrests,” and “wanton violence.” Although the Fourth Amendment to the Constitution protects against arrest without prior warrant, Palmer’s men had obtained only 3,000 writs for the more than 5,000 aliens eventually detained. Most of the warrants were defective, in any case; either they lacked substantiating proof, or they were unsworn and unsigned. All too frequently, they were unserved as well. “Instead of showing me a warrant,” one suspect complained, “they showed me a gun.” In the majority of cases, the federal agents carried no search warrants, either.

The twelve lawyers charged in their report that the raiders had violated the

The real danger to the country lay not in the possibility of Red revolution, but in Palmer’s obvious misuse of federal power.

Fifth Amendment by making use of illegally obtained or hearsay evidence, or by resorting to dubious or fraudulent proof. At least two of the accused, for example, were held to be radicals on the grounds that they had been photographed reading Russian-language newspapers. Tickets to Socialist and Communist social functions, magazine subscription lists, post cards and letters from avowed Communists, and group photographs were introduced by the agents as acceptable evidence that suspected aliens belonged to revolutionary organizations. A New Jersey man was held because agents found plans for “an infernal machine” in his home; the mysterious drawings turned out to be blueprints for a phonograph. One

agent turned in a stack of mock rifles from a dramatic society’s prop room, but these and three .22 caliber target pistols were the only firearms Palmer’s men found in any of the raids.

The lawyers’ report went on to cite violations of the Sixth and Eighth Amendments. In many cases, counsel had been denied; no witnesses had been produced; interpreters had not been provided though few of the prisoners spoke fluent English; confessions had been obtained under the “third degree”; and bail had often been set at an excessively high figure.

Palmer at first refused to concede that any of this was true. But as the evidence mounted, he finally admitted that “some” illegal acts might have taken place. “Trying to protect the community against moral rats,” he declared some time afterward, “you sometimes get to thinking more of your trap’s effectiveness than of its lawful construction.” Hearing this, Louis Post ruefully noted that whatever Palmer might think, “the traps had been wretchedly put together.” Judge George W. Anderson of the district court in Boston added, “A mob is a mob, whether made up of government officials acting under the instructions of the Justice Department, or of criminals and loafers.”

By the spring of 1920, Palmer’s anti-Red crusade was beginning to fall apart. In March, Abercrombie left the Department of Labor, and Post took his place. He immediately cancelled 2,000 of the original warrants as defective, and with the assistance of federal judges like Anderson, expedited hearings for those prisoners who remained in custody. Although Palmer had predicted that 2,720 aliens from the January raids would be deported, in the end only 556 were. In all, more than 4,000 suspects were released.

Shattered, the Attorney General urged Congress to impeach Post as a Communist sympathizer whose failure to press for convictions had let many dangerous radicals

THE GREAT RED SCARE

— CONTINUED —

go free. After a month-long hearing, Post was found innocent and returned to his duties. Two months later, in June, Palmer himself was called before the House to answer charges that he had misused his office. The hearings ended inconclusively, but the charges were revived by the Senate Judiciary Committee the following year.

In a stormy committee session that began in January, 1921, Palmer stubbornly defended what his men had done. “I apologize for nothing,” he told the committee. “I glory in it. I point with pride and enthusiasm to the results of that work . . . [If my agents] were a little rough and unkind, or short and curt, with these alien agitators . . . I think it might well be overlooked in the general good to the country which has come from it.”

By the time Palmer made his final statements on the raids, he was finished politically. He had flatly predicted a Communist uprising in May, 1920, and again on the Fourth of July. At first the press took him seriously, but when nothing happened the papers took to greeting his remarks with derision instead of alarm. For many people that summer, the Fighting Quaker had become a Don Quixote attacking an enemy that did not exist.

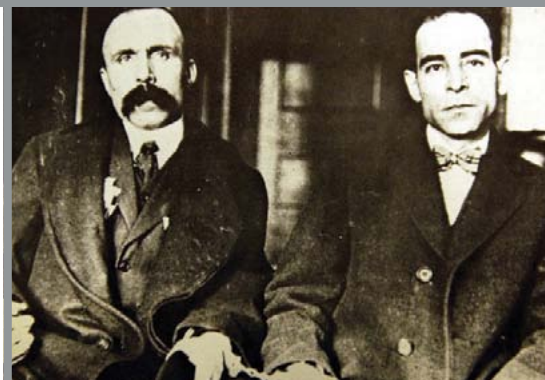
But he made one last, bold effort. In February, 1920, he had announced his candidacy for the Democratic presidential nomination, and when the convention opened in San Francisco late in June he had considerable support from the party regulars who remembered his long years of faithful service and who had benefited from his use of patronage when it was his to give. Others in the party, however, gravely doubted his ability to win, especially in the cities. It was clear to all that he had now lost the labor vote (one union magazine accused him of having used “the mailed fist of the autocratic tyrant”), and his own failure to define his stand on the League and on Prohibition worked against him. When the balloting began on July 2, he held the lead over his closest rival, William G. McAdoo,

Wilson’s Secretary of the Treasury and son-in-law, but he failed to get a majority. Thirty-seven ballots later, Palmer conceded the nomination, released the delegates who still supported him, and retired as the convention nominated Ohio’s governor, James M. Cox.

His presidential dreams were over, and so was the Red Scare. Had the raids of January not fallen into disrepute by June, Palmer might have gone on to win in San Francisco. As it was, he returned to Washington a beaten man, and when he left the Cabinet in the spring of 1921, his departure was almost unnoticed by the papers that only a year before had bannered his name in their headlines. With the advent of the new administration, the Senate committee that was still investigating Palmer’s work ended its deliberations; when its report was finally published two years later, no one much cared that the committee had passed no judgments but had merely offered a transcript of the testimony it had heard.

By then a general calm had settled on the nation and the world. Europe was rebuilding. Lenin had pulled back from his program of immediate world revolution and was turning his Russian people toward the quasi-capitalism of the New Economic Policy. The American economy was slowly coming back to normal, and management and labor had achieved a temporary peace. The press, which had done much to keep the public alerted to the activities of the domestic Reds, had found other topics to pursue.

There were still to be anti-Communist crusades in the years ahead, and the anti-alien sentiments that had led to the Palmer raids in the first place found expression in restrictive immigration laws and in the public uproar during the Sacco-Vanzetti trial. But most Americans were content to feel that the crisis had passed, if indeed



Ferdinando Nicola Sacco and Bartolomeo Vanzetti, shown in handcuffs, were suspected anarchists who were convicted of murdering two men during a 1920 armed robbery in South Braintree, MA.

After a controversial trial and a series of appeals, the two Italian immigrants were executed on August 23, 1927. Since their deaths, critical opinion has overwhelmingly felt that the two men were convicted largely on their anarchist political beliefs and unjustly executed.

there had been a crisis at all. In 1924 J. Edgar Hoover moved on to become the first (and thus far, only) director of the **F.B.I.**, and **I** periodically issued warnings that a Red threat was abroad in the land, but he never again resorted to the slap-dash techniques that he and his associates had developed in the days of the G.I.D.

In 1922 Palmer suffered the first of several heart attacks and retired from the political scene. A decade later, in an act that some have construed as making amends, he returned briefly to draft a Democratic program of moderate reform that served as one basis for F.D.R.’s New Deal campaign. Four years later, A. Mitchell Palmer was dead.

His old associates in government gathered for his funeral and paid homage for the progressive role he had played in his congressional days. But the nation as a whole remembered him only as the man they had goaded into a series of discredited raids that struck at the heart of American freedom. Perhaps that is the way it should be. For if Palmer at times displayed the best that was in the American tradition, in 1920 he very nearly gave it all away in succumbing to the hysteria of the great Red Scare. ❖

THE GREAT RED SCARE

EXCERPT FROM PALMER'S SPEECH: "THE CASE AGAINST THE REDS"

SOURCE: A. MITCHELL PALMER, "THE CASE AGAINST THE REDS", PART III, PEACEMAKING, 1919-1920, RADICALISM AND THE RED SCARE, WORLD WAR I AT HOME READINGS ON AMERICAN LIFE, 1914-1920

JOHN WILEY AND SONS, INC. | NEW YORK | PP. 185-189

chnm.gmu.edu/courses/hist409/palmer.html

THE CASE AGAINST THE "REDS"

A powerful reaction against "radicalism" in various forms swept the country immediately after the end of the war. One of the leading progenitors and sponsors of the "Red Scare" was the Attorney General of the United States, who summarizes his fears of Bolshevism and his methods of extirpating it.

SOURCE. A Mitchell Palmer, "The Case Against the 'Reds'"
Forum (1920), 63:173-185.

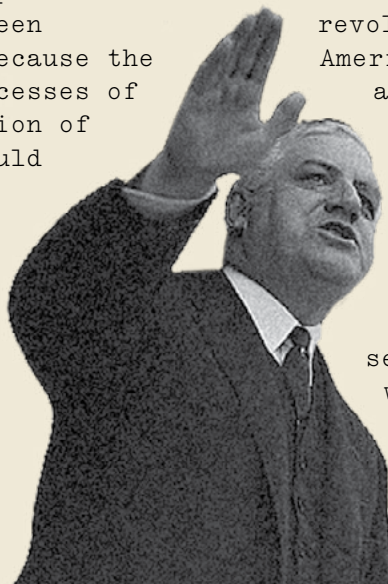
In this brief review of the work which the Department of Justice has undertaken, to tear out the radical seeds that have entangled American ideas in their poisonous theories, I desire not merely to explain what the real menace of communism is, but also to tell how we have been compelled to clean up the country almost unaided by any virile legislation. Though I have not been embarrassed by political opposition, I have been materially delayed because the present sweeping processes of arrests and deportation of seditious aliens should have been vigorously pushed by Congress last spring. The failure of this is a matter of record in the Congressional files.

The anxiety of that period in

our responsibility when Congress, ignoring the seriousness of these vast organizations that were plotting to overthrow the Government, failed to act, has passed. The time came when it was obviously hopeless to expect the hearty cooperation of Congress in the only way to stamp out these seditious societies in their open defiance of law by various forms of propaganda.

Like a prairie-fire, the blaze of revolution was sweeping over every American institution of law and order a year ago. It was eating its way into the homes of the American workmen, its sharp tongues of revolutionary heat were licking the altars of the churches, leaping into the belfry of the school bell, crawling into the sacred corners of American homes, seeking to replace marriage vows with libertine laws, burning up the foundations of society.

Robbery, not war, is the



Attorney General A. Mitchell Palmer

THE GREAT RED SCARE

— CONTINUED —

ideal of communism. This has been demonstrated in Russia, Germany, and in America. As a foe, the anarchist is fearless of his own life, for his creed is a fanaticism that admits no respect of any other creed. Obviously it is the creed of any criminal mind, which reasons always from motives impossible to clean thought. Crime is the degenerate factor in society.

Upon these two basic certainties, first that the "Reds" were criminal aliens and secondly that the American Government must prevent crime, it was decided that there could be no nice distinctions drawn between the theoretical ideals of the radicals and their actual violations of our national laws. An assassin may have brilliant intellectuality, he may be able to excuse his murder or robbery with fine oratory, but any theory which excuses crime is not wanted in America. This is no place for the criminal to flourish, nor will he do so so long as the rights of common citizenship can be exerted to prevent him.

OUR GOVERNMENT IN JEOPARDY

It has always been plain to me that when American citizens unite upon any national issue they are generally right, but it is sometimes difficult to make the issue clear to them. If the Department of Justice could succeed in attracting the attention of our optimistic citizens to the issue of internal revolution in this country, we felt sure there would be no revolution. The Government was in jeopardy; our private information

of what was being done by the organization known as the Communist Party of America, with headquarters in Chicago, of what was being done by the Communist Internationale under their manifesto planned at Moscow last March by Trotzky, Lenin and others addressed "To the Proletariats of All Countries," of what strides the Communist Labor Party was making, removed all doubt. In this conclusion we did not ignore the definite standards of personal liberty, of free speech, which is the very temperament and heart of the people.

By stealing, murder and lies, Bolshevism has looted Russia not only of its material strength but of its moral force.

The evidence was examined with the utmost care, with a personal leaning toward freedom of thought and word on all questions.

The whole mass of evidence, accumulated from all parts of the country, was scrupulously scanned, not merely for the written or spoken differences of viewpoint as to the Government of the United States, but, in spite of these things, to see if the hostile declarations might not be sincere in their announced motive to improve our social order. There was no hope of such a thing.

THE GREAT RED SCARE

— CONTINUED —

By stealing, murder and lies, Bolshevism has looted Russia not only of its material strength but of its moral force. A small clique of outcasts from the East Side of New York has attempted this, with what success we all know. Because a disreputable alien Leon Bronstein, the man who now calls himself Trotzky can inaugurate a reign of terror from his throne room in the Kremlin, because this lowest of all types known to New York can sleep in the Czar's bed, while hundreds of thousands in Russia are without

Every scrap of
radical literature
demands the
overthrow of our
existing government.

food or shelter, should Americans be swayed by such doctrines?

Such a question, it would seem, should receive but one answer from America.

My information showed that communism in this country was an organization of thousands of aliens who were direct allies of Trotzky. Aliens of the same misshapen caste of mind and indecencies of character, and it showed that they were making the same glittering promises of lawlessness, of criminal autocracy to Americans, that they had made to the Russian peasants. How the Department

of Justice discovered upwards of 60,000 of these organized agitators of the Trotzky doctrine in the United States is the confidential information upon which the Government is now sweeping the nation clean of such alien filth...

WILL DEPORTATION CHECK BOLSHEVISM?

Behind, and underneath, my own determination to drive from our midst the agents of Bolshevism with increasing vigor and with greater speed, until there are no more of them left among us, so long as I have the responsible duty of that task, I have discovered the hysterical methods of these revolutionary humans with increasing amazement and suspicion. In the confused information that sometimes reaches the people they are compelled to ask questions which involve the reasons for my acts against the "Reds." I have been asked, for instance, to what extent deportation will check radicalism in this country. Why not ask what will become of the United States Government if these alien radicals are permitted to carry out the principles of the Communist Party as embodied in its so-called laws, aims and regulations?

There wouldn't be any such thing left. In place of the United States Government we should have the horror and terrorism of bolsheviki tyranny such as is destroying Russia now. Every scrap of radical literature demands the overthrow of our existing government. All of it demands obedience to the instincts

THE GREAT RED SCARE

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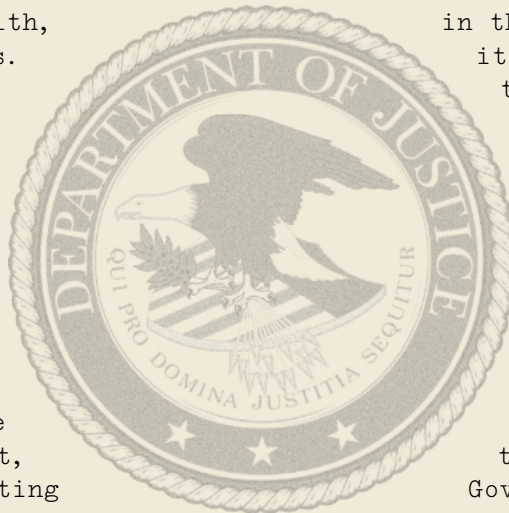
of criminal minds, that is, to the lower appetites, material and moral. The whole purpose of communism appears to be a mass formation of the criminals of the world to overthrow the decencies of private life, to usurp property that they have not earned, to disrupt the present order of life regardless of health, sex or religious rights. By a literature that promises the wildest dreams of such low aspirations, that can occur to only the criminal minds,, communism distorts our social law....

It has been inferred by the "Reds" that the United States Government, by arresting and deporting them, is returning to the autocracy of Czardom, adopting the system that created the severity of Siberian banishment. My reply to such charges is that in our determination to maintain our government we are treating our alien enemies with extreme consideration. To deny them the privilege of remaining in a country which they have openly deplored as an unenlightened community, unfit for those who prefer the privileges of Bolshevism, should be no hardship. It strikes me as an odd form of reasoning that these Russian Bolsheviks who

extol the Bolshevik rule should be so unwilling to return to Russia. The nationality of most of the alien "Reds" is Russian and German. There is almost no other nationality represented among them.

It has been impossible in so short a space to review the entire menace of the internal revolution in this country as I know it, but this may serve to arouse the American citizen to its reality, its danger, and the great need of united effort to stamp it out, under our feet, if needs be. It is being done. The Department of Justice will pursue the attack of these "Reds" upon the Government of the United States with vigilance, and no alien, advocating the overthrow of existing law and order in this country, shall escape arrest and prompt deportation.

It is my belief that while they have stirred discontent in our midst, while they have caused irritating strikes, and while they have infected our social ideas with the disease of their own minds and their unclean morals we can get rid of them! and not until we have done so shall we have removed the menace of Bolshevism for good. ❖

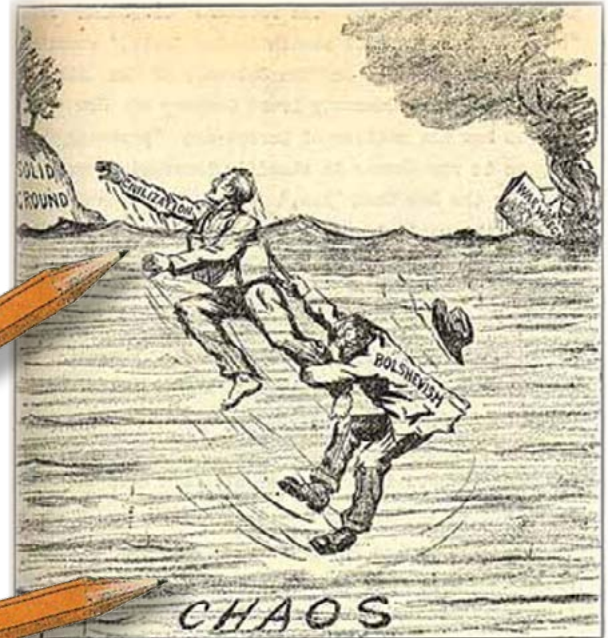


THE GREAT RED SCARE

INTERPRETING THE RED SCARE THROUGH POLITICAL CARTOONS

THE RED SCARE took place in the U.S. from 1919 until 1921. It was a result of people's fear that communism or Bolshevism would spread from Russia through Europe and onto America's shores. Americans, and the government, also feared the spread of anarchism, which they associated with Bolshevism. As a result, the government conducted numerous raids, the most famous being the Palmer Raids, and arrested hundreds of people who were suspected of being "Reds." Many were abused by authorities and later deported.

The Red Scare fed directly off mass hysteria. This hysteria was fed in a variety of ways, including cartoons that appeared in magazines and newspapers throughout the United States. These cartoons could be considered propaganda. ❖

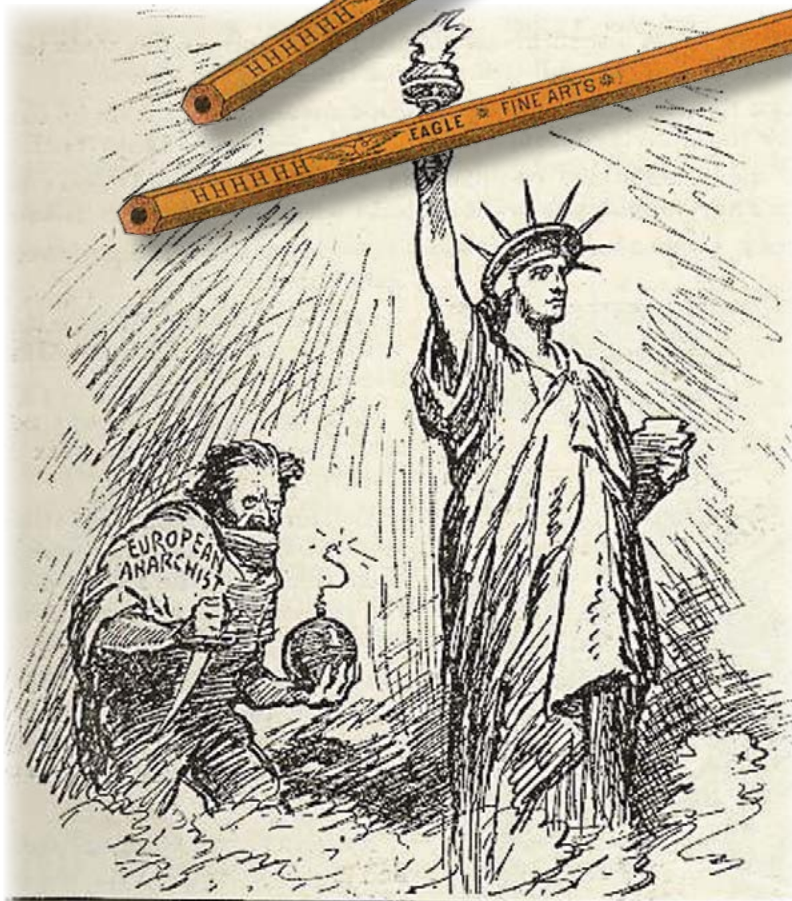


THE RED: "LET'S GO TO THE BOTTOM FIRST."

---Harding in the Brooklyn Eagle.

THE RED: "LET'S GO TO THE BOTTOM FIRST."

---Harding in the Brooklyn Eagle.



"COME UNTO ME, YE OPPREST!"

"COME UNTO ME, YE OPPREST!"



Copyrighted 1919 by The Philadelphia Inquirer Company
PUT THEM OUT AND KEEP THEM OUT

---Morgan in the Philadelphia Inquirer

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PUT THEM OUT AND KEEP THEM OUT

---Morgan in the Philadelphia Inquirer

THE GREAT RED SCARE

— CONTINUED —



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ALL THEY WANT IN OUR FLAG.

—Cassel in the New York Evening World.

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ALL THEY WANT IN OUR FLAG.

—Cassel in the New York Evening World.



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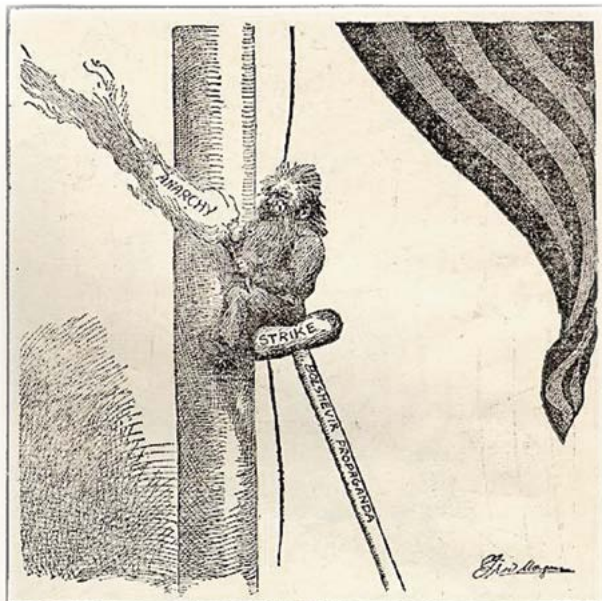
DEPORTING THE REDS.

—Darling in the New York Tribune.

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DEPORTING THE REDS.

—Darling in the New York Tribune



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—Morgan in the Philadelphia Inquirer.

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BOOSTING HIM UP.

—Morgan in the Philadelphia Inquirer.



Greene in the New York Evening Telegram

THE CAT WITH THE NINE LIVES

Greene in the New York Telegram

THE CAT WITH THE NINE LIVES

THE GREAT RED SCARE

SAILOR WOUNDS PAGEANT SPECTATOR DISRESPECTFUL TO FLAG

SOURCE: *WASHINGTON POST*, 7 MAY 1919, 2 | historymatters.gmu.edu/d/4981

The climate of repression established in the name of wartime security during World War I continued after the war as the U.S. government focused on communists, Bolsheviks, and “reds.” The Red Scare reached its height in the years between 1919 and 1921. Encouraged by Congress, which had refused to seat the duly elected Wisconsin trade unionist and socialist Victor Berger, Attorney General A. Mitchell Palmer began a series of showy and well-publicized raids against radicals and leftists. Striking without warning and without warrants, Palmer’s men smashed union offices and the headquarters of Communist and Socialist organizations. The Washington Post of May 7, 1919, noted approvingly that a sailor shot a Chicago man merely for failing to rise during the national anthem.

SAILOR WOUNDS PAGEANT SPECTATOR DISRESPECTFUL TO FLAG

Chicago, May 6—Disrespect for the American flag and a show of resentment toward the thousands who participated in a victory loan pageant here tonight may cost George Goddard his life. He was shot down by a sailor of the United States navy when he did not stand and remove his hat while the band was playing the “Star-Spangled Banner.”

Goddard had a seat of vantage in the open amphitheater. When he failed to stand he was the most conspicuous figure among the throng. When he fell at the report of the “sailor’s” gun the crowd burst into cheers and hand-clapping. When Goddard failed to respond to the first strains of the national anthem

Samuel Hagerman, sailor in the guard of honor, asked him to get up.

“What for?” demanded Goddard.

“Hagerman touched him with his bayonet.

“Get up. Off with your hat.”

Goddard muttered and drew a pistol.

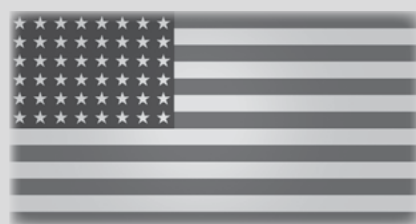
With military precision Hagerman stepped back a pace and slipped a shell into his gun.

Goddard started away. As the last notes of the anthem sounded the sailor commanded him to halt. Then he fired into the air.

“Halt!”

Goddard paid no attention.

The sailor aimed and fired three times. Goddard fell



wounded. Each shot found its mark.

When he [Goddard] was searched, an automatic pistol, in addition to the one he had drawn, was found. Another pistol and fifty cartridges were found in a bag he carried. He said he was a tinsmith, out of work. Papers showed he had been at Vancouver and Seattle and it was believed by the authorities he had come here for the I.W.W. convention. ❖

THE GREAT RED SCARE

SEDITION ACT OF 1918

legal-dictionary.thefreedictionary.com/Alien+and+Sedition+Acts

In 1798, the Federalist-controlled Congress passed four acts to empower the president of the United States to expel dangerous Aliens from the country; to give the president authority to arrest, detain, and deport resident aliens hailing from enemy countries during times of war; to lengthen the period of naturalization for immigrants, and to silence Republican criticism of the Federalist Party. Also an act passed by Congress in 1918 during World War I that made it a crime to disrupt military recruiting or enlistments, to encourage support for Germany and its allies or disrespect for American war efforts, or to otherwise bring the U.S. government, its leaders, or its symbols into disrepute.

—West's Encyclopedia of American Law, edition 2. Copyright 2008 The Gale Group, Inc. All rights reserved—

THE ALIEN AND SEDITION ACTS OF 1798

Passions over the French Revolution split early American politics. Having endured Shays's Rebellion and the Whiskey Rebellion, Federalists saw much to fear in the French Revolution. On the other hand, Democratic-Republicans, led by Thomas Jefferson, proudly supported the French Revolution as the progeny of the American Revolution. Democratic-Republicans still viewed Britain as an enemy, while the Federalists regarded Britain as a bulwark against French militancy.

In early 1798, John Quincy Adams, son of President John Adams and the U.S. ambassador to Prussia, advised his father that France intended to invade America's western frontier. Jonathon Dayton, speaker of the U.S. House of Representatives, speculated publicly that troops already massed in French ports were destined for North America. Federal officials feared parts of America were rife with French agents and sympathizers who might rise up in support of an invasion. George Tucker, professor of Law at the College of William and Mary, predicted that 100,000 U.S. inhabitants, including himself, would join a French invading army. Former president George Washington, summoned from retirement to lead the U.S. Army against a possible French invasion, expressed concerns that France would invade the southern states first, "because the French will expect from the tenor of the debates in Congress to find more friends there."

Congress responded to these concerns by enacting the Alien and Sedition Acts, the popular names for four laws passed in 1798. On June 18, Congress passed the Naturalization Act, which extended from five

SEDITION ACT OF 1918

Concern over disloyalty during wartime provided the backdrop for the second Sedition Act in U.S. history. In April 1917, the United States entered World War I when Congress declared war against Germany and its allies. A month later, the Selective Service Act reinstated the military draft. Both the draft and U.S. entry into the war were met with protest at home. Worried that anti-war protestors might interfere with the prosecution of the war, Congress passed the Sedition Act of 1918.

An amendment to the Espionage Act of 1917, the Sedition Act of 1918 made it a felony (1) to convey false statements interfering with American war efforts; (2) to willfully employ "disloyal, profane, scurrilous, or abusive language" about the U.S. form of government, the Constitution, the flag, or U.S. military or naval forces; (3) to urge the curtailed production of necessary war materials; or (4) to advocate, teach, defend, or suggest the doing of any such acts. Violations were punishable by fine, imprisonment, or both. The law was aimed at curbing political dissent expressed by socialists, anarchists, pacifists, and certain labor leaders.

The U.S. Supreme Court upheld the Sedition Act of 1918 over free speech objections made by civil libertarians. However, in a famous dissenting opinion that shaped First Amendment law for the rest of the twentieth century, Associate Justice OLIVER WENDELL HOLMES JR. encouraged courts to closely scrutinize prosecutions under the Sedition Act to make sure that only those individuals who created a Clear and Present Danger of immediate criminal activity were convicted (*Abrams v. United States*, 250 U.S. 616, 1180, 40 S. Ct. 17, 63 L. Ed. 1173 [1919]). ❖

THE GREAT RED SCARE

— CONTINUED —

to 14 years the period of residence required for alien immigrants to become full U.S. citizens (1 Stat. 566). On June 25, Congress passed the Alien Act, which authorized the president to expel, without a hearing, any alien the president deemed "dangerous to the peace and safety" of the United States or whom the president suspected of "treasonable or secret" inclinations (1 Stat. 570). On July 6, Congress passed the Alien Enemy Act, which authorized the president to arrest, imprison, or banish any resident alien hailing from a country against which the United States had declared war (1 Stat. 577).

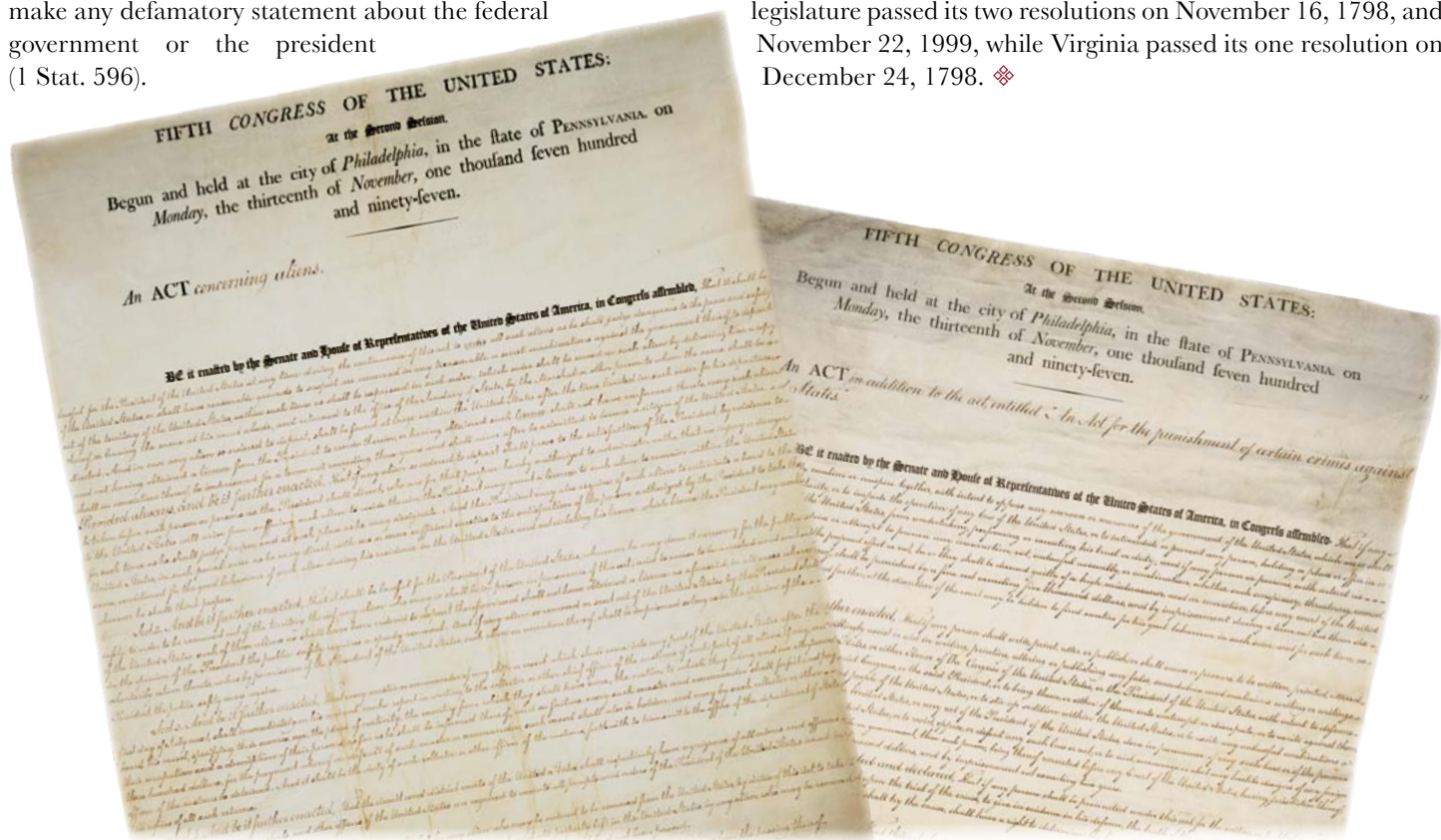
None of these first three acts had much practical impact. The Naturalization Act contained a built-in window period that allowed resident aliens to become U.S. citizens before the fourteen-year requirement went into effect. President Adams never invoked the Alien Act, and the passing of the war scare in 1798 rendered the Alien Enemies Act meaningless.

However, the Sedition Act deepened partisan political positions between the Federalist Party and the Democratic-Republican Party. The Sedition Act made it a high misdemeanor, punishable by fine, imprisonment, or both, for citizens or aliens (1) to oppose the execution of federal laws; (2) to prevent a federal officer from performing his or her duties; (3) to aid "any insurrection, riot, Unlawful Assembly, or combination"; or (4) to make any defamatory statement about the federal government or the president (1 Stat. 596).

Because the Federalists controlled Congress and the White House, Republicans believed these laws were aimed at silencing Jeffersonian critics of the Adams administration and its laws and policies. Eighteen people were indicted under the Sedition Act of 1798; 14 were prosecuted, and 10 convicted, some of whom received prison sentences.

The validity of the Sedition Act was never tested in the U.S. Supreme Court before it expired in 1801. But Congress later passed a law that repaid all fines collected under it, and Jefferson, after becoming president in 1801, pardoned all those convicted under the act.

Before becoming president, Jefferson joined Madison in voicing opposition to the Sedition Act by drafting the VIRGINIA AND KENTUCKY RESOLUTIONS. Jefferson was responsible for drafting the two Kentucky Resolutions, while Madison penned the one Virginia Resolution. The Virginia and Kentucky Resolutions condemned the Sedition Act as a violation of the Free Speech Clause to the First Amendment of the U.S. Constitution. The resolutions also argued that Congress had exceeded its powers by passing the law in the first place, since Congress may only exercise those powers specifically delegated to it, and nowhere in Article I of the Constitution is authority given to the legislative branch to regulate political speech. The Kentucky state legislature passed its two resolutions on November 16, 1798, and November 22, 1799, while Virginia passed its one resolution on December 24, 1798. ♦



THE GREAT RED SCARE

EMMA GOLDMAN'S DEPORTATION

SOURCE: EMMA GOLDMAN | *LIVING MY LIFE* | VOL 2

(NEW YORK: DOVER PUBLICATIONS, INC., 1970); 716–717

(As an unabridged republication of the work originally published in 1931 by Alfred Knopf, Inc., New York)

historymatters.gmu.edu/d/15/

After World War I, a “red scare” gripped the United States. One reflection of this climate of hysteria was in the “Palmer Raids” on radicals. Striking without warning and without warrants, Attorney General A. Mitchell Palmer’s men smashed union offices and the headquarters of Communist and Socialist organizations. They concentrated whenever possible on aliens rather than citizens, because aliens had fewer rights. In December 1919, in their most famous act, Palmer’s agents seized 249 resident aliens. Those seized were placed on board a ship, the *Buford*, bound for the Soviet Union. Deportees included the feminist, anarchist, and writer Emma Goldman, who later recalled the deportation in her autobiography, *Living My Life*.

“I GLANCED UP— THE STATUE OF LIBERTY!”

Emma Goldman Describes Her Deportation in the Era of the Red Scare

The steps halted at our room. There came the rattling of keys; the door was unlocked and noisily thrown open. Two guards and a matron entered. “Get up now,” they commanded, “get your things ready!” The girls grew nervous, Ethel was shaking as in fever and helplessly rummaging among her bags. Then the guards became impatient. “Hurry there! Hurry!” they ordered roughly. I could not restrain my indignation. “Leave us so we can get dressed,” I demanded. They walked out, the door remaining ajar. I was anxious about my letters. I did not want them to fall into the hands of the authorities nor did I care to destroy them. Maybe I should find someone to entrust them to, I thought. I stuck them into the bosom of my dress and wrapped myself a large shawl.

In a long corridor dimly lit and unheated, we found the men deportees assembled little Morris Becker

among them. He had been delivered to the island only that afternoon with a number of other Russian boys. One of them was on crutches; another, suffering from an ulcerated stomach, had been carried from his bed in the island hospital. Sasha was busy helping the sick men pack their parcels and bundles. They had been hurried out of their cells without being allowed even time to gather up all their things. Routed from sleep at midnight they were driven bag and baggage into the corridor. Some were still half-asleep—unable to realize what was happening.

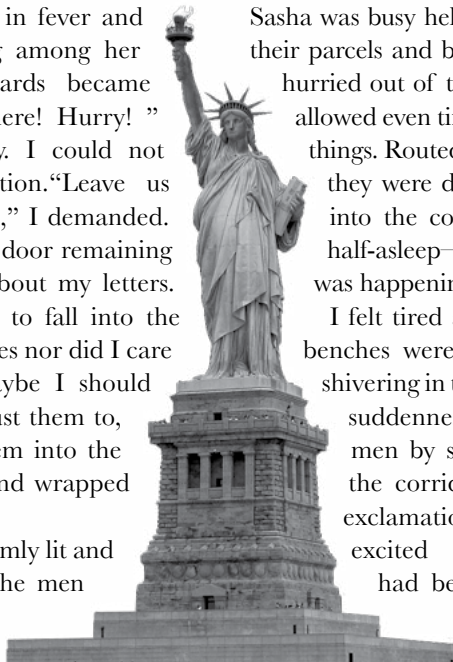
I felt tired and cold. No chairs or benches were about, and we stood shivering in the barn-like place. The suddenness of the attack took the men by surprise and they filled the corridor with a hubbub of exclamations and questions and excited expostulations. Some had been promised a review of their cases, others were waiting to be



Emma Goldman's
deportation photo, 1919.

bailed out pending final decision. They had received no notice of the nearness of their deportation and they were overwhelmed by the midnight assault. They stood helplessly about, at a loss what to do. Sasha gathered them in groups and suggested that an attempt be made to reach their relatives in the city. The men grasped desperately at that last hope and appointed him their representative and spokesman. He succeeded in prevailing upon the island commissioner to permit the men to telegraph, at their own expense, to their friends in New York for money and necessaries [sic].

Messenger boys hurried back and forth, collecting special-delivery letters and wires hastily scribbled. The chance of reaching their people cheered the forlorn men. The island officials encouraged them and gathered in their messages, themselves collecting pay for delivery and assuring them that there was plenty of time to receive replies. Hardly had the last wire been sent when the corridor filled with State and Federal detectives, officers of the



THE GREAT RED SCARE

— CONTINUED —

Immigration Bureau and Coast Guards. I recognized Caminetti, Commissioner General of Immigration, at their head. The uniformed men stationed themselves along the walls, and then came the command, "Line up!" A sudden hush fell upon the room. "March!" It echoed through the

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corridor. Deep snow lay on the ground; the air was cut by a biting wind. A row of armed civilians and soldiers stood along the road to the bank. Dimly the outlines of a barge were visible through the morning mist. One by one the deportees marched, flanked on each side by the uniformed men, curses and threats accompanying the thud of their feet on the frozen ground. When the last man had crossed the gangplank, the girls and I were ordered to follow, officers in front and in back of us.

We were led to a cabin. A large fire roared in the iron stove filling the air with heat and fumes. We felt suffocating [sic]. There was no air nor water. Then came a violent lurch;



Goldman in Union Square, New York in 1916, urging unemployed workers to take direct action rather than depend on charity or government aid.

we were on our way. I looked at my watch. It was 4:20 A.M. on the day of our Lord, December 21, 1919. On the deck above us I could hear the men tramping up and down in the wintry blast. I felt dizzy, visioning a transport of politicals doomed to Siberia, the tape of former Russian days. Russia of the past rose before me and I saw the revolutionary martyrs being driven into exile.

But no, it was New York, it was America, the land of liberty! Through the port-hole I could see the great city receding into the distance, its sky-line of buildings traceable by their rearing heads. It was my beloved city, the metropolis of the New World. It was America, indeed America repeating the terrible scenes of tsarist Russia! I glanced up—the Statue of Liberty! ❖