

# LAW, ORDER, AND JUSTICE

## SPEECH AT COLUMBUS

10 September, 1910

EVER since I have been in Ohio I have been hearing of the lamentable conditions here in Columbus due to the street railway strike.<sup>1</sup> Both sides have written to me stating the case as they saw it, and each side urged me to come. While I freely say that I did not like to come, I like still less to dodge.

As I had started to say,<sup>2</sup> I find that my speech was put down as being a speech upon law and order. I have asked that it be changed — that it be put down as a speech upon law, order, and justice.

The first essential to the achievement of justice is that law and order shall obtain,

<sup>1</sup> At the date of this speech there had been a strike ; for months there had been violence, many policemen had refused to do their duty, and many other officials had failed to do theirs. — E. H. A.

<sup>2</sup> This speech was begun in the midst of such confusion that the opening sentences were not generally heard and could not be recorded. — E. H. A.

that violence shall be repressed, that the orderly course of law shall be unobstructed, and that those who commit violence shall be sternly punished. But while this is the first vital essential towards the achievement of justice, it is of value primarily as leading up to justice. After law and order have been obtained, — not before, after, — then comes the question of seeing that absolute justice is done.

I am not competent to speak as to the exact facts, or in detail, of your trouble here. I have received from reputable men conflicting allegations as to what has occurred; so that all I can do is to set forth certain general principles which apply here as they apply in all similar cases.

In the first place, there must be obedience to the law; there must be a cessation of violence and bad conduct. It is admitted by almost every one that there have been repeated and brutal acts of violence, ranging from actual assault to bomb-throwing, and, finally, to the use of that weapon of the meanest, the basest, and the most cowardly type of assassin — dynamite. There is not much to choose among assassins; but the assassin who tries to kill a man, or men, with dynamite and himself escape all personal risk

occupies an evil eminence on the table-land of infamy. Now, the first requisite is to establish order; and the first duty of every official, in state and city alike, high and low, is to see that order obtains and that violence is definitely stopped. One of the things of which I am proud is my connection with the New York police force. I have the greatest regard for the policeman who does his duty. I put him high among the props of the state; but the policeman who mutinies, or refuses to perform his duty, stands on a level lower than that of the professional lawbreaker.<sup>1</sup> Such a policeman ranks with the soldier who mutinies in the face of the enemy, and should be consigned to the same pit of oblivion. I ask, then, not only that civic officials perform their duties, but that you, the people, insist upon their performing them. You are not to be excused if you fail to demand that your representatives perform the first duty of civilized people by seeing that violence is stopped and that the laws are obeyed.

I ask this particularly of the wage workers, and employees, and men on strike. It is to the interest of everybody that law and

<sup>1</sup> Several of the policemen who were on duty about the stand joined with special heartiness in the applause that followed this sentence. — E. H. A.

order shall prevail; but it is specially to their interest because the question of the rights and wrongs of the controversy cannot be settled as they should be settled until there is order, until the law is observed. I ask them, not merely passively, but actively, to help in restoring order. I ask them to clear their skirts of all suspicion of sympathizing with disorder, and, above all, the suspicion of sympathizing with those who commit brutal and cowardly assaults.

If it be true — I don't know whether it is true or not — but if it is, as alleged to me — if it be true that the attorneys of the strikers habitually appear for every miscreant who is arrested for assaulting cars, for assaulting other people, and furnish them bail bonds, then, in their own interest and for their good name, let the wage workers get rid of the attorneys. Let them get rid of the attorney who by such action inevitably tends to cast a doubt upon the sincerity of the expressions of the men who disclaim sympathy with those outrages.

And, now, what I have said of the laboring men applies just as much to the capitalists and the capitalists' representatives. A year ago, Judge Sater sat in southern Ohio on a case brought before him affecting

washing, or did something of that kind. Distrust also the man who would like to reform the whole world, but who cannot keep his family decently clothed and fed. The first duty of every man and woman is their duty in the family — to those nearest to them. If a man is not a good father, a good husband, he is a poor citizen. That is not enough; but he has got to be that or he is a poor citizen. Then, further. If he is not a good neighbor, if he is not a man you are willing to deal with, to work alongside of, he is not going to be of much good to the state at large.

If there is one day when it is our duty to serve the state, there are a hundred days when it is our duty to serve our families; but we ought all of us to be ready to serve the state when the day comes. Woe unto the nation which is unable to endure in such a season; woe unto the nation whose sons shrink from making a sacrifice that only heroic natures can make. Take an example from the men of the Civil War. I was proud to-day to have the National Guard here and see them march by. I have been a guardsman myself. I wished to see them because I like to see our men keep alive the spirit which enabled the men of the dark years of '61-'65 to do their duty. And I want you

to remember the lesson that they taught us. You may notice, friends, that I have not been promising you the millennium if you vote my way. I have not been telling you, and shall not tell you, that if you do your duty you will have a life of ease and pleasure. I do not think we shall have the millennium, but I think we are not to be excused if we do not try measurably to improve our condition. I am not advising you to act so as to make life more easy for you; I am not advising you to act in a spirit that shall disregard what is difficult; I am not advising you to get around obstacles; but I am advising you so that you can overcome them. I think all of you here know the unwise man, — I am sorry to say, as often the unwise woman, — who, because he or she has had a hard time in life, foolishly refuses to teach the children how best to meet the difficulties in life. It often happens that such a woman wishes her daughter "brought up like a lady," meaning thereby that the daughter shall be brought up a perfectly useless individual; and I think we all know rich men who leave to their sons riches which are millstones around their necks because they have brought them up to do nothing useful and to lead that most hopeless and dismal of all possible lives — a

enter, or organize, a union. I am an honorary member of a union myself. If I were a wage worker, I should certainly join a union; but when I was in I would remember that I was first of all an American citizen. Uncle Sam comes on top in everything. I would certainly join a union. In our modern industrial system the union is just as necessary as the corporation, and in the modern field of industrialism it is often an absolute necessity that there should be collective bargaining by the employees with the employers; and such collective bargaining is but one of the many benefits conferred by wisely and honestly organized unions that act properly. Of course, it is outrageous to force a man to join a union, just as it is outrageous to take part in, or encourage, the so-called secondary boycott; but it is no less an outrage to discriminate against him because he wishes to have a union, or to refuse to deal with a union when organized. The union has the same right to exist that the corporation has, and it is as unfair to refuse to deal with it as it is to refuse to deal with the corporation. Show your willingness to give the union its full rights, and you will be stronger when you set your faces like flint, as I have set mine, against the union when it is wrong. So

that as soon as law and order have been obtained, it becomes your duty, you, the people, through your municipal or through your state authorities, to insist upon a thorough investigation by competent and disinterested authorities who will put before us an authoritative statement of the rights and wrongs of both sides; and then demand a thoroughgoing remedy for any wrong.

A case like this should be always a matter for mediation or arbitration. If such is refused by either party, shape your laws so that mediation and arbitration can be secured. If you need to have a constitutional amendment for your purpose, amend the constitution; but don't wait for the amendment to see substantial justice done in this case. See to it.

I have got but two minutes more. I have not spoken long; but you will admit I have spoken to the point. See to it that you find out the facts and find out what the corporation has done. If it has acted properly, decide in its favor; if it has not, decide against it. If there has been injustice done, see that the injustice is remedied. See that the public service corporation acts for the service of the people. If the municipal and the state authorities mean business they can make the



corporation do what is right. See that the evil is remedied, and that you are guaranteed against a repetition of the evil. In short, my friends, I can sum it up in this way: You, the people here, have two duties in this crisis. You have to face the need of exercising two prime duties of American citizenship — insistence upon law and order, and the use of that insistence as a stepping-stone for obtaining justice. — Law and order first.

—To-morrow is Sunday; to-morrow is a time when you may be threatened with disorder. The wage workers and the representatives of the companies should make it evident that they wish the law absolutely obeyed; that there is no chance of saying that either the labor organizations or the corporation favors lawbreakers or lawbreaking. But let your public servants trust, not in the good will of either side, but to the might of the civil arm, and see that law rules, that order obtains, and that every miscreant, every scoundrel who seeks brutally to assault any other man — whatever that other man's status — is punished with the utmost severity. Keep order now. Frown on disorder and violence now, and put them down with ruthless severity; and then, friends, when you have obtained law and order, remember that it is useless to

have obtained them unless upon them you build a superstructure of justice. After finding out the facts, see that justice is done; see that injustice that has been perpetrated in the past is remedied, and see that the chance of doing injustice in the future is minimized. Take these two positions, and you will have deserved well, not only of the city of Columbus, not only of the state of Ohio, but of the people of the great republic in which we are living and in whose citizenship we exult without measure.