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EDITORIAL

## DOUBLY, NO!

By DANIEL DE LEON

**S**TILL another correspondent regarding the McNamara case, this time from Chicago, writes to ask:

“Are not you and the rest of the Socialists just a little premature in taking sides with the McNamaras? Suppose they are found guilty; won’t you find yourselves in the soup? It is well enough to say a man is innocent until he is proven guilty, but I would go slow before I shouted his innocence from the housetops. Besides, are not the men who captured them also under trial? Why not wait till the jury has spoken before condemning the State and City officers and pronouncing them guilty?”

Here, again, are two points involved:—

First, the officials concerned in the arrest are also under trial, even handed justice demands that they as well as McNamara be held innocent until proven guilty;

Second, if McNamara is found guilty the Socialists will be left in a ridiculous light.

This correspondent also shoots wide of the mark.

As to the first point, no trial is needed to convict the officers concerned in John J. McNamara’s arrest. According to all the canons of evidence they are convicted now. They are convicted by the best possible testimony, and witnesses whom they may not impeach—their own testimony, themselves. They are convicted out of their own mouths. The reports, published by the press of how the arrest was made, and how the transfer to Los Angeles from Indianapolis was carried out, were furnished by these officers themselves. The technical charge of “kidnapping” may or may not hold good against these gentry. The charge that they have outraged civilization in the extradition methods which they pursued sticks, and will stick fast.

As to the second point, the result of McNamara’s trial cuts no figure. Even if

justly convicted, the main issue remains untouched; if acquitted, as we think he should be, the original issue is only aggravated. That issue is that, in McNamara's person, the safety and peace of every resident of the land has been assailed and endangered. The methods resorted to for his extradition are in violation of fundamental principles of Law and Order.

But there is worse. Such is the heinousness of the extradition proceedings against McNamara that his conviction would be a national calamity. If innocent and acquitted, the gratification of most people will be such as to incline them to forget the crime of the extradition, and the criminals will themselves be those to "lie lowest." They will have every interest in hushing up their misdeed. But woe to us all if McNamara should found guilty. Then the attempt will be made to cure the extradition crime with the subsequent verdict. Even the way things stand now individual liberty and safety are in jeopardy. McNamara convicted,—and there is no more any civic guarantee to be respected.

Doubly "No!" to our correspondent.—The Socialist will not be found "in the soup," whatever the fate of McNamara. The Socialist is absolutely right in his present condemnation of the arresting officers. The Socialist position is unassailable. It is a rallying cry and point for the civic virtue of the land.

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