

To Harry Weinberger (March 9, 1921)

Ricardo Flores Magón

1921

Post Office Box 7
Leavenworth, Kansas
May 9, 1921
Mr. Harry Weinberger
Counselor at Law
New York City

My Dear Mr. Weinberger:

Your letter of the 25th of last April and a copy of Mr. Daugherty's letter to you received. You want me to furnish you with data regarding the sentence which ended on January 19, 1914; but in order for you to judge whether I have been the victim of a conspiracy bent on keeping in bondage the Mexican peon, or not, I am going to furnish you with an abstract of the persecution I have suffered ever since I took refuge in this country. I must, before going any further, beg your pardon for my keeping your attention from other business undoubtedly more important than mine.

After years, many years, of an unequal struggle in the press and the political clubs of the City of Mexico against the cruel despotism of Porfirio Diaz; after having suffered repeated incarcerations for my political beliefs ever since I was 17 years old, and having almost miraculously escaped death at the hands of hired assassins on several occasions in that dark period of the Mexican history when the practice of the government was to silence truth's voice with the firing squad, or the dagger, or the poison; after the judiciary, by judicial decree of June 30, 1903, forbade me not only to write for my own journals but to contribute for theirs as well, having my printing plants successively sequestered by the government and

my life being in peril, I decided to come to this country, which I knew to be the land of the free and the Home of the brave, to resume my work of enlightenment of the Mexican masses.

The 11th day of January, 1904, saw me set my foot on this land, almost penniless, for all that I had possessed had been sequestered by the Mexican Government, but rich in illusion and hopes of social and political justice. Regeneracion made its reappearance on American soil in November, 1904. On the following December, a ruffian sent by Diaz entered my domicile, and would have stabbed me in the back had it not been for the quick intervention of my brother, Enrique, who happened to be near by. Enrique threw the ruffian out of the house, and showing that this brutal assault on my person had been prepared by certain authorities, and the possible failure of the ruffian's attempt foreseen, at the falling of the latter on the sidewalk a swarm of agents of the public peace invaded the premises. Enrique was made a prisoner and jailed, and finally condemned to pay a fine for disturbing the peace. Emboldened by the protection he enjoyed, the ruffian again forced his entrance into my house. This time I telephoned the police; the man was arrested, and I was summoned to appear in court the following day early in the morning. When I arrived at the police court the man had already been released... Being my life was so lightly regarded by those who claim to have been empowered with authority to safeguard human interests and life, I decided to move southward, and in February, 1905, Regeneracion resumed publication at St. Louis, Mo. In October, same year, trouble broke loose against me. A Mexican Government official, by the name of Manuel Esperon y de la Flor, who maintained the worst type of slavery in the district under his command, for he used to kill men, women and children as feudal lords used to do, was chosen by Diaz to come and file against me a complaint for what he deems to be a slanderous article which had been printed in Regeneracion, and dealing with the despotism he displayed on the unfortunate inhabitants of the district under his control. A charge of criminal libel was preferred and I was thrown into jail with my brother, Enrique, and Juan Sarabia. Everything in the newspaper office was sequestered — printing plant, typewriter machines, books, furniture and so on — and sold before a trial had taken place. A detail that illustrates the connivance between the Mexican and American authorities to persecute one, may be seen in the fact that the postmaster at St. Louis called me to his office with the apparent purpose of getting from me some information as to the financial status of the newspaper, but in reality to let a Pinkerton detective see me, that he might identify me later. The detective was already in the postmaster's office when I arrived there in compliance to his summons. This same detective led the officers who arrested me. After months of languishing in a cell, I got released on bail, to find that the second-class privilege of Regeneracion had been canceled by the Postmaster General on the flimsy pretext that more than half of the regular

issues of the newspaper circulated in Mexico, and that extradition papers were being prepared in Mexico to ask my delivery to the Mexican authorities. I paid my bondsman the amount of my bail, and on March, 1905, I took refuge in Canada, for I was certain that death awaited me in Mexico. At that time, the mere asking by Diaz for a man he wanted was enough to spirit a man across the line to be shot. While in Toronto, Ontario, *Regeneracion* was being published in St. Louis. The Diaz agents found at least my whereabouts. I was informed of their intentions and evaded arrest by moving to Montreal, Quebec. Few hours after my having left Toronto, the police called at my abandoned domicile. I ignore until today how could Diaz throw the Canadian authorities against me.

While in Montreal, my Mexican Comrades in Mexico were planning an uprising to overthrow the savage despotism of Porfirio Diaz. I secretly moved to the Mexican frontier on September, 1906, to participate in the generous movement. My presence in El Paso, Texas, though kept strictly unknown, was discovered by American and Mexican sleuths, who on the 20th of October, same year, assaulted the room where I had to confer with some of my Comrades. Antonio I. Villarreal, now Minister of Agriculture in Obregon's cabinet, and Juan Sarabia, were arrested. I escaped. A price was put on my head. A \$25,000 reward was offered for my capture, and hundreds of thousands of leaflets bearing my picture and a description of my personal features were circulated throughout the Southwest, and fixed in post offices and conspicuous places with the tempting reward. I succeeded, however, in evading arrest until August 23, 1907, when, with Librado Rivera and Antonio I. Villarreal, I was made prisoner in Los Angeles, Cal., without the formality of a warrant.

The intention of the persecutors was to send us across the border, this being the reason of their actions without a warrant, as they had done on Manuel Sarabia on June of the same year. Sarabia was one of my associates. Without a warrant he was arrested at Douglas, Ariz., by American authorities, and in the dead of night delivered to Mexican rurales, who took him to the Mexican side. The whole Douglas population arose against such a crime, and the unrest which it produced was so intense that Sarabia was sent back to the United States three or four days later, where he was immediately released. We avoided being kidnaped into Mexico by voicing in the street the intentions of our captors. A big crowd gathered, and it was necessary for our abductors to take us to the police station, and to rapidly manufacture a charge against us. Our lawyer, Job Harriman, got an affidavit, which I think was sent to the Department of Justice, wherein it is alleged that one Furlong, head of a St. Louis detective's agency, confessed that he was in the employment of the Mexican Government and paid by it, and that it was his purpose to kidnap us across the Mexican border.

Charge after charge was preferred against us, ranging in importance from resisting an officer to robbery and murder. All these charges were successfully fought by Harriman, but in the meantime our persecutors were forging documents, training witnesses and so forth, until at length they finally charged us with having broken the neutrality laws by giving material assistance to patriots to rise in arms against Porfirio Diaz. The forged documents and trained witnesses were examined by the United States Commissioner at Los Angeles, and as a result we were, after more than 20 months' incarceration in the county jail, sent to Tombstone, Ariz., to be tried. The mere reading of the depositions made by the government witnesses before the United States Commissioner at Los Angeles, and then before the judge of our trial at Tombstone, shows that they committed perjury in either place, or in both. Experts for the defense proved that the exhibited documents were gross forgeries. We were, however, sentenced to 18 months' imprisonment, which we served in Yuma and Florence, Ariz., being released on August 1, 1910, after three years spent behind prison bars.

Regeneracion appeared again in September of the same year, this time in Los Angeles. Cal. On June, 1911, I was arrested with my brother, Enrique, Librado Rivera, and Anselmo L. Figueroa, charged with having violated the neutrality laws by sending men, arms and ammunition to those fighting in Mexico against that form of chattel slavery known as peonage, which has been the curse of four-fifths of the Mexican population, as everybody knows. Jack Mosby, one of the prospected witnesses for the prosecution, said on the stand that the United States District Attorney had promised him all kinds of benefits if he perjured against us. Fake testimony was introduced by the prosecution, as proven by affidavits sworn by its witnesses after the trial was over, affidavits which must be on file in the Department of Justice, as they were sent there in 1912. In June, 1912, after a year of fighting the case, we were sent to McNeil Island to serve the 23 months' imprisonment to which we were condemned, having been released on January 19, 1914. Figueroa died shortly afterward as a result of his imprisonment.

On February 18, 1917, I was arrested with my brother Enrique, for having published in Regeneracion articles against the treachery committed by Carranza, then President of Mexico, against the workers, and for having written that the Mexicans who at the time were being assassinated by Texas rangers deserved justice rather than bullets. I got a sentence of one year and one day, for I was expected to live only a few more months, having been taken from a hospital bed to be tried. Enrique got three years. We appealed and finally succeeded in getting bond, under which we were released pending the appeal.

On the 21st of March. 1918, I was arrested with Rivera for having published in Regeneracion the Manifesto for which I was given 20 years' imprisonment and Rivera 15. The wording and meaning of the Manifesto were construed as seditious

by the prosecution, that is, as aiming at the insubordination and revolt of the military and naval forces of the United States. Any sensible person who happened to read the Manifesto would not draw such a conclusion, for in reality the Manifesto is only an exposition of facts and a fair warning to all mankind of the evils those facts might produce. In one of its paragraphs it is clearly stated that no one can make a revolution on account of it being a social phenomenon. The Manifesto was aimed at the prevention of the evils a revolution carries itself — the revolution being regarded from a scientific standpoint as a world-wide inevitable result of the unsettled conditions of the world. The Manifesto does not refer in the least to the policies of the American Government in the last war, nor gives aid and comfort to its enemies. It is neither pro-German nor pro-Ally, and does not single out the United States in its brief review of the world conditions. It was enough, however, to secure for me a life term behind prison bars. The persecution, this time, was exceedingly severe. My poor wife, Maria, was incarcerated during five months, and is now free on bond awaiting trial for having notified my friends of my arrest, that they should assist me in my legal defense.

After reading this extremely long and dreadfully tedious statement of facts, how could any person believe that I have rightfully been prosecuted and in no way persecuted? In each case, and in defiance of the law, bail has been fixed at enormous rates so as to prevent me making use of the privilege. As to the veracity of my assertions, my honor as a life-long fighter for justice is hereby solemnly pledged.

Mr. Daugherty says I am a dangerous man because of the doctrines I assert and practice. Now, then, the doctrines I assert and practice are the anarchist doctrines, and I challenge all fair-minded men and women the world over to prove to me that the anarchist doctrines are detrimental to the human race. Anarchism strives for the establishment of a social order based on brotherhood and love, as against the actual form of society, founded on violence, hatred and rivalry of one class against the other, and of members of one class among themselves. Anarchism aims at establishing peace forever among all the races of the earth by the suppression of this fountain of all evils — the right of private property. If this is not a beautiful ideal, what is it? No one thinks that the peoples of the civilized world are living under ideal conditions. Every conscientious person feels himself shocked at the sight of this continual strife of men against man, of this unending deceiving of one another. Material success is the goal that lures men and women the world over, and to achieve it no vileness is too vile, no baseness is too base, to deter its worshippers from coveting it. The results of this universal madness are appalling; virtue is trampled upon by crime, and artfulness takes the place of honesty. Sincerity is only a word, or at the most, a mask under which fraud grins. There is no courage to uphold the convictions. Frankness has disappeared and deceit forms the slippery plan on which man meets man in his social and political intercourse.

“Everything for success” is the motto, and the noble face of the earth is desecrated with the blood of the contending beasts ... Such are the conditions under which we civilized men live, conditions which breed all sorts of moral and material torture, alas! And all sorts of moral and material degradation. At the correction of all these unwholesome influences and the anarchist doctrines aim, and a man who sustains these doctrines of brotherhood and love can never be called dangerous by any sensible, decent person.

Mr. Daugherty agrees on my being sick, but he thinks that I can be taken care of in my sickness in prison as well as it could be done on the outside. Environment is all-important in the treatment of diseases, and no one would ever imagine that a prison cell is the ideal environment for a sick man, and much less when the presence in prison of such a man is owing to his having been faithful to truth and justice. The government officials have always said that there are not in the United States persons kept in captivity on account of their beliefs, but Mr. Daugherty says in his letter to you: “He, in no manner, evinces any evidence of repentance, but on the contrary, rather prides himself upon his defiance of the law... I am of the opinion, therefore, that until he indicates a different spirit than that expressed in his letter to Mrs. Branstetter, he should at least serve until August 15, 1925.” The quoted paragraphs, and the part of Mr. Daugherty’s letter in which he says I am regarded dangerous on account of my doctrines, are the best evidence that there are persons kept in prison owing to their social and political beliefs. If I believed that it is not persecution, but prosecution, that has been exerted against me; if I believed that the law under which I was given a life term in prison was a good law, I would be set free, according to Mr. Daugherty. That law was undoubtedly a good law but to a few persons, those who had something to gain with its enactment. As for the masses, the law was a bad one, for thanks to it thousands of young American men lost their lives in Europe, many thousands more were maimed or otherwise incapacitated to earn a livelihood, and thanks to it the colossal European carnage, where scores of millions of men were either slain or maimed for life, received momentous impulse and bred the tremendous financial crises which is threatening to plunge the world into chaos. However, as I have stated before, I did not violate this law with the issuance of the Manifesto of March 16, 1918.

As for the matter of repentance to which Mr. Daugherty gives so much importance, I sincerely state that my conscience does not reproach me with having done wrong, and therefore, to repent of what I am convinced is right would be a crime on my part, a crime that my conscience would never pardon me. He who commits an anti-social act may repent, and it is desired that he repents, but it is not fair to exact a vow of repentance from him who all he wishes is to secure freedom, justice and well-being for all his fellow men regardless of race and creed. If some one ever convinces me that it is just that children starve, and that young women

have to choose of two infernos one — prostitution or starvation; if there is a person who could drive out of my brain the idea of not being honorable to kill within oneself that elementary instinct of sympathy which prompts every sociable animal to stand by the members of its species, and that it is monstrous that man, the most intelligent of beasts, has to wield the weapons of fraud and deceit if he wants to achieve success; if the idea that man must be the wolf of man enters my brain, then I shall repent. But as this will never be, my fate is sealed. I have to die in prison, branded as a felon. Darkness is already enshrouding me as though anxious of anticipating for me the eternal shadows into which the dead sink. I accept my fate with manly resignation, convinced that some day, long perhaps after Mr. Daugherty and myself have breathed our last, and of what we have been there only remained his name exquisitely carved in a marble flag upon his grave in a fashionable cemetery, and mine, only a number, 14596, roughly scraped in some plebeian stone in the prison graveyard, justice shall be done me.

With many thanks for the activity you have shown on my behalf, I remain, sincerely yours,

Ricardo Flores Magon

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