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Sisters on the Soapbox: Elizabeth Gurley Flynn and Her Female Free Speech Allies' Lessons for Contemporary Women Labor Activists

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Abstract: At a moment when U.S. labor seems its most weak and vulnerable, a wave of teacher strikes and demonstrations led and carried out primarily by women shows promise of revitalizing the movement. Critics allege the strikes and demonstrations are "unseemly", but popular support for them appears to be growing. Historically, militant strikes and demonstrations have met with significant and sometimes violent resistance from corporate and political entities hostile to labor, and contemporary women in the movement should prepare for pushback. In the past, anti-labor forces have used the law and physical aggression to squeeze labor activists out of public space. Labor has a history of fighting back, beginning with the free speech fights of the Industrial Workers of the World (IWW) in the early twentieth century. These campaigns were the first in U.S. history to claim a First Amendment right to use public space. IWW organizer Elizabeth Gurley Flynn led several of these free speech fights. She and other women free speech fighters played an essential if often overlooked role in popularizing the idea that ordinary people have right to public space. Their tactics and experiences can inform and inspire women at the forefront of a contemporary labor militancy.

Keywords: radical rhetoric; public space; teacher strikes; Industrial Workers of the World; unions; labor movement

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1. Introduction

The U.S. labor movement is in crisis. Arguably its greatest threat is Supreme Court decisions that erode the institutional stability of unions and undermine the National Labor Relations Act. In particular, labor advocates fear the court's ruling in *Janus v. AFSCME* that government workers who are represented by unions cannot be required to pay for collective bargaining, even though the unions must continue to bargain collectively for those workers, will gut labor's finances and weaken the influence of unions in the workplace and in politics.[1] However, unfriendly decisions by the Supreme Court are not labor's only problem. For decades unions have tethered themselves to the Democratic Party, but this loyalty has not been rewarded with substantive pro-labor legislation at either state or federal levels. On the contrary, Democratic politicians have consistently taken their labor allies for granted and demonstrated greater concern for corporate profits than worker rights. Labor has made other deals with the devil that gnawed away at its vitality. In 1967, for example, after a series of battles between city officials and AFSCME DC 37 (American Federation of State, County, and Municipal Employees District Council 37), as well as the teachers' union, New York City labor unions endorsed

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[1] The court also ruled in *Epic Systems Corporation v. Lewis* that employers may use arbitration clauses to prohibit workers from filing class action suits in conflicts over workplace issues.

passage of the Public Employees Fair Employment Act, also known as the Taylor Law, which curtailed the right of public employees to strike in exchange for improvements in wages and working conditions and a grievance procedure.

Fortunately, the current situation is not entirely bleak. Support for unions is on the rise among young people. Workers age 35 and under are joining labor unions at a rate unprecedented in recent history, offsetting a loss of union jobs in older age brackets (Chen 2018). A spike in militant activism among workers is generating greater attention to and sympathy for the labor movement among other segments of the population as well. From 22 February to 7 March 2018, striking teachers in the state of West Virginia closed every school district in protest against low pay and high healthcare costs. A wave of teacher strikes and demonstrations then spread to Oklahoma, Colorado, Arizona, and North Carolina, building on momentum that began with a seven-day strike by the Chicago Teachers Union in 2012 (Ashby and Bruno 2016). Teachers and their supporters are filling public spaces to demand more resources for public education. As they march en masse through streets and assemble in and around government offices—many of them wearing "Red for Ed" tee shirts—they enact a powerful and compelling message of numerical strength, solidarity, and refusal to be cowed into submission by hostile politicians. Critics have called the strikes and demonstrations "unseemly" and "beneath" the dignity of professionals (Greene 2018). Despite this criticism, support is generally positive and appears to be growing (Noguera 2018). Given that over 70 percent of teachers in each of these states is female, it is no exaggeration to say that women are in the forefront of this recent labor militancy (National Center for Education Statistics 2012).

A large-scale return to the tradition of struggle is necessary if labor is to transform itself back into a force that fights for working-class people and reverse the upward redistribution of wealth that occurred during the last decades of the twentieth century and the first decades of the twenty-first. The teacher strikes and demonstrations in Chicago, West Virginia, Oklahoma, Colorado, Arizona, and North Carolina, many of them right-to-work states (National Conference of State Legislatures 2017), organized by and among a primarily female workforce, illustrate the potential for a new labor militancy in which women play a leading role. The right to use public space, whether for picketing, marching, or demonstrating in other ways, is essential for growing and sustaining a militant labor movement. These activities are currently protected—if somewhat constrained—forms of political speech, covered either by the First Amendment or by the terms of the National Labor Relations Act. If history is any indication, as workers grow more militant employers and their allies will try to crush them by limiting their right to public space, by force, if necessary. Workers will have to push back. Here, the movement can learn from labor radicals in the early twentieth century free speech fights led by the Industrial Workers of the World (IWW).

In particular, women in the vanguard of labor's current resurgence can find models of resistance among the women who fought for free speech with the IWW, chief among them Elizabeth Gurley Flynn. As an organizer for the IWW Flynn, joined by a group of female Wobblies, led free speech fights on behalf of the union in Missoula, Montana, and Spokane Washington, in 1909. In 1915 she allied with middle and upper-class suffragists to fight for free speech in Paterson, New Jersey. Legal historian David Rabban calls the free speech fights the first campaigns in U.S. history to claim a First Amendment right to use public space (Rabban 1997, pp. 77–128). Flynn and other women labor activists played an important, if overlooked, role in this history. They too were criticized for behaving in an "unseemly" manner, nevertheless, to borrow another phrase used to silence women in politics, they persisted.

2. Elizabeth Gurley Flynn and Revolutionary Unionism

Elizabeth Gurley Flynn was born in Concord, New Hampshire, in 1890. Her parents were socialists and Irish nationalists and she embraced both these causes from a young age. In 1906 Flynn launched her career as a street corner labor activist from a soapbox in New York City. "I took to it like a duck to water," she recalled in her autobiography (Flynn 1955, p. 62). The young, talented orator was soon drawing large crowds. In August 1906, she was arrested for blocking traffic near Times Square while

giving a speech about women and socialism. That same year she became a "jawsmith," or organizer, for the Industrial Workers of the World. Founded in 1905 in Chicago, the IWW's mission was to organize all workers in all industries into "one big union" and fight for the abolition of capitalism and the wage system. The militant industrial unionism of the IWW, embodied in the slogan "an injury to one is an injury to all," appealed to segments of the working classes that the conservative and exclusive American Federation of Labor (AFL), which organized only skilled tradesmen along craft lines, chose to ignore: migratory and unskilled workers, immigrants, blacks, and women.

Called the "East Side Joan of Arc" in a newspaper article by novelist and journalist Theodore Dreiser and the "Rebel Girl" in a song by Wobbly bard Joe Hill, Flynn was by far the most celebrated female member of the IWW, but she was not the only woman to play an important part in the union. As Heather Mayer (Mayer 2018) demonstrates, the IWW's radical inclusiveness and advocacy for such "women's issues" as access to birth control and sexual liberation drew a number of women into the organization's orbit. The IWW boasted more women organizers than any labor union of its time and unlike other unions it organized in occupations where women predominated: telephone operators, domestics, and textile workers. Still, many among the rank-and-file held traditional attitudes towards women. They divided women into two categories: good ones like their mothers and bad ones like the prostitutes who stole their money on pay day. When the itinerant male worker who comprised a large portion of the union's membership married, he typically referred to his wife as the "ball and chain." (Baxandall 1987, p. 8). Notwithstanding these lingering patriarchal attitudes, Wobblies expressed genuine concern for working women and their issues and exhorted members to recognize the importance of their wives to the class struggle. They endorsed birth control and promoted Margaret Sanger's work long before middle-class reformers took up the cause, and consistently argued that prostitution was not a matter of women's moral failure but of low wages and minimal job opportunities (Schofield 1983, pp. 340–50). In the Wobbly world view, capitalism, not patriarchy, was the root cause of women's oppression. Flynn did not entirely disagree.

Certainly, Flynn recognized that women fared differently, and in many ways worse, under capitalism than did men. She organized female strikers, the wives of male strikers, and even bourgeois women, and wrote and spoke about political education, reproductive rights, and sexual freedom as keys to women's emancipation. Her first priority, however, was class solidarity. She disagreed with middle-class suffragists that the attainment of political rights for women alone would resolve gender injustices. In an article she wrote titled "Women in Industry Should Organize" she criticized the suffrage movement for its class bias and claimed it was directed by "rich faddists" who exploited strikes for their own purposes and made "earnest, struggling" working women "the tail of a suffrage kite in the hands of women of the very class hiring the girls to lives of misery and shame" (Flynn 1911, p. 1). For Flynn, suffrage was an "abstract right" several steps removed from the needs and wants of exploited working women. "I have never been one of those possessed of the audacity and hard-hearted courage to face a crowd of hungry strikers and console them with the hope that the next November they could vote the Socialist ticket and thereby strike a blow at freedom" (Flynn 1911, p. 1). She believed nothing short of a "social revolution" would alter the status of women in the U.S. and that unions were the primary vehicles for enacting this revolution. "I realize the beauty of our hopes, the truth of its effectiveness, the inevitability its realization, but I want to see that hope finds a point of contact with the daily lives of the working women, and I believe it can through the union movement" (Flynn 1911, p. 1).

Flynn's comments illustrate the often divergent priorities of the early twentieth-century labor movement for class solidarity and of the women's movement for sex-based rights. There were times, however, when this committed class warrior made common cause with bourgeois suffragists. Such moments, one of which is explored in this essay, illustrate how the labor movement and the women's movement are strengthened when they work together. Exploration of this history may help inspire future collaborations and encourage an intersectional approach to organizing across traditional

movement boundaries that recognizes the various overlapping identities and experiences of working women and the interwoven prejudices and oppressions they face.

In her conviction that the union movement could be an engine of revolutionary social change, Flynn expressed a vision of what contemporary radical labor activists call "social justice unionism." Social justice unionism is essentially intersectional labor organizing. It eschews the back-door political deals and collaborations with business interests that currently define U.S. labor and gives more weight to the needs and interests of the rank and file. Social justice unionism goes beyond advocacy for traditional "bread and butter" issues, such as higher wages and shorter hours, in pursuit of full social equality for its members. It sees collective bargaining as a tool to address race, gender, and class oppression, as well as working conditions (Gómez-Gonzales 2017). Union activist Megan Behrent (Behrent 2018) described social justice unionism as a tradition with deep roots in the U.S. labor movement.

> FOR ANYONE committed to the fight for public education or to reforming our unions so that they can be genuine defenders of workers' rights, the fight against racism and all forms of oppression is central. This is an essential principle of social-justice, social-movement and class-struggle unionism. It is at the heart of the old labor slogan that "An injury to one is an injury to all". (Behrent 2018)

Animated by a fierce fighting spirit that made it the nemesis of corporate interests, the early twentieth-century IWW—with its commitment to organizing among the most marginal workers—was a forerunner of social justice unionism. As Flynn explained, "The IWW was a militant, fighting, working class union. The employing class soon recognized this and gave battle from its birth. The IWW identified itself with all the pressing immediate needs of the poorest, the most exploited, the most oppressed workers. It 'fanned the flames' of their discontent" (Flynn 1955, p. 77).

3. Soapbox Radicals in the Industrial Workers of the World

Street speaking was an essential component of the IWW's strategy for educating workers about the evils of capitalism and organizing them into the union (Walsh 1907). Wobbly street speakers had moxie. They violated expectations and defied social convention to attract and retain an audience. One famous trick street speakers used was to shout "Help! I've been robbed!" When a sufficient number of passers-by had gathered around, the speaker would add "By the capitalist system" and launch into an attack on various and sundry forms of exploitation perpetrated on wage workers by the employing class (Duda 2009, p. 7). As the speaker's words filled the air and the crowd filled the street, square, or park, an audible and visible message of worker militancy and class solidarity reverberated in public space.

IWW soap boxers were not the only orators to claim and use public space for education and organizational recruitment. The U.S. tradition of outdoor political speaking dates back to the nation's origins. In the early nineteenth century, when public meeting halls and platforms were scarce, orators might speak from the top of sawed off trees. Travelling orators soon became known as stump speakers, an expression that reflects the rural character of the early U.S. Speakers stumped for abolition, temperance, suffrage, and political candidates. As the nation transformed from rural and agrarian to urban and industrial the location and language of outdoor oratory shifted from the stump to the soapbox, literally a wooden box in which soap was delivered to stores for retail sale. By the early twentieth century a variety of religious, labor, suffrage, and civil rights speakers were holding forth from a soapbox in streets, parks, and squares around the country (Trasciatti 2013, pp. 43–44).

Beginning in the 1870s, city governments began requiring permits for outdoor speaking as a way to exercise control over the use of public space. Orators who were considered too radical or disruptive were simply denied a permit. Knowing they would be denied, many radical speakers never bothered to request a permit and instead spoke surreptitiously until caught, at which time they abandoned the soapbox (or took it with them) and ran away (Trasciatti 2013, p. 45). When the permit system

proved insufficient for controlling access to public space municipalities passed laws to restrict street speaking outright. In the early twentieth century, several of these restrictive laws were aimed directly at the IWW. The IWW fought back, insisting that its right to free speech could not be abridged by a triumvirate of business interests, politicians, and law enforcement looking to squash working-class organizing. Flynn and other female Wobblies played an essential role in these free speech fights.

4. Free Speech in Montana

Flynn led the first official Wobbly free speech fight in Missoula Montana in fall 1909. She was nineteen years old and pregnant, and she had gone to Missoula to assist her then-husband John Archibald (Jack) Jones in his efforts to organize lumberjacks and other migratory workers in the region who were being scammed by fraudulent employment agencies who sold nonexistent jobs. They established a union headquarters and set up a soapbox in front of the agencies to call attention to their nefarious practices and recruit for the IWW. The city had a law on the books that made it a crime to make "any improper or unusual noise, riot, or disturbance, or ... commit any breach of the peace ... use profane, obscene or offensive language, or in any way disturb the peace or quiet of any street," but it was largely unenforced (quoted in Venn 1971, p. 20). That situation changed after Flynn heckled soldiers from nearby Fort Missoula and passersby who turned a deaf ear to her pleas on behalf of exploited workers. The soldiers threatened to sweep Flynn and the other Wobblies off the street unless they stepped down from the soapbox. The Wobblies refused and over the next two days several male orators, including Jack Jones, were arrested. Jones was brutally beaten and thrown in prison, where he was beaten again. At their trial, the men were offered a suspended sentence, if they would refrain from further street speaking. They refused the offer and were remanded to jail (Industrial Workers of the World are sent to jail 1909).

Immediately after the judge passed sentence Flynn issued a call to IWW headquarters in Spokane and to the Western Federation of Miners in Butte, explaining the situation in Missoula and asking for assistance. Her telegram prompted an eye-catching notice on the front page of the 30 September 1909 issue of the *Industrial Worker* titled "FREE SPEECH BATTLE; FIGHT OR BE CHOKED" (Free speech battle: Fight or be Choked 1909, p. 1). With this notice, local Missoula chronicler George Venn (Venn 1971, p. 22) observed, "what appeared to be a small town struggle against a few outspoken transients and a girl began to enlarge."

Over the next several days Flynn succeeded in recruiting a sizable contingent of migratory workers, or hoboes, to "go to Missoula and defy the Police, the courts, and the people who live off the wages of prostitution" (Free speech battle: Fight or be Choked 1909, p. 1). Wobblies flocked to the city in freight cars and fashioned themselves into what Matthew May (May 2011, p. 156) has called a hobo orator union, "a body that, in order to follow the seasonal patterns of migrant labor power, primarily constitutes itself in the sphere of social reproduction through the embodied practice of soap-box oratory." Upon their arrival in Missoula members of the hobo orator union formed a kind of oratorical assembly line, mounting the soapbox, greeting passersby with the Wobbly salutation, "Fellow workers and friends!" before launching into a pro-labor speech or reading the Declaration of Independence, and promptly getting arrested one-after-another. Police subjected the First Amendment warriors to verbal harassment, beatings, water hosing, and other forms of physical aggression, but IWW orators refused to be cowed.

5. Wobbly Women on the Soapbox

Although the majority of those who participated in the free speech fight were male migratory workers, women Wobblies played an essential part. Flynn organized street meetings, recruited volunteers, and devised tactics to frustrate police, such as having several orators speak on different corners simultaneously. Missoula law enforcement, politicians, business leaders recognized

her as the unquestioned leader of the campaign.[2] When city and county jails were filled to capacity, police arrested Flynn, hoping that her removal would signal the end of the soapboxing. They were wrong. Edith Frenette, another Wobbly recently arrived from Spokane, Washington, stepped up to take her place. After Flynn's case was dismissed and she was released without trial police arrested Frenette. Her arrest nearly caused a riot as a crowd of supporters followed her to the county jail, jeering, throwing rocks, and demanding her release. Like Flynn, Frenette was released without charge (IWW leader arrested as a general disturber 1909).

The arrest of Flynn and Frenette only steeled the IWW's determination to continue defiance of the law against street speaking. A night that saw thirty-five speakers arrested for soapboxing also had hundreds of Wobblies and supporters marching and singing in the streets. The arrested orators overflowed the county jail and clogged the court system, costing the city dearly in terms of time, money, and negative publicity. Flynn's threat to continue the campaign into late fall by recruiting 500 more soapbox orators was the last straw. Its jails filled to capacity and its coffers dwindling daily, Missoula surrendered, and city authorities agreed to allow IWW orators to speak unmolested.

6. Free Speech in Spokane

Not long after the successful conclusion of the Missoula free speech fight, Flynn was called to Spokane, Washington, where the IWW was once again facing a hostile alliance of business interests, city government, and local law enforcement. The previous year, in an effort to thwart another Wobbly campaign against fraudulent employment agencies, the Spokane City Council passed a law that made it illegal to hold a public meeting or give a speech in the downtown area. Supporters of the law claimed it was intended to keep street meetings from blocking traffic, but when the City Council amended the law to include a clause permitting the mayor to "grant a permit to any regular religious organization to hold religious meetings" the union vowed to fight what they rightly perceived as an anti-labor double standard (Spokane streets for the grafters 1909, p. 1). After the first Wobbly orator was arrested under the amended law, a notice appeared in the *Industrial Worker*, "Wanted: Men to Fill the Jails of Spokane," and once again Wobblies poured into the city to mount a soapbox and get arrested (Kornbluh 1998, pp. 25–26).

Notwithstanding the wording of the call for recruits, Wobbly women were important actors in the Spokane free speech fight. Again, Flynn was recognized by Spokane locals as the leader. Alongside her were several other women, including Edith Frenette, Agnes Thecla Fair, Ann Arquett, Isabella Huxtable, Bessy Fiset, Mrs. Emile Hermann, Mrs. Floyd Hyde and at least three other women whose names remain shrouded in the mists of history. They made soapbox speeches, distributed newspapers, organized and attended meetings, and played in the Wobbly brass band (Mayer 2018). Several were arrested for their activities (Flynn 1909a, p. 1). A number of the women travelled to Spokane from Seattle and other places, but they were hardly the footloose hoboes of Wobbly lore, free to follow their desires and revel in the camaraderie of being "on the bum" (May 2011, p. 160). According to the *Industrial Worker*, one woman who made the trip from Seattle to Spokane had a child under two years old at home and another was pregnant (Synopsis Spokane free speech fight 1910).

7. Disciplining Women Radicals

Spokane Chief of Police John Sullivan reportedly asserted that "any woman who attempts to speak on the streets will be treated the same as a man" (IWW fight gets tame 1909, p. 7), but that was not the case. Male Wobblies who were arrested and imprisoned were fed a diet of bread and water when they refused to work on the rock pile, packed into a small room known as the "sweatbox" for hours, and then moved to a freezing cold cell without blankets or cots, blasted with icy, cold water

[2] The *Butte Miner*, for example, characterized Flynn as an "arch disturber, organizer and leader of the Industrial Workers of the World, a woman of considerable power as a speaker and of unquestioned courage," see (IWW leader arrested as a general disturber 1909, p. 3).

if they complained too vigorously. Histories of the IWW are replete with stories of how imprisoned male Wobblies displayed solidarity in the face of such physical and mental torture (Foner 1981; Kornbluh 1998, pp. 96–97). The relatively few women Wobblies who were arrested and thrown in prison did not enjoy the company of so many comrades, however, and their isolation and gender left them vulnerable in ways the men were not.

Similar to the way that striking teachers are criticized for acting beneath their dignity, these early twentieth-century female free speech fighters were criticized for behaving in an "unseemly" manner. Criticisms surfaced as attacks against the women's sexual morality. A Spokane judge was quoted as saying that "no good woman" frequents a union hall (Flynn 1910, p. 612). When Edith Frenette was arrested and charged with disorderly conduct for standing on the porch of a private home and singing "The Red Flag," police called her a "lewd woman" (Flynn 1910, p. 610; Mayer 2017, pp. 229–30). Agnes Thecla Fair's ordeal was worse. Fair was arrested for speaking at an outdoor meeting. At the time of her arrest she declined to walk to the station and asked for a ride in the police car. When the car finally arrived, Fair waved a red handkerchief as she entered, and "cheers went up for Free Speech" (Fair 1909, p. 1). Her refusal to behave submissively angered police. She was put into a prison cell with a female prostitute who was immediately asked to leave the cell, after which Fair was threatened with rape. She reported the incident in some detail.

> ... they put me in a dark cell, and about ten, big burley bruises came in and began to question me about our union. I was so scared I could not talk. One said "We'll make her talk." Another said, "She'll talk before we get through with her."
>
> Another said, "F—k her and she'll talk." Just then one started to unbutton my waist, and I went into spasms which I never recovered from until evening. (Fair 1909, p. 1)

This ordeal had hardly finished when Fair was sexually assaulted by a male prison guard disguised a woman. "I thought it was a drunken woman until the officers went out. Then I felt a large hand creeping over me. It's too horrible to put on paper." The experience left her severely agitated. "I jumped out into an enclosure, screaming frantically and frothing at the mouth. Had not two of our girls been arrested and brought in just then I do not think I would ever come to" (Fair 1909, p. 1). Fair was released on the recommendation of a doctor three days later and fellow Wobblies carried her back to her room on a stretcher. Her account was disputed by prison officials and a female representative of the Salvation Army who claimed that Edith Frenette did not believe Fair. The IWW, however, was steadfast in its support (Mayer 2018). The edition of the paper in which her account was published was confiscated as "indecent literature" (Idlers invade city to assist IWW 1909).

Flynn also reported a harrowing prison experience. She was arrested while walking down the street, charged with conspiracy, and sent to prison (E. Gurley Flynn and others pinched 1909). She feared being alone and vulnerable, a reasonable fear given the experience that Fair reported and Flynn's own pregnant condition, and was relieved when she was put in a cell with two prostitutes. Her cell mates treated her kindly, but she discovered during the night that they were part of a prison prostitution ring orchestrated by the guards. Then, she herself was mistaken for a prostitute by one of the guards.

> Early in the morning a man by the name of Bigelow, jailer, I presume, came into the cell with breakfast. Instead of leaving it in the ante-room of the cell and going about his business, he marched straight into the room where we were all still in bed. He laid his cold hand on my cheek and I awoke with a start. My anger blazed up and said, "Take your hand off me, I didn't come here to be insulted." He murmured some inarticulate excuse, "Of course not," or words to that effect, and got out. (Flynn 1909b, p. 1)

The story of her encounter with the prison guard boomeranged beyond the Spokane city limits and back. That the virtue of a young, beautiful, married, pregnant woman was compromised in so gross a manner elicited shock and indignation in many quarters. When asked to comment on

Flynn's allegations, Spokane Mayor Nelson Pratt called them "wild and hysterical," thus dismissing her by questioning her sanity on account of her gender, a timeworn strategy for silencing women. Members of the Spokane Women's Club, some of whom had put up money for Flynn's $5000 bail, were appalled at "the specter of prostitution thriving in Spokane's jails," and "horrified that someone with the nationwide audience that Flynn enjoyed could be criticizing the morals of Spokane's officials" (News of spokane free speech fight 1909, p. 1). Her charges re-ignited a moribund campaign for a female prison matron.

After her release from prison, Flynn was tried for conspiracy along with IWW Secretary C.L. Filigno. The jury found Filigno guilty and acquitted Flynn, much to her dismay and the dismay of the judge who held her responsible for the civil unrest that had engulfed the city. (Sorry she was freed 1910, p. 1; Filigno is found guilty: Gurley Flynn Acquitted 1910, p. 1). Her pregnancy undoubtedly played a role. Accounting for the verdict years later, she observed, "By this time I was obviously pregnant and even the fast-fading Western chivalry undoubtedly came into play" (Flynn 1955, p. 10). Male jurors were not the only ones to react to Flynn's obvious maternity. When her condition became unmistakable, her Wobbly comrades no longer considered it appropriate for her to speak in any public spaces. Although more women were going out during daylight hours in maternity clothes in the early twentieth century, the idea that pregnancy was a private concern, that pregnant bodies signified matters inappropriate for public display and consideration, like sexual reproduction and the birthing process, lingered. A large-bellied pregnant organizer addressing predominantly male working-class audiences was a disturbing prospect. Flynn recalled how one Wobbly, a "fussy old guy," protested about her public appearances, "It don't look nice. Besides, Gurley'll have that baby right up on the platform if she's not careful" (Flynn 1955, p. 109). It seems labor was to remain invisible in the male-dominated labor movement.

The Spokane free speech fight continued through the winter unabated, but both sides were growing weary of the struggle. Just a few days after Flynn's acquittal negotiations between the IWW, city officials, business leaders, and police led to restoration of the union's right to hold peaceful outdoor meetings. Prisoners were released as well, and measures were taken to rescind the licenses of the worst employment agencies. The ordinance, however, remained on the books. Both sides declared victory. The Wobblies could also claim success in having ignited a national conversation about free speech, democracy, and police brutality (Rabban 1997). Although there was some criticism of the IWW for wreaking havoc on public order, a majority of mainstream commentators as well as supporters of the IWW affirmed the right of working people to assemble and speak in the streets, claimed the Spokane law was unconstitutional, and decried the barbarous treatment of Wobbly soapboxers at the hands of law enforcement.

Flynn left Spokane not long after the conclusion of the free speech fight and returned to New York, where her son Fred was born on 19 May 1910. Her marriage to Jack Jones ended soon after. However, her commitment to free speech remained undiminished, and the tactics that she devised for the Missoula and Spokane free speech fights became the model for similar struggles by the union in Seattle, Fresno, San Diego, and elsewhere in the West. She took up the challenge next in an urban industrial community on the East Coast: Paterson, New Jersey. This time, her allies were not Wobbly women but middle- and upper-class suffragists.

8. Free Speech in Paterson

The story of the Paterson free speech fight begins with a strike. On 27 January 1913 approximately 800 workers at the Doherty Mill walked out to protest a speedup of their work without a commensurate increase in pay. Soon, 25,000 workers, including a large number of women and girls, most of them immigrants, many of them anarchists and socialists, were on strike. Nearly 300 silk mills were shut down (Kornbluh 1998, p. 198). The strike was coordinated by the IWW but directed largely by the strikers themselves. City officials, silk manufacturers, and police worked together to drive the IWW out of Paterson and drive strikers back to the mills. Police routinely arrested IWW organizers who spoke at

strike meetings. Flynn herself was arrested and charged with inciting to riot when she travelled from New York to Paterson to address workers about a month after the strike began. Her trial ended inconclusively after the jury deliberated for 25 h (Flynn 1955, pp. 160–61). Violence and intimidation were regularly used against strikers. Police clubbed and kicked women and men on the picket line. Two men were killed (Dubofsky 1969, p. 278). Picketers who were arrested had their names put on a blacklist, which meant they would not be rehired when the strike was over (Golin 1988, pp. 191–92). The mayor declared city streets off limits to strikers, and prohibited owners of meeting halls to rent to them. Nonetheless, strikers continued to picket. The union held meetings in private homes. The situation sparked yet another debate around the country about free speech and the right of working people to access to public space (None in Union Square 1913; The Social War in New Jersey 1913; Johnson 1917). Although silk workers held out for almost seven months the strike ultimately ended in failure.

In September 1915, amidst talk of another strike, Paterson Mayor Robert Fordyce issued a written order prohibiting IWW meetings (Police prevent meetings and bar agitators from Paterson, N.J. 1915). The Paterson ban was officially implemented when Flynn and anarchist Carlo Tresca, by then her political ally and lover, came to address a meeting of silk workers. Paterson Police Chief Bimson ordered the hall closed and the meeting dispersed. Tresca, who had been arrested more times than any other IWW leader during the strike, slipped away (Pernicone 2005, p. 64). Police took Flynn to the station where she was interrogated and ordered to take the next train out of the city. Flynn insisted on walking the route from the police station to the train station. She was recognized almost immediately and before long a crowd of about 500 people joined her, making a kind of spontaneous parade and demonstration. Supporters at the depot cheered her as she boarded the train (Police prevent meetings and bar agitators from Paterson, N.J. 1915).

Fordyce's pre-emptive measure precipitated a free speech fight. Wobblies recognized that conditions in an eastern industrial city, specifically, the existence of a resident workforce vulnerable to blacklisting, required different tactics from free speech campaigns among migrant workers in western locales. For one thing, they could not count on an army of hoboes to make their way to Paterson and mount the soapbox in assembly-line fashion. They did have support, however, from other allies, among them, the Free Speech League, an organization committed to defending free speech for all viewpoints founded by libertarian radicals in 1902 (Rabban 1992). The League had its own conflict with Paterson police just after the end of the strike. In December of 1913, anarchist Emma Goldman was prohibited from delivering a lecture on "The Spirit of Anarchism in the Labor Struggle." A month later, the League held a protest meeting at which journalist Lincoln Steffens, anarchists Emma Goldman and Alexander Berkman, and other free speech advocates spoke, unmolested (Davenport 1913). After the 1915 ban on IWW meetings was enacted, the Free Speech League engaged the Auditorium for another protest meeting. That meeting was suppressed by police on the grounds that the hall owner had no permit. "This was merely a subterfuge," League president Leonard Abbott later reported, "The actual cause of the suppression of the meeting seems to have been the fear that Elizabeth Gurley Flynn or Carlo Tresca would attempt to speak" (Will not allow miss Flynn to speak here 1915; Abbott 1915, p. 998). Abbott was right. Although organizers had signed a contract specifying "no I.W.W. speakers permitted," Flynn and Tresca were to address the audience anyway and then "put it up the authorities either to discriminate against us or drop the matter" (Elizabeth Gurley Flynn letter to Rose Pastor Stokes n.d.).

9. Ladies Tilt Their Lance at Free Speech Dragon

Ultimately, the Paterson free speech fight boiled down to a contest between local authorities and Elizabeth Gurley Flynn. The city simply refused to allow the wildly popular "Rebel Girl" to address workers for fear that she would ignite another strike. One reporter who witnessed a failed attempt by Flynn to address a meeting in Paterson recounted it as "the burly [police captain] and the little labor leader ... confronting each other on the steps of the hall" (Free speech in Paterson 1915, p. 692). Another called the struggle "Elizabeth Flynn's Contest with Paterson" (Elizabeth Flynn's Contest with Paterson 1915, p. 283).

Flynn's resistance to the suppression of her right to speak in Paterson involved cross-class sartorial subterfuge: on 12 November she disguised herself as a society woman in a group of the same. Her plan was to slip past police unnoticed, enter the hall where a protest meeting had been scheduled, ascend the platform, and orate undisturbed. The tactic, likely devised at a conference of women held at the Hotel Brevoort in New York City, was as inventive as it was unsuccessful (Elizabeth Gurley Flynn letter to Comrade Rose Pastor Stokes n.d.). "Although I was disguised with glasses and fashionable clothes and escorted by a committee of distinguished well-dressed ladies from New York," she remembered, "I was spotted by Paterson Police and held on the hall steps while the meeting went on inside" (Flynn 1955, p. 172). The demonstration for Flynn's right to free speech was led by Henrietta Rodman, a high school teacher. Flynn described Rodman as "a truly remarkable woman. She fought the school system on a dozen fronts—for the right of married teachers to have children and continue to teach, and many other issues more or less accepted today" (Flynn 1955, p. 172). Flynn and Rodman were both members of the Heterodoxy Club, a Greenwich Village based feminist salon for "unorthodox women," founded by suffragist Marie Jennie Howe (Schwartz 1982). Through Heterodoxy she likely met many of the distinguished, well-dressed ladies who escorted and/or supported her in her struggle against the muzzle imposed on her by Paterson authorities. In addition to Howe and Rodman were Inez Milholland, an attorney and suffragist who helped organize the 1913 suffrage parade in Washington, D.C., and who led the parade wearing a crown and a long white cape while riding atop a large white horse named "Gray Dawn;" Jessie Ashley, a New York City attorney and member of the Socialist Party of America (SPA) who offered legal counsel to unemployed demonstrators in 1914; and Fola La Follette, the daughter of Wisconsin Senator Robert M. "Fighting Bob" La Follette, and in her own right a suffragist, actor, and labor activist who walked the picket line with female garment workers on strike in New York City in 1913.

A day after her failed attempt to disguise her way into the protest meeting, the Passaic County prosecutor revived Flynn's 1913 indictment for inciting to riot. Her female supporters and a few noteworthy men, including Reverend John Haynes Holmes and Walter Lippmann, formed the Elizabeth Gurley Flynn Defense Committee, chaired by another Heterdoxy member, Marion Cothren (Camp 1995). Flynn's defense committee raised over a thousand dollars to pay legal fees and other expenses associated with the trial (Treasurer's report of the Elizabeth Gurley Flynn Defense Fund n.d.).

For her December 1915 trial, Flynn was accompanied by Rose Pastor Stokes and physician, anarchist, and birth control advocate Dr. Marie Equi (Gurley Flynn free: To keep on talking 1915). That she had the support of prominent women, observed her father, Thomas Flynn, in a piece he wrote for the IWW newspaper *Solidarity*, likely contributed to the equitable treatment accorded her by presiding Judge Abram Klenert. Even the judge's wife was positively disposed. "A sweet faced, kindly looking little woman," according to the senior Flynn, she "continued to talk in earnest subdued whispers despite the judge's repeated rapping" and "openly wept with evident sympathy for Miss Flynn when lawyer Marelli was delivering his plea at the end of the trial" (Flynn 1915, p. 1). This time, the foreign jury deliberated for only a few minutes before acquitting. "Freedom of speech has triumphed over loranorder," Flynn quipped, in her characteristic wry fashion (In the Field of Labor 1915, p. 427). After her acquittal, Flynn vowed to continue speaking in Paterson and announced that she was thinking of getting a restraining order against Police Chief Bimson to keep him from interfering with meetings (IWW Leaders Plan Meetings in Paterson 1915). For his part, Bimson retorted that he would continue to prohibit Flynn from speaking until the order against the IWW was rescinded (Ban still upon Miss Flynn: Paterson police chief says she shan't speak till mayor relents 1915). Fordyce did not relent, but newly elected Mayor Amos Radcliffe rescinded the order in January of 1916 (Free Speech Followers to Call on Mayor 1916; Mayor allows Miss Flynn to speak here 1916).

Throughout the four-month-long Paterson free speech fight, the press made light of women's civil liberties advocacy with comments about Flynn's size, references to her supporters "shrill" comments, and headlines like "The Ladies Tilt their Lances at Free Speech Dragon" (The Ladies Tilt their Lances at Free Speech Dragon 1915). Nonetheless, the ideological diversity of Flynn's female supporters and their

joint determination to defend the First Amendment did not go unnoticed. One article published just before her December trial, titled "Women Trying to Save Paterson Orator," identified Mrs. Rose Pastor Stokes and Mrs. O.H.P. Belmont as among Flynn's chief defenders.

> Miss Flynn is pretty near an anarchist, while Mrs. Belmont is an ardent suffragist and Mrs. Stokes is a socialist. These women, along with many others, believe the Paterson police are tramping on the right of Free Speech in trying Miss Flynn, and they propose to make her case of national moment and carry it to the highest courts. (Women trying to save Paterson Orator 1915, p. 14)

Pressed to identify a reason suffragists might make common cause with a class warrior like Flynn, commentators highlighted the bonds of female friendship. "Their [suffragists'] support could be explained only by their belief in the sincerity of the labor leader whom they called friend," opined a writer for the *Outlook* (Elizabeth Gurley Flynn: Labor Leader 1915, p. 905). Whatever their political differences, women like socialist Stokes and suffragist Belmont had reason beyond friendship to support Flynn's cause: socialists were increasingly under surveillance and silenced by police and government authorities; female suffragists had recently adopted soapboxing and street meetings as a method of informing and recruiting for their cause—in fact, suffragists had been inspired to these tactics by observing labor organizers in England and the United States—and they were sensitive to what they considered extra-legal efforts to curtail the rights of women speakers.

10. Conclusions: Why the Free Speech Fights Still Matter

The IWW ceased its free speech fights not long after the Paterson campaign. Throughout the campaigns, there was disagreement among Wobblies about whether fighting for free speech was too great a diversion from the more necessary and important task of organizing workers on the job (Dubofsky 1969, p. 196). For her part, Flynn never separated free speech work from organizing work. Whereas she considered suffrage an abstract right, free speech was an entirely different matter. Without the right to occupy and use public space to represent the interests of working people, unions were impotent, and without unions, the most vulnerable members of society would be helpless against rapacious capitalism. A vibrant labor movement therefore requires constant struggle against "force and violence" used by the ruling class to deny workers the right to organize, to strike, and to picket (Flynn 1955, p. 21). For the rest of her activist career Flynn continued the struggle, organizing the Workers Defense Union to protect labor activists arrested and imprisoned for violating the 1917 Espionage Act, helping to found the American Civil Liberties Union in 1920 after the first Red Scare, and championing the cause of free speech for Communists during the second Red Scare of the 1940s and 1950s.

As the Supreme Court continues to chip away at labor's hard won rights, and workers chafe under restrictive agreements designed to preserve social order at the expense of their ability to rise up against exploitation, Flynn's position on the importance of constant struggle seems almost prescient—so too do her comments about the potential for unions to improve women's lives. Although she underestimated the importance of suffrage for women, her underlying conviction that voting alone would not fix long hours, low pay, dangerous working conditions, predatory bosses and other problems that face women workers, has been validated by contemporary female labor activists. Were she to witness the current wave of teacher strikes, Flynn would likely explain the low pay, dwindling resources, and lack of respect for teachers as integrally linked to the high concentration of women in the profession. Clearly, women need a militant labor movement. The labor movement needs women. The new labor militancy is now rising and women are in the forefront. When the pushback comes, as it inevitably will, the efforts of Flynn and her women allies in the free speech fights can inform and inspire the resistance.

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