

HOME, from page 12

When he was only 16, in 1886, Fox had become involved in the anarchist movement during the Chicago protests surrounding the arrest and execution of the four Haymarket martyrs. Twenty-four years later, *The Agitator* was a national publication focused on news and opinion about the labor and anarchist movements.

It was, however, Fox's article about Home, "The Nude and the Prudes," that led to his arrest in 1911. Fox became incensed when some residents of Home were reported by other Home residents to the authorities for the crime of "indecent exposure." It was a hot summer, and some residents of Home liked to skinny dip — which was illegal. Three women and two men came to trial for the offense. "The vulgar mind sees its own reflection in everything it views," Fox wrote in protest. The prosecutor won four convictions for skinny-dipping, but all charges were dropped upon appeal.

The internal conflict between the Nudes and the Prudes continued, however. It was a reflection of a deeper change at Home. A couple of years earlier, the Home community eliminated its communal land-holding scheme. "After this change, everyone owned their property outright. ... Individuals could sell their land to another person and [Home] was a relatively cheap place to live. Some of the land was sold to people who didn't share the community's values," Wadland said.

During his research, Wadland was unable to discover why the Home community made this dramatic shift. "That's one of those unanswered questions," he said.

Fox the publisher had an answer to the Prudes' betrayal of their neighbors: boycott. One of the Prudes owned a store and the Nudes, and their supporters, who were the majority of the community, refused to shop there. The Nudes also refused to speak to the Prudes, making the boycott very personal. "The Prudes retaliated with



Home settler James Adams, above, advocated for free love. He was arrested for his writings critiquing monogamy and advocating sexual freedom.

violence: They physically assaulted Nudes in the street, cut down their orchards, tore down a fence and blew a shack off its foundation," Wadland writes.

The government retaliated against Fox with a misdemeanor indictment for publishing "The Nude and the Prudes." The prosecutor claimed that Fox's article encouraged skinny-dipping and therefore violated the aforementioned 1903 law passed by the state legislature in response to the McKinley assassination. That statute made it illegal to publish anything that "shall tend to encourage or advocate disrespect of the law."

Fox was unafraid and unabashed. "Every radical editor is subject to such prosecution, for the powers that be are sensitive to

criticism, and will endeavor on every opportunity to throttle the voice of truth," he wrote.

In January 1912, Fox was tried and spoke on his own behalf during closing arguments. "It is only by agitation that reforms have been brought about in the world," he said. "Show me the country where there is the most tyranny and I will show you the country where there is no free speech." The jury deliberated for two days, then pronounced Fox guilty.

Fox's case turned into a cause célèbre and was appealed all the way to the U.S. Supreme Court. In February 1915, the highest court, in an unanimous opinion written by Justice Oliver Wendell Holmes, ruled against Fox, stating, "By indirection and unmistakably, the article encouraged and incites a persistence in what we must assume would be a breach of state laws against indecent exposure."

The court's ruling depended on "the bad tendency test for free speech cases," Wadland writes. "The approach, based upon eighteenth-century English common law, asserted that governments could punish those responsible for publications that have a tendency to cause or incite illegal activities."

It took a few more years before Holmes and the court began to recognize that the U.S. Constitution guaranteed free speech even to those who advocate against government and its laws. "But the future sets no precedent for the agitator who helps to create it," Wadland writes. "For now, Fox had to serve his sentence."

Fox was sentenced to two months. Among other activities during his prison time, Fox read aloud to the other inmates from the works of the Norwegian playwright Henrik Ibsen and the Russian novelist and anarchist Leo Tolstoy.

The last battle

By July 1915, "the leading prudes" had left Home, and the community's internal

strife calmed. Home, however, faced a more serious problem. Home's next generation, the children of the anarchists, did not wish to continue their parent's community. "The children of the anarchists didn't adopt their parents' philosophy," Wadland said. As adults, many of Home's children spoke and wrote of their upbringing fondly but they were not committed to continuing the anarchist colony.

By 1918, there was nothing left of the community except a few diehards and some rundown property: A dilapidated Liberty Hall, wharf and schoolhouse. Some adult children of the original colonists and some newcomers sued to dissolve the Mutual Home Association, sell off its properties and let Home become just a regular little town. The diehards contested; a long, bitter court battle ensued; and eventually the dissolvers won. The lawsuit was the dying breath of the intentional community of Home.

At the end of his research and writing, Wadland did not grieve for Home's demise. He said, "The measure of any utopian experiment is not a question of how long did it succeed as much as how bold was the idea and how happy were the people who participated in it. The third question is: What is [the experiment's] ultimate legacy?"

Wadland said Home was really a bold idea, and there's no doubt people really enjoyed their time there.

As for its lasting impact, Wadland said anarchism raises interesting questions about our human organizations from small-scale families to large governments. "Government can seem like an entity, a fact," he said. "But the government is created by people showing up at their job, doing their jobs. Change occurs when we collectively decide to participate in a different way."

Reprinted courtesy of Street Roots sister paper, *Real Change News*, Seattle, Wash.

alberta co op grocery

small carts
big hearts

good.local.food
1500 ne alberta st.
albertagrocery.coop
503 287 4393
open to all 9am-10pm daily

Portland HomeGal.com

Kristina Wright | Real Estate Agent
Bellmoore Realty
503/479.5764
Kristina@PortlandHomeGal.com
"Like" on Facebook @Portland Home Gal

- a knowledgeable marketer
- with a designer's eye
- a professional photographer
- and a responsive agent

All wrapped into one person

REALTOR

VOODOO DOUGHNUT

THE MAGIC IS IN THE HOLE!

22 SW 3RD & BURNSIDE
1501 NE DAVIS

OPEN 24/7!

SUPPORTING STREET ROOTS SINCE 2003

Read up on the news that's important to you
at news.streetroots.org