

Distorted view of the First Amendment

The National Socialist Movement, the American Nazi party, does not have a First Amendment right to rally at Brandon Park (or anywhere else) because their agenda is to encourage violence. A lawsuit is underway by the City of Charlottesville based upon the efforts of the organizers of the National Socialist Movement to both plan and encourage violence at a rally held in that city.

Our mayor and City Council are wrong to believe that there is any First Amendment right. It seems quite clear that the authorities in this city have not looked even casually at the history of the National Socialist Movement or examined their postings in connection with the event to be held in Williamsport.

Williamsport will now become known as the City of Hate. It behooves our newly elected mayor, City Council and the chief of police to do some research on this organization and to deny the permit.

A number of years ago, I received a telephone call from Mayor Campana when the Ku Klux Klan sought a permit in Williamsport. The Mayor said that because of the group's history of violence, he would not permit it. I received a similar phone call from the mayor of Montoursville. The Ku Klux Klan did not hold its rally.

After the permits were denied, the head of the Ku Klux Klan was referred to me by the ACLU in Washington, D.C. I met with the Klan head in my office for over three hours. After the meeting, I told the Klan head that I would not represent him but that there were plenty of other lawyers who had a twisted notion of the First Amendment. I encouraged the Klan leader to work through conventional, non-violent channels.

The city's chief of police later told me that the man I talked to quit leading the Klan and that the organization would not be pursuing any legal action.

Our current administration has to stand tall. Have some backbone on this issue. Hatred and incitement to violence must be opposed regardless of where those extremist views come from. The question is not one of opinion, but rather a history of violence and the promoting of behaviors that are a clear and present danger to others.

One must ask whether the mayor, City Council and chief of police have looked into the organization, its history, its social media prior to rallies around the country, and what has occurred at those other events.

I am and remain a proud civil rights lawyer. As I write this piece, I am preparing a federal complaint against a school district that denied to my client her First Amendment rights and retaliated against her for exercising those rights. The First Amendment is crucial. The document inked by our Founders was meant to be enforced.

Nevertheless, and in spite of the First Amendment, the Congress of the United States, during one of the earliest administrations, passed the Alien and Sedition Act. Under the presidency of John Adams, publicists and journalists were jailed for expressing negative views and opinions about the Federalists who were in power. This was a dark and ugly history for our nation. Other attempts to quash First Amendment rights have occurred throughout our nation's history. The First Amendment must be a bulwark that stands between democracy and totalitarianism.

The Supreme Court is often quoted as having stated that no one has a right to yell "fire" in a crowded movie theatre. The First Amendment does not permit advocating or planning violence. People are criminally punished and go to jail who plan or try to convince others to commit violent acts. Violence is the agenda of the American Nazi Party.

No counter-demonstration or police presence will remove the stain from this city's reputation and history should it permit the Nazi event to go forward in Brandon Park. Our city officials should stand up proudly against granting this permit and should fight in the courts for the principle that violence and advocates of violence have no home in our beautiful city.

We live in an era where it seems that the First Amendment is defined by whether a particular official belongs to the left wing or right wing. Williamsport is taking an anemic stance toward a hate organization such as the Nazi party because of a misplaced and completely inaccurate view of the First Amendment. Such views are not progressive or open-minded, but rather represent the equivalent of unintended cooperation with forces of hate.

History has shown us that the Roosevelt administration not only failed to oppose the Nazi effort to destroy all Jews in Europe, but through its indifference actually encouraged the Holocaust. The Roosevelt administration was filled with anti-Semites who acted as a silent cheering section for the goals of the Third Reich. Our public officials must be cognizant of history. Liberalism and open-mindedness should never be an open highway to permit the promulgation of violence in the name of the glorious First Amendment.

The question as to whether the Nazis will be allowed to rally in Williamsport or whether the permit will be revoked is a defining moment in this city's history.

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