**VERDICT OF A HIGHER COURT**

by Roger White

from *Another Song, Another Season*

In the interest of posterity we are asked to review the case. The dossier is before us. Shall we get on with it then?

Transcript of proceedings of the District Court of the Fourth Judicial District, State of Minnesota, held on the 8th day of August in the year of Our Lord one thousand nine hundred and . . .

Well, so that’s how it is. Not yet a decade into the twentieth century and life is just a bowl of cherries. Live on your wits and cover all the exits.

Fred stands

The prisoner, Fred Mortensen, will rise while the Court pronounces sentence.

Hot shot, aren’t you Fred? All set to high-step it into the years of the Greatest War on Earth and then to go twenty-three-skidooing into the Jazz Age — if you live that long — with a bottoms-up-boys-for-tomorrow-we-may-die and all that razzmatazz.

In considering the evidence before it the Court has given due weight to the extreme youth of the Defendant . . .

About twenty-one or so, are you Fred? But then, mugs must make an early start if they are to amount to anything — with a *down-the-hatch-fellows* and a *chug-a-lug-a-lug* and *don’t take any wooden nickels*.

Before passing sentence the Court expresses regret that one of such obvious potential should have launched himself upon a course of action that can only blight his future, brand him an enemy of the public good and break his mother’s heart.

So you found yourself in prison with a *gee-there-ain’t-no-justice* and a *blast-it-I’ve-been-framed*? Well, Fred let’s review the facts.

Although he has taken the path of a common ruffian the Court appeals to whatever tender feelings may yet stir within the Defendant’s bosom . . .

Easy does it, Fred. Florid oratory is a hazard to which most Judges display little resistance. But we take it you will concede that even tough guys have feelings? Remember how you cried a little in the darkened theatre during one of Mary Pickford’s films and had to quickly conceal it from the gang with an improvised coughing spasm? And how a lump came to your throat each time you heard Eva Tanguay sing “Mother”?

At an age when the Defendant’s mother is entitled to his comfort and assistance,

she faces the tragic and humiliating consequences of her son’s iniquitous[[1]](#footnote-1)

conduct. The Court is satisfied on the evidence that the Defendant’s mother is

an upright, decent, God-fearing...

Patience, Fred. She’s only doing her job. Admittedly she does get a bit carried away. But the docket is light today and her gout is under control and perhaps she is pontificating out of boredom. But maybe the old girl has a point there. We confront you with your own testimony. Would you read it aloud for the record?

Fred sits.

*“My dear mother had done everything in her power to make me a good boy. I have but the deepest love for her and my heart has often been sad when thinking how she must have worried for my safety as well as my future well-being. Through it all and in a most wonderful way, with godlike patience, she hoped and prayed that her boy would find the road* *which leads to righteousness and happiness. But environment proved a great barrier to her aspirations and every day in every way I became tougher and tougher . . .*

Come now, Fred, is that how tough guys talk?

The Court is charged with the responsibility of protecting society from those who wilfully disregard its laws. Equally, the Court has the responsibility of imposing sanctions which will afford the maximum opportunity of moral rehabilitation . . .

Relax, Fred, and don’t let the high-flown language get you down. Look at it this way — the judiciary has a vocabulary just as specialized, though somewhat less colourful, than that of budding thugs. But on the subject of rehabilitation, that came later through a man with gentle eyes. Remember Bert Hall, Fred? One of the finest lawyers in Minnesota, it was said, and a remarkable human being. Do you recall what the Hennepin County Bar Association said of Albert Hall?

*“Yes, I do. ‘He was essentially the poor man’s lawyer; no client was too mean, nor was his cause too small, but that Bert Hall gave him his untiring and unstinted effort.’”*

Well, you were a mean one, all right, and whatever had been your cause you were presented with a new, a cause of intimidating magnitude, as the Judge might say. Please read into the record your own words:

*“Albert Hall told me, hour after hour, about the great love of ‘Abdu’l-Bahá. Honestly, I often wondered then what Mr. Hall meant when he talked so much about God’s love, Bahá’u’lláh’s love, ‘Abdu’l-Bahá’s love, love for the Covenant, and so on. I was bewildered. Still, I kept returning, and I wondered why. Later I realized it was the power of the Holy Spirit drawing one who wished to be drawn.”*

Fine talk for a tough guy, Fred!

It is lamentable that one of the Defendant’s age should have amassed, shall we say, so impressive a record of criminal activity.

Euphemism[[2]](#footnote-2) is the backbone of courtroom wit, Fred. One gets used to it, though developing an appreciation of verbosity is another matter. For instance, “learned Judge”“ is sometimes a euphemism for old windbag. But let us hear her out.

. . . disturbing the peace, using abusive language, harassing members of

oppressed minority groups, being drunk and disorderly, assault, theft, escaping

from custody, aiding the escape of a fellow prisoner, violating parole,

resisting arrest . . .

Well, all that must have kept you pretty busy, Fred. But one impulse you could neither resist nor arrest, remember? Will you disavow your own incriminating words? Please read aloud the highlighted section.

*“I felt urged by the Holy Spirit to go see ‘Abdu’l-Bahá at Green Acre, Maine. When I heard the rumour that He might not come West, I immediately determined to go and see Him. So I left Minneapolis for Cleveland where I attended a convention of printers for a few days. But I became so restless I could not stay for adjournment. As my finances were low, I of necessity must hobo my way to Green Acre...”*

We note that euphemism is not the exclusive indulgence of the Court. But, please, continue:

*“I rode the rods . . .”*

Now that’s more like it:

*“. . . to Buffalo, then to Boston, then to Portsmouth. I was exceedingly happy. A boat ride, a streetcar ride, and there I was, at the gate of Paradise . . .”*

An interesting destination for one of your proclivities!

Do you remember first entering His presence and His asking you whether you had a pleasant journey? Let us examine your own account of this. I’ll read the questions and if you will, read your answers:

Question: “Did you have a pleasant journey?”

*“Of all the questions I wished to avoid this was the one! I dropped my gaze to the floor—and again He put the question. I lifted my eyes to His eyes and His were as two sparkling jewels which seemed to look into my very depths. I knew He knew and I must tell. I answered: ‘I did not come as people generally do, who come to see You.’*

Question: “How did you come?”

*“Riding under and on top of the railway trains.”*

His next question was: “Explain how.” And you explained while His eyes twinkled. He gave you fruit, kissed both your cheeks and touched to His lips the soiled hat you had worn. And after that, at His invitation, you spent a week in His presence at Malden.

What are we to make of that, Fred?

The Court invites the Defendant to consider that in a land of limitless opportunity one of his age might, by pursuing the proper course, make his mark on history . . .

Restrain yourself again, Fred. There might be something in this. There has been entered in the record, and marked Exhibit A, a Tablet addressed to you from Ramleh, Egypt, bearing a date 12 September 1913. The signature is that of ‘Abdu’l-Bahá. Read for the court what He wrote to you:

*“That trip of thine from Minneapolis to Green Acre will never be forgotten. It’s mention will be recorded eternally in books and works of history...”*

Annexed to Exhibit A is a copy of *God Passes By.* We are asked to note the reference on page 290. Let it be so noted.

Attorney holds up a copy of *God Passes By*

The prosecuting attorney dwelt at considerable length . . .

She means excruciating length, Fred.

. . . on the circumstances in which the Defendant was apprehended at gunpoint, in a barrage of police bullets, his capture being accomplished as a result of breaking both legs in scaling a wall while attempting to chide the police, and has repeatedly emphasized that for four years the Defendant was a fugitive from justice.

Easy there, Fred. Why not relax and read Exhibit A?

The Court cannot view lightly the Defendant’s contempt for the rules which must govern a civilized society. It emerges from the evidence before the Court that the pattern of the Defendant’s behaviour is determinedly antisocial . . .

She does turn a vivid phrase, doesn’t she? Fulgurant,[[3]](#footnote-3) it might be said. We toss that word in to see whether we still have the knack — we abandoned grandiloquent rhetoric a long time ago; too time-consuming. Actually it has never been determined whether Judges are expected by lawyers to talk like that or only think they are.

But speaking of patterns emerging from the evidence — which seems to be the point the good Judge was making — another pattern emerges. Will you deny that over the long haul you laboured diligently — sorry, it is so easy to lapse into the jargon; but the following words mean just what they convey — that you laboured diligentlyfor the establishment of the Kingdom of God on earth and that until the eve of your death on 13 June 1946 you were so engaged?

Tendered as Exhibit B is an outline of your service on the Bahá’í Temple Unity, your pioneering to Montana, your service as a national travelling teacher and as a member of the Chicago Bahá’í community, your preparations for a journey to Austria, to name a few. Let the Exhibit be marked.

Although ever inclined toward leniency, on the basis of what has been adduced before it the Court must be satisfied in considering the question of sentence that the interest of justice will be fully served. With that in mind it is the opinion of this Court . . .

And yes, one final piece of testimony. Let there be marked Exhibit C a document described as a cablegram sent from Haifa in June 1946 to members of your family. Read it so all can hear.

*“Grieve passing beloved Fred. Welcome assured Abhá Kingdom by Master . . . His name forever inscribed Bahá’í history.”*

The evidence, we submit, is irrefutable. Let the verdict be recorded: Guilty — of spiritual recidivism.[[4]](#footnote-4)

Next case.

1. Injustice or immoral behavior [↑](#footnote-ref-1)
2. A mild or less direct word substituted for one that is harsh or blunt when referring to something unpleasant or embarrassing. [↑](#footnote-ref-2)
3. Flashing like lightning [↑](#footnote-ref-3)
4. Repeated or habitual relapse, as into criminal activity [↑](#footnote-ref-4)