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Editorial | Free Speech in Upper Darby

A sign of the times

Dr. Harold Lischner's civil-rights lawsuit against Upper Darby over his arrest at a 2003 political protest has everything - and nothing - to do with President Bush.

A federal jury set to hear the case should be able to put that in perspective, even if township officials doubt jurors' ability to separate the facts from their feelings for the unpopular Bush.

As Inquirer columnist Monica Yant Kinney noted yesterday, the township mounted a ridiculous stratagem in defense of Lischner's arrest for holding up a sign protesting the Iraq war while a Bush motorcade sped by. The township sought to bar any mention of Bush, for fear jurors would look more favorably on Lischner's lawsuit.

Fortunately, the presiding judge saw that claim for what it was - the stuff of late-night TV comedy routines. In fact, the jury should be instructed that what Lischner's sign said should have little bearing on their decision. (All they might need to know is that the sign threatened no harm to anyone.)

In another sense, though, this case is about Bush. Police overreacted when they nabbed Lischner because the immunologist wasn't standing in the prescribed area for protesters. Too often that's how dissent has been squelched in the name of security since 9/11.

Lischner's eventual exoneration on disorderly conduct charges was a welcome defense of every U.S. citizen's First Amendment rights. That's worth making a federal case.

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