



Emma Goldman, *Living My Life*

## Volume Two

### CHAPTER XLV

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#### *We intend to offer no legal fight*

aware that we could not pay adequately. We fully appreciated Harry and we felt safe in his hands. But our trial would have meaning only if we could turn the court-room into a forum for the presentation of the ideas we had been fighting for throughout all our conscious years. No lawyer could help us in this, and we were not interested in anything else.

Harry Weinberger understood our attitude, but he strongly advised us against meeting the prosecution with folded arms. It would make no impression whatever in an American court, he said; we should be given the maximum penalty, and nothing would be gained for our principles. But if we would plead our own case, he would give us every legal assistance and suggestion possible.

The day before our trial I met by appointment a number of people at the Brevoort Hotel, before whom I placed our intention of ignoring the prosecution. Among those present were Frank Harris, John Reed, Max Eastman, Gilbert E. Roe, and several others. After I had explained why I had called the conference, Frank Harris, with whom I had been friendly for years, became enthusiastic with the idea. "Emma Goldman and Alexander Berkman, the arch-champions of active resistance, meeting their enemies with folded arms--fine! Splendid!" he cried. In any European court such a stand would prove to be a magnificent gesture he declared; but an American judge would only consider us flagrantly contemptuous, and the newspapermen would as little know what to make of us as the scribes of two thousand years ago had made of the Carpenter of Nazareth. Frank did not think we would be given a chance to carry out our plan, but in any event he was with us and we could fully count on his support.

John Reed did not believe in deliberately stepping into the lion's den. If one must go, one should fight all the way through, he thought. Whatever our decision, however, he would help in every way he could.

Max Eastman was not impressed by our suggestion. His opinion was that we could achieve more by a legal fight, with the aid of a competent lawyer to conduct our defense. It was more important, he held, that we should be free to continue our anti-war work than to go to prison without having tried every legal recourse.

It was Tuesday, June 27, at 10 a.m., when, together with Sasha, still on crutches, I walked through the crowded court-room in the Federal Building to face the prosecution. Judge Julius M. Mayer and