



Published Essays and Pamphlets

Trial and Speeches of Alexander Berkman and Emma Goldman

Alexander Berkman's Introductory Address

July 3, 1917



After the witnesses for the prosecution had testified, the defense opened its case with the following address by Alexander Berkman.

GENTLEMEN OF THE JURY:

The facts in this case are very simple. It is not a question of printers' bills; it is not a question of rent bills or of deliveries by this or that expressman. The only question at issue here is: Did the defendants conspire to urge people not to register? Before I briefly state what the defense will prove, may I be permitted to make a few remarks with regard to the fact that Miss Goldman and myself are conducting our own case. I merely want to explain our reasons since, so far, our reasons have not been brought out. I want to state right now that Mr. Harry Weinberger is a personal friend of ours, and in justice to him I wish to say that there has been no misunderstanding whatever between Mr. Weinberger and the defendants. We are the best of friends. Mr. Weinberger was our attorney only in the matter of bail; and when the matter of bail was settled, Mr. Weinberger ceased to be our attorney in that connection. Of course, we consult Mr. Weinberger on various questions. But it is a matter of principle on the part of Miss Goldman and myself to defend, or rather to conduct, our own case. As a matter of principle we do not believe in being represented by legal talent at our trial. We believe in explaining things to the jury ourselves. And we believe that it is just and fair to have the jury get some idea about the defendants from their own appearance, from their own expressions of opinion and views. That is all I want to say on this point.

I have stated that the only question involved in this case is whether the defendants conspired to advise people not to register or to urge people not to register. I believe that the Government has absolutely, in fact ridiculously, failed to prove its case. It was brought out here during the examination of the jurymen that the Government must prove its case beyond a reasonable doubt. It seems to me that the Government has not even begun to prove its case that there was a conspiracy between Miss Goldman and myself to urge people not to register. But we, the defendants, take this opportunity to state clearly and frankly to

you, gentlemen of the jury, that we are opposed to conscription. I do this so that, during this trial, you may be able to see for yourselves that the defendants are sincere and frank; that they will tell you the truth as to what they do believe and what they do not believe. We will prove that the defendants have throughout their lives always stood up for the things they believe in, no matter whether the majority opinion was against them. And similarly in this case, as in all our past, we mean to acknowledge frankly what we believe, and to be as frank in stating what we do not believe. We will frankly admit what we said at mass meetings and what we wrote in various magazines, but we will just as frankly deny anything we did not say on the platform or in print. We will deny anything put in our mouths by any one, contrary to our wishes or opinions. In short, we will hold ourselves to the facts.

We declare emphatically that we are opposed to conscription, and that we have been opposed to conscription for twenty years or more. We go further: we are and have been opposed to every form of militarism and war. But we deny absolutely that either of the defendants ever told anyone not to register. We deny that we were in a conspiracy to advise or to urge people not to register. We will prove to you, gentlemen of the jury, beyond any reasonable doubt that the No-Conscription League, of which these defendants are members, consistently refused to advise people to register or not to register. We will prove to your complete satisfaction that the No-Conscription League took a positive decision, at one of its meetings, to give no advice in this matter, but to leave it to the judgment of each individual to decide for himself.

We will further prove to you that the alleged overt acts charged against us in this indictment were the normal expression of the opinions and activities to which the defendants have been devoted for the last twenty-five or thirty years. We will prove that they were the continuation of an agitation carried on by these defendants against conscription, militarism, and against war, during more than twenty years, and not a matter of any recent happening. We will prove to you that for many years the identical views have been expressed by us against war and in opposition to the forcing of human beings to do anything against their will. We will prove further that the overt acts charged against us were not overt acts at all, but the legitimate expression of independent and fearless opinion.

We will further prove to you that the defendants Emma Goldman and Alexander Berkman have been friends and comrades for many years. That they worked along similar lines of activity, but that they were independent thinkers, and that their activities were always independent: that they used independent methods, and independent platforms, though it often happened that they spoke on the same platform, and published articles in the same magazines. We will also prove to you that the monthly magazine MOTHER EARTH, published and edited by Emma Goldman, always was and is now an entirely separate and independent publication from the labor paper published in San Francisco by Alexander Berkman and known as THE BLAST. We will prove that MOTHER EARTH has existed for twelve years and that it has consistently followed the same policy against war and in favor of universal peace. We will show that THE BLAST was started about a year and a half ago, four thousand miles from MOTHER EARTH, in San Francisco, as a result of special labor conditions on the Coast; that it had absolutely no connection with MOTHER EARTH, and that the circumstance that the last two issues of THE BLAST were published in New York has also no bearing whatever on MOTHER EARTH, but is due to the fact that I had special business in New York in behalf of certain labor unions, and that my stay in New York was unexpectedly protracted and that I therefore decided to publish a few issues of the paper in this city. We will prove that the mere fact that MOTHER EARTH and THE BLAST--and a number of other magazines, for that matter--happened to hold similar ideas on some subjects, does not in any way constitute either an overt act or a conspiracy, but that, as a matter of fact, there is absolutely no reason to assume that there is any conspiracy involved.

We will also prove to you, gentlemen of the jury, and to your entire satisfaction, that the consensus of intelligent opinion in this country, the opinion of leading writers, of public speakers and statesmen, is that registration and conscription are two distinct things, two separate conceptions; indeed, two different issues. In fact, we will prove by intelligent and reliable witnesses that many people believe in registration but are opposed to conscription, on the ground that registration and conscription are different issues.

And finally we will prove to you, gentlemen of the jury, that at no time and at no place did these defendants, or either of them, urge people not to register. In fact, we will submit documents to prove that one of these defendants wrote a special letter to tell the members of the No-Conscription League that she is entirely opposed to advising anyone not to register. We will submit documents to prove that at no time, at no place--neither in our publications, on the platform, nor anywhere else--did these defendants, or either of them, advise or urge people not to register.