

Speeches Against Conscription

Emma Goldman

1917

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“We Don’t Believe in Conscription” (Delivered at the Harlem River Casino, New York City, May 18, 1917)

Transcript by New York City Police Department patrolman William H. Randolph, obtained from the Immigration and Naturalization Service via FOIA. Introduced as Government’s Exhibit 31 in the June-July 1917 anti-conscription trial of Emma Goldman and Alexander Berkman. For transcript of court examination of William Randolph, see “Goldman & Berkman v. United States: Transcript of Record, 1917 Sept. 25,” pp. 137–63, pp. 181–89 (*Emma Goldman Papers* microfilm, reel 59).

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9:45 P.M., May 18, 1917

We don’t believe in conscription, this meeting tonight being a living proof. This meeting was arranged with limited means. So, friends, we who have arranged the meeting are well satisfied if we can only urge the people of entire New York City and America, there would be no war in the United States — there would be no conscription in the United States — (*applause*) — if the people are not given an opportunity to have their say. Therefore, we hope at least that a small portion of the population of New York City tonight is having its say.

Friends, what I have to tell you tonight I want to impress upon your minds with all the intensity of my being, that we have with us people who came to break up this meeting, and therefore, friends, I ask you, friends, in the name of peace, in the name of freedom, and all that is dear to you, to be perfectly quiet, and when the meeting is over to leave the hall quietly, for that is a better argument than by the provocators who came here tonight to break up the meeting. Therefore, friends, I repeat once more, that after our speakers will be through, I hope you will leave the hall quietly, and, if there is the slightest trouble, we will hold the troublemakers, the provocators and the police responsible for the trouble. (*applause*)

Friends, I know perfectly well that tomorrow morning the daily papers will say that the German Kaiser paid for this meeting. I know that they will say that those employed in the German service have arranged this meeting. But there is all of us, friends, who have something serious at hand — those of us to whom liberty is not a mere shadow — and found to be celebrated on the 4th of July, and to be celebrated with fire crackers — that we will not only speak for it, but die for it if necessary. (*applause*)

We are concerned in our own conscience, and we know that the meeting tonight has been arranged by working men and working women, who probably gave their last cent from their wages which the capitalistic regime is granting them.

And so, friends, we do not care what people will say about us, we only care for one thing, and that is to demonstrate tonight and to demonstrate as long as we can be able to speak, that when America went into war, ostensibly for the purpose of fighting for democracy — because it is a dastardly lie — it never went into war for democracy. If it is true that America went into war in order to fight for democracy — why not begin at home? We need democracy. (*applause*) We need democracy even more than Germany, and I will tell you why. The German people were never brought up with the belief that they lived in democracy. The German people were nursed from their mothers’ breasts that they were living in liberty and that they had all the freedom they

desired. Therefore, the German people are not disappointed in the Kaiser. They have a Kaiser, the kind of a Kaiser they want and are going to stand for.

We in America have been brought up, we have been told that this is a free Republic. We have been told that free speech and free press and free assembly are guaranteed by the Constitution. Incidentally, friends, the only people who still believe in the Constitution are you poor fools for the other fellows (*applause*). We are rather disappointed. When suddenly, out of the clear sky, a few months after we have been told he kept us out of war — we are now told he drew us into war. (*applause*)

We, who came from Europe, came here looking to America as the promised land. I came believing that liberty was a fact. And when we today resent war and resent conscription, it is not that we are foreigners and don't care, it is precisely because we love America and we are opposed to war. (*applause*)

My friends, when I say we love America, I wish you to remember that we don't love the American Wall Street, that we don't love the American Morgan, that we don't love the American Rockefeller, we don't love the American Washington, we don't love the American ammunition manufacturers, we don't love the American National Security League — for that America is Russia transferred to America. (*applause*).

We mean the America of Wendell Phillips, we mean Emerson, we mean America of great pioneers of liberty. We mean writers, and great men and women, who have fought for years to maintain the standard of effort. I, for one, am quite willing to stand up face to face with patriots every night — patriots blind to the injustice committed in this country — patriots who didn't care a hang. We are willing to stand up and to say to them: "Keep your dirty hands off America." You have no right to tell the people to give their lives in behalf of democracy, when democracy is the laughing stock before all Europe. And therefore, friends, we stand here and we tell you that the war which is now declared by America in the last six weeks is not a war of democracy and is not a war of the urging of the people. It is not a war of economic independence. It is a war for conquest. It is a war for military power. It is a war for money. It is a war for the purpose of trampling under foot every vestige of liberty that you people have worked for, for the last forty or thirty or twenty-five years and, therefore, we refuse to support such a war — (*Hurray — applause*).

We are told, friends, that the people want war. If it is true that the American people want war, why not give the American people a chance to say whether they want war. Friends, we were told that the American people have a chance to say whether they want war through Congress and through the Senate. Congress is in the hands of those who pull the string. It is a jumping jack. (*applause*)

Friends, in Congress there are a few men in the Senate (*mentioning some names*) who wanted to keep America out of war. They have been hounded and persecuted and abused and insulted and degraded because they stood up for a principle. And so it was not true that the people of America have a chance to express its views. It was impossible, because each Congressman and each Senator is taken into a private room where spiritualistic mediums are being used, and they are mesmerized and massaged until every revolutionary fibre is out of them, and then they come out and do as they're told by the administration in Washington.

The same is true about conscription. What chance have you men, to say, if you men are to be conscripted. It took England eighteen months — a monarchy — to decide whether she shall have conscription. Up on the people born under a free sky — conscription has been imposed upon you.

You cannot have democracy and have compulsory military training. You have become Russia. (*applause*)

Friends, I suggest that Wall Street and the military powers invite the Russian Czar to America — he belongs here, — and tell them how to deal with the revolution, with the anti-militarists — the Czar ought to know, he handled them. He used every method in his power in order to subdue all human beings. But he succeeded — I should say not. He is now sitting in his palace, that the revolution may go a little further. (*applause*) Americans evidently are working for the Czar. We already have the beginning of the Czar, who wants to employ all of the liberties of the American people.

Now, friends, do you suppose for one minute that this Government is big enough and strong enough and powerful enough to stop men who will not engage in the war because they don't want the war, because they don't believe in the war, because they are not going to fight a war for Mr. Morgan? What is the Government going to do with them? They're going to lock them up — You haven't prisons enough to lock up all the people. (*applause*)

We believe in violence and we will use violence. Remember, friends, that the very Government which worships at the altar of the Christian religion, that this very Government knows perfectly well, that they attempted to silence them. And so, if it is their intention to make us quiet, they may prepare the noose, they may prepare the gallows, they may build more prisons — for the spread of revolt and conscience. (*applause*)

How many people are going to refuse to conscript, and I say there are enough. I would count at least 50,000, and there are enough to be more, and they're not going to when only they're conscripted. They will not register. (*applause*)

I realize perfectly, that it is possible to gather up 50 and 100 and 500 people — and what are you going to do if you have 500,000 people? It will not be such an easy job, and it will compel the Government to sit up and take notice and, therefore, we are going to support, with all the means at our support with money and publicity — we are going to support all the men who will refuse to register and who will refuse to fight. (*applause*)

We want you to fill out these slips and as you go out drop them into the baskets at the door. We want to know how many men and women of conscriptive age — and they're going to take women and not soldiers. It is the same thing as if you fight in the war. Don't let them tell you that they will send you to the farm. Every stroke of what you do you are supporting the war, and the only reply that you can make against the war is that you are making men — that you are busy fighting your internal enemy, which is the capitalistic class. (*applause*)

I hope that this meeting is not going to be the first and last. As a matter of fact, we are planning something else.

Friends, listen, think of it. Not only are you going to be compelled — coerced — to wear the soldier's uniform, but on the day when you leave to be educated to the monster war, on the day when it will be decided that you shall be driven into the trenches and battlefield, on that day we are going to have a demonstration (*applause*), but be careful whom (*applause*) — you might bury yourself and not the working class (*applause*). We will have a demonstration of all the people who will not be conscripted and who will not register. We are going to have the largest demonstration this city has ever seen, and no power on earth will stop us.

I will say, in conclusion, that I, for one, am quite willing to take the consequences of every word I said and am going to say on the stand I am taking. I am not afraid of prison — I have been there often. It isn't quite so bad. I am not afraid of the authorities — I have dealt with them before

— and rather, they have dealt with me, and am still living and stand here before you. I am not afraid of death. I would rather die the death of a lion than live the life of a dog. (*applause*)

For the cause of human liberty, for the cause of the working class, for the cause of men and women who live and till the soil — if I am to die for them, I could not wish a more glorious death ever in my wildest dreams. And so, patriots, and police, and gentlemen, who represent wealth and power, help yourself — you cannot stop the revolutionary spirit. It may take as long as one year or two. You cannot do it, because the spirit of revolution has a marvelous power of liberty. It can break through bars — it can go through safely. It can come out stronger and braver. If there is any man in this hall that despairs — let's look across Russia — let's look across. (*applause*) Als — who was tortured by the Russian soldiers, who never believed that she would see Russia and see her people alive, and yet see the wonderful thing that revolution has done. It has thrown the Czar and his clique and his ever staunch henchmen into prison. It has opened Siberia and all the dungeons, and the men and women are going to be free. They are not going to be free according to American democracy. (*applause*)

Friends, I insist it is a good place for them in Russia. Let's go back home tomorrow. So, friends, don't be afraid. Take this marvelous meeting, take this wonderful spirit, and remember that you are not alone — that tonight, in every city, in every hamlet and in every village and town, there are hearts beating that they don't want war, that they don't want conscription — that they are not going to be conscripted.

The ruling classes fight a losing game. The Wall Street men are fighting a losing game. They represented the past and we represent the future. (*applause*)

The future belongs to the young men, who are barely of age and barely realizing their freedom. The future belongs to the young girls and young boys. They must be free from militarism. They must be free from the military yoke. If you want war, help yourself. Fight your own battle. We are not going to fight it for you. (*applause*)

So, friends, it is our decision tonight. We are going to fight for you, we are going to assist you and cooperate with you, and have the grandest demonstration this country has ever seen against militarism and war. What's your answer? Your answer to war must be a general strike, and then the governing class will have something on its hands.

So, friends, before I close, I want to make an appeal to you. I want to make you know that this meeting sprang simultaneously from a group of people. It cost money and therefore I ask you to contribute as much as you can. I wish to say that Mother Earth is opening pledges with \$50. I hope that those who can do so will do so. We want to have money, we want to have more literature, we want to have a demonstration, and we want to prove that with little money, no public support, with no militia, with no soldiers, we can support the point of real freedom and liberty and brotherhood.

(Finished speaking about 10:15 P.M.)

Meeting of No-Conscription League (Hunts Point Palace, 8 P.M. New York, June 4, 1917)

Transcript by public shorthand reporter Charles Pickler, employed by the Stenographic Service Company of New York City, contracted by the No-Conscription League. Copy of original

transcript housed at the Tamiment Library, New York University. Permission to reproduce or quote in any form must be obtained from the Tamiment Library.

The transcript was seized by government authorities from the headquarters of the No-Conscription League on June 15, 1917, the day that Emma Goldman and Alexander Berkman were arrested. Berkman's and Goldman's speeches at this event were introduced as Government's Exhibit 33 in the June-July 1917 anti-conscription trial of Berkman and Goldman. For transcript of court examination of Charles Pickler see "Goldman & Berkman v. United States: Transcript of Record, 1917 Sept. 25," pp. 163-67, 219-23 (*Emma Goldman Papers* microfilm, reel 59).

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LEONARD D. ABBOTT, ESQ., (CHAIRMAN)

THE CHAIRMAN: My friends, I ask you to keep control of yourselves. If any party or parties try to make trouble, ignore them. We are here tonight to assert the power of an idea against the power of physical force. We are here tonight to assert the power of freedom as against the power of authority.

All through history free ideas have had to fight for their right to exist, and men and women have had to go to prison, and in some cases to lay down their lives, in order that freedom might go forward. We are fighting the latest engagement in this eternal war for freedom, in this hall tonight. We say to militarists who are trying to force Americans into the ranks of Militarists throughout the world, into the ranks of the same militarists that have made of Europe a shambles, and that are still slaughtering men and women and children there, we say to them, "Beware, you can go so far, but no further." We say to them, "Go to Europe to fight the Germans, if you want to, but don't try to drag us with you when we are unwilling to go." (*Applause.*) We say to the militarists, "We are not interfering with you, but you are interfering with us, and if you try to take us by force we shall resist." (*Great Applause.*)

We hear a great deal about Anarchism in the present fight against Conscription. If Anarchists are prominent in this fight, it is because they have the courage of their convictions and are not afraid to express their convictions. Anarchists show their convictions and show their convictions in war times as well as in times of peace. They recognize that war is the very test of anti-militarist sincerity. It separates those who are sincere from those who are insincere. The man who declares himself an anti-militarist in times of peace and then abandons his convictions in times of war and danger is not an anti-militarist, he is a weakling. And the paradox of the present situation is that Anarchists, although they do not claim to be patriots, are upholding American principles. Conscription is un-American, is immoral, and as many people believe unconstitutional.

There is a provision in our Constitution forbidding involuntary service. If conscription does not mean involuntary servitude, then I don't know the meaning of these two words.

A year ago, our American Nation was unwilling to commit itself to the principle of Conscription and Conscription was at least a debatable question; now the authorities talk of inflicting the death penalty on those who oppose Conscription, in spite of the fact that the opponents of Conscription today take the same view that the overwhelming majority of the American people have taken before. A few months ago President Wilson said he had been unable to find out what the war is about. He intimated that it did not concern us in America. He said a few days ago before the Red Cross in Washington that we had no special grievance against Germany. Two years ago

the President was too proud to fight the Germans; now it seems the Germans are too proud to fight us — at least they have not made a formal declaration of war against America. Then, why in the name of humanity and common sense drag America into this war, or turn this country into an armed camp? Why follow the mistaken roads that all European countries have followed and pile up armament upon armament? Why send the flower of our young men to the trenches? Why don't the old men go? We can spare them better than our young men. This is not our war. This is not a war in which social revolutionaries can have any real interest. The war has been a mistake, it seems to me, almost without exception. The Russian Revolution is the only good thing, the only decent thing that has come out of it. (*Tremendous Applause.*)

Do not forget that the present Conscription Law is only the thin edge of the wedge; don't forget that it is merely the beginning of the large opening that will bring the military monster into our homes, and as it grows stronger it will become more greedy, and the love for conquest will take possession of it, and the next thing that we will be required to do will be to conquer Mexico. That is the natural progress of militarism. If you believe in this war, go ahead, but don't force us. We have as much right to our principles as the militarists have to theirs.

I honor that great American Henry D. Thoreau, who wrote of the duty of Civil disobedience, and we are following him and his doctrines. We believe the time will come when the highest conscience of humanity will be shown in civil disobedience to unrighteous requirements of the powerful few.

Militarists talk of giving patriotic service to the nation. But there are two kinds of service, and there are two kinds of nations. Which nation do they mean? There is a nation composed of exploiters, capitalists and the militarists. And there is a nation of exploited working men, of persecuted labor bodies. The first, the capitalists, we regard as our enemies. To the second class, the workers, the labor leaders, we pledge our deathless loyalty. We join hands with our comrades throughout the world. One of the inspiring circumstances of the times is the formation in England and elsewhere of workingmen's councils, such as there were formed during the Russian Revolution, the sole object of which is to work for the people's peace.

We say that we are men without a country, but in saying that we assert kinship with all in all countries. Yes, my friends, as our young Anarchist, Louis Kramer, said a few days ago, "We are citizens of the world, and we are the true patriots and the true lovers of all the people, and we do object to militarism and enforced servitude." I say to you, my friends, that a country must have a guilty conscience, when it arrests young men on no other grounds than giving out hand bills for this meeting, and fixing their bail at \$7,000.00. A country must have a guilty conscience when it arrests young college boys and girls, when their only crime is that they are sincerely against militarism. (*Applause.*) I say to you that a country must have a guilty conscience when men and women are arrested on flimsy or no charges, when meetings are broken up on flimsy pretexts or without any pretext, when radical papers are suppressed and when radical headquarters in many cities are raided. If these are the first fruits of militarism, what will be the complete harvest?

I don't know how many young men will refuse to register and be conscripted tomorrow, but I do know that the young man who shakes off the bloody paw of militarism when it is laid on his shoulder, who refuses to be shipped to the trenches of Europe, I do know that young man is doing something that is of unquestionable value, not only to himself but to all humanity and to all posterity. (*Applause*) The young man who out of a keen sincerity and idealism refuses to take arms in a cause which he does not believe is stronger than any or all the governments that

ever existed. (*Tremendous applause*) Down with militarism. And down with the state that cannot maintain itself except by forced service. (*Tremendous Applause*)

We have a number of speakers here tonight, some of them young men of conscriptable age, and some few others. Some of them are beyond the conscriptable age, and are not themselves liable, but who fight in this issue just as if they were liable themselves. The first speaker is a young man of conscriptable age, the headmaster of a modern school at Stony Ford, New York. I take pleasure in introducing Mr. Robert H. Hutchinson, but before I close I want to say that Anarchists are not afraid to go on the firing line. That is not the reason. The reason is our underlying principle, the very foundation of our belief, that this is wrong. We are against it now and we always will be. (*Applause*)

MR. ROBERT H. HUTCHINSON: My friends, if we go into this war to beat the German armies we may be successful, but we are liable to be conquered ourselves by a much more insidious power than armies. Let me recall to your minds how it was that the Roman Empire in the second century B.C. conquered the little country of Greece. The army of that little country went down to destruction against the Roman fighting machine, but in the end it was the Greek Civilization that conquered the Romans. The Romans took over the Greek Government; Roman writers imitated Greek literature; Romans imitated Greek architecture. But when Rome had run her course and the barbarians from the North came down and made themselves possessor of what was left of the Roman Empire it was Roman civilization that reconquered the barbarians. Now, is history repeating itself? Is it possible that the United States will go into this war against Germany and beat the Germans by arms, and in the end be conquered by Germany? When I say Germany I do not mean the mass of people within the confines of the German Empire I mean the type of civilization which the ruling classes there have worked out. I mean Kultur. What does "Kultur" mean. There are two sides to it. On the one hand there is the idea of a kind of state socialism in which the State enters into every phase of human life for the purpose of eliminating waste and making the people act more as a single unit. This can best be translated by our word efficiency. The other idea involved in the conception of kultur is that of absolute, unquestioned obedience to authority. In one sense Kultur means a system, an efficiency, which the ruling classes of Germany have worked out for the increase of their own power. That is not the kind of kultur we want here in America. What difference is there between what we hear nowadays around such places as this, what difference is there between our modern Americanism and this kultur? What difference is there between German efficiency and American efficiency?

What difference is there between the Subordination of individual liberty, whether it is in Germany or the United States? If we here really believe in freedom and democracy, if we really hold that the rights of the individual are important, let us not fight against a German organization, but let us fight against this kultur, both this side of the Atlantic and the other side of the Atlantic, everywhere. Let us stir up the people to fight for real freedom that democracy means, let us stir them up to fight for more than the mere word; let us stir them up to fight so that freedom and democracy be made facts and maintain as facts, not merely words. (*Applause*) Let us not be fooled, and let us not permit others to be fooled. We are not in danger of the German Armies; we are in danger of this kultur. It has conquered England and France, and it has now taken possession of America, in a way. It is a great invasion of individual rights. We don't want guns and bullets; we want propaganda and education. We don't want poisonous gases, we want fresh air. And neither do we want that word Liberty to remain a word; we want it to become a fact. (*Tremendous applause*)

Therefore I ask you to join me in demanding that this Conscription Law be repealed, (*Applause*) or at least that some kind of an amendment will be made to it that those who are conscientiously really against war of any kind will be allowed to follow out their principles unmolested and in freedom. (*Applause*)

THE CHAIRMAN: The next speaker will be a young mother, Mrs. Ballantine.

MRS. BALLANTINE: My friends, it is comparatively easy for me to come here and speak to you because I have a son who is only fifteen months old. When I think of mothers here whose sons have to be sent to these bloody battles, with which they have no sympathy, it just horrifies me. I don't see how they do it. To me the whole subject of motherhood has become so terrible, that I cannot think of my little son with equanimity. He is a perfect physical specimen, and when I think I may bring him up to perfect manhood to be taken away without his consent or mine I think I have committed a crime against humanity. They say that this is going to be the last war, to placate people whom they know are opposed to them. There is a book which has just come out, written by some French poillou, the French word for soldier, in which he describes the conditions at the front, and the conditions that meet the soldiers there in the trenches. He describes the way they live, in water up to their waists, cold and freezing weather, the consequence of diseases, and the vermin with which they are covered. Have I to give my son for that? I would rather he die. And I say to women, "Don't breed. Don't have any more children if that is what you are bringing them up for." (*Applause*)

That is not what we give life for. Life should be a beautiful thing, a thing to develop and flower, instead of a thing to be a mass of wounds and sores and horrors, left on some battlefield. I make my protest as a mother, and as an individual to mothers — don't, don't, don't, don't give your children. (*Applause*)

THE CHAIRMAN: The next speaker is a young man of Conscriptible age, Peter Kane, Jr.

MR. PETER KANE, JR.: My friends, you will have the police soon. My friends, great sacrifices have been made this evening to get you here. I would like to tell you a great many things, but America does not permit me. (*Applause*)

A VOICE FROM THE GALLERY: You had better go back to Russia.

MR. KANE: I am going back there if you don't go with me, soon. My friends, two noble boys were arrested at Madison Square Garden getting you here this evening, and I beg to say in spite of that there is a standing army on the outside, with their protest, telling President Wilson how much they love Conscription. (*Applause and Cheers*)

I am a free born American Citizen and it is my duty to preserve those institutions of democracy that mean liberty of principle of conscience, (*Applause and Cheers*), and I am willing also to give my insignificant life to preserve those institutions that the forefathers of America fought for. If our dear country is fighting a war for democracy my dear brethren, we should have this democracy at home first. (*Applause and Cheers*) Any attempt to violate the laws of true democracy should be crushed by the will of the people who love democracy (*Applause*), and tomorrow on June 5th you will have your opportunity to crush those laws that destroy democracy, and I for one, my friends, will side with your dear patriot, Patrick Henry. As for me, gentlemen, give me liberty or give me death. (*Many hurrahs and great applause*)

A VOICE FROM THE GALLERY: Three cheers for the Stars and Stripes. (*Applause*)

MR. KANE: If that individual who made our dear Star Spangled Banner could see us today, she would say, why did I ever say Liberty? I may be brought to task for saying these things, my friends, but don't fear that, for I am a Democratic American Citizen, who has the belief, at least,

that I have the right to speak what I think. I cannot allow any law to interfere with the freedom of my conscience, and I am not going to allow any sect to provide any law under a democracy that stands for a representative Government to drive me to the slaughter of my fellow man. I refuse to become a murderer under any pretense whatsoever. *(Applause)* Laws exist only by the belief of a people in their necessity for the achievement of the Liberty of Justice and Righteousness. We believe that any law odious to democracy, endangering the preservation of freedom of thought and conscience, is tyrannical and fit for autocracies only. We liberty-loving American citizens want this body governed by militarism crushed and we cannot and will not tolerate any attempt to Prussianize America under any pretense whatsoever. *(Applause and something, evidently an electric bulb, thrown from the gallery and striking at the feet of the speaker.)*

MR. KANE: Will the law and order committee provide that I speak safely? *(Laughter)* We, the people, make governments and are the final judges as to what shall be enacted as laws. Our representatives voted for war, it is true, but we, the people of America, know the horrors of war, and we did not and do not want war. Indeed, our representatives did not represent us. We therefore repudiate a declaration of war until the American people, the masses, the workers, who do the fighting and pay the taxes for a war are given the right that true democracy guarantees, the right to decide by a referendum whether or not they want war. *(Great Applause and hurrahs.)* Taking advantage of the Government machinery that can be manipulated to suit those people who our representatives seem to be considering more than the people, a law was railroaded through Congress in some manner declaring a war that the people do not want to. And I say here to you now, my brothers, that I, for one, will not uphold any law that does not come within the written Constitution of the United States of America. I will take no steps and leave it to the conscience of every man who wants democracy, who understands what this country fought for to get democracy, not to uphold that law. *(Applause)* It is in your power. Do it.

THE CHAIRMAN: The next speaker is not only a mother, but a grandmother. I ask Mother Yuster to step forward. Mother Yuster is a Rumanian and asked me to translate some of this to the audience.

(A lady stepped forward and stood by the Chairman while he proceeded.)

THE CHAIRMAN: I am now speaking for her. I come here tonight with my heart full of sorrow. I want to say these few words to the audience; as my vocabulary is limited in English and my voice is weak. We mothers have not given our lives to bring up strong, healthy fellows to make of them murderers and slaughterers of their fellow men. *(Applause)* We thought we brought our sons into a civilized world where they could be used for members of society and make the world better and not worse. I know that I voice the feeling of plenty of other members when I voice my feelings, that we will never allow our sons to be conscripted. We have put our lives in danger by giving birth to them; we are willing to give our lives to save them. Let those go who want the war; no one stops them. Mothers wake up. Realize what this means. Don't allow your sons to go to the war. *(Applause)*

THE CHAIRMAN: The next speaker is one you all know, a life long fighter, not only against militarism, but against everything that crushes the human spirit, a man who went to prison for fourteen years in the fight for liberty. I present to you Alexander Berkman. *(Great Cheers.)*

ALEXANDER BERKMAN: Comrades, friends and enemies *(Great Applause)* and everyone who believes in freedom of thought and liberty. We had a demonstration here a moment ago as to who believes in free speech. The militarists, the false patriots and the others have mass meetings tonight. They have mass meetings this evening. They have meetings tomorrow. We did not send

our men to disturb their meetings. (*Great applause and hurrahs.*) Who believes in liberty? Do we believe in liberty or do they? We say to you, and I mean all of you, I mean these detectives, these Federal men, soldiers and sailors, we say to all of you, if you want war, go ahead. We believe in liberty, but you can go ahead. (*Applause and cheers.*) But we say further to you, if you believe in liberty, if you pretend to fight for liberty and democracy how can you force us to do what we don't want to do? (*Great applause and cheering.*) I see a few, or rather quite a number of young men in uniform in this audience, and I want to know when they look into their own consciences if they do not think that I am not making a florid speech, but that I am talking common sense. That should appeal to you, if you really have a sense of justice.

America says we are going to fight Germany. Why? They say we are going to fight Germany because we want to give them liberty and democracy. If you believe that you can give a people liberty and democracy from the outside, if you believe you can give a people or a nation liberty at the end of a bayonet or with bullets, go ahead. We don't object. We shall not interfere. But if you are so generous with liberty as to carry it to Germany across the sea, why don't you retain liberty right here in this country. (*Applause.*)

A VOICE: Are you a citizen?

A. BERKMAN: I have the floor just now. If you want the floor later, we believe in free speech and will give it to you. There is no greater boon in the world than liberty. There is nothing greater in the whole universe than freedom of conscience, freedom of opinion and freedom of action, in short liberty. But it is we who are fighting for liberty, and no one else, not those who oppose us. We have been fighting for liberty for many years, and even for the liberty of those who oppose us. (*Great Applause.*)

A VOICE: You know what Rabbi Wise said?

OTHER VOICES: Shut up, shut up. (*There were many boos and great confusion. Some one threw something at the speaker.*)

A. BERKMAN: I want this man to speak out what is in his heart. That is all right. I say this is a solemn moment. Men and women and soldiers and others, do not make light of this. You are the sons of mothers, even if you are in uniform. You want to go to the front. All right. But consider what you are doing and consider whether you have the right to suppress those who do not believe as you do. Consider well, especially if you pretend to fight under the banner of free speech and liberty. Consider that. Take that home with you to your barracks. Think it over. You have never heard patriots talk to us like that. We talk to you like that. We don't throw glasses or bricks at you. We say to you consider, look into your own hearts and do what you think is right. But you can't think it is right to suppress the other fellow because he thinks differently. You can't believe it in your own hearts or you would have less to say in opposition to us, and you would be less, much less than human. We are here to say what we believe, just the same as you are in a hundred and one halls all over the City, in thousands of halls all over the country today to say what you believe. That means liberty of speech, and for liberty I am the first to fight. (*Great applause.*)

This is a most serious moment. Let me tell you, if you know what is happening in the country today, that you know that this is one of the most tragic moments in the life of this country. Don't make light of it, because it is the most terrible and tragic moment in the life of the country. Conscription in a free country means the cemetery of liberty, and if conscription is the cemetery then registration is the undertaker. (*Great applause and cheers and boos, and something thrown at the speaker that looked like a lemon.*)

All right, I am talking now; you can talk later. (*Some one in the gallery threw something at the speaker and said something the stenographer could not understand.*) Those who want to register should certainly register, but those who know what liberty means, and I am sure there are thousands in this country, they will not register. (*Many hurrahs and great applause.*) There have been many black days, many black Fridays, and black Sundays in the history of this country. Black days for labor when those who feed you were shot down on the streets because they were for better conditions of living. There have been many black days for labor. But there is going to be a blacker day, not a black Friday, but a black Tuesday. (*Great applause*) And I believe that those who realize the full significance of forcing a supposedly free country into an armed camp, those who realize that should put on mourning tomorrow. They should mourn the loss of the country's liberty. It is not a day for rejoicing. You rejoice over something that brings you happiness, joy, freedom. But something that means your further enslavement, something that means the coercion of you to do things against your conscience, against your nature, against the dictates of everything that is fine in you — things like that should be mourned and wept over, and not made a holiday of. It is a tragic moment to me, because I love the American people more than those who want to enslave them towards the profit of Morgan and others. (*Applause*) Neither the soldiers of this country nor the workers have any enemies across the ocean. The soldiers and the workers and all those who really have to work mentally or physically, for their bread and butter, they have no enemies there. They have an enemy right here in this country; (*Applause*) they have an enemy that makes money, millions and billions of it, out of your blood, out of small children and widows, by putting them in sweat shops, by working them all hours, (*Great Applause*) (*Some one in the gallery threw something at the speaker which broke the glass on the table in front of him and the rest of the remarks to finish the sentence were not heard.*) Those are the enemies we have.

A VOICE: You are the enemy.

A. BERKMAN: I have no more love for these exploiting American enemies than I have for the German Kaiser. (*Some one in the gallery shouted, "go back to Europe where you belong. You are not an American citizen anyhow."* Also some one threw something that broke one of the electric globes in the footlight row.)

A. BERKMAN: No, no, gracia. Hence, consider a certain country across the ocean. Look at Russia. There are workers and soldiers that know what they are about. (*Great applause and confusion. Many voices from the gallery.*) You believe in free speech, go and fight for your country. They are soldiers the same as we have in this country. They are workers the same as we have in this country. And let me tell you they know that eight hours is a working day there. (*There was considerable confusion in the gallery, and evidently a struggle of some sort went on up there.*)

No argument there (*Referring to the gallery.*) Sit down. Everybody keep their seats. (*There was great confusion, people standing up around the hall.*) Keep your seats. We know there are men here to break up this meeting.

EMMA GOLDMAN: One moment. There are United States soldiers here who are on duty. Soldiers — now, no argument there.

MR. KANE: Listen to an American citizen.

(*Meanwhile there was great confusion throughout the hall.*)

A. BERKMAN: I don't believe these soldiers are real Americans. My friends, do you know what is happening in Russia today? Do you know that eight hours work is what the workers want in every country? Do you know what is good for the workers? Do you know what the soldiers of Russia are helping the workers in that country to do? Do you know that after all the cause of

the soldiers and workers is the same everywhere. (*Great excitement, Emma Goldman takes the platform.*)

MISS EMMA GOLDMAN: Please be quiet; please be quiet. (*Great applause and cheers.*) Friends and fellow workers. Friends, don't you know that the soldiers came here to disturb the meeting? (*Many voices yes, yes.*) I ask you all to keep quiet, no matter what the soldiers do. I demand of you to keep absolutely quiet. Let them disturb the meeting. We are not going to disturb the meeting. (*Applause*) Friends, workers, soldiers, detectives and police. (*Laughter and hisses and applause*) I am going to speak to you all. I am surprised that the police here don't stop the soldiers from breaking the lights. (*Hurrahs and applause. Throughout Emma Goldman's remarks she was so frequently interrupted by applause that reference will not be made to the times.*) Friends, please don't applaud, time is too precious. If the police don't stop the soldiers from breaking the law is it because the police are afraid of the soldiers? I hope that they will preserve order. Now, friends, if this meeting would not take place at all, I think you should know that there are twenty thousand people outside waiting to get into this hall, to prove to you more than anything that we can say that the people of New York who think, don't want war and don't want conscription and don't want militarism. At the same time we consider ourselves more consistent than those who believe in war and believe in militarism. We say that those who believe in war, believe in conscription and in militarism and should do their duty and fight. We have no objection against it but we refuse to be compelled to fight when we don't believe in war and when we don't believe in militarism and when we don't believe in conscription. Now, why don't we believe in war and in militarism? The good papers of this city have told you that because we are pro-German, we do not believe in war and we do not believe in militarism. That is an unbelievable lie. I am just as much opposed to the German Government as I am to the American Government — and why do I not believe in militarism? I will tell you why. When I was eight years of age my father had a government position, and every year compulsory military registration was required. The highest officials of Russia would come to our place, the heads, the representatives of militarism, and would there compel the youth of our land, the peasant boys to become soldiers. And at that time the mothers and the fathers of the whole community turned out in mourning and considered it a day of sorrow and of tears and of pain when their sons were taken away into the Army. It impressed itself with indelible power upon my mind and upon my conscience. Ten years later, when I came to America, I was told that this was the land of the free, that no man is compelled to be a soldier in America. I actually believed that this was the promised land, the land that rests upon freedom, upon opportunity, upon happiness, upon recognition of the importance and the value of the young generation. But since that day twenty seven years almost have passed, and I have come to the conclusion that when the law for conscription was passed in the United States the Funeral March of 500,000 American youths is going to be celebrated tomorrow, on Registration Day. I am opposed to Militarism because I have seen since my early childhood what it means to sacrifice a young man, who has hope and youth and a life of opportunity before him, on the altar of militarism. I, therefore, promised myself, even as a child, that as long as I lived, and as long as my voice carried, I shall cry out against compulsory militarism, against conscription. My friends, we are told that the people want war. If the people of America want war, if the people of New York City want conscription, how does it happen that this city is going to muster up not only the entire police department, but the National Guard and a body of parasites known as the Home Guards, who have nothing else to do? Now, my friends, I ask you why do you have to muster up your police, soldiers, Home Guard and National Guard to celebrate your Registration Day?

If the people want war, why so much police, why so many soldiers to compel them to become soldiers? If the people want war, why not give them a chance to say that they do? If you want to sacrifice their sons upon the altar of militarism, why not give the people a chance to decide? Those in power knew that they could not put the people to a test; they were afraid to put the American people to a test, and that is why they imposed war upon them, and barely six weeks later imposed conscription upon them. Therefore, I as an Anarchist who became an American out of choice, protest. You patriots, you born Americans, you became Americans because you had to. You were dropped on this earth. I had no choice whatever, but I came to America out of my free will, and I, as an American out of choice, say that if you force people into militarism, if you force our young men into the Army, please have the decency to say that you will Prussianize America in order to democratize Germany. (*Tremendous applause.*) You must realize that you will be making a laughing stock out of yourselves. Nobody believes you. Don't you suppose that the fact that you are breaking up meetings and causing disturbances and locking up boys and girls and disturbing and harming people, don't you suppose those things are known abroad? How much the Russian peasants and the workmen must enjoy themselves when they hear of this wonderful democracy in the United States.

I understand, friends, that a meeting of Russian soldiers was stopped in this city tonight. I am glad of it. The Russian soldiers will go back to the Council of Workmen and Soldiers and they will tell them that when America says she is fighting for democracy she is telling the world a lie. She is not fighting for democracy. I say that those who sit in a glass house have no right to throw stones about them. Now, friends, I am here frankly and openly telling you that I will continue to work against Conscription. We are told that you have stenographers here to take down what we say, this is not the first time we are having stenographers at our meeting. And I have always said things that everybody can hear, and what is more important I want the police and the soldiers to hear what I have to say. It will do them good. They need education. Now, friends, if I do not tell you tonight not to register, it is not because I am afraid of the soldiers, or because I am afraid of the police. I have only one life to give, and if my life is to be given for an ideal, for the liberation of the people, soldiers, help yourselves. My friends, the only reason that prevents me telling you men of conscriptable age not to register is because I am an Anarchist, and I do not believe in force morally or otherwise to induce you to do anything that is against your conscience, and that is why I tell you to use your own judgment and rely upon your own conscience. It is the best guide in all the world. If that is a crime, if that is treason, I am willing to be shot. It is a wonderful death to die for your ideal, but I impress it upon the minds of patriots present, I impress it upon the minds of the police present, upon the minds of the soldiers present, that for every idealist they kill thousands will rise and they will not cease to rise until the same thing happens in America that has happened in Russia. Don't you know, friends, that there was a time when Russian soldiers locked up every idealist and sent them to Siberia and to underground prisons and suppressed free speech and assembly and tortured them to death. Yet today the whole civilized world, including the United States Government, is trembling in its boots before The Council of Workmen and Soldiers who are standing for liberty. And, friends, young men, soldiers, I am not afraid. I am not afraid for all you can do is to take my life — you can never take my ideals. Neither the police nor the soldiers, nor the United States Government nor all the powers on earth will take my ideals. My ideals will live long after I am dead.

Now, friends, I come to something else far remote from what I have to say tonight, and which is unfortunately always my luck. The newspapers were good enough to say that all of our meetings

are paid for by the German Kaiser. Of course, they know better. They know that if the German Kaiser paid for this meeting, we could have the largest hall in town and invite the police. They know perfectly well that we are not paid by the German Kaiser. No, friends, you workingmen and working women, who are here tonight, you have to pay for tonight's meeting, not the German Kaiser. I am going to appeal to you, — because this meeting has to be paid for by your money, and in the second place, to demonstrate to the gentlemen of the press, present here tonight, to the soldiers and to the police, and to the detectives, that the money which you are going to give is hard earned American pennies, the amount of money your masters are good enough to give you in return for the amount of wealth which you are producing every day. And so, friends, I appeal to you tonight to give liberally, to give as much as you can, when the collectors go through to pay the expense of the meeting. We are very fortunate that we don't have to pay for our protection. We get that perfectly free. We are very grateful that the soldiers are present tonight. It is the only time in our life and their lives that they have heard the truth, and I am glad they are here, and so friends, when the collectors pass, please give as generously and as liberally as you can, and give only if you are opposed to war, and if you are opposed to militarism and conscription. I shall then have a word or two to say after the collection is over.

Meanwhile I call the attention of you soldiers to the fact that if you wish to demonstrate that you believe in American Institutions you will behave yourselves like gentlemen, not like ruffians. *(There was considerable confusion throughout the hall and up in the gallery.)* Now, after the collection, I shall have a few closing remarks to make, and I am going to stand here until you are through with the collection. *(Some one asked for three cheers for Emma Goldman, and the response was tremendous. Cheers and applause, mingled with boos and also some cheers for Alexander Berkman.)* Friends, don't please make a mistake. Don't shout hurrah for Emma Goldman or Alexander Berkman, because they are mere incidents in the history of the world. It is better to shout hurrah for the principles of liberty. That is better than one Alexander Berkman or one Emma Goldman, or one hundred thousand Alexander Berkman and Emma Goldmans. They will go, but the principle of freedom, the principle of self possession, the principle of self emancipation, the principle of social revolution will live.

Friends, the collectors can go on quietly and continue their work. *(There was great confusion throughout the hall at the time and Miss Goldman quieted the audience. Everyone became quiet again.)* Don't forget friends, that the opposition to conscription only begins, it does not end tonight. Do not forget, also, that the work for Peace, for International Peace only begins. I know, friends, who are here tonight, that you will be glad to learn from the note just sent up that fully twenty thousand people are outside of the hall. Dear Friends, I congratulate the press of New York. The newspapers of New York have rendered our Anti Conscription work more service than a thousand Emma Goldmans could render. Of course, the press did not desire to have twenty thousand people at such a meeting. What the press wanted was merely to paralyze you into silence, to make you believe that you are going to be imprisoned for this and be shot on the spot. It is too bad that America cannot hang you and quarter you and shoot you all at once, for the press would be in favor of that. These blood curdling articles that appear are only for the purpose of paralyzing you. They don't know, the poor chaps, that if anyone has an ideal you can't terrorize him no matter what you do. So I am personally grateful to you — to the press. I am grateful to the police for having sent out so numerous an army, grateful to the young soldiers who really mean no harm. They are innocent boys. They have never yet faced danger. They think it is going to be a picnic; they think they are going to enjoy themselves, poor young gentlemen.

I wish you could go to war and have a picnic. I wish you could enjoy yourselves, and I wish you could carry on your war as if it were a frolic, or as if it were a baseball or football game, but you are mistaken, as war means an entirely different thing. We know that war means the annihilation of every fundamental principle of liberty. We know that centralized militarism means nothing else but the carnal brutality of man, blood-shed and conquest in its most abominable aspect. We tonight of the Anti Conscription League raise our voices to the very sky to tell you that you may fight your battles, if you believe in the trenches, but you are representing a losing cause. You represent the past and we represent the future. The Conscription Law has been the means of awakening the people of America. Before the Conscription Law was passed the American people used to think, why, we have freedom, we can do whatever we please, we can go to war if we want to and stay away if we don't want to. My friends, we are grateful to the Government for having passed the Conscription Bill for it will teach the American people that American Liberty has been buried and is dead and is a corpse, and that only our voice is going to raise it up and revive it again, until the American people and all the people living in America will unite in one great mass and will throw out capitalism and Government by militarism.

It was our intention to have a number of other speakers here tonight. They are all here. I don't want you to think for a moment that anyone backed out, but we are not going to give the satisfaction to the patriots to break up this meeting. Therefore, friends, I want you to close this meeting with the singing of the International and to go out quietly. Your friends on the outside are waiting, and you will all raise one mighty voice that is going to drown militarism and government and capitalism. *(At the close of the meeting an old lady was helped to the platform by some one on the platform and distributed some papers, taken from an envelope. The pamphlets were afterward taken up by soldiers and the old lady was arrested.)*

MEETING CLOSED.

Speech Against Conscription and War (Delivered at Forward Hall, New York City, June 14, 1917)

Transcript of meeting (from which Goldman's speech is excerpted here) by public shorthand reporter Charles Pickler, employed by the Stenographic Service Company of New York City, contracted by the No-Conscription League. Copy of original transcript housed at the Tamiment Library, New York University. Permission to reproduce or quote in any form must be obtained from the Tamiment Library.

For transcript of court examination of Charles Pickler, see "Goldman & Berkman v. United States: Transcript of Record, 1917 Sept. 25," pp. 163-67, 219-23 (*Emma Goldman Papers* microfilm, reel 59).

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THE CHAIRMAN: The next speaker is one who is well known to you. I shall not waste words or time in introducing her but I want to tell you that before she came to the meeting tonight somebody telephoned to her and told her, "If you go to that meeting you will not get home alive." I simply want to introduce a woman who has more courage than half a dozen regiments *(tremendous cheering and applause at 9:12 P.M.)* I introduce to you — *(interrupted by applause*

and cheers. Some young man said, "Who loves Emma Goldman? We all do." Great cheering and applause.)

EMMA GOLDMAN: This is not the place to applaud or shout Hurrah for Emma Goldman. We have more serious things to talk about and some serious things to do. First of all I wish to say to you, all of you, workers, men and women from the East Side, that I regret deeply that I cannot speak to you in the language I have always spoken from this platform; that I cannot speak to you tonight in Yiddish. I shall speak English because I want those representing the State and Militarism and the Courts and Prisons to understand what I have to say. *(Miss Goldman's remarks were so frequently interrupted by cheering and applause that reference to such interruptions will not be made in this report further.)* I don't want them to get it secondhand. No language is ever rendered well in translation and I want them to hear what I have to say in the only language they can speak, and speak it poorly.

Friends, tomorrow morning I am sure that you will read the report that a meeting took place on the East Side attended by foreigners, by workmen, and illkempt, poorly washed people of the East Side — foreigners who are being jeered at the present time in this country, foreigners who are being ridiculed because they have an idea. Well, friends, if the Americans are to wait until Americans wake up the country they will have to resurrect the Indians who were killed in America and upon whose bodies this so-called democracy was established, because every other American, if you scratch him, you will find him to be an Englishman, Dutchman, Frenchman, Spaniard, a Jew and a German and a hundred and one other nationalities who sent their young men and their women to this country in the foolish belief that liberty was awaiting them at the American Harbor, Liberty holding a torch. That torch has been burning dimly in the United States for a very long time. It is because, the Goddess of Liberty is ashamed of the American people and what they have done in the name of liberty to liberty in the United States. And yet, friends, I am not sorry for the things that are happening in America today. I have come to the conclusion that every nation is like an individual, it must have its own experience and it does not accept the experience of other nations any more than you accept the experience of another individual, for if it were possible for a nation to learn by the bitter and tragic experiences of other nations America today could not be in war and America today could not have inaugurated a reign of terror which is sweeping across the country from one end to another. America had Europe before its face as an example, with all the murders and bloodshed and corpses and millions of lives lost. America had the trenches and the battlefields of the last, nearly, three years of Europe before her. America realized that this war is one of the bloodiest and most criminal wars that has ever been fought by civilized people. America had the lesson that the working people and the sons of working women are being sacrificed in the name of Kultur and they want democracy upon the battlefields of Europe, and if America had been a grown man instead of a child it would have learned the lesson that no matter how great the cause it is never great enough to sacrifice millions of people in the trenches and on the battlefield in the name of democracy or liberty.

Evidently, America has to learn a salutary lesson and it is going to pay a terrible price. It is going to shed oceans of blood, it is going to heap mountains of human sacrifices of men of this country who are able to create and produce, to whom the future belongs. They are to be slaughtered in blood and in sacrifice in the name of a thing which has never yet existed in the United States of America, in the name of democracy and liberty.

My friends, there are people who say and tell you that when they prophecy something the prophecy comes true. I am sorry to say that I am one such and I have to say the same. For thirty

years we have pointed out to you that this democratic State which is a government supposedly of the people, by the people and for the people has now become one of the most Imperialistic that the world has ever laid its eyes upon. For twenty-five or thirty years we have told you that the United States of America is appropriating more power every day until the time will come when individual men or women will be nothing but cogs in a machine of this centralized, cruel, blood thirsty government known as the United States. We told you that, and you said, you are alarmists. You said, you are too extreme, that will never happen in the United States. And here you are, friends. It has happened in the United States. A Czar was imposed upon you without the consent of the people. The people were never asked whether they wanted war. Indeed, the people of America placed Mr. Wilson in the White House and in the Chair of the Presidency because he told the people that he would keep them out of war, and as one of his political advertisements billposters were posted all over the city with the picture of a working woman and her children saying, "He has kept us out of war." He promised you heaven, he promised you everything if you would only place him in power. What made you place him in power. You expected peace and not war. The moment you placed him in power, however, he forgot his promises and he is giving you hell. War was imposed upon the people without the people getting a chance to say whether they wanted war or not, and war was imposed upon them, I say, because the gentlemen of power and those who back power want war. And because war has been declared upon you we are told, we men and women of the United States who work and sweat and toil to sustain these gentlemen of power, we are told that there is a law and we must go to war. If war is necessary, only the people must decide whether they want war or not, and as long as the people have not given their consent I deny that the President of the United States has any right to declare it; I deny that the President or those who back the President have any right to tell the people that they shall take their sons and husbands and brothers and lovers and shall conscript them in order to ship them across the seas for the conquest of militarism and the support of wealth and power in the United States. You say that is a law. I deny your law. I don't believe in it.

The only law that I recognize is the law which ministers to the needs of humanity, which makes men and women finer and better and more humane, the kind of law which teaches children that human life is sacred, and that those who arm for the purpose of taking human life are going to be called before the bar of human justice and not before a wretched little court which is called your law of the United States. And so, friends, the people have not yet decided whether they want war and the people are going to say, ultimately, whether they want war or not.

It is not surprising that President Wilson cannot sense the pulse of time. He has been in colleges too long; he has been too long within closed doors; he has been too long at the historical books. He cannot sense the pulse of time. But I tell you, without wishing to be a prophet, that within the next six months — not years but within the next six months — President Wilson will regret deeply that he ever declared war in the United States.

Of course, friends, of course since the war was declared by a country in whose interest it is that the American boy shall be sacrificed it was not to the interest of that country to put the war to a test and therefore conscription had to be imposed upon you. Don't you know that during the Spanish-American War when the people believed in the war there was no need of asking the young men of the country, at the point of the bayonet and gun and club, to put on an American uniform? They flocked to the war because they believed in it. And whether they were American citizens or were residents of America the people of America were all willing to give their lives for something they considered right and just. But because the people of America do not believe

in this war, because the people of America have not been asked whether there shall be war, that is why they do not flock to the colors and that is why you in America are doing as the Russians used to do, as the German Kaiser is doing, as all the Imperialistic tyrants are doing. That is why you are going to drag your manhood by force into the uniform. But you are forgetting one thing, gentlemen of the law, you are driving a horse to water but you cannot compel him to drink. You will put the young manhood of America in the uniform, you will drag them to the battlefield and into the trenches, but while they are there, there is going to be a bond of anti-militarism among the people of the world (*great applause*).

No, friends, you cannot compel human beings to take human life, if you give them the chance to reason and to think, to investigate and to analyze. And that is precisely what the authorities of this country don't want. They don't want you to hear anything about conscription; they don't want you to hear anything about the State Military Census. Why don't they want you to hear anything? If their position were correct and logical, if the State Military Census rested upon the need of the people, if conscription rested upon the desire of the people, all the revolutionists and Emma Goldmans and Alexander Berkman might talk their heads off and the people would not listen to them. But because the people know that conscription is a crime and oppression and an outrage upon reason, because the people know that the Military State Census was determined upon by one of the most reactionary men, we find Mr. Whitman who is on your backs, whom you supported, whom you gave the possibility to live. And the Military State Census, as you have been told, is going to turn every man of you here into a militiaman and into something who is fighting the Kaiser, because it is just as if the Kaiser wanted you to do a thing so that if you are a soldier and I tell you to shoot your mother and father and brother and sister you must obey orders. With the President is Mr. Whitman saying anything else? And then telling you that when you will become militiamen and you shall be ordered to shoot your brothers and fathers and sisters and mothers in the name of democracy that you are going to carry to the poor unfortunate people of Germany. And so, friends, we are here to tell you before you decide what you are going to do, think twice, and remember it is easy to make a mistake but it is very difficult to undo the mistake. You workmen of the East Side; you who have lived in Russia, you who remember the days when you could not meet unless you had detectives and soldiers and police, look about you. See what you have in the United States. See what you have in America.

If the framers of the Declaration of Independence if Jefferson or Henry or the others, if they could look down upon the country and see what their offspring has done to it, how they have outraged it, how they have robbed it, how they have polluted it — why, my friends, they would turn in their graves. They would rise again and they would cleanse this country from its internal enemies, and that is the ruling class of the United States. There is a lesson you are going to learn and terrible as it is for us we nevertheless are glad that you will have to learn that lesson.

And now we come down to the tragedy that was committed in the United States Court in the State of New York yesterday, when two boys were sentenced. It is not only a tragedy because they were sentenced. Such things happen every day, hundreds, thousands of innocent working men are sent to the prison and the penitentiary, thousands of unfortunates throughout the world as well as here in so-called free America and nobody ever hears anything about it. It is an ordinary, commonplace thing to do. But the tragedy of yesterday is in the fact that a Judge, supported as you have been told by your money, protected by public opinion, protected by the President, the tragedy of it is that that Judge had the impudence and audacity to insult Kramer and Becker after he gave them the sentence of such horrible dimensions. Think of a man like that who sits there

in judgment on other human beings. Think what must be his character, what must be his mind, what must be his soul, if he can spit human beings in the face, only because he has got the power.

But evidently the Judge knows nothing of history, any more than the ruling class knows. Don't you know there was a time when Marie Antoinette, very much surprised that the people had no bread asked, "Why don't they eat cake"? Don't you know what happened to the fair lady of France, Marie Antoinette? Don't you know what happened to the landowning class of France who said that the people should eat straw? Don't you know what happened to them? The people gave them all the straw they could possibly eat. I consider the action of Judge Mayer an insult and an outrage and I warrant you that he is going to hear about it, not only all over the United States but even from Europe. It may have seemed very insignificant to send two poor workingmen to the penitentiary and to insult them, to send Becker and Kramer, who are both workingmen — that is their crime, they were both honest enough to say they were anarchists. To be condemned in an American Court it is enough that you are an anarchist. The Judge was horrified at the audacity of these people to say it to him, face to face. Don't you know, men, you who are free Americans, the moment you enter an American court you must say, like Dante said, "Ye who enter here leave all hope behind." That is what the American Courts are. And so today you are governed by the bayonet and the police can treat you like dogs. But I say to you, they who live by the sword shall perish by the sword. So I tell you, gentlemen, now is your time. Do whatever you please. But you are forgetting the story and you are forgetting the writing on the wall. You are making a mistake if you think that by sending Kramer and Becker to jail you are going to silence the human voice. You are making a mistake if you believe that by threatening and arresting people you are going to stop the agitation against war. The agitation is in the hearts of the people, the agitation is in the minds of the people, and it only requires the psychological moment to come along, as it did in Russia, and the Judges like Mayer and the other Judges will fly off the bench and into the gutters.

My friends, if we thought for one single minute that the entire agitation is dependent only upon a handful of people we would never bother and endanger your lives, but we know the agitation is in your hearts and souls, we know that the people from the East and West and South and North are opposed to the war, are opposed to conscription, opposed to the Military State Census, and the people will be heard from, I can tell you that. And so, to threaten anyone's life, to say that she will not come back from a meeting alive — how stupid. What is life unless you can live it in freedom and in beauty, and unless you can express yourself, unless you can be true to yourself what is life? I would rather than live the life of a dog to be compelled to sneak about and slink about, to worry that somebody is looking for you ready to take your life — Rather than that I would die the death of a lion any day. Why, what consequence is it if you tell people, we are going to arrest you, Miss Goldman. Just as if arresting Emma Goldman solves all the problems in the world. Prisons have never solved any problems. Guns and bayonets have never solved any problems. Bloodshed has never solved a problem. Never on earth, men and women, have such methods of violence, concentrated and organized violence, ever solved a single problem. Nothing but the human mind, nothing but human emotions, nothing but an intense passion for a great ideal, nothing but perseverance and devotion and strength of character — nothing else ever solved any problem.

And so, men and women, workmen and workwomen, you of the East Side, you who are sweated and bled to create the wealth of this country, you who are being sneered at because you are foreigners — very well, then, if you are good enough to create the wealth of America, if America had to go to Europe for her Art, if America had to go to Europe for her Literature,

if America had to go to Europe for her Music and her ideals, by God you will have to go to the foreigners for liberty.

I wish to say here, and I don't say it with any authority and I don't say it as a prophet, I merely tell you — I merely tell you the more people you lock up, the more will be the idealists who will take their place; the more of the human voice you suppress, the greater and louder and the profounder will be the human voice. At present it is a mere rumbling, but that rumbling is increasing in volume, it is growing in depth, it is spreading all over the country until it will be raised into a thunder and people of America will rise and say, we want to be a democracy, to be sure, but we want the kind of democracy which means liberty and opportunity to every man and woman in America (*Great and continued applause*).

THE CHAIRMAN: Before we close the meeting I want to call your attention again to the demonstration Saturday, June 23rd, at 2 P.M., in Madison Square. The subject will be Labor and War. Everybody be there. And now, my friends, let the gentlemen of war step out first. They came first; let them leave first, and then you leave the hall gradually, without any disorder. The meeting stands adjourned.

Friends, you will be glad to hear that the collection for Becker and Kramer amounts to \$100 (*applause*).

Meeting adjourned at 9:42 P.M.

Address to the Jury (Delivered during her Anti-Conscription trial, New York City, July 9, 1917)

Trial and Speeches of Alexander Berkman and Emma Goldman in the United States District Court, in the City of New York, July, 1917 (New York: Mother Earth Publishing Association [1917]), 56–66

* * *

Gentlemen of the Jury:

As in the case of my co-defendant, Alexander Berkman, this is also the first time in my life I have ever addressed a jury. I once had occasion to speak to three judges.

On the day after our arrest it was given out by the U.S. Marshal and the District Attorney's office that the "big fish" of the No-Conscription activities had been caught, and that there would be no more trouble-makers and disturbers to interfere with the highly democratic effort of the Government to conscript its young manhood for the European slaughter. What a pity that the faithful servants of the Government, personified in the U.S. Marshal and the District Attorney, should have used such a weak and flimsy net for their big catch. The moment the anglers pulled their heavily laden net ashore, it broke, and all the labor was so much wasted energy.

The methods employed by Marshal McCarthy and his hosts of heroic warriors were sensational enough to satisfy the famous circus men, Barnum & Bailey. A dozen or more heroes dashing up two flights of stairs, prepared to stake their lives for their country, only to discover the two dangerous disturbers and trouble-makers, Alexander Berkman and Emma Goldman, in their separate offices, quietly at work at their desks, wielding not a sword, nor a gun or a bomb, but merely their pens! Verily, it required courage to catch such big fish.

To be sure, two officers equipped with a warrant would have sufficed to carry out the business of arresting the defendants Alexander Berkman and Emma Goldman. Even the police know that

neither of them is in the habit of running away or hiding under the bed. But the farce-comedy had to be properly staged if the Marshal and the District Attorney were to earn immortality. Hence the sensational arrest; hence also, the raid upon the offices of *The Blast*, *Mother Earth*, and the No-Conscription League.

In their zeal to save the country from the trouble-makers, the Marshal and his helpers did not even consider it necessary to produce a search warrant. After all, what matters a mere scrap of paper when one is called upon to raid the offices of Anarchists! Of what consequence is the sanctity of property, the right of privacy, to officials in their dealings with Anarchists! In our day of military training for battle, an Anarchist office is an appropriate camping ground. Would the gentlemen who came with Marshal McCarthy have dared to go into the offices of Morgan, or Rockefeller, or of any of those men without a search warrant? They never showed us the search warrant, although we asked them for it. Nevertheless, they turned our office into a battlefield, so that when they were through with it, it looked like invaded Belgium, with the only difference that the invaders were not Prussian barbarians but good American patriots bent on making New York safe for democracy.

The stage having been appropriately set for the three-act comedy, and the first act successfully played by carrying off the villains in a madly dashing automobile — which broke every traffic regulation and barely escaped crushing every one in its way — the second act proved even more ludicrous. Fifty thousand dollars bail was demanded, and real estate refused when offered by a man whose property is rated at three hundred thousand dollars, and that after the District Attorney had considered and, in fact, promised to accept the property for one of the defendants, Alexander Berkman, thus breaking every right guaranteed even to the most heinous criminal.

Finally the third act, played by the Government in this court during the last week. The pity of it is that the prosecution knows so little of dramatic construction, else it would have equipped itself with better dramatic material to sustain the continuity of the play. As it was, the third act fell flat, utterly, and presents the question, Why such a tempest in a teapot? Gentlemen of the jury, my comrade and co-defendant having carefully and thoroughly gone into the evidence presented by the prosecution, and having demonstrated its entire failure to prove the charge of conspiracy or any overt acts to carry out that conspiracy, I shall not impose upon your patience by going over the same ground, except to emphasize a few points. To charge people with having conspired to do something which they have been engaged in doing most of their lives, namely their campaign against war, militarism and conscription as contrary to the best interests of humanity, is an insult to human intelligence.

And how was that charge proven? By the fact that *Mother Earth* and *The Blast* were printed by the same printer and bound in the same bindery. By the further evidence that the same expressman had delivered the two publications! And by the still more illuminating fact that on June 2nd *Mother Earth* and *The Blast* were given to a reporter at his request, if you please, and gratis.

Gentlemen of the jury, you saw the reporter who testified to this overt act. Did anyone of you receive the impression that the man was of conscriptable age, and if not, in what possible way is the giving of *Mother Earth* to a reporter for news purposes proof demonstrating the overt act?

It was brought out by our witnesses that the *Mother Earth* magazine has been published for twelve years; that it was never held up, and that it has always gone through the U.S. mail as second-class mail matter. It was further proven that the magazine appeared each month about the first or second, and that it was sold or given away at the office to whoever wanted a copy. Where, then, is the overt act?

Just as the prosecution has utterly failed to prove the charge of conspiracy, so has it also failed to prove the overt act by the flimsy testimony that Mother Earth was given to a reporter. The same holds good regarding The Blast.

Gentlemen of the jury, the District Attorney must have learned from the reporters the gist of the numerous interviews which they had with us. Why did he not examine them as to whether or not we had counseled young men not to register? That would have been a more direct way of getting at the facts. In the case of the reporter from the *New York Times*, there can be no doubt that the man would have been only too happy to accommodate the District Attorney with the required information. A man who disregards every principle of decency and ethics of his profession as a newspaper man, by turning material given him as news over to the District Attorney, would have been glad to oblige a friend. Why did Mr. Content neglect such a golden opportunity? Was it not because the reporter of the *Times*, like all the other reporters, must have told the District Attorney that the two defendants stated, on each and every occasion, they would not tell people not to register?

Perhaps the *Times* reporter refused to go to the extent of perjuring himself. Patrolmen and detectives are not so timid in such matters. Hence Mr. Randolph and Mr. Cadell, to rescue the situation. Imagine employing tenth-rate stenographers to report the very important speeches of dangerous trouble-makers! What lack of forethought and efficiency on the part of the District Attorney! But even these two members of the police department failed to prove by their notes that we advised people not to register. But since they had to produce something incriminating against Anarchists, they conveniently resorted to the old standby, always credited to us, "We believe in violence and we will use violence."

Assuming, gentlemen of the jury, that this sentence was really used at the meeting of May 18th, it would still fail to prove the indictment which charges conspiracy and overt acts to carry out the conspiracy. And that is all we are charged with. Not violence, not Anarchism. I will go further and say, that had the indictment been for the advocacy of violence, you gentlemen of the jury, would still have to render a verdict of "Not Guilty," since the mere belief in a thing or even the announcement that you would carry out that belief, can not possibly constitute a crime.

However, I wish to say emphatically that no such expression as "We believe in violence and we will use violence" was uttered at the meeting of May 18th, or at any other meeting. I could not have employed such a phrase, as there was no occasion for it. If for no other reason, it is because I want my lectures and speeches to be coherent and logical. The sentence credited to me is neither.

I have read to you my position toward political violence from a lengthy essay called "The Psychology of Political Violence."

But to make that position clearer and simpler, I wish to say that I am a social student. It is my mission in life to ascertain the cause of our social evils and of our social difficulties. As a student of social wrongs it is my aim to diagnose a wrong. To simply condemn the man who has committed an act of political violence, in order to save my skin, would be as unpardonable as it would be on the part of the physician, who is called to diagnose a case, to condemn the patient because the patient has tuberculosis, cancer, or some other disease. The honest, earnest, sincere physician does not only prescribe medicine, he tries to find out the cause of the disease. And if the patient is at all capable as to means, the doctor will say to him, "Get out of this putrid air, get out of the factory, get out of the place where your lungs are being infected." He will not merely give him medicine. He will tell him the cause of the disease. And that is precisely my position in

regard to acts of violence. That is what I have said on every platform. I have attempted to explain the cause and the reason for acts of political violence.

It is organized violence on top which creates individual violence at the bottom. It is the accumulated indignation against organized wrong, organized crime, organized injustice which drives the political offender to his act. To condemn him means to be blind to the causes which make him. I can no more do it, nor have I the right to, than the physician who were to condemn the patient for his disease. You and I and all of us who remain indifferent to the crimes of poverty, of war, of human degradation, are equally responsible for the act committed by the political offender. May I therefore be permitted to say, in the words of a great teacher: "He who is without sin among you, let him cast the first stone." Does that mean advocating violence? You might as well accuse Jesus of advocating prostitution, because He took the part of the prostitute, Mary Magdalene.

Gentlemen of the jury, the meeting of the 18th of May was called primarily for the purpose of voicing the position of the conscientious objector and to point out the evils of conscription. Now, who and what is the conscientious objector? Is he really a shirker, a slacker, or a coward? To call him that is to be guilty of dense ignorance of the forces which impel men and women to stand out against the whole world like a glittering lone star upon a dark horizon. The conscientious objector is impelled by what President Wilson in his speech of Feb. 3, 1917, called "the righteous passion for justice upon which all war, all structure of family, State and of mankind must rest as the ultimate base of our existence and our liberty." The righteous passion for justice which can never express itself in human slaughter — that is the force which makes the conscientious objector. Poor indeed is the country which fails to recognize the importance of that new type of humanity as the "ultimate base of our existence and liberty." It will find itself barren of that which makes for character and quality in its people.

The meeting of May 18th was held before the Draft Bill had actually gone into effect. The President signed it late in the evening of the 18th. Whatever was said at that meeting, even if I had counseled young men not to register, that meeting cannot serve as proof of an overt act. Why, then, has the Prosecuting Attorney dwelt so much, at such length, and with such pains on that meeting, and so little on the other meetings held on the eve of registration and after? Is it not because the District Attorney knew that we had no stenographic notes of that meeting? He knew it because he was approached by Mr. Weinberger and other friends for a copy of the transcript, which request he refused. Evidently, the District Attorney felt safe to use the notes of a patrolman and a detective, knowing that they would swear to anything their superiors wanted. I never like to accuse anyone — I wouldn't go so far as my co-defendant, Mr. Berkman, in saying that the District Attorney doctored the document; I don't know whether he did or not. But I do know that Patrolman Randolph and Detective Cadell doctored the notes, for the simple reason that I didn't say those things. But though we could not produce our own stenographic notes, we have been able to prove by men and women of unimpeachable character and high intelligence that the notes of Randolph are utterly false. We have also proven beyond a reasonable doubt, and Mr. Content did not dare question our proof, that at the Hunts' Point Palace, held on the eve of registration, I expressly stated that I cannot and will not tell people not to register. We have further proven that this was my definite stand, which was explained in my statement sent from Springfield and read at the meeting of May 23rd.

When we go through the entire testimony given on behalf of the prosecution, I insist that there is not one single point to sustain the indictment for conspiracy or to prove the overt acts we are supposed to have committed. But we were even compelled to bring a man eighty years

of age to the witness stand in order to stop, if possible, any intention to drag in the question of German money. It is true, and I appreciate it, that Mr. Content said he had no knowledge of it. But, gentlemen of the jury, somebody from the District Attorney's office or someone from the Marshal's office must have given out the statement that a bank receipt for \$2,400 was found in my office and must have told the newspapers the fake story of German money. As if we would ever touch German money, or Russian money, or American money coming from the ruling class, to advance our ideas! But in order to forestall any suspicion, any insinuation, in order to stand clear before you, we were compelled to bring an old man here to inform you that he has been a radical all his life, that he is interested in our ideas, and that he is the man who contributed the money for radical purposes and for the work of Miss Goldman.

Gentlemen of the jury, you will be told by the Court, I am sure, that when you render a verdict you must be convinced beyond a reasonable doubt; that you must not assume that we are guilty before we are proven guilty; and that it is your duty to assume that we are innocent. And yet, as a matter of fact, the burden of proof has been laid upon us. We had to bring witnesses. If we had had time we could have brought fifty more witnesses, each corroborating the others. Some of those people have no relation with us. Some are writers, poets, contributors to the most conventional magazines. Is it likely that they would swear to something in our favor if it were not the truth? Therefore I insist, as did my co-defendant Alexander Berkman, that the prosecution has made a very poor showing in proving the conspiracy or any overt act.

Gentlemen of the jury, we have been in public life for twenty-seven years. We have been hauled into court, in and out of season — we have never denied our position. Even the police know that Emma Goldman and Alexander Berkman are not shirkers. You have had occasion during this trial to convince yourselves that we do not deny. We have gladly and proudly claimed responsibility, not only for what we ourselves have said and written, but even for things written by others and with which we did not agree. Is it plausible, then, that we would go through the ordeal, trouble and expense of a lengthy trial to escape responsibility in this instance? A thousand times no! But we refuse to be tried on a trumped-up charge, or to be convicted by perjured testimony, merely because we are Anarchists and hated by the class whom we have openly fought for many years.

Gentlemen, during our examination of talesmen, when we asked whether you would be prejudiced against us if it were proven that we propagated ideas and opinions contrary to those held by the majority, you were instructed by the Court to say, "If they are within the law." But what the Court did not tell you is, that no new faith — not even the most humane and peaceable — has ever been considered "within the law" by those who were in power. The history of human growth is at the same time the history of every new idea heralding the approach of a brighter dawn, and the brighter dawn has always been considered illegal, outside of the law.

Gentlemen of the jury, most of you, I take it, are believers in the teachings of Jesus. Bear in mind that he was put to death by those who considered his views as being against the law. I also take it that you are proud of your Americanism. Remember that those who fought and bled for your liberties were in their time considered as being against the law, as dangerous disturbers and trouble-makers. They not only preached violence, but they carried out their ideas by throwing tea into the Boston harbor. They said that "Resistance to tyranny is obedience to God." They wrote a dangerous document called the Declaration of Independence. A document which continues to be dangerous to this day, and for the circulation of which a young man was sentenced to ninety days prison in a New York Court, only the other day. They were the Anarchists of their time — they were never within the law.

Your Government is allied with the French Republic. Need I call your attention to the historic fact that the great upheaval in France was brought about by extra-legal means? The Dant[on]s, the Robespierres, the Marats, the Herberts, aye even the man who is responsible for the most stirring revolutionary music, the Marseillaise (*which unfortunately has deteriorated into a war tune*) even Camille Desmoulins, were never within the law. But for those great pioneers and rebels, France would have continued under the yoke of the idle Louis XVI., to whom the sport of shooting jack rabbits was more important than the destiny of the people of France.

Ah, gentlemen, on the very day when we were being tried for conspiracy and overt acts, your city officials and representatives welcomed with music and festivities the Russian Commission. Are you aware of the fact that nearly all of the members of that Commission have only recently been released from exile? The ideas they propagated were never within the law. For nearly a hundred years, from 1825 to 1917, the Tree of Liberty in Russia was watered by the blood of her martyrs. No greater heroism, no nobler lives had ever been dedicated to humanity. Not one of them worked within the law. I could continue to enumerate almost endlessly the hosts of men and women in every land and in every period whose ideas and ideals redeemed the world because they were not within the law.

Never can a new idea move within the law. It matters not whether that idea pertains to political and social changes or to any other domain of human thought and expression — to science, literature, music; in fact, everything that makes for freedom and joy and beauty must refuse to move within the law. How can it be otherwise? The law is stationary, fixed, mechanical, “a chariot wheel” which grinds all alike without regard to time, place and condition, without ever taking into account cause and effect, without ever going into the complexity of the human soul.

Progress knows nothing of fixity. It cannot be pressed into a definite mould. It cannot bow to the dictum, “I have ruled,” “I am the regulating finger of God.” Progress is ever renewing, ever becoming, ever changing — *never is it within the law.*

If that be crime, we are criminals even like Jesus, Socrates, Galileo, Bruno, John Brown and scores of others. We are in good company, among those whom Havelock Ellis, the greatest living psychologist, describes as the political criminals recognized by the whole civilized world, except America, as men and women who out of deep love for humanity, out of a passionate reverence for liberty and an all-absorbing devotion to an ideal are ready to pay for their faith even with their blood. We cannot do otherwise if we are to be true to ourselves — we know that the political criminal is the precursor of human progress — the political criminal of to-day must needs be the hero, the martyr and the saint of the new age.

But, says the Prosecuting Attorney, the press and the unthinking rabble, in high and low station, “that is a dangerous doctrine and unpatriotic at this time.” No doubt it is. But are we to be held responsible for something which is as unchangeable and unalienable as the very stars hanging in the heavens unto time and all eternity?

Gentlemen of the jury, we respect your patriotism. We would not, if we could, have you change its meaning for yourself. But may there not be different kinds of patriotism as there are different kinds of liberty? I for one cannot believe that love of one’s country must needs consist in blindness to its social faults, to deafness to its social discords, of inarticulation to its social wrongs. Neither can I believe that the mere accident of birth in a certain country or the mere scrap of a citizen’s paper constitutes the love of country.

I know many people — I am one of them — who were not born here, nor have they applied for citizenship, and who yet love America with deeper passion and greater intensity than many

natives whose patriotism manifests itself by pulling, kicking, and insulting those who do not rise when the national anthem is played. Our patriotism is that of the man who loves a woman with open eyes. He is enchanted by her beauty, yet he sees her faults. So we, too, who know America, love her beauty, her richness, her great possibilities; we love her mountains, her canyons, her forests, her Niagara, and her deserts — above all do we love the people that have produced her wealth, her artists who have created beauty, her great apostles who dream and work for liberty — but with the same passionate emotion we hate her superficiality, her cant, her corruption, her mad, unscrupulous worship at the altar of the Golden Calf.

We say that if America has entered the war to make the world safe for democracy, she must first make democracy safe in America. How else is the world to take America seriously, when democracy at home is daily being outraged, free speech suppressed, peaceable assemblies broken up by overbearing and brutal gangsters in uniform; when free press is curtailed and every independent opinion gagged. Verily, poor as we are in democracy, how can we give of it to the world? We further say that a democracy conceived in the military servitude of the masses, in their economic enslavement, and nurtured in their tears and blood, is not democracy at all. It is despotism — the cumulative result of a chain of abuses which, according to that dangerous document, the Declaration of Independence, the people have the right to overthrow.

The District Attorney has dragged in our Manifesto, and he has emphasized the passage, “Resist conscription.” Gentlemen of the jury, please remember that that is not the charge against us. But admitting that the Manifesto contains the expression, “Resist conscription,” may I ask you, is there only *one kind* of resistance? Is there only the resistance which means the gun, the bayonet, the bomb or flying machine? Is there not another kind of resistance? May not the people simply fold their hands and declare, “We will not fight when we do not believe in the necessity of war”? May not the people who believe in the repeal of the Conscription Law, because it is unconstitutional, express their opposition in word and by pen, in meetings and in other ways? What right has the District Attorney to interpret that particular passage to suit himself? Moreover, gentlemen of the jury, I insist that the indictment against us does not refer to conscription. We are charged with a conspiracy against registration. And in no way or manner has the prosecution proven that we are guilty of conspiracy or that we have committed an overt act.

Gentlemen of the jury, you are not called upon to accept our views, to approve of them or to justify them. You are not even called upon to decide whether our views are within or against the law. You are called upon to decide whether the prosecution has proven that the defendants Emma Goldman and Alexander Berkman have conspired to urge people not to register. And whether their speeches and writings represent overt acts.

Whatever your verdict, gentlemen, it cannot possibly affect the rising tide of discontent in this country against war which, despite all boasts, is a war for conquest and military power. Neither can it affect the ever increasing opposition to conscription which is a military and industrial yoke placed upon the necks of the American people. Least of all will your verdict affect those to whom human life is sacred, and who will not become a party to the world slaughter. Your verdict can only add to the opinion of the world as to whether or not justice and liberty are a living force in this country or a mere shadow of the past. Your verdict may, of course, affect us temporarily, in a physical sense — it can have no effect whatever upon our spirit. For even if we were convicted and found guilty and the penalty were that we be placed against a wall and shot dead, I should nevertheless cry out with the great Luther: “Here I am and here I stand and I cannot do otherwise.” And gentlemen, in conclusion let me tell you that my co-defendant, Mr. Berkman,

was right when he said the eyes of America are upon you. They are upon you not because of sympathy for us or agreement with Anarchism. They are upon you because it must be decided sooner or later whether we are justified in telling people that we will give them democracy in Europe, when we have no democracy here? Shall free speech and free assemblage, shall criticism and opinion — which even the espionage bill did not include — be destroyed? Shall it be a shadow of the past, the great historic American past? Shall it be trampled underfoot by any detective, or policeman, anyone who decides upon it? Or shall free speech and free press and free assemblage continue to be the heritage of the American people?

Gentlemen of the jury, whatever your verdict will be, as far as we are concerned, nothing will be changed. I have held ideas all my life. I have publicly held my ideas for twenty-seven years. Nothing on earth would ever make me change my ideas except one thing; and that is, if you will prove to me that our position is wrong, untenable, or lacking in historic fact. But never would I change my ideas because I am found guilty. I may remind you of two great Americans, undoubtedly not unknown to you, gentlemen of the jury; Ralph Waldo Emerson and Henry David Thoreau. When Thoreau was placed in prison for refusing to pay taxes, he was visited by Ralph Waldo Emerson and Emerson said: “David, what are you doing in jail?” and Thoreau replied: “Ralph, what are you doing outside, when honest people are in jail for their ideals?” Gentlemen of the jury, I do not wish to influence you. I do not wish to appeal to your passions. I do not wish to influence you by the fact that I am a woman. I have no such desires and no such designs. I take it that you are sincere enough and honest enough and brave enough to render a verdict according to your convictions, beyond the shadow of a reasonable doubt.

Please forget that we are Anarchists. Forget that it is claimed that we propagated violence. Forget that something appeared in Mother Earth when I was thousands of miles away, three years ago.³ The bomb exploded in the apartment of anarchist Louise Berger, half sister of Charles Berg, at 1626 Lexington Avenue between 103rd and 104th Streets, a large tenement area populated mainly by recently arrived immigrants. Forget all that, and merely consider the evidence. Have we been engaged in a conspiracy? has that conspiracy been proven? have we committed overt acts? have those overt acts been proven? We for the defense say they have not been proven. And therefore your verdict must be not guilty.

But whatever your decision, the struggle must go on. We are but the atoms in the incessant human struggle towards the light that shines in the darkness — the Ideal of economic, political and spiritual liberation of mankind!

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Emma Goldman
Speeches Against Conscription
1917

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