

Scott Nearing's Address to the Jury

MR. NEARING: Gentlemen, I am on trial here before you, charged with obstructing the recruiting and enlistment service to the detriment of the service, to the injury of the service, and with attempting and causing insubordination, disloyalty, mutiny and the refusal of duty within the military and naval forces.

That is the charge of the indictment and that is the charge upon which I am being tried.

The prosecution has not been able to show a single instance in which recruiting was obstructed. They have not been able to show a single instance in which insubordination, disloyalty, and refusal of duty were caused.

It has been seventeen or eighteen months since this pamphlet was published. During that time there have been about nineteen thousand copies of it loose in the country, and the prosecution was unable to bring before you a single instance where these things have actually occurred.

How then, do they seek to make out their case? Mr. Barnes said, in his opening:

"It is not necessary for the Government to show that there was an actual obstruction in the sense of a physical obstruction; it was not necessary for the Government to show actual mutiny and disloyalty, but the publication of this book in itself is sufficient to result in a conviction."

In other words, the Government maintains that the publication of this book, and the intent showed by the publication of the book, and by their surrounding evidence is sufficient to warrant a conviction.

So that the only act that is alleged against me is an expression of my opinions: writing in this book and expressing my opinions on the St. Louis Proclamation, of the Socialist Party platform.

The act and the intent are both to be construed from my expressions of opinion. It has not been shown that I obstructed enlistment, that I tore down enlistment posters, that I told men not to enlist, it has not been shown that I went among soldiers and asked them to mutiny, or to be disloyal or to refuse to perform their duty, none of these things are shown.

I am charged with writing and having sent that writing to a publisher and had it published.

I am charged, furthermore, with expressing further and other opinions in the pamphlet on militarism and in certain other ways, so that the whole crime of which I am supposed to be—according to the prosecution's case—guilty, the whole crime consists in my expression of opinion, and the intent which they propose to show, both arising out of my discussion of public questions.

Now as to this book, you have heard it read or have read it, and I suppose all of you have or have had or will have copies.

This book was written in order to present a view held by many people—held by me among that number—on the greatest public question that has come before the American people, I suppose, since the Civil War.

It is a book written on the greatest issue that we have viewed in our generation. It was written openly, sent to a publisher, sent to Washington and

copyrighted and sent through the mails throughout August, September, October, November, December, January, February and March and until the indictment was found in April.

During all of those nine months, this pamphlet went through the mails, and as some of you know, the Post Office Department has been very rigorous in enforcing its decisions with regard to unmailable matter; and all through those nine months that pamphlet went through the mail and it was never once stopped to our knowledge. It was copyrighted, it was sent through the mails for nine months, it was sold openly in the Rand School bookstore and in other parts of the United States. So far as I know, (and I am in touch with the situation), it never was given away, but sold for ten cents, openly, without any attempt at concealment.

In other words, gentlemen, I took on this great public question, a certain position; I presented my views in this book, and I am indicted for writing the book because the prosecution alleges it caused—it was an obstruction or it caused, or it was an attempt to cause disloyalty and mutiny, therefore if I am convicted under this indictment I will be convicted for an expression of my opinions. There is no other evidence before you except my opinions.

The District Attorney has not shown a single act except those involved in the expression of an opinion, either on the witness stand or in the various writings of mine which he has brought before you.

So that by convicting me for writing this book you convict me for public discussion, and you draw my intent from my discussion. On the same ground I think all of the opponents of any administration during the war might be convicted for opposing in any way the administration, because in opposing an ad-

ministration, any opposition to it tends to dampen the ardor, and to hold back and to check enthusiasm.

All through my life, I have been interested in preserving the institutions of democracy. That has been one of the things, as I tried to point out on the witness stand, that seem to me fundamentally important. I believe that democracy is a better form of social organization than aristocracy, or monarchy or any other form of Government that the world has ever known. Discussion is one of the purposes of democracy. Democracy means that a people talking a question over, thinking it out and reaching a decision upon it, may then register that decision.

The only way to have intelligent public opinion is to have discussion, and the moment you check discussion you destroy democracy.

When any administration, whether in Russia or Germany or England or the United States, stops any discussion and puts its opponents in jail, that has destroyed the institution of democracy because democracy rests on discussion; and the only way in which we can preserve democracy is to reserve to every citizen of the democracy the right to express the convictions that he has: the right to be right and the right to be wrong.

The Constitution does not guarantee us only the right to be correct, we have a right to be honest and in error. And the views that I have expressed in this pamphlet I expressed honestly. I believe they are right. The future will show whether or not I was correct, but under the laws, as I understand it, and under the Constitution as I understand it, every citizen in this country has a right to express himself, subject always to the law, subject always to the limitations which the law prescribes, has a right to express himself on public questions.

The moment any administration enters and shuts down that right, that moment democracy ceases to exist.

Now the principal question that enters into this thing is the question of intent. Mr. Stedman, I imagine, will talk to you about the law, or about the legal consideration, and the Judge, I believe will charge you with regard to the legal aspect of the problem of intent.

I am not a lawyer, and I cannot speak to you regarding the legal phases of the case, but I should like to say a few words about this problem of intent.

We have tried to produce evidence to prove to you that for the last twelve or fifteen years I have been a student of the institutions, standards and ideals of American life. Ever since the time that I entered college and indeed from the time I was in High School, I have been profoundly interested in seeing a certain thing done in the United States: I wanted to see liberty first, because I believe liberty is fundamental in society; then I wanted to see justice. I wanted to see that people got opportunity, that the boys and girls that were born had a chance to be well born and well brought up.

And during these twelve or fifteen years I have been busy with that problem; that has been the thing to which I have devoted all of my life thus far; that is the thing in which I have been profoundly interested—profoundly interested because I came to the belief many years ago that with the resources of America and the opportunities in America we could have a very much finer and a very much higher standard of life here than we actually have.

My studies and my investigations have led me to certain conclusions: for example I believe that economic forces are fundamental forces. I tried to point

that out in the course of my testimony, just as plants in a garden draw their nourishment from the dirt, so men and women in a society draw their life from economic sources. They eat, they wear clothes, they live in their houses, and every time that the sun rises they have got to do those things, we are thrown back to that life. In the garden you get roses, you also get lettuce and turnips, fruits of almost all kinds—all products out of the same dirt.

And so in society you get different minds, different thoughts, different ideas, different standards of life, and they all reach back to the same dirt: to the food, clothing, shelter, and the necessary economic things of life.

If you cannot get these economic necessities you cannot live. Therefore in that sense, economics is fundamental in the minds of people, so fundamental that all through history, people have fought over the river valleys, over the choice sections of the earth; so important that today in the United States forty million people are engaged in gainful occupations, working for a living, because without work we cannot live; without an economic background to our life we cannot get anywhere.

I believe that those economic forces which are so fundamental have always shown themselves in society, in struggles between the possessors and the dispossessed. Whoever possesses the resources and the economic opportunities controls the means of life.

In the early years of American life, where every man practically had a farm, or an opportunity to get one, economic opportunity was widely distributed and resources were free. You could go out to the border, to the edge of civilization, out to the frontier world and take a farm or take a piece of land.

About 1890 the resources in this country were ex-

hausted. There were no more free resources: all the important timber, all the important minerals, all the important parts of the earth, practically, were taken up; and from that time until this, we have seen a gradual widening chasm between those who possess the necessities and those who do not.

When the Constitution of the United States was drafted, Madison, Jefferson and other men, saw the danger, and they tried to provide against it. They were not successful. At the present time the ownership of most of the United States is in the hands of a tiny percentage of people. And here in the City of New York where the land alone is worth five thousand millions of dollars, the improvements three billions more, where we have over four billions of dollars in our banks, savings banks and others, four billion five hundred millions of bank deposits in this City, and the Board of Education and the United States Food Administration report 280,000 children in the schools inadequately nourished to such an extent that their health is injured: twenty-one and one-half out of every hundred children in the City of New York are seriously underfed. In this same City we have people with incomes of five hundred thousand and a million dollars a year; people who could live on five thousand or ten thousand dollars, and have all the comforts and luxuries,—the simple luxuries of life.

Here we have on one hand a quarter of a million hungry children, and on the other hand, half a billion wealth in the hands of the few.

Lincoln, in speaking against Judge Douglas in 1858 on the slavery issue, said that no order of society can last, in which one man can say to another man, "You work and toil and earn bread, and I will eat it." Now that is the society that we have established: one man works for his living, another man owns property and

from the rent and interest and dividends which he gains out of his property ownership, he lives without work, if he desires.

And another man creates the shoes and the clothes and the food and the other good things that he uses, and he has those things, possesses them, enjoys them, without himself ever raising a finger to toil.

At the present time there are people at Palm Beach who have never worked for their living. They are down there living extravagantly and enjoying the soft breezes, getting strength and health.

There are men and women here in New York who have worked all their lives, been honest and sober and tried to bring up families and today they cannot pay the landlord and the grocer and the butcher and keep their children healthy under this capitalistic system although they are sober, earnest and honest, industrious people, and all of it due to the fact of the economic system under which they are living because the wages that they get are not sufficient to buy the necessities of life, as I tried to point out on the stand in my discussion of the wages problem.

On the other hand there are people—these people who live in ease, comfort and luxury, who have never raised a finger to produce one solitary article of food, clothing or shelter, or luxury or any comforts, and this is so all the time and my studies have taught me that these conditions exist. You know them. No one who has read or thought about the conditions in the United States but knows that those conditions are true, and I say to you gentlemen that as long as those things are true, just so long will it be impossible for us to have stable peace and order in our society.

No person is more anxious than I to have an ordered, well conducted society, but I do not believe that it is possible to maintain order in society where

one man or one group of men living without labor, luxuriously, and another man, or group of men, in spite of their most earnest efforts, are unable to provide their families with the necessaries of life.

In the past this same question has been raised and in the past men have come to the decision—and I agree with that decision—that the only way in which we can have justice in the world is to have economic justice. An economic justice is only possible where the majority and not the minority, controls the necessaries of life.

If democracy means anything, it means that the majority of people control the conditions of their own life. In the United States, a tiny minority controls economic affairs. And so long as one small group of men own the jobs, own the products, and own the surpluses of industry, so long will the majority be unable to secure justice. And that is why I believe that the majority of people must control in industry and economic affairs as they are controlling in the political affairs. That is why I believe that we must have industrial democracy as well as political democracy.

Now I say this, that all of these years I have been studying such problems, and I have reached those conclusions. My say-so on that is of no importance. The existence in New York and other American cities of starving children side by side with fabulous wealth, and idle people, is the thing that should be of profound concern to every person who lives, or rather to the future of the society in which we live.

At various times, as we pointed out, I have written down my conclusions in books. We had here the other day a set of those books. Some of them are purely statistical, full of tables and figures. Some of them are text books, some are pamphlets like this

"Great Madness."

Whenever I collected together a great body of information which seemed to me to be important, I embodied it into a book, published it, and in some cases I published it at my own expense. Statistical books are extremely expensive, and if you sell one thousand copies of a statistical book you are doing very well. Publishers won't take them, and authors have to pay the bill.

I published those books because I felt that as a teacher, I had a certain obligation to the community that paid my salary. I was working in the State, or a semi-State University. I was working at a comparatively easy job. I had three months' vacation in the Summer time. I had leisure during the year, and I employed that leisure in working over social problems.

I believe that whenever any person gets anything that might be of value to the other people in the community, that it is his obligation to turn that thing over to the community: whether he is a scientist in physical science, or a bacteriologist, a chemist or a scientist in social science, and economics, or sociology, when a man discovers a method of separating milk, or for destroying the bacteria, harmful bacteria in milk, or when he discovers a method of checking influenza, or overcoming tuberculosis, and gives it to the world, the world acclaims the gift, and its giver.

And so when a man discovers, or so-called science discovers a method that will make people happier, give them more opportunity, a greater liberty to enjoy more social justice, I believe he has got exactly the same obligation to state what he has found. If they agree with him, well and good, if they don't agree with him, he goes on to his own scientific problems.

I said there on the witness stand that five of these

books dealt with distribution: A book on wages, a book on the standard of living, a book on the cost of living, a book on income and a book on anthracite industry.

When I published those books I knew that no man could take a stand that I took in those books, and hold a job in an American University; and I published them because I wanted the American people to know the truth about the most fundamental economic questions before them today: the question of the distribution of wealth.

We have learned how to produce wealth in large quantities, but we haven't yet learned how to distribute it, and I wanted the American people to know the results of my studies and researches regarding the distribution of wealth.

I published those books, and as we mutually agreed, and I said in the course of my direct examination on the stand, the university and I parted company. I then went out to Toledo. After I had been there a year and a half the question of preparedness came up. I regarded the question of preparedness as a question of fundamental importance to society. I knew who was behind the preparedness campaign. I knew that no man could hold a job in the American universities and take the stand that I took on the preparedness issue. I wrote the "Germs of War" and went all over the United States, speaking on preparedness, and speaking against preparedness. I spoke in favor of a movement of preparedness that I believed will alone safeguard business and justice among men.

The Toledo University and I parted company. Then we entered the war, and I saw what I believed to be a great menace to the liberties of the American people, namely: the growing power of the plutocracy, the growing power which it was gaining through the war,

and so I wrote this book on the "Great Madness" in order to try to point out to the American people exactly what was happening.

If you will notice, the book is not a denunciation of our society, it is not a denunciation of our Government, it is an exposition of certain events in terms of their economic significance. I tried to show how the economic control of the country, of the resources, and of American life is manifesting itself all through the social structure. I published that book, and here we are.

For fifteen years I have been speaking and writing and stating my views on public questions. I have stated it openly, I have stated it as honestly as I could state it; I stated it to the University of Pennsylvania, and I stated it at the University of Toledo, and I have stated it since I left the University of Toledo.

If I intended to obstruct recruiting or enlistments, if I had intended to interfere with the prosecution and carrying on of the administrative policies of the navy and army, either by creating insubordination and mutiny, or otherwise, I should have said so; I should not have written a fifty-page pamphlet and sold it for ten cents each; I should have gone out and told the soldiers so, and I should have told the prospective soldier so. Never in my life have I gone out and done anything indirectly. If I have wanted to say a thing, I have said it; if I have wanted to present a matter I have presented it, and taken the consequences. If I had wished in this case to obstruct or to interfere, I should have obstructed and interfered and taken the consequences.

The District Attorney was at considerable pains to prove to you that I am a Socialist. He asked me questions about the St. Louis Platform. He asked me questions about the Socialist Party Platform; many

questions, in order to prove that I am a Socialist. I am a Socialist.

I want to tell you something about what that means: in the first place, I am an internationalist; that is, I believe in the brotherhood of all men. In the language of the Declaration of Independence, I believe that all men are created equal, that they have certain rights to life, liberty and the pursuit of happiness. That holds true of the man that lives next door to me, and it holds true of the man that lives in South Africa, and the man that lives way over in Asia. I believe in the Brotherhood of Man.

I believe that ultimately the whole world will be federated together, just as these United States are federated together. There was a time in the United States when a man that lived in Georgia or Virginia, or New York, was perfectly willing to quarrel with a man who lived in Pennsylvania or Massachusetts or in New Hampshire. If you asked a man a hundred and fifty years ago where he was from, he said, I am from Virginia; I am from Pennsylvania. He now states, I am from the United States, not, I am from the American Colonies. He was a Virginian first and an American second. But that time has passed.

Today America is kept first, and Pennsylvania second. And the time will come when the man from North America and the man from Europe and the man from Africa will say, I am a member of the human race; and the human race has certain common interests, certain common obligations, and first among them is the recognition of the fact of the universal brotherhood of all men.

I am from the United States? Yes. I am from New York? Yes. I am from Buffalo? Yes. I have a home in Buffalo? Yes. I am loyal to my home? Yes. To Buffalo? Yes. To New York? Yes. To

the United States? Yes. And I am also loyal to my fellow brother man.

In other words, we Socialists look forward to a time, and certainly we are not alone in looking that way,—there are others who are not Socialists who agree with us in this,—we look forward to the time when the peoples of all the world will join hands in common brotherhood. And when we say we are internationalists, that is what we mean. A man, yes, outside the boundaries of certain nations, but within the greater boundaries of the world, he is within the boundaries of the whole world, and he is a member of the human race. And we are internationalists, in the sense that we believe in our obligations to our human brothers, and that they are the supreme obligations of the world.

That does not make us any less loyal to our homes or to our cities or our nations, but it does give us a larger and a more comprehensive loyalty.

In the second place, believing that, I believe that we can do the things that are necessary to bring human brotherhood into reality.

What are the facts of international life: education internationalizes, science internationalizes, commerce internationalizes, industry internationalizes the processes and the methods of ideas, arts and letters and life, all internationalize. What then stands in the way of human brotherhood? Why, the thing that stands in the way is that fragment of nationalism, that still remains, that fragment is capitalism.

And every nation, as I tried to point out in my testimony, in every nation there is a little coterie of men or interests who find it to their profit to keep national animosities alive. The peoples of the world have no animosities one against the other, but the rulers of the world fan those animosities into flame: religious hatred, class antagonism, national feeling, are all kept

boiling and stirring in men's souls.

You go to a restaurant, or you go to the shop or you go out on the street, and you will sit down together, and you will work together with Irish and Austrian, Italian and Slovak, side by side, elbow to elbow. The peoples of the world have nothing against one another, the people of the world have more in common than they have in opposition. It is the economic barrier, it is the economic division lines that create the difficulty.

And we Socialists, or I, rather, am interested—and that is the reason I am a Socialist—in destroying those economic division lines. How can that be done? I believe there is only one way. I believe that is the only way to destroy these economic barriers and make international life a reality, and that is, to give to those who work the full product of their labor; instead of having a man work for a part of what he creates, turning the other part over in the form of interest, rent and dividends to the owner of the job, I believe that the worker, the man or woman who was rendering a socially useful service should get the full value of his product. Then there would not be any surplus to invest in foreign markets, and in foreign opportunities. Then there would not be any surplus to be used by private individuals in the development of Mexico or China or Argentine.

You say then that those countries would develop more slowly. Perhaps. But when they did develop that country it would come from within those countries and it would be for the benefit of those countries and not for the benefit of some foreign capitalist.

I believe we will never solve our international differences successfully until we have taken out of the hands of individuals the right to invest surplus, the right to utilize vast quantities of wealth in the way that will create friction and ultimately international

dissension and war between the different groups of peoples. Therefore I am in favor of having the workers own their own jobs. There is only one way to do that now.

In early America, when there was no great aggregation of wealth, when each man could own his farm, he could own his job. At present the telephone system is a system. The railroad system is a system. The banking system is a system. The United States Steel Corporation system is a system. No one man can own his own job. You cannot own a rail, you cannot own a link, you cannot own a piece of a system because if you take out that piece, your system is cut. If you take out a telephone exchange, you break down the integrity of the telephone organization.

Therefore the only way in which one man can own his job is to own it collectively, that is, the whole system. So that we believe that all the people who work should own the tools with which they work, just as all the people of the United States own the harbor of New York. I believe that all of the people of the United States should own the railroads and the banking system and every great social product in its entirety, just as they own the post office, just as they own several great irrigation plants, and the Panama Canal, and some other similar developments.

I believe the only solution, the only possible solution is that the people, all of the people, that they may have free economic life, is that they control the political life.

One hundred and fifty years ago they would have laughed at the idea of having a political democracy.

Napoleon said a republic of twenty-six million souls were folly. He sneered at the concept that people could govern themselves politically. Today we are beginning to wonder whether it will not be possible

for people to govern themselves economically, and today, as I hold, there are many who see here the coming principle, the great proletariat control of economic affairs, and who regard it as a ridiculously absurd thing, an impossible thing, but as I say, democracy means control by the people, and I believe in democracy, and I believe therefore in the control by the people of the machinery of production. Just as I believe they should control the city government, just so I believe they should control the other branches of life. Just as they control the political returns, just so they should control the economic returns.

And so it seems to me there is no solution in any other way than similarly to control economic problems as we control political problems. They have both national and international systems.

Some of you have noticed recently that the war is over, but yet there is turmoil all over the earth: turmoil in Britain, turmoil in the United States; strikes, disturbances, and we are having very many problems yet which have not been solved even though the war be over. The solution of every problem depends on its being settled right, nothing ever is settled until it is settled right, that is, until it is settled to the best of our belief, it is not settled; and I believe that the Socialist philosophy presents to us the best avenue along which to approach the settlement of these stupendous problems of our economic life.

I do not say that the socialists have the entire solution. I do not say that the socialists when they come into power, as they surely will come into power, will dispose of all the problems of the world. By no means, as there will always be problems; but this we believe, going forward step by step through mechanics, and through chemistry, through applied science, we are solving the problems of production and are able to

turn the resources of nature into food and clothing and shelter, and the other necessities of life, so I believe society must solve the problem of distribution.

Facing all of these problems equitably, and in the light of past experience, we believe that the only solution is to turn these things over, that is, operate and turn them over to the people who own them.

As I said the other day when I was on the witness stand, that soap is made and it should be made to keep people clean, and that if shoes are made they should be made to protect people's feet. If food is produced it should be produced to nourish the human body. But as it is today, we are making soap for profit, we are making shoes for profit, we are making food for profit. The profiteering has become, and justly so, a word of contempt and opprobrium, and profiteering lies at the heart of the capitalistic system.

The present system was organized, that is, the present system of industry was organized for profit and not for the service of mankind; and I am one of those who believe that you can never have an exact solution of any social problem until you have the machinery organized for the benefit not of the very few, but for the benefit or for the service of the great masses of the people. In other words, as they said in the eighteenth century, the greatest good to the greatest number. That holds true of economic as well as political questions.

The District Attorney also asked me a number of questions concerning my attitude towards the war. I wish he had put the Bible in evidence and asked me what I thought about the phrase, "Thou shalt not kill"; and about that other phrase, "Overcome evil with good." But he didn't do that. I would have said that I agreed with those phrases as I agreed with many others.

I told him that I believed this war was a capitalists' war, that is, that I believed that it was a war between capitalist nations. When the war broke out there were no other kind of nations on earth than that kind—so that there could not be anything else but a war between capitalist nations. By the capitalist nation we mean a nation that is dependent upon a capitalist system of production, production by means of machinery—capital.

All the great nations of the world were capitalist nations at the time the war broke out. The war was necessarily a capitalists' war. A war between capitalist nations, and as we all know now, or think we know, it was primarily a war over the trade routes to Persia and Syria, or over the "Berlin to Bagdad Railroad" if you like, to put it that way; a war open to commercial and financial rights.

I read you the other day a number of statements from the Navy League, and you will remember it is an ultra-capitalist, an ultra-conservative organization, in which they said exactly that thing which economists have stated for so long a time; students of history have said it for a long time; the Navy League comes forward and says the same thing; Mr. Wilson has repeatedly stated, and I believe it was a war between the capitalist nations and I believe it had as its chief business certain benefits for small groups of capitalists. That does not mean that I believe the people who entered the war, entered it for capitalist reasons. Obviously they could not because they had no capitalist interests. The masses of people in all the countries involved have no capitalist interest; they were being exploited, they were being worked; theirs was the loss, to their prejudice in all of the capitalist countries of the world. They entered the war for what they called patriotic reasons; they were loyal to their

country; they believed that they were defending their country, their homes and their firesides and their liberties, from invasion; they entered it with enthusiasm, and they entered it honestly and sincerely, with no capitalistic motives whatever; they entered it honestly and sincerely, just as the nations entered it honestly and sincerely with capitalistic motives. And I honestly and sincerely believe that they sincerely and honestly and patriotically and altruistically entered the contest, that is, these people. So I say I believe it was a capitalists' war, a war between capitalist nations over financial and economic issues: coal, iron, trade, investments, opportunities, and the Navy League backs me up, and a lot of other authorities from that side of the fence back me up.

I told the District Attorney on the stand that I was opposed to all wars. I regard war as a social disease, something that afflicts society, that curses people. I do not suppose three people in a hundred like war. I do not suppose that three people in a hundred want war. There are some people who are pugnacious, and who love to fight, for the sake of a fight, and they might like war, but I do not believe there are three people in a hundred, certainly not five in a hundred, that do.

I believe the great majority of people agree with me that war is a curse, an unmitigated curse. All the things that come out of war come out in spite of war and not because of it.

The democracy that has come into Europe, whatever it is called, has come in spite of the war and not because of it. That would have come out in any case, and we would have had it without the expenditure of twenty million lives and a hundred and eighty billions of wealth.

I regard war as a social disease, a social curse, and

I believe that we should stamp war out. To my mind the great curse of war is not that people are killed and injured, not that property is destroyed. That happens every day in peace times as well as in war times. To my mind the great curse of war is that it is built on fear and hate.

Now fear and hate are primitive passions; the savages in the woods are intimidated by fear and hate. They do not belong in civilized society. In civilized society, for fear and hate we substitute constructive purposes and love. It is their positive virtues. When we fear things, we draw back from them. When we hate things, we want to destroy them.

In civilized society, instead of drawing away from things, and wanting to destroy them, we want to pull things together and build them up. Fear and hate are negatives. Peace and love are positives, and form the forces upon which civilization is built. And where we have collectively fear and hate, it is a means of menace to the order of the world.

Furthermore, during war, we ask people to go out and deliberately injure their fellows. We ask a man to go out and maim or kill another man against whom he has not a solitary thing in the world,—a man who may be a good farmer, a good husband, a good son, and a good worker, and a good citizen. Another man comes out and shoots him down; that is, he goes out and raises his hand against his neighbor to do his neighbor damage. That is the way society is destroyed. Whenever you go out to pull things to pieces, whenever you go out to injure anybody, you are going out to destroy society. Society can never be built up unless you go out to help your neighbors.

The principle, "each for all and all for each," is the fundamental social principle. People must work together if they are going to get anywhere. War

teaches people to go out and destroy other people and to destroy other people's property.

And when Sherman said that war was hell, I believe that he meant, or at least to me that means, that war creates a hell inside of a man who goes to war. He is going to work himself up into a passion of hatred against somebody else, and that is hell.

The destruction of life and property is incidental. The destructive forces that that puts into a man's soul are fundamental. That is why I am opposed to all wars, just as I am opposed to all violence. I don't believe in any man having the right to go out and use violence against another man. That is not the right of one human being to have against the other, that is not the way you get brotherhood. That is the reason I told the District Attorney on the stand that I was against all wars. I am against duelling; I am against all violence of man against man, and war is one of those methods of violence.

I believe war is barbaric, I believe it is primitive, I believe it is a relic of a bygone age; I believe that society will be destroyed if built up that way. That is, I believe that they that take the sword must perish by the sword; just as they that set out to assist their neighbors are bound to build up a strong, cohesive united society. That is the field over which I went in my direct testimony and in the cross-examination.

I have been a student of public affairs. I am a Socialist. I am a pacifist. But I am not charged with any of these things as offenses. On the other hand I believe that as an American citizen I have a right to discuss public questions. I think the Judge will charge you so. I have a right to oppose the passage of a law. I think the Judge will charge you so. I have a right under the law, after the law is passed, to agitate for a

development of public sentiment that will result in a repeal of that law. I think the Judge will charge you so.

In other words, as I said in the beginning, in a democracy, if we are to have a democracy, as a student of public affairs and as a Socialist and as a pacifist, I have a right to express my opinions. I may be wrong, utterly wrong, and nobody listen to me, nobody pay any attention to me. I have a right to express my opinions.

Gentlemen, I have been throughout my life as consistent as I could be. I have spoken and written for years, honestly and frankly. I went on the stand and I spoke to you as honestly as I knew how. I answered the District Attorney's questions as honestly and as frankly as I could. I stand before you today as an advocate of economic justice and world brotherhood, and peace among all men.

And I wrote this pamphlet in the attempt to further those ends.

I desire to say just one more thing: this is America in which I am on trial, and America's proudest tradition is her tradition of liberty. For three hundred years people have been coming to America: Puritans, Pilgrims, Huguenots, Quakers, came over and formed the Colonies.

Later, the Irish, the Scotch, the Germans, the Russians, the Italians, the Syrians came here, not because of the hills and valleys, not because of the climate, not because of the language, but because of the liberty of America; and the men who came here and the women who came here in 1914, came here just as sincerely in search of that liberty as the men and women who came here in 1620.

For three hundred years the world has been looking to America, and coming to America for liberty. That

is the choicest and the greatest heritage, that which Americans love.

What was it that these people sought to escape in Europe? They sought to escape hunger, hardship, misery, suffering, and poverty. They came over here because they thought that the resources of America would yield enough food and clothing and shelter to feed and clothe and house every human being decently and comfortably.

They came over from Europe to escape ignorance and escape the darkness in which Europe had been kept by these rulers. They came over here for enlightenment—opportunity. Many of them came over here because it gave them the only chance that the world offered to express the truth, as they saw it. They left Europe because they wanted to escape prejudice, bigotry, class antagonism and race hatred. They came over here because they thought that here they would find brotherhood among men, because they thought that here all peoples were welcome to sit down together and enjoy the opportunities that America offered. They left Europe because of its military service, its wars, and the fear and hatred of war, that is, that war engendered. They thought to come over here and find peace and plenty. They left Europe because of tyranny and despotism; the tyranny of the landlord, the despotism of aristocracy and the owners of the sources of life.

They came over here because they thought that here they would find that every man had equal opportunity for life, liberty and the pursuit of happiness. They came here seeking that liberty of the body, the liberty of the mind and the liberty of their heart and soul, and Socialist liberty. That is the background of the country in which we are living.

That is the thing of which America is proud and for which America has stood; that is the thing for which I believe America will stand today.

There is nothing unique in our wealth. Other nations have wealth. There is nothing unique in our material possessions. Other nations have material possessions. But there was something unique in our liberty.

As I said to you on the witness stand, I am an American, my ancestors have been Americans for more than two hundred years. As an American I have certain rights and certain duties. Among my rights under the first amendment to the Constitution are the rights of free speech and the free press; the right to speak and print the convictions that I have. It was for those rights that our ancestors left Europe and came here. It is for those rights that some of us are contending today.

I care not for the prosperity of this country if we are going to have gag laws. I care not for the wealth of this country if we are going to be forbidden to have free speech, and an opportunity for expressing our minds and expressing our opinions and discussing the great issues that are before us.

In the old times of the Czar, we did not protest against Russia because she lacked wealth; we protested against her because she lacked liberty.

What was it that we found was lacking, or what was it that we found against the Kaiser in Germany? Was it that he was not a good business man? He was an excellent business man. Was it because he was not a good organizer? He was an excellent organizer. What we had against this man was the fact that he was a tyrant, that he trampled on the rights of other people.

They had wealth in Russia, they had prosperity in Germany. In America we want liberty. And I believe that as an American citizen, that is the dearest possession for which I can contend. That is my right constitutionally and legally. But if there were no constitution and no law, it would be my right as a member of a democratic society.

Furthermore, as a citizen, I have certain duties. Citizenship involves duties as well as rights. If I saw that your house were on fire, it would be my duty to warn you and to try to put it out, that is, put out the fire, and if I could not put out the fire, to save as much of your goods and such of your family as I could save. That would be my duty as a neighbor.

I have been a student of public affairs in this country for many years. I believe this country is in danger, in dire peril. On the one hand I see imperialism, militarism and war ahead of us. In our policy toward Mexico, in the policy that we are developing under the direction of preparedness advocates about which I spoke last Friday, I see ahead of us imperialism and militarism and war.

This is not the last war, there is another war, and it will be a war between this nation and the nation that succeeds in the present contention in Europe.

On the other hand, I see ahead of us in our industrial life, exploitation, widespread, by the masters of those who work for them. I see that exercised with increasing tyranny, and I see ahead of us revolt. In other words, to my mind, the outlook in America is not bright, and I am upheld in that view by Senators, by business men, by labor leaders, by all of the responsible authorities who are speaking today for America's future.

There are clouds on the horizon. I believe America is in peril and I believe that she is in peril from in-

ternal disturbances; I believe that the danger lurks within. And I believe it rests primarily in our unfair and unjust system of distribution of wealth, and the income of the country.

As I said a moment ago, that if your house were on fire, it would be my duty as a neighbor to warn you and to try to help you save your property. I say to you now, that when I believe this nation is in danger, when I believe that our country is in danger, our common life and our common liberties are in peril, then it is my duty to warn you, it is my duty to speak out and to continue to speak out as long as I have an opportunity to do so.

You will say, if you went into my house and saved my goods, you might burn your hands, you might injure your clothes. True. It would still be my duty to risk my clothing and my hands in your service.

You will say if you speak out today against these perils in the land, you may lose your job, you may lose your liberty. And I answer you again that as a citizen it is my sole obligation to speak out when I see peril ahead, and stand the loss of position or of liberty or any other loss that may be entailed in issuing the necessary warning.

Gentlemen, I want to say to you that I want to see America free. I want to see liberty, opportunity and democracy here, as well as in every other country on earth. As long as America is not free, you are not free and I am not free. As long as any of us are in chains in this land, we are all in chains. As long as any are in ignorance in the land, we are in ignorance to that extent. As long as anybody starves in the land, we starve. As long as anybody suffers from despotism and tyranny, we are all suffering from despotism and tyranny. We belong to the body of this citizenship,

and we suffer in common with it, and we benefit in common with it.

As I said a moment ago, the only principle upon which society can ever be built is the principle of each for all, and all for each. The principle of union, the principle of joint co-operative action for the benefit and the service of all.

I believe that that action is the action of the people, the action of the masses, of mankind, and that sooner or later they will insist upon their rights.

As Lincoln said, "You can fool some of the people all of the time and all of the people some of the time, but you cannot fool all of the people all of the time."

The peoples all over the world are coming into their own, they are going to come into their own more and more as the years go by. They are going to come into their own in the United States, and what happens to one of us is incidental to the great question of what happens to all of us.

I have expressed my hopes, my ideals, my ambitions for liberty in America, and for brotherhood and peace among all people of the world. I have done what I could, and for the time being the matter is in your hands.

