
A View of the Trial.

by Adolph Germer

Published as part of the article "How Our Comrades on Trial Viewed Verdict of Guilty" in *The Ohio Socialist* [Cleveland], whole no. 52 (Jan. 22, 1919), pg. 1.

The verdict of the jury is, of course, disappointing though not in the least surprising. The venire from which we had to choose was made up of men who are instinctively hostile to us. The prosecution was extremely careful to keep from the jury anyone who, at any time or in any way, came to contact with or had the slightest knowledge of the labor movement. Men who had a glimmering of the economic and political forces that are at work were not wanted on the jury by the prosecution. Men with opinions and prejudices against us were needed to convict. Retired farmers, retired businessmen and insurance and real estate men, whose income is derived from the profit system, were given to us and we were obliged to submit our fate in their hands. I am not in the least questioning the honesty of the jury but it is true as Marx says, "The way a person makes his living determines his mode of thinking."

Much as the prosecution might deny it, it stood out as clear as the noonday sun that it was not the five defendants who were on trial but the Socialist Party and its principles. The war hysteria was carried into every phase of the case to add to the natural prejudices of the jury. Had the jury carefully followed on phase of the judge's instructions, only one verdict could have been returned and that is "Not Guilty."

The jury was instructed in substance that we had the right to hold and express our political and economic views; that we had a right to discuss the causes and the effects of the war and if they found that our object was to improve the conditions of society, they

were to return a verdict of "Not Guilty."

There was abundance of evidence to show that we carried on similar propaganda before the war and that what we did during the war was consistent with the traditional principles of the Socialist Party.

Personally speaking, and I am sure I am expressing the sentiment of my colleagues, I have nothing to regret and nothing for which to apologize. If the democracy of which we heard so much and for which we were told we entered this war can be had only through prison cells, I am willing to take my place with countless others who have been denied their liberties because of a conviction.

The Socialist movement will not suffer from the verdict rendered against us. Quite the contrary, it will be vitalized. The unpardonable crime of sending men to prison for having an opinion has never destroyed any movement. Bismarck sought by oppression and persecution to destroy the socialist movement of Germany but instead of destroying it, he gave it life and determination. Postmaster General Burleson may exclude our papers from the mails and thus seek to destroy our press. Attorney General Gregory may order prosecutions by the wholesale and send our faithful comrades to prison by the thousands, their acts of infamy will serve to enlighten the masses to the growing despotism of American plutocracy. In European countries political prisoners are released. In this country alleged political offenders are sent to prison.



*Edited by Tim Davenport. Picture of Germer, Feb. 1919, from NY Call.
Published by 1000 Flowers Publishing, Corvallis, OR, 2005. • Free reproduction permitted.*