

CLAUDIA JONES

YOUR HONOR, there are a few things I wish to say. For if what I say here serves even one whit to further dedicate growing millions of Americans to fight for peace, and to repel the fascist drive on free speech and thought in our country, I shall consider my rising to speak worthwhile indeed.

Quite candidly, your Honor, I say these things not with any idea that what I say will influence your sentence of me. For, even with all the power your Honor holds, how can you decide to mete out justice for the only act to which I proudly plead guilty, and one, moreover, which by your own prior rulings constitutes no crime—that of holding Communist ideas; of being a member and officer of the Communist Party of the United States?

Will you measure, for example, as worthy of one year's sentence, my passionate adherence to the idea of fighting for full unequivocal equality for my people, the Negro people, which as a Communist I believe can only be achieved allied to the cause of the working class?

A year for another vital Communist belief, that the bestial

Korean war is an unjust war? Or my belief that peaceful co-existence of nations can be achieved and peace won if struggled for?

Another year for my belief that only under socialism will exploitation of man by man be finally abolished and the great human and industrial resources of the nation be harnessed for the well-being of the people?

Still another year's sentence for my belief that the denial of the exercise of free speech and thought to Communists only precedes, as history confirms, the denial of the exercise of these rights to all Americans?

Et cetera, Honorable Judge?

Of course your Honor might choose still another path for sentence.

You will no doubt choose as the basis for sentence the concocted lies which flowed so smoothly from the well-paid tongues of stoolpigeons and informers who paraded before you here and gave so-called evidence which the Court has asserted was "amply justified."

"Amply justified," your Honor? What has been amply justified? The lies of degenerate witnesses like Younglove who can only be compared to Van Der Lubbe, of the famous Reichstag Trial? The despicable forced admission of the Negro witness Cummings who laughed at the thought of his \$10,000 Judas gold jingling in his pocket when he said he would turn informer on his own mother for a mess of the prosecutor's pottage?

The ill-practiced and unspeakable dronings of the other Negro informer Rosser, who blurted out his well-memorized script, and even, on your Honor's prodding, would drift off into half-intelligible intonations, "I don't know what you

are talking about," to name but a few examples!

"Amply justified!" Indeed! This "evidence!"

There was no official stamp powerful enough, your Honor, to dignify the obscenity of this trial of ideas. Hence, for me to accept the verdict of guilty would only mean that I considered myself less than worthy of the dignity of truth which I cherish as a Communist and as a human being, and also unsuitable to the utter contempt with which I hold such sordid performances.

That is why I find now, as throughout this trial of the ideas of Marxism-Leninism, that it is we, the defendants, who are morally free, and conversely it is the prosecutors and the Court itself that stands naked before the Bill of Rights and the Constitution and the people of our country.

It is this, your Honor, that explains the not-so-strange reason that you yourself observed that we feel no guilt. For true though it is that the prosecutor has its framed-up verdict on a framed-up indictment and trial, it is not we Communist defendants who tremble at this final stage of these trial court proceedings, but the very prosecutors of our ideas.

Truly, the prosecution's victory sits shakily. For our ideas were confirmed in the course of this trial itself.

It was the world-renowned Karl Marx, founder of the Marxist-Leninist science, for which application to American and world historical conditions we were so fearfully convicted, who long ago predicted that "*The time would come when the powers that be would no longer live by the very laws they themselves have fashioned.*"

In the libraries and great institutions of learning, and, yes, your Honor, particularly in the homes of Negro and white workers, will not such reading—which will not stop with

this or any other Smith Act trial—will not men, women and youth think and ponder that such a time is here?

The thinking process, as your Honor well knows, is a process that defies jailing. When it is all boiled down what shows is not the strength of the policies and practices of our prosecutors—which are akin to police-state practices—but their desperate fear of the people. Nothing shows this more, your Honor, than our exposure of the biased jury drawn from a system which virtually excludes Negro, Puerto Rican and manual workers. This virtual exclusion exists not because of lack of qualifications or even financial hardship, but because of deliberate discrimination based on consciously cultivated white supremacist ruling class prejudice which sullies our boasted Western culture.

This conscious white supremacist prejudice, which Mr. Perry so well pointed out, was shown in the gingerly handling by the prosecutors and oftentimes the Court of the Achilles heel of this alleged “force and violence” charge against us in relation to the Negro question.

Introduce a title page to show Claudia Jones wrote an article during the indictment period, but you dare not read even a line of it, even to a biased jury, on which sat a lone Negro juror, there by mere accident, since he was an alternate well through most of the trial. You dare not, gentlemen of the prosecution, assert that Negro women can think and speak and write!

Moreover, you dare not read it because the article not only refutes the assertion that the ruling class will ever grant equality to 15,000,000 Negro Americans, but shows that what we are granted is unrequited force and violence not only in the unpunished barbaric crime of lynching, but in

eating, in everyday existence, in living, in the armed forces, in jails, in the denial of land, in recreation—yes, even in the nation's cemeteries.

The prosecution also cancelled out the overt act which accompanied the original indictment of the defendant Jones entitled "Women in the Struggle for Peace and Security." And why, your Honor? It cannot be read, your Honor—it urges American mothers, Negro women and white, to write, to emulate the peace struggles of their anti-fascist sisters in Latin America, in the new European democracies, in the Soviet Union, in Asia and Africa to end the bestial Korean war, to stop "operation killer," to bring our boys home, to reject the militarist threat to embroil us in a war with China, so that their children should not suffer the fate of the Korean babies murdered by napalm bombs of B-29s, nor the fate of Hiroshima.

Is all this not further proof that what we were also tried for was our oppositon to racist ideas, so integral a part of the desperate drive by the men of Wall Street to war and fascism?

One thought pervaded me throughout this trial and pervades me still, and it is this: In the nine and one-half months of this trial, millions of children have been born. I speak only of those who live. Will the future of those children, including those of our defendants, and even your Honor's grandchildren, be made more secure by the jailing of 13 men and women Communists whose crimes are not criminal acts but advocacy of ideas? Is this not a tyrannical violation of the American dream of "life, liberty and the pursuit of happiness"?

It was in an American junior high school where I first

learned of the great traditions of popular liberty of American history, for which I then received the Theodore Roosevelt Award for good citizenship.

That I have learned to interpret that history and to work to influence its change for the betterment of the people with the indispensable weapon of Marxist-Leninist ideas, that is the real crime against me.

Of all other charges I am innocent.

It was here on this soil (and not as Mr. Lane would depict to this Court, as a young child of eight year of age waving revolutionary slogans), that I early experienced experiences which are shared by millions of native-born Negroes—the bitter indignity and humiliation of second-class citizenship, the special status which makes a mockery of our Government's prated claims of a "free America" in a "free world" for 15 million Negro Americans.

It was out of my Jim Crow experiences as a young Negro woman, experiences likewise born of working-class poverty that led me in my search of why these things had to be that led me to join the young Communist League and to choose at the age of 18 the philosophy of my life, the science of Marxism-Leninism—that philosophy that not only rejects racist ideas, but is the antithesis of them.

In this courtroom there has often flashed before me the dozens of meetings of Negro and white workers in the great auto plants at the Rouge, of New England textile workers, of students and of women active in the peace struggle which I have addressed on behalf of my Party. Just as now, there flashes in my mind's eye those young Negro women I have seen at the Women's House of Detention, almost children, of whom, but for my early discovery of Marxism-Leninism,

I might have had to say now, "There might I have been."

For what crimes? Petty crimes born of poverty, of the ghetto, of Jim Crow living, the crime of being born black on American soil, of resisting treatment, rebellion against which, unchannelized, became lawless against the very Jim Crow society that perpetrates their lawlessness.

One need only be a Negro in America to know that for the crime of being a Negro we are daily convicted by a Government which denies us elementary democratic rights, the right to vote, to hold office, to hold judgeships, to serve on juries, rights forcibly denied in the South and also in the North. And I want to concur with Mr. Perry's proposal to Mr. Lane that he recommend to the Department of Justice that they show more zeal, since they have not ever prosecuted a single anti-Semite or a Ku Kluxer in these United States with its total of 5,000 lynched Negro men, women and children since the 1860's.

I am aware that these things are not to the liking of the prosecution or even of this Court, but that cannot be helped, for one of the historical truths of all history is that the oppressed never revere their oppressors.

Now I come to a close. The probation official who interrogated me was a Negro official. Your Honor undoubtedly has his reports before you. One of the questions that he asked me was did I ever believe in any religion. I told him then that this was a personal, private matter, and was guaranteed under the First Amendment of the Constitution. I wonder now, your Honor, if he somehow falsely reckoned, as many officials falsely reckon, that a change of belief or conviction in one's mature life is like putting on a new dress or a new hat? I could have quoted Scripture to him, the

Scripture applied by a leading Negro religious figure in tribute and in observation of the Smith Act jailing of one of the outstanding sons of the Negro people, Ben Davis, now incarcerated in the Jim Crow Federal Penitentiary of Terre Haute, Indiana. The Scripture runs: "*Smite down the shepherd and the sheep will be scattered!*"

And this, Honorable Judge, is exactly what is the purpose of all Smith Act trials, this one in particular. I share the faith of Elizabeth Gurley Flynn and Pettis Perry and all my co-defendants that America's working people, Negro and white, will surely rise, not like sheep, but with vigilance towards their liberty, to assure that peace will win and that the decadent Smith Act, which contravenes the Bill of Rights, will be swept from the scene of history.

It was the great Frederick Douglass, who had a price on his head, who said, "*Without struggle, there is no progress.*" And echoing his words was the answer of the great abolitionist poet, James Russell Lowell: "*The limits of tyranny is proscribed by the measure of our resistance to it.*"

If, out of this struggle, history assesses that I and my co-defendants have made some small contribution, I shall consider my role small indeed. The glorious exploits of anti-fascist heroes and heroines, honored today in all lands for their contribution to social progress, will, just like the role of our prosecutors, also be measured by the people of the United States in that coming day.

I have concluded, your Honor.