

justification for using murder as a political weapon. I cannot here enter upon the whole problem of the disorderly conditions of the country, of the real anarchy in the Austrian nation. I will return later to the question of constitutionality in so far as it is related to Parliament. But I will here, in connection with the words used by the counsel in his motion, calmly and dispassionately state what is to me *a justification of myself and of the deed I have committed*.

I maintain that the fact that such trials as this are possible, alone, justifies every act of violence against the rulers of Austria. This trial alone, and all such trials, are to me a moral justification and I desire to emphasize in this connection that it was just this state of justice in Austria that has oppressed me most since the war began, that violated my every sense of honor, that made me ashamed of the fact that I am an Austrian. I will show you that the Stürgkh-Hochenburger ministry, as early as July 25, 1915, issued an imperial edict abolishing all jury courts, making way for the violation of our constitutional rights on the very day when diplomatic relations with Serbia were severed. This edict, at that time already represented a real coup d'état. I will illustrate to you the situation that has been created in Austria by the regime Stürgkh-Hochenburger by referring you to the ordinance issued on the 25th of July, 1914, providing for trial before a military court of persons who commit a punishable act.

Even at that time this edict was a clarification for me and the impression it made upon me has been deepened during the whole period of the war. If you look at these two ordinances you will find that they embody everything that has been done in Austria since the war began. They have used all kinds of subterfuges. They claim that the nationalist question in Austria is creating many difficulties, etc. What is a government to do if it cannot get along with its parliament, they ask, and see in the abolition of parliament the only possible solution. But later developments showed that these were nothing more than lying pretenses to justify their desire to rule, substituting paragraph 14 for rule by parliament. Yet no one has so systematically ruined parliament as Count Stürgkh who foresaw what was coming. How-

ever that is not a subject for discussion. It is not exactly a credit to the possibilities of Austria as a nation to claim that it can be governed only as an absolute monarchy. But the action of the 25th of July, 1914, has nothing to do with the political situation. It is proof of the fact that even before war was declared against Serbia war had already been declared against the people of Austria, that the government was determined to look upon the constitution as a scrap of paper, to stride rough-shod over everything that is law and right in Austria.

My case has been brought before this forum. But a large number of other cases which in accordance with the law should have been tried before jury courts have nevertheless not been brought before this court, in spite of the abolition of jury courts. All such political crimes, high treason, lese majeste, disturbance of public peace and order, all crimes which before jury courts were referred by the Imperial Edict of July 25, 1914, to the royal imperial Military Reserve Courts.

That the government no longer trusts the civil courts to dispense justice in the spirit of the reactionary Holzinger, that it feels impelled to carry all political crimes before senates, before gentlemen whose trustworthiness to carry out every order from above is assured by the fact that they stand ready to defend the front against the enemy at home at a sacrifice of their own moral personality, especially when they are thus in a position to secure their physical existence from the more dangerous attacks of the enemy across the border, is, in a sense, an honorable distinction conferred upon you by the powers of absolutism. To a person whose whole life is spent in political activity this turning over of all political crimes to military courts is obviously a matter of some concern. The fact that I have, from the beginning, denounced the shame of Austria and have openly declared in widely diversified publications that we live in a state whose absolutism is unequalled in the whole world is sufficient proof that there is in Austria to-day no authority that is responsible concerning Austrian constitutionality.

For this is the crucial point in the Austrian situation and this