

OPENING STATEMENT

for the

Defense in the Case of United States vs Susan B. Anthony

Judge Selden opened the case in behalf of the defendant, as follows:

If the Court please, Gentlemen of the Jury:

This is a case of no ordinary magnitude, although many might regard it as one of very little importance. The question whether my client here had done anything to justify her being consigned to a felon's prison or not, is one that interests her very essentially, and that interests the people also essentially. I claim and shall endeavor to establish before you that when she offered to have her name registered as a voter, and when she offered her vote for Member of Congress, she was as much entitled to vote as any man that voted at that election, according to the Constitution and laws of the Government under which she lives. If I maintain that proportion, as a matter of course she has committed no offence, and is entitled to be discharged at your hands.

But, beyond that, whether she was a legal vote or not, whether she was entitled to vote or not, if she sincerely believed that she had a right to vote, and offered her ballot in good faith, under that belief, whether right or wrong, by the laws of this country she is guilty of no crime. I prehend that that proposition, when it is discussed, will be maintained with a clearness and force that shall leave no doubt upon the mind of he Court or upon your minds as the gentlemen of the jury. If I maintain that proposition here, then the further question and the only question which, in my judgment, can come before you to be passed upon by you as a question of fact is whether or not she did vote in good faith, believing that she had a right to vote.

The public prosecutor assumes that, however honestly she may have offered her vote, however sincerely she may have believed that she had a right to vote, if she was mistaken in that judgment, her offering her vote and its being received makes a criminal offence- a proposition to me most abhorrent, as I believe it will be equally abhorrent to your judgment.

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James Bradley

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The Opening Statement of the Prosecution in International Criminal Trials Sofia Stolk, 2021-04-19 This book addresses the discursive importance of the prosecution's opening statement before an international criminal tribunal Opening statements are considered to be largely irrelevant to the official legal proceedings but are simultaneously deployed to frame important historical events They are widely cited in international media as well as academic texts yet have been ignored by legal scholars as objects of study in their own right This book aims to remedy this neglect by analysing the narrative that is articulated in the opening statements of different prosecutors at different tribunals in different times It takes an interdisciplinary approach and looks at the meaning of the opening narrative beyond its function in the legal process in a strict sense discussing the ways in which the trial is situated in time and space and how it portrays the main characters It shows how perpetrators and victims' places and histories are juridified in a narrative that whilst purporting to legitimise the trial the tribunal and international criminal law itself is beset with tensions and contradictions Providing an original perspective on the operation of international criminal law this book will be of considerable interest to those working in this area as well as those with relevant interests in International Transnational Law more generally Critical Legal Studies Law and Literature Socio Legal Studies Law and Geography and International Relations

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