**The Trial of John Peter Zenger**

Narrator: The year is 1735. The place: the colony of New York. John Peter Zenger, a young German immigrant, is sitting on trial for *libel*. His accuser, the royal governor William Cosby, has argued that Zenger has spread vicious lies about him and ruined his reputation. We will now watch as the trial unfolds and see if Zenger’s lawyer- the brilliant Andrew Hamilton of Pennsylvania- can win him his freedom.

The Trial

Judge: (banging the gavel) I bring this court to order! Sitting before us we have Mr. John Peter Zenger, who has been brought here under charges of libel. To read the information filed against Mr. Zenger, I call on Attorney General Bradley.

A.G. Bradley: Being a seditious person and frequent printer and publisher of false news and seditious libels, John Peter Zenger has wickedly and maliciously devised to scandalize, vilify, and destroy the reputation of Governor Cosby and his ministers. Libeling has always been discouraged as a thing that tends to create differences among men, ill blood among the people, and oftentimes great bloodshed between the party libeling and the party libeled.

Judge: Mr. Zenger, how do you respond to these charges?

Zenger: I am only a printer. I did not write these articles, but it is true indeed that I printed them, as is my duty.

Cosby: (standing up aggressively) YOU RAT! YOU PRINT LIES! I’LL HAVE YOU RUINED FOR THIS- (his lawyer attempts to calm him down).

Judge: ORDER! ORDER IN THE COURT! Mr. Cosby if you cannot control your temper I will have you removed from this courtroom at once.

Andrew Hamilton: Your honor, I believe Governor Cosby has already shown us his character in only the brief moments this trial has been in session. He has proven to be a “rogue” governor whose many characteristics include his greediness, his quick temper, and his overall inclination to run a corrupt, ineffective government. My client does not contest having printed and published the allegedly libelous materials contained in the Weekly Journal.

Bradley: As Mr. Zenger has confessed to the printing and publishing of these libels, I think the jury must find a verdict for the King. Remember, the law does not say that these articles are less libelous even if the information against Governor Cosby is true. The truth of a libel is no defense.

Hamilton: The law should not be interpreted to prevent men from expressing fair complaints about their government. The laws of England should not be the laws of New York. It is natural, it is a privilege, and I will go even further and say it is a *right,* which all free men claim, to be able to complain when they are hurt. They have a right to argue against abuses of power.

Power may justly be compared to a great river. When kept within its banks, it is both beautiful and useful. But when it overflows, it is then too powerful to be contained- it bears down on all before it, and causes great destruction wherever it goes. We must obey authority, but at the same time be on our guard against power when we believe it is dangerous to ourselves and our fellow subjects.

The question before the Court and you, Gentlemen of the jury, is not of small or private concern.  It is not the cause of one poor printer, nor of New York alone, which you are now trying.  No!  It may in its consequence affect every free man that lives under a British government on the main of America.  It is the best cause.  It is the cause of liberty!

Judge: That was beautiful, Mr. Hamilton. But he still broke the law. I say now to the jury before you make your decision- there are no facts to decide and it is not your duty to judge the law. Mr. Zenger has confessed to the crime with which he has been charged. You may now deliberate.

(*Jury huddles together, discussing their decision*)

Thomas Hunt, head juror: Your honor, we find the defendant, Mr. John Peter Zenger, not guilty of libel.

(*The crowd goes wild with cheers*, *continuing even as the Judge attempts to regain order in the court.*)

Narrator: And so the case was decided: John Peter Zenger was found not guilty. Cheers filled the courtroom and soon spread throughout the countryside. Zenger and Hamilton were hailed as heroes. Another building block of liberty was in place. Although true freedom of the press was not known until the passage of the First Amendment, newspaper publishers felt freer to print their honest views. As the American Revolution approached, this freedom would become ever more vital

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Directions: Carefully read the sketch transcript for “The Trial of John Peter Zenger.” After you’ve read it completely, answer the questions below.

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| Question | Answer |
| 1. For what crime was John Peter Zenger charged? |  |
| 1. What is *libel*? |  |
| 1. Why does Attorney General Bradley imply that Zenger is automatically guilty of the crime? |  |
| 1. How does Zenger’s lawyer, Andrew Hamilton, respond to the charges? |  |
| 1. How does the jury go against the judge’s orders? |  |
| 1. Why is the Zenger trial so significant? |  |