

BEGINNING NEXT WEEK --

and for the duration of the trial
THE MILITANT will be published in a
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STRIKE SHOWS FDR'S ANTI-LABOR ROLE

Judge Denies Motions Of Defense

Says SWP Not Entitled To Constitutional Rights

Charges Against 5 of 28 Defendants In "Sedition" Trial Are Dismissed As Defense Opens Case With Cannon As First Witness

MINNEAPOLIS, Nov. 18 (By Wire) — Judge M. M. Joyce today overruled the defense motion for a directed verdict of acquittal for the defendants in the government's 'seditious conspiracy' trial against the Socialist Workers Party and Local 544-CIO.

Even more ominous than the ruling was the language the judge used, for it indicated how he will instruct the jury when the case is completed and the jury is sent to decide whether or not the defendants are guilty. It indicated too in what frame of mind he will set the sentences if the jury brings in a verdict of guilt. Under the statutes on which the case is being tried, the defendants can be sentenced to prison terms of 16 years and fined \$10,000 each.

The judge's argument for his

He said:

"I am unable to conclude that any group of defendants under either count of the indictment possesses the constitutional right to circulate and write material that is seditious and revolutionary in character — that preaches force and violence as a means of overthrowing the Government of the United States and in its stead hopes to set up an entirely new social order based on the principles of socialism, or to advocate the same by speech — I am unable to conclude that, when confronted with the consequences of such conduct, the defendants may successfully rush to the protection of the Constitution they would not amend but would absolutely destroy."

The hostility toward the defendants indicated by the judge's language appears all the more alarming because of the wide powers of federal judges in instructing juries.

AMALGAM BETWEEN SWP AND NAZIS

The judge did not hesitate in his decision on the arguments, advanced by the defense under the "clear and present danger" doctrine of Holmes and Brandeis, to make an amalgam between the Socialist Workers Party, a workers political organization aiming at the establishment of a Workers and Farmers Government, and the Nazis, whose main function is to suppress the workers in the interests of the capitalists.

He said: "It may seem unreasonable to fear, when the size and power of the United States is considered, that this comparatively small group of individuals (the SWP) could accomplish successfully the objectives charged. But it is well to remember on this point that Hitler once ran around in a greasy old overcoat and was belittled for his efforts."

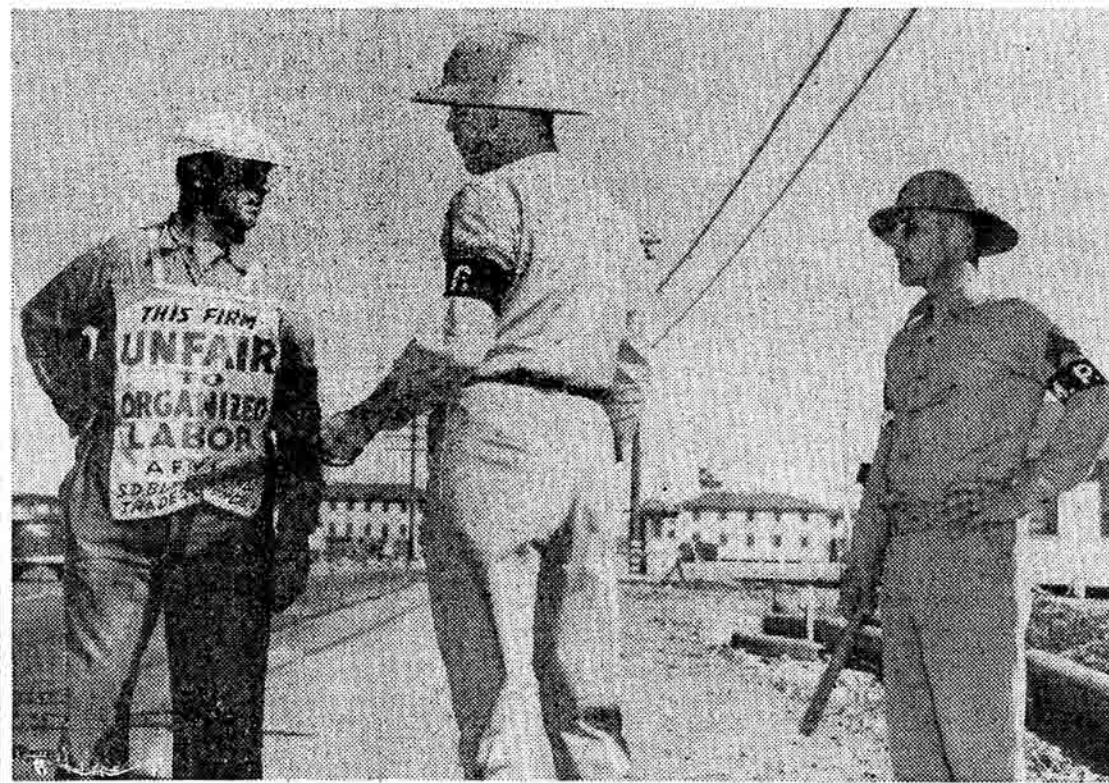
Joyce also denied a defense motion to require the prosecution to decide under which of two statutes the prosecution should be conducted — the 1861 anti-slaveholder law, Section 6 of Title 18 of the United States Code, or the 1940 Smith Act. The indictment was based on both acts.

Today's rulings, plus previous decisions by the judge, indicate the jury will in effect be instructed to find the defendants guilty.

Defense counsel concluded argument for a directed verdict of acquittal.

(Continued on page 3)

Government Strikebreaking



Here is another example of how Roosevelt "defends" democracy. Army military police are shown on strikebreaking duty against the AFL building trades workers on strike for higher wages at naval construction projects in San Diego, California, last week.

Remnants Of Neutrality Bill Are Discarded

An Editorial

The Neutrality Act, that legal fiction used as a cover of peaceful intent for the Roosevelt administration's war preparations, have finally been scuttled.

By a majority of 18 votes, the House of Representatives on November 13 bowed to the Administration's dictates and repealed the last two remaining important sections of the Act, the prohibition of the arming of American merchant vessels and the barring of American ships from war zones and belligerent ports.

To all intents and purposes, the Administration had long since "amended" the Act in practice. It is no secret that American merchant ships — under Panamanian registry, of course — have been sailing the high seas armed by secret order of the Navy Department. Presidential decrees, progressively extending the bounds for American shipping, have rendered meaningless the definition of combat zones and belligerent ports as clearly expressed in the Neutrality Act.

A "semi-declared" naval war — initiated by Roosevelt's "shoot on sight" order — has been in progress for months. Its intensity is not lessened by the omission of a formal Congressional declaration of war, as required by the Constitution of the United States.

The burying of the last remaining important clauses of the Neutrality Act simply follows the pattern employed by the Administration in its elimination of the two other most important provisions of the Act, which banned shipments of arms to belligerents and prohibited loans to warring nations.

Even as Roosevelt formally invoked the Neutrality Act at the start of the war in September 1939, the United States Maritime Commission was advising American shipping companies on methods of evasion of the clear intent of the Act, and itself set the example by sailing its ships under Panamanian registry. Adoption of the "cash-and-carry" provisions and, subsequently, of the Lend-Lease bill, formally scotched the legal restrictions on arms shipments and loans to belligerents.

From first to last, the Neutrality Act has failed to keep the government from involving this nation in the war. Roosevelt has not hesitated to violate the letter and spirit of the Act in accord with each stage of his war preparations.

Those who are sincerely determined to oppose the war must now understand such opposition cannot rest on the thin reed of capitalist laws. Legal fictions, which the capitalist government does not hesitate to violate, cannot stop war. The class struggle of the workers against the causes of this war — the imperialist drive for markets, colonies, resources and spheres of influence — alone can bring lasting peace to the world. The fight against the war is inseparable from the fight against capitalism, the breeder of imperialist wars.

CIO Convention Backs 'Captive' Mine Strike

Leaders Forced to Oppose Roosevelt In Spite of Supporting His War Program

By JOE ANDREWS

DETROIT, Nov. 17. — The Fourth Convention of the CIO opened its sessions today with all the basic problems and differences underscored by the climactic strike in the captive mines, to which the convention has voted unanimous support.

In fact, the fundamental issues of this CIO convention and the whole future course of labor are being fought out not only in the convention sessions in Detroit, but on the picket lines and in the councils of the United Mine Workers union.

Should the mine workers be defeated in their strike, or should their leaders capitulate to the pressure of Roosevelt and the Steel Trust, all labor will suffer a terrible blow.

But should the miners succeed in attaining their objective in this strike and force the steel trust and Roosevelt to retreat, thereby preserving their union, labor will have rescued itself from a major catastrophe, presaged by the Mediation Board's attempts, at Roosevelt's command, to deprive the unions of the rights essential to their organizational existence.

Since Roosevelt and his Wall Street partners have declared war on the United Mine Workers of America, aiming straight at the heart of the CIO, the convention has necessarily been forced to ex-

press full support to John L. Lewis and the UMW in the captive mine situation. The deliberations of the Convention will inevitably reflect the exigencies of

the miners' crisis. A huge majority of the delegates are unqualified supporters of Roosevelt's war program; but they were forced to protest unanimously against the governmental attack on the demands of the miners and pass a resolution supporting the mine strike and the demand for a union shop contract with the steel corporations.

CONTRADICTIONS REACH ACUTE STAGE
The chronic contradiction which (Continued on page 2)

San Francisco CIO Industrial Union Council Pledges Support To Defendants

Calls On Unions to Aid In the Defense

The full support being given to the 28 working men and women now on trial in Minneapolis was shown last week when the San Francisco Industrial Union Council, CIO, passed a vigorous resolution of endorsement and voted a donation to the defense.

The full text of the resolution

adopted by the Council reads as follows:

"Whereas: Minneapolis Local 544-CIO, Motor Transport Workers Union, which is the spearhead of the motor transport workers movement of the Northwest, transferred its affiliation by almost unanimous vote from the AFL Teamsters International into the CIO to free itself from the dictatorial, racketeer, craft-union setup of Daniel J. Tobin, and

TOBIN AIDED BY JUSTICE DEPARTMENT

"Whereas: Daniel J. Tobin in his campaign of terror against the Minneapolis motor transport workers has been aided by the Department of Justice, which has secured the indictment on 'seditious conspiracy' charges of 28 individuals including the entire leadership of Local 544-CIO as well as members of the Socialist Workers Party, and

"Whereas: We are firmly convinced that the maintenance of the free trade union movement as well as of full civil liberties is of the utmost importance to us in our efforts to get an education now as well as to our future prospects for a fruitful and free life, and

"Whereas: The CIO, Labor's Non-Partisan League, the United Auto Workers, the American Civil Liberties Union, Local 1-10 International Longshoremen's and

Warehousemen's Union, and other labor and liberal organizations have condemned the government prosecution as a serious threat to civil liberties and labor's rights, and

"Whereas: Ignoring these protests, the Department of Justice has put these men on trial in Minneapolis since October 20,

CONDEMN USE OF GOVERNMENT AGENCIES

"Therefore be it resolved: Our organization protests against this attempt to deprive the Minneapolis motor transport workers of their democratic right to join the union of their choice, and we condemn the use of government agencies to oppress and harass any labor or political organizations in the pursuit of their legitimate activities, and

"Be it further resolved: That we call upon the Department of Justice to dismiss the indictments against the 28 defendants in the Minnesota case, and

"Be it further resolved: That we request all affiliated locals to give full moral and financial support to these 28 defendants, and

"Be it further resolved: That copies of this resolution be given the widest publicity in the labor press and that they be sent to the National Office of the CIO, Local 544-CIO and Attorney-General Biddle."

Miners' Fight Is The Fight Of All Labor

Roosevelt's Attempts to Intimidate CIO Into Deserting UMW Proves Unsuccessful

NOVEMBER 19. — The Roosevelt administration faces its gravest domestic political crisis as the 53,000 workers of the steel corporations' 'captive' coal mines hold their picket lines fast in an overwhelming response to the strike call issued by the United Mine Workers, CIO.

Roosevelt has run into a solid wall of united CIO resistance in his attempt to use the "captive" mine controversy as a wedge for the open shop throughout all industry and to enforce his "no-strike" policy. The CIO national convention, representing 5,000,000 organized workers entrenched in the basic industries, has voted unanimous support for the striking miners. Roosevelt threatened that he would use armed force and anti-strike legislation to smash the "captive" mine strike. But these threats failed to intimidate the CIO into deserting the miners. Roosevelt today faces the opposition not of the miners alone, but of the most militant and powerful labor organization in American history.

A DEEP-GOING CONFLICT

The deep-going anti-labor character of Roosevelt's attack on the miners is emphasized by the fact that the bulk of the CIO leadership which rejected his stand is in expressed agreement with Roosevelt's war policies. Despite their political support of the administration, the CIO leaders, headed by CIO President Philip Murray, have in this instance been forced into open conflict with Roosevelt. The patently anti-labor character of his moves, inspiring overwhelming resentment in the CIO ranks, has forced the CIO leadership into opposing Roosevelt.

A stunning blow was dealt to the National Defense Mediation Board, key agency designed by Roosevelt to bind the union movement in a web of futile mediation and arbitration, when the CIO representatives resigned and denounced its decision in favor of the open shop. The CIO News, November 17, stated that the NDMB "appeared 'all washed up'."

The CIO resignations served to expose the pretense of the government's "impartiality" and helped discredit Roosevelt's labor policies in the eyes of millions of organized workers. He now faces the task of trying to rehabilitate the shattered prestige and authority of his elaborately contrived agencies for curbing labor.

EXPOSES SHAM OF WAR FOR "DEMOCRACY"

If Roosevelt uses the troops against the mine strikers or initiates anti-labor legislation to intimidate the CIO, he will only intensify the hostility of the workers to his policies and further expose the sham of his "war for democracy."

Had the CIO failed to give decisive endorsement to the miners' strike, Roosevelt would not have hesitated to crush it at once with armed force. But this is not like the North American Aviation strike, where Roosevelt carried out his strikebreaking with impunity, behind the argument provided him by some CIO leaders that the strike was unauthorized and the "wild-cat" action of a "few irresponsibles."

Any attempt Roosevelt may make to break the mine strike will be understood by the workers for what it is: a deliberate step toward imposing the open shop rule throughout industry, establishing compulsory arbitration and destroying the right to strike, and smashing the independence of the whole labor movement.

It is precisely the argument straight from the mouths of the steel barons that Roosevelt uses in denying the "captive" mine workers' right to the union shop. In his statement of last Friday, he demagogically declared that he would not "order the so-called closed shop" because this would be "Hitler's methods."

THE REAL ISSUE

The issue is not the "ordering of the closed shop." It is Roosevelt's ordering of the open shop. That is the meaning which millions of CIO and AFL workers correctly read into Roosevelt's no-strike command to the miners. They recognize the NDMB's mine decision as the prelude to government enforcement of the open shop policy throughout industry.

This is confirmed by the NDMB's rulings on November 14, following the mine decision, when the board rejected the demands of two AFL unions for the union shop in the Ingalls Shipbuilding Corporation, Pascagoula, Mississippi, and in two plants of the International Harvester Company. These latest NDMB rulings, striking at the AFL, underline (Continued on page 2)

New Forces Rally To Defense Front For 28

Many Trade Unions Support Defense

Another significant endorsement was the resolution passed by the San Francisco Local 1-10 of the International Longshoremen's and Warehousemen's Union, CIO — the union of which Harry Bridges is head. In this resolution the union went on record as "endorsing and supporting the defense." Harry Bridges is now being persecuted under the same reactionary Smith Act which is being used against the 28 defendants in Minneapolis.

Trade union locals have been coming to the support of the 28 defendants in constantly increasing numbers. More than 35 locals have already contributed funds to the defense, and many others have passed resolutions of endorsement.

The Civil Rights Defense Committee, authorized representative of the 28 defendants, has received contributions from trade unions in the following 14 cities: Boston, Buffalo, Chicago, Cleveland, East Chicago, Eau Claire, Wisc., Elkhart, Ind., Detroit, St. Paul, West Allis, Wisc., Highland Park, Mich., Melrose Park, Ill., Newark, N. J., New York City.

Newark Unions Contribute

The Newark Branch of the Civil Rights Defense Committee announced this week contributions from five more CIO unions to the defense of the 28, given since the beginning of the month. Local 260 of the United Auto Workers, Tite-Flex plant, voted \$25.

Local 511 of the United Auto Workers, Hyatt G. M. plant in Harrison, contributed \$25.

Local 108 of the United Retail and Wholesale Employees Union sent \$15.

Local 49 of the American Federation of Hosiery Workers donated \$10.

Local 187 of the United Rubber Workers voted to give \$5.

In addition, Local 595 of the United Auto Workers, which just settled a strike at the Linden General Motor plants this week, passed a motion protesting against the prosecution.

IWW Strongly Endorses CRDC

The General Defense Committee of the IWW last week gave strong endorsement to the Civil Rights Defense Committee, which has already been endorsed by the American Civil Liberties Union and the Workers Defense League.

Condemning the revival by the Justice Department of the witch hunting campaigns of the last war, the General Defense Committee states:

"The indictments are in reality an attack on the right of working men and women to organize. If the state can indict and convict these men and women and establish such a precedent, labor's rights will be seriously endangered. . . . The General Defense Committee calls upon its many members and sympathizers to support the Civil Rights Defense Committee."

'Witch Hunt' Sells Widely; New Pamphlet Out Soon

The first printing of 10,000 copies of "Witch Hunt in Minnesota," the pamphlet published by the Civil Rights Defense Committee, was so rapidly exhausted that a second printing of 5,000 was run off this week. Already there are less than 1,000 copies left from this second printing.

The pamphlet, which sells for only 5c a copy, has proved to be the most effective means of spreading information about the Minneapolis case. That it is possible to sell the pamphlet on a wide scale has been admirably shown by the Buffalo Committee, which has already taken more than 2,000 copies.

A new leaflet for mass distribution entitled "Workers On Trial," has been prepared by the Civil Rights Defense Committee and will be off the press within a week. This leaflet will give the life story of each of the 28 work-

ing men and women now standing trial in Minneapolis for opinions and utterances displeasing to the government.

Liberals and Labor Leaders Join CRDC

Showing their active support of the defense of the 28, ten well-known liberals and labor leaders last week joined the National Committee of the Civil Rights Defense Committee. The total membership of the National Committee now numbers 48 men and women.

The following are the ten who joined the Committee last week: Mark Starr, educational director of the International Ladies Garment Workers Union; Margaret Marshall, editor of The Nation; Clement Greenberg, editor of Partisan Review; John Chamberlain, editor of Fortune.

Franz Hoellering, author; Louis Rath, professor at Ohio State University;

Sarah T. Colvin, former member Minnesota State Board of Education;

Zara DuPont, liberal member of the DuPont family; Gorham Munson, author; Mary W. Hillyer, secretary, Keep America Out of War Committee.

Roger Baldwin Denounces Trial

A large and enthusiastic audience in Minneapolis on Nov. 13 heard Roger N. Baldwin, National Director of the American Civil Liberties Union, denounce the Federal prosecution of the 28 defendants in the "sedition" trial.

Benjamin Lippincott, Associate Professor of Political Science at the University of Minnesota and a member of the National Committee of the Civil Rights Defense Committee, was chairman at the meeting.

Baldwin declared: "Everyone knows that Tobin is Roosevelt's man. He was ambassador for FDR between the AFL and CIO; he is a supporter of FDR through thick and thin and he has the support of Roosevelt. This is a labor case under the guise of a sedition trial."

"For the first time in our history they are trying men and women for the ideas in the 93-year-old Communist Manifesto. IT IS THE VERY SELFLESSNESS OF THE PEOPLE IN THIS MOVEMENT, THEIR UNSELFISHNESS, THAT HAS LED TO THIS PROSECUTION."

Money Needed Now For Trial Costs

The Civil Rights Defense Committee needs help, from every possible source, and needs it NOW. These are critical weeks, both for the defendants, who face 16 years in prison each, and for the basic rights of labor and free speech.

It is estimated that the trial will last six weeks more. The Civil Rights Defense Committee has launched a campaign to raise \$7,500 to defray the immediate expenses of the trial. The Committee has set up a commissary in Minneapolis where the 28 defendants and their families eat twice daily. A special publicity representative of the Committee has been sent to Minneapolis and has set up a news service which dispatches reports on the trial proceedings to a broad list of publications, individuals and organizations throughout the country. In addition to these immediate expenses the Committee will have to pay the heavy legal fees and court costs.

Contributions to the defense fund should be sent to the Civil Rights Defense Committee, 160 Fifth Ave., New York City.

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Albert Goldman

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New Haven CRDC Sets Fine Example

Branch committees of the Civil Rights Defense Committee have been organized in more than fifty cities throughout the country. These branch committees are giving the National Committee invaluable assistance in raising money for the defense and spreading the news about the trial.

The New Haven Committee is a good example of the composition of these branch committees and how they are functioning. At present the active Committee includes a liberal minister, a professor of physiology at Yale, a well-known labor lawyer, a Methodist minister, a Negro woman leader, the organizer of a local CIO union, organizers for the SWOC and the ILGWU, two delegates to the Central Labor Council, the executive secretary of the National Religious and Labor Federation, and a Negro minister.

This widely-representative group has been carrying on a vigorous campaign for the defense. They have successfully solicited contributions from liberals, arranged for public meetings with prominent speakers, approached trade union locals for funds and for endorsements supporting the

CIO Convention Backs 'Captive' Mine Strike

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has afflicted the CIO leadership and many of its members — the opposing needs of the war and of the workers — has now reached the acute stage. The imperialist war of the Morgans, Girdlers and Graces is a war on the one hand of enrichment for the industrialists and financiers and on the other hand of encroachment on the rights and living standards of the workers. The vast majority of the CIO leadership has tried vainly to reconcile this clash in interests between Wall Street's war and the economic struggle of the working class.

The CIO convention is confronted with the fact that Roosevelt, as leading political spokesman for America's ruling families, is cracking down on the entire CIO in his fight against the miners. His Mediation Board has been so clearly revealed as an anti-union agency that all CIO representatives had to resign from it. Because of the obviously discriminatory character of the Mediation Board ruling against the union shop in the captive mines, the leaders of the CIO have had to oppose the government's anti-labor stand.

LEADERS SEEK PEACE WITH ROOSEVELT

But the CIO leadership is only awaiting the outcome of the miners battle to once again find their way back into the camp of Roosevelt.

Philip Murray, CIO President, in his opening address to the convention, said: "This strike is directly attributable to the five or six important industrial steel corporations. I support national defense — but be that as it may, in the Mine Workers case the Union's demands must be supported on their merits. . . . The decision of the Mediation Board is the rankest kind of governmental discrimination. . . ."

"The AFL action (in voting against the union shop) is arch treason and treachery designed to destroy the legitimate objectives of labor."

Murray failed however to point out that in the camp of the steel corporations and AFL traitors is none other than his political leader, Franklin Delano Roosevelt. "Who do we find fighting the union shop?" asked Murray. "Eugene P. Grace — with \$2½ billion worth of government contracts — Tom Girdler and U. S. Steel."

But Murray did not mention that among those who flatly opposed the union shop in the captive mines is Roosevelt, who publicly proclaimed his opposition to the miners demands and threatened to back up his words with bayonets and bullets.

After attacking the strike-breaking actions of the Wall St.

(Continued from page 1)

the criminal betrayal of the two AFL representatives on the NDMB who sided with the bosses in voting against the miners. Whatever course Roosevelt may follow in this particular conflict, whether he smooths over the immediate struggle with some face-saving formula or tries to hammer the CIO into line with legislative blackmail and outright force, he cannot conceal the widening fissure between the anti-labor character of his war program and the pressing needs of the American workers. The political crisis engendered by this conflict of interests flows inherently from the war program.

As for the CIO, it can surrender or accept some meaningless "compromise" in this battle only at the cost of a tremendous blow to its prestige among the workers everywhere. The fact that most of Roosevelt's closest CIO supporters have been forced to publicly reject his stand, is clear testimony of the threat to the very existence of unionism implicit in Roosevelt's position in the mine strike.

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MAIN DANGER

One of the dangers to the CIO in this situation remains in the attitude of the majority of CIO leaders to the war. They are attempting to maintain the untenable position of supporting the bosses' war and at the same time opposing the inevitable anti-labor consequences of that war. They will be forced to make a choice — for the imperialist war or for the workers.

This contradiction contains the danger against which the CIO members must be on guard. They must resist to the end any attempt to compromise their union rights, conditions and gains, under the pretext of "national defense." The issue for the American workers in this fight is the existence of independent and democratic unionism, without which they would be helpless slaves of the monopoly capitalists.

interests, Murray quickly added: "I wholeheartedly support the President's foreign policy." Then he was forced to add: "But I will fight for the retention of the economic liberties and economic gains of the workers."

AT CROSS PURPOSES

Murray's speech disclosed the maze of cross-purposes into which the labor leaders have been drawn by their attempt to build the unions and support the war at one and the same time.

Most of the delegates came to this convention prepared to adopt a policy that would lead to surrendering independence of the CIO and converting it into an appendage of the Government. But the action of Roosevelt against the captive miners has hampered their plans. The Hillmanites, the Stalinists and all the pro-Roosevelt elements have been forced, in self defense, to proclaim support of Lewis on this issue.

The Hillmanites and the Stalinists, however, are awaiting their first opportunity to isolate and attack the Lewis forces and anyone who opposes complete subservience to Roosevelt. Philip Murray and the indecisive elements who follow him are more than a little uncomfortable in their role as critics of the Government. Murray has desperately pleaded for the Government to set up industry councils to replace the Mediation Board — a plan which provides for a decentralized replica of the very agency Murray was forced to attack.

That the clashing forces within the CIO, as reflected in the Convention, have only temporarily united on the captive mine issue is shown by the fact that basic differences have already come out in the closed meeting of the CIO Executive Board. At this session A. D. Lewis introduced a scathing resolution attacking Sidney Hillman as pro-AFL and as a traitor to the CIO, citing Hillman's action in supporting the AFL in the Currier controversy. This resolution was referred to the Resolutions Committee of the Convention. Katherine Lewis proposed an amendment to a resolution on foreign policy in a meeting of the Resolutions Committee, stating that she supported aid to Britain, Russia and China but opposed convicts. This resolution, which no doubt represents the stand of John L. Lewis, will be brought out on the convention floor in the form of a minority report. Although this stand on the war reveals that Lewis is moving rapidly towards support of the program, it will be attacked by the Hillmanites and the Stalinists, who will brook no policy but that which demands a shooting war.

Jacob Potofsky, Hillman's lieutenant, has indicated the intention of his group to blast Lewis on his war stand, and Hillman followers generally, chewing their indignation in the corridors at having momentarily supported Lewis, have expressed determination to "get" him one way or another.

LOUDEST WARMONGERS

The Stalinists have already distinguished themselves as the most vociferous Roosevelt supporters and war-mongers. Michael Quill, Transport Workers Union president, attempted to amend the resolution supporting the miners to instruct all CIO vice-presidents to hurry to Washington to "place themselves at Roosevelt's command to settle the mine strike."

This was ruled out of order by Murray. Dozens of telegrams from local unions under Stalinist domination, calling for all-out support to the war against Hitler and pledging support to Murray, have been pouring in to the convention. It is now clear that there will be no anti-war force of any consequence in this convention. Those who are under the illusion that John L. Lewis would provide leadership for the militant workers opposed to participation in the imperialist war, have been

FDR ROLE EXPOSED IN STRIKE

Churchill Rejects Stalin Plea For 'Western Front'

(Continued from page 1)

the British ruling class alone. He was also speaking for the American imperialists. The New York Times, authoritative spokesman for Roosevelt and America's Sixty Families, made this clear in no uncertain terms in its leading editorial on Nov. 10:

"(There is) the slim hope of preserving an eastern front. There is no possibility of opening a new one in the west. . . . There is still hope that by bending every effort toward sending war supplies to Russia a catastrophe can be averted there, but it is preposterous to believe that Russia's fate lies entirely in the hands of this country and Great Britain. It would be well for the Administration to point out some of the difficulties in the way of helping Russia as well as the need for doing so. . . . the effectiveness of what assistance we can give and deliver depends upon Russia's ability to help herself in the immediate future."

The "democratic" imperialists would no doubt like to open a "western front" — not for the purpose of saving the Soviet Union, but for the purpose of striking Hitler a blow while most of his forces are occupied in the east. But for many reasons — military, geographic, technical and political — they are sure that it would not serve their own interests to attempt it at this time. Whatever the reason, it is clear that they are not even go-

doomed to disappointment. The Lewis resolution supporting aid to Britain, Russia and China shows that he is already falling into line on the war issue.

NEED FOR A PROGRAM OF STRUGGLE

The fighting membership of the CIO is heartened by the fact that the convention has taken a progressive stand in support of the crucial miners strike. The more advanced sections among the CIO workers have learned by experience that the union movement must fight now for its very life. The rising cost of living and the repeated attacks on the conditions of labor made by the employers, aided by the governmental agencies, demands a policy of independent struggle on the part of the CIO.

The need for such a program of struggle has been brought home to the convention by the mine crisis; but there is still the danger that the leaders of this mighty army of union men may capitulate.

There is no question, however, about the mandate of the CIO workers to the convention: all support to the miners; fight to the finish for victory against the Roosevelt strikebreaking machine.

CIVIL RIGHTS DEFENSE COMMITTEE OPEN MEETING

Defend the Minneapolis "Sedition" Trial Defendants!

Speaker:

GEORGE NOVACK
National Secretary, C.R.D.C.

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ing to attempt to open a new front in the next period.

STALIN EXPLAINED AND PROMISED

In his November 6 speech, Stalin had explained the defeats suffered by the Soviet Union primarily by "the absence of a second front in Europe against the German fascist armies." In this way he is preparing to shift the responsibility for the defeats from his own policies onto the shoulders of his "democratic" imperialist allies.

He did more than that. He also promised the Soviet masses that "undoubtedly this (a second front) will appear in the near future." In this way he tried to reassure the masses that his policy of depending on the "democratic" imperialists, which has brought only defeats up to now, would save the USSR "in the near future" when these "allies" would come to the rescue of the USSR.

The answer of the "democratic" imperialists did two things at the same time:

1. It demonstrated that Stalin's policies have from the beginning been based on an illusion — the illusion that if Stalin throttled the program of revolutionary war against Hitler, if he did nothing to arouse the revolutionary spirit of the masses of Germany and Europe, if he proclaimed unconditional support of the war of the "democratic" imperialists, they would come to the rescue of the Soviet Union.

2. It means, furthermore that a continuation of the Stalinist policy — under conditions when the USSR must face Hitler's armies alone — is bound to end in catastrophe for the workers state.

Stalin in his speech and the local Stalinists a score of times in the Daily Worker have virtually admitted that the Soviet Union cannot hope to defeat Hitler alone. Does it mean now, when it is clear to all that a "western front" is wishful thinking on Stalin's part, that the Soviet Union is doomed?

This is the perspective as long as the war of the USSR is conducted along the lines of the Stalinist policy!

HOW TO SAVE THE USSR

The way out now for the Soviet Union is the disintegration of Hitler's forces from the rear, from within Germany and from within the German army itself. Since Stalin admits that the USSR by itself cannot stop the advance of the German troops — and since Stalin himself no longer denies the shortage of tanks and aircraft and he himself explains that the Germans "now have at their disposal not only their own tank industry but also the industries of Czechoslovakia, Belgium, Holland and France" — it is obvious that the disintegration of the Hitler regime from the rear is the only way out, the only way the Soviet Union can compensate for the shortcomings of its own war machine.

But Stalin's program for accomplishing this has thus far, been to rely on the armies of the "democratic" imperialists to attack and undermine Hitler from the rear. Over and above this he offers only his own recent boasts that eventually in "a few more months, another half year, perhaps a year, and Hitler Germany must collapse under the burden of her crimes."

And meanwhile? Meanwhile what will happen to the Soviet Union with its admitted shortages of tanks and aircraft? In five months under Stalin's policy, the workers state has lost vital European territory and more than two-thirds of its productive capacity. It is in a far weaker position than it was five months ago, and less able to offer effective resistance. What will happen while Stalin is awaiting the verification for his pleas and boasts?

WHAT THE GERMAN WORKERS FEAR

The chief obstacle to the overthrow of Hitler by the German workers is their fear of what will happen if the "democratic" imperialists win the war. They know from the pronouncements of the "democratic" statesmen that an even worse fate awaits them after this war than was imposed by the Versailles Treaty

on the German people after the last war. That is why they are afraid to move, for they do not yet see any allies in the revolutionary fight first against Hitler and then against the "democratic" imperialists. Goebbels' main weapon in maintaining "discipline" in Germany is precisely this threat which he is now able to hold over their heads. Stalin's plea for a "western front" by the imperialists against Germany has played right into the hands of Hitler and Goebbels who use it demagogically to identify the war of the USSR with the reactionary war being waged by the "democratic" imperialists.

The German masses can be moved into action against Hitler — only by the policy of revolutionary war which Stalin refuses to employ. Only by a revolutionary appeal to the German workers to rise up against their capitalist oppressors and join the Soviet masses in the struggle for the Socialist United States of Europe and the world. Only by the assurance to the German workers that the Soviet masses will fight side by side with them against all the forces of reaction.

Hitler will not fall, as Stalin promises, under the "weight of his crimes". He will fall only when the German masses begin to move. And they will begin to move only when they see a chance for success, only when they feel they have a fighting chance, and a real way out.

WHAT REVOLUTIONARY POLICY COULD HAVE DONE

If five months ago, this policy of revolutionary war had been adopted by the Soviet masses, by this time — and not "perhaps" in a year — deep fissures would already have appeared in the German home front. The German soldiers would by this time have been in ferment, they would be asking questions, they would be thinking about the future. The ferment in Germany would have raised to fever pitch in the occupied countries. Real help would have been on its way to the embattled Soviet masses, and it would have been the kind that would sweep the Hitlers and Churchill from the face of the earth.

But Stalin's "substitute" for this powerful weapon has been to place dependence on the "democratic" imperialists. In return for this policy, the Soviet masses have already paid a terrible price: they have suffered calamitous blows. Meanwhile Hitler has felt secure in Germany and free to throw all his forces against the workers state.

Events themselves—as well as Churchill's statement — have shown the bankruptcy of Stalinism. But it is folly to believe that Stalinism will change its course and adopt the revolutionary program. It will continue the cry for a "western front" to come to the rescue of the USSR. It will cast about for other panaceas to lull the Soviet masses and confuse the Stalinist rank and file.

C. P. MEMBERS WARNED NOT TO SPECULATE

In his Question and Answer column in the Nov. 17 Daily Worker, William Z. Foster tries to answer the question which has been worrying and alarming so many rank and file members of the C. P.: "Can the Soviet Union lick Hitler without outside help?" His answer: "This is an abstract speculative question. . . . It is not our task to speculate as to whether or not the Soviet Union can beat Hitler alone. Our job is to wake up the American people to a fuller realization that this is their war and that the Red Army is defending the United States as well as the USSR, etc."

The Stalinist bureaucrats are panic-stricken lest the rank and file begin to think about the fundamental problems involved in the defense of the Soviet Union. The ranks are beginning to ask "abstract speculative questions" not only in the United States, but also in the USSR.

"It is not our task to speculate," shrieks Foster. What he really means is that any worker who begins to ask questions has already taken the first step on the road of understanding that Stalinism is incapable of leading a successful defense of the first workers state.

Day By Day Summary Of The Minnesota Trial

Judge Denies Defense Motions

(Continued from page 1)

acquittal for the 28 defendants at 12:30 P. M. today with a brilliant two hour address by Albert Goldman, himself one of the defendants, raising many points of law. But the moment Goldman ended, Judge Joyce began reading a prepared statement overruling Goldman. The statement, of course, did not answer most of Goldman's points since it was prepared before Goldman had spoken.

FIVE ACQUITTED, APPEAL FOR AID TO 23

The judge directed a verdict of acquittal for 5 of the defendants on the ground that there was "not sufficient evidence of knowledge of the party by such defendants or that they participated in the activities to overthrow the government by force and violence," and ruled against acquittal for

the 23 other defendants.

The five acquitted were Dorothy Schultz, George Frosig, Rose Seiler, Walter Hagstrom and Nick Wagner. They will continue to attend the trial and aid the defense.

"We remain in complete solidarity with the defendants," declared Dorothy Schultz, who is St. Paul organizer of the SWP. "We must redouble our efforts to save our comrades and friends. The rest of the judge's ruling today means that we must prepare for the worst."

The defense opened its case this afternoon, with James P. Cannon, national secretary of the SWP and one of the leading defendants, as the first witness.

The description of the thirty years he has spent in the labor movement constituted a primer of socialism in this country.

Government Asks Convictions As It Ends Its Case

Prosecution Repudiates the Free Speech Doctrine Advocated by Holmes-Brandeis

MINNEAPOLIS, Nov. 17.—That the "sedition" trial of the Socialist Workers Party and Local 544-CIO is an assault upon the right of free speech became plainer than ever today, when Attorney General Biddle's spokesman in the trial, Special Assistant Attorney General Henry Schweinhaut, openly repudiated the Holmes-Brandeis principle of free speech for revolutionists — the famous "clear and present danger" doctrine.

Schweinhaut was answering for the prosecution a defense motion — made when the government completed its case at noon today — asking dismissal of the case on the ground that the government had failed to prove that the 28 defendants had conspired to overthrow the government by force and violence.

In the course of Defense Attorney M. J. Myers's argument for the motion, he appealed to the famous free-speech doctrine of the late Supreme Court justices Holmes and Brandeis. This doctrine, originally enunciated in the concurring opinion in the Anita Whitney case and the dissenting opinion in the Gitlow case, held that revolutionists have a right to free speech as long as they do not constitute an imminent threat to the continued existence of the government. Only the immediate danger of a "present conflagration" could justify the suppression of the rights of press and assembly of a revolutionary party, said Holmes and Brandeis.

Liberal forces, notably the American Civil Liberties Union, have sought to maintain and extend this "clear and present danger" doctrine as the very heart of free speech.

THE ACLU POSITION

In a letter of protest against this "sedition" trial, sent by the American Civil Liberties Union to Attorney General Biddle on August 2, the ACLU had reminded Biddle that, even if the statutes on which the trial is based are not unconstitutional, the "clear and present danger rule" should protect the defendants. Attorney General Biddle's Sept. 4 reply to the ACLU implicitly accepted the "clear and present danger rule" and instead argued that the government would prove the defendants guilty of a serious "overt act," that of "arming workers," which "is clearly sufficient to remove the case from one involving expression of opinion."

But Biddle's alibi for this prosecution has broken down completely in the course of this trial. It broke down, indeed, as soon as the government began its case. U. S. District Attorney Victor Anderson, in the opening statement for the prosecution, made no attempt to claim he would prove Biddle's contention that the Union Defense Guard of Local 544 constituted "arming workers." And now that the government's case is completed, all it has "proved" is the original conten-

tion of the defense, that the sole arms owned by the Union Defense Guard consisted of two single-action target rifles and two single-action target pistols.

What has happened instead in this trial is precisely what the defense and the Civil Liberties Union contended would happen — it is a prosecution for opinion.

Instead of carrying out Biddle's promise "to remove the case from one involving expression of opinion," Prosecutors Anderson and Schweinhaut have called for imprisonment of the defendants solely on the ground that they espouse the doctrines of the Socialist Workers Party.

Anderson's opening statement made this clear when he declared that:

"Usually in connection with a conspiracy count or charge, it is incumbent upon the prosecuting authorities to establish some overt act, some positive step or act done to bring about or in furtherance of the conspiracy; but it is the position of the Government in this case that that is not required, and that in this case the conspiracy itself is made unlawful, and that it will not be incumbent upon the Government to do any more than to show the establishment of this conspiracy."

In other words, the government need prove nothing except advocacy of the overthrow of the government — nothing more, that is, than written doctrines.

Today Schweinhaut carried his colleague Anderson's line one step further, saying:

"The government's position is that even though the defendants may never have done anything about overthrowing the government, the defendants can be punished by the government for advocating its overthrow."

AGAINST HOLMES-BRANDEIS RULING

Schweinhaut made this statement after sharply disassociating the government from any adherence to the "clear and present danger" doctrine of Holmes and Brandeis. He admitted that the two Supreme Court justices had asked their colleagues to free the defendant, in a case similar to this, on the ground that his advocacy of the overthrow of the government did not constitute a "clear and present danger" of imminent overthrow. But, Schweinhaut argued, the Holmes and Brandeis doctrine had not been accepted by the Supreme Court, nor did he accept it as prosecutor.

The liberal jurisprudence of Holmes and Brandeis has often been thought to have become the official doctrine of the New Deal and, through Roosevelt's appointments, of the Supreme Court.

That is not so, Schweinhaut made clear today. He and his masters, Biddle and Roosevelt, prefer the conservative opinions of the Supreme Court majority which upheld the convictions in "sedition" and "criminal syndicalism" cases during the last war

and post-war period.

Defense Counsel Myer argued that the Socialist Workers Party, organized publicly and acting entirely in the open, is not a conspiracy. He declared that the prosecution had failed to introduce any evidence showing a conspiracy for the violent overthrow of the U. S. government.

SCHWEINHAUT'S ARGUMENT

Schweinhaut's appeal to the judge not to dismiss the case consisted of two main points:

(1) The Socialist Workers Party, through its literature and leaders, made preparations for a future possibility when the U. S. government could be overthrown;

(2) The party is bound, not only by its official program and public activities, but equally also by private conversations of individual members.

This second point is central to the government's case which, having failed to establish advocacy of violence in the party's literature and public activities is, in reality, entirely based on alleged private conversations of defendants.

These concocted conversations are all reported by stoolpigeons who are on Daniel J. Tobin's payroll here.

Twelfth Day

WEDNESDAY, NOV. 12

MINNEAPOLIS — Violet Williams, widow of Thomas Williams, late head of Tobin's "Committee of 99," was on the stand when the session opened. Under cross-examination she testified that her husband was discharged as an organizer by the executive board of Local 544 on Feb. 21 and that he contacted FBI agents who came to his house the "latter part of February." This was further proof of the charge made by the defense, that the Tobin agents in Minneapolis were working with the FBI against the leadership of Local 544 long before the indictment on which this trial is held.

The prosecution entered into a lengthy chain of evidence to establish that V. R. Dunne, James Cannon, and Farrell Dobbs had entered Mexico to see Trotsky in 1938. The defense interrupted to signify that it was ready to stipulate as to the facts of this visit to Mexico.

Glen Smith, member of Tobin's Committee of 99 and of Tobin goon squads, was the next witness. He testified that he had never been a member of the SWP, but had been asked to join by Jake Cooper who allegedly promised him a job if he joined and also told him "we need armed revolution."

Smith could remember nothing else and proved such a poor witness that Prosecutor Schweinhaut stopped short and offered to withdraw the witness but Defense Attorney Goldman insisted on cross-examining him. Goldman drew from Smith the admission that, while with the Tobin Goon Squad, he had beaten up Jake Cooper. Smith also admitted that he had previously worked for a special detective.

MILITARY POLICY STRESSED

The prosecution spent the rest of the morning and part of the afternoon in reading to the jury excerpts from the *Socialist Appeal*, of 1940, now *THE MILITANT*, mostly dealing with the party's slogan of military training under trade union control.

Government witness Eugene Lundholm testified next. He was present in Washington in 1938

when defendant Carl Skoglund asked the late Senator Lundeen to aid Trotsky in securing an asylum here. He had seen a red flag in the union hall in the winter of 1936-1938. The only conceivable point in putting Lundholm on the witness stand was that he was not on Tobin's payroll and therefore might be listed later by the prosecution as one impartial witness.

Next witness was William Henderscheid, truck driver, who testified he had been a member of the SWP for one month in August, 1938; had joined because defendant Kuehn told him it would help him get a job; did not get the job and dropped out of the party. Under cross-examination he admitted he had attended "one meeting" of Tobin's Committee of 99 and had met an FBI agent at Mrs. Williams home earlier this year.

ARNOLD JOHNSON'S TESTIMONY

Next witness was Arnold Johnson, a Local 544 organizer in 1935-1938, who was tried and acquitted for murdering Local 544 President Bill Brown on May 25, 1938. He testified that he had never been a SWP member although asked to join, and had contributed \$5 a week of his salary to the Party. His testimony was so harmless that the only conceivable explanation for putting him on the stand was that the prosecution hoped that his appearance would revive in the press the story of the Bill Brown murder.

Much of the rest of the afternoon was spent by the prosecution reading many excerpts to the jury from the *Socialist Appeal*, particularly on the Union Defense Guard. The prosecution also read to the jury an article by Albert Goldman condemning the courts as instruments of the capitalist class.

Next witness was Emanuel G. Holstein, Tobin Committee of 99 member, who testified that he had joined the party in 1935 and left in July, 1939, having attended a total of five meetings of the party from January, 1938 to July, 1939. Holstein identified most of the defendants as party members.

Thirteenth Day

THURSDAY, NOV. 13

Government witness Holstein was on the stand again and he testified that he had attended a SWP banquet at which the "Internationale" and "Solidarity Forever" were sung. He testified that V. R. Dunne told Holstein, when the latter registered for the draft: "We need 2,000 more like you in the Army." (This was after Holstein, by his own testimony, had left the party.)

Under cross-examination Holstein admitted his opposition in Local 544 to the leadership, all of whom are among the defendants in this trial. He was one of a group, led by Tobin agent Thomas Williams, who charged farmers and out-of-town truckers a minimum of \$3.00 each for unloading their trucks when they came to pick up beer at the Minneapolis Brewery. Defense Counsel Goldman charged that this was a racket which was prohibited by the union executive board and that the conflict between Tobin agents and the union leadership broke out at that point.

HOLSTEIN'S ADMISSION

Further under cross-examina-

tion Holstein admitted that he had never heard or seen advocacy of the use of force and violence in any pamphlets, newspapers, or speeches made by any party member, an admission which threw into sharp relief the fact that all his previous testimony as to advocacy of violence consisted of alleged private conversations of defendants.

In attempting to take the edge off this admission by Holstein, the prosecution questioned him again and Holstein solemnly reported that party members were in the habit of saying to each other: "To the red dawn."

ANOTHER TOBIN AGENT

The next witness was Sidney Brennan, on Tobin's payroll as his appointed Secretary-Treasurer of "Local 544" — AFL. He testified he joined the SWP for a short time in the spring of 1938; identified various defendants as party members; and quoted various remarks they had allegedly made in private conversations. Under cross-examination he admitted that he had testified against the defendants before a

Tobin committee in Chicago in April and before Tobin himself in Washington in June.

Helen Hanifan, bookkeeper for Tobin's receiver, T. T. Neal, was the next witness. She testified she had joined the SWP for a short time in 1938; had seen defendants Hamel and Hansen collecting funds for the Party.

Under cross-examination she inadvertently put an end to the prosecution's previous attempts to claim that the union had paid Emil Hansen's salary while Hansen was a bodyguard for Trotsky in Mexico; she admitted that the union had never issued checks to Hansen during that period.

Next witness was Harriet Karlen, stenographer for the Tobin receiver. Her sole testimony consisted of saying that she had seen defendants collecting money and *MILITANT* subscriptions for the party. The sole conceivable explanation for putting her on was that she was handsome enough to make up in part for the unsavory looks of the string

of Tobin witnesses who preceded her.

"FRENCH GOVERNMENT NEEDED FUNDS"

Next witness was George O'Brien, Tobin appointee as organizer for Tobin's union here. O'Brien gravely testified that defendant Frosig had taken him to an SWP branch meeting at which James Cannon was speaking and that "the Socialist Party was the Government of France then and Mr. Cannon said the government was in bad need of funds so he was taking pledges to raise money for them at the meeting."

In the roar of laughter that followed this testimony, the defense waived the right to cross-examine O'Brien. The rest of the day was taken up by the prosecution reading to the jury sections from the *Manifesto* of the Fourth International on the war; other anti-war material; an editorial defining the USSR; and the section from the *Manifesto* on the role of trade unions.

Fourteenth Day

FRIDAY, NOV. 14

The first part of the day was spent with the prosecution reading to the jury numerous excerpts; Felix Morrow's "Labor's Answer to Conscription," other anti-war excerpts from the *Socialist Appeal*, and apparently everything that the prosecution had been able to find in the party press advocating a People's Referendum on War.

The significance of this last item is that earlier in the trial Judge Joyce had ruled, in admitting items on advocating a People's Referendum on War, that the right of declaring war is vested solely in Congress and that, hence, advocacy of a People's Referendum "suggests the use of the methods charged in the indictment" — that is, a People's Referendum on War suggests the use of force and violence!

Among the anti-war articles from the *Socialist Appeal* read to the jury by the prosecution was one by Lenin written in 1915 which, however, Prosecutor Anderson read as if it were a current editorial in the *Socialist Appeal*. It took a protest by defense Counsel Goldman to have the article identified to the jury as Lenin's.

The prosecution then read to the jury various items from the party press on the famous Madison Square Garden demonstration led by the SWP against the Nazi Bund on February 27, 1939.

STILL ANOTHER TOBIN PAYROLLER

Next witness was Tobin organizer Eugene Williams, brother of the late Tom Williams, head of the Tobin forces in Minneapolis. He testified that he joined the

BUCKINGHAM SPILLS THE BEANS

A sensation was created in the court room when Buckingham, under cross-examination, testified that FBI agent Perrin had gotten him to sign an affidavit in April, which was used by the Tobin forces in Local 544 in appealing to Tobin to oust the union leadership.

This was further testimony establishing the fact that the FBI

had aided the Tobin forces in their fight against the leadership of Local 544. Under redirect examination, Buckingham took the plain hint from Prosecutor Anderson and stated that the affidavit he had signed for FBI agent Perrin in April had been another one than that signed for Tobin.

The afternoon session opened with the introduction by the prosecution of issues of *THE MILITANT* published since the indictment was handed down on July 15th.

Next witness was Edward Blix, Tobin appointee as a teamster organizer, who testified that Emil Hansen had spoken to him about

Fifteenth Day

MONDAY, NOV. 17

Judge Joyce opened the session with several rulings admitting into evidence various exhibits previously offered by the prosecution. Among those he accepted, over objections of the defense, were the texts of two radio speeches made by Grace Carlson over WLOL last year when she was the party's candidate for United States Senator from Minnesota; and articles in *THE MILITANT* of August 16, 1941 — articles published after the indictment on which this trial is taking place was handed down on July 15th.

Prosecutor Anderson then read numerous excerpts from articles to the jury. At one point defense attorney Goldman interrupted to point out to the court that Anderson was reading quotations from an article from Karl Marx without having first explained to the jury that he was reading from Marx. Anderson said he didn't know the difference between Karl Marx and the editor of the *Fourth International*.

The defense asked Judge Joyce to instruct the jury that the Smith "anti-sedition" Act became law on June 29, 1940 and therefore all material introduced into evidence published prior to that date is not applicable to the defendants. (The second count of the indictment is under the Smith Act).

JUDGE'S RULING

The judge however, ruled that (1) material published before June 29th but used after that in any way is applicable to the defendants and (2) material published before then may be "indicative of the state of mind" of the defendants after June 29, 1940.

Practically all the rest of the morning was spent by Anderson reading excerpts to the jury including Grace Carlson's radio speeches; quotations from Karl Marx appearing in the party press; an article by Morrow on "The Lessons of Spain;" and a dozen or so items from the party

the SWP in June, 1941. The sole point of this testimony was the attempt by the prosecution to identify Hansen as being a party member after June 29, 1940 — the date when the Smith Act, in which the second count of the indictment is based, became law.

The next witness was Edward Schurick, former general manager of radio station WLOL, who testified that defendant Grace Carlson, then the party's candidate for United States Senator from Minnesota, had four radio speeches during the 1940 campaign, and identified the text of three of Grace Carlson's radio speeches.

press advocating military training under control of the trade unions.

At noon the government announced that it had completed its case. The defense then made a motion for a directed verdict dismissing the case, since the government had not proved a conspiracy. Argument on the motion began at 2 P. M. and took the rest of the afternoon.

A significant statement was made by Assistant U. S. Attorney General Schweinhaut in his answer to the defense argument. He clearly disassociated the government from any adherence to the "clear and present danger" doctrine of Holmes and Brandeis. He admitted that Holmes and Brandeis had asked the United States Supreme Court, in a case similar to this, to free the defendant on the ground that his advocacy of the overthrow of the government did not constitute a clear and present danger of imminent overthrow of the government. But, Schweinhaut argued, the Holmes and Brandeis doctrine had not been accepted by the Supreme Court!

The government's position Schweinhaut stated, is that "even though the defendants may never have done anything about overthrowing the government," the defendants can be punished by the government for advocating its overthrow.

Coupled with the opening statement of Prosecutor Anderson, which had denied that the government needed to prove any overt act committed by the defendants, Schweinhaut's statement made it absolutely clear this is a prosecution of the doctrines of the SWP.

which is hand-in-hand with the Stalinists in the camp of the "democracies.")

Minor warned his audience that this was not the time for unions to put forward grievances, "even justified grievances." He quoted approvingly from a speech of AFL President William Green, telling the workers "to stay on the job, keep producing."

As an example of what he meant, Minor stated that although the coal miners were justified in the demands they had made to the Steel Trust, nevertheless "the union must not be provoked to stop defense production."

MINOR COMPLAINS ABOUT PRODUCTION

He admonished the Minneapolis trade unions that "they hadn't done one-tenth of what they can do for defense production," and declared that the powerful trade unions would have to learn to discipline themselves to work for war production.

Minor denied that England and the United States were acting as imperialist powers in this war. As proof of this, he quoted at length from speeches of Roosevelt and Stalin.

Minor was irked because many members of the audience had accepted copies of *THE MILITANT* as they were being distributed prior to the meeting. He urged his audience not to believe "those who have strange sources of money with which to stand on sidewalks and give away papers."

Minor closed his speech with a demand that the armed forces of the nation be immediately thrown into the war.

Not once in the course of the entire address did he use the words "October Revolution." Nov. 7th he called the "founding of the Soviet Republic" and "Russia's July 4th."

Robert Minor Attacks S.W.P. In Minneapolis

MINNEAPOLIS, Nov. 16. — Increased activity against the Socialist Workers Party was demanded here tonight by Robert Minor, Acting National Secretary of the Communist Party.

Coming in the midst of the "sedition" trial in the federal court here, in which the national and local leadership of the Socialist Workers Party are among the 28 defendants, Minor's

Northwest. Minor constantly punctuated his address with attacks on the Trotskyists, while "ignoring" the trial of the 28.

Minor's speech was read from a prepared text and was obviously meant as a major political address. Minor began by speaking at great length on what he called the "similarities" between the United States and the USSR, emphasizing that a great mistake had been made in the past by "exaggerating the differences between the two great democracies."

The only differences between the two countries, according to Minor, was that there are "imperfections" in the democracy of the United States, and the "USSR has a little broader democracy than we have."

The main thing that the United States could learn from the USSR, Minor indicated, was how to handle the "Fifth Column," and particularly the Trotskyists.

Minor quoted approvingly from an article by Joseph E. Davies, former U. S. Ambassador to the USSR. Davies has recently announced a "change of mind" on the Moscow trials, having come to the conclusion, now that Stalin supports the "democracies," that the "Moscow trials were nothing but a house cleaning of traitors."

WANTS "NATIONAL FRONT"

Minor called for a "national front" of all patriotic Americans in support of administration policy, which would "include the foremost bishops, biggest of business interests, including the wealthy classes."

This "national front" would have the purpose of rallying the whole nation to participate in the war and fight against the "Fifth Columnists" at home. The enemy that Minor feared above all at home was the Socialist Workers Party. He solemnly revealed that the name of Hitler's party is the National Socialist Workers Party, and dwelt on the verbal similarity of that with the Socialist Workers Party! This was conclusive proof for Minor that the Trotskyists were agents of Hitler! (There was no question period, so nobody could confront Minor with the fact that Socialist Workers Party is also the name of a German emigre labor group (S. A. P.)

Japan Sends Another Special Envoy To "Discuss" Far Eastern Crisis

By JACK WEBER

The expansion of Japanese imperialism has taken place historically by a process of shrewd timing and bargaining. Every time that Europe has been engulfed in war or crisis, the Japanese militarists took advantage and reached out for loot in the Pacific. Always too there has been the same use of rivalries and contradictions among the other powers that made for a good diplomatic bargain. Thus Japan made full use of the intense rivalry between Czarist Russia and Great Britain at the end of the nineteenth and the beginning of the twentieth centuries. The seizure of Manchuria was timed when the economic crisis had reached such depths that no country would have dreamed of going to war for the sake of China.

The attempt to subdue the rest of China and to make this vast country a Japanese colony, was timed when fascism had become such a menace in Europe that the powers wanted to have their hands free to deal with the new threats of German imperialism. Japanese timing was again perfect. The generals made only one little mistake. They felt that the seizure of all the ports and the coastline and the industrial centers of the mainland would surely force the Chinese into submission by sheer starvation.

But the very backwardness of China proved her salvation. The Chinese had not yet learned, as an advanced nation, to depend on machinery and mechanization. Human muscles were still the main source of power in production. The Chinese could retreat far into the interior with their simple tools and live on the vast land by raising their own food

supply and plying their handicrafts. Each locality could support itself.

It was this ability to continue on their own that threw the entire Japanese machine out of gear. Instead of an "incident" lasting a few months, the Japanese had a full-scale war on their hands, a never-ending war that has brought Japan to the verge of economic ruin.

JAPAN'S SECOND MISCALCULATION

Japan's aim was to continue its expansion by taking further advantage of the war in Europe to seize the colonies of the other powers as well as a part or all of Siberia. If Japan's hands had not been tied to such an extent in China, the militarists would probably have intervened before now in Siberia. Because China was not yet subdued and required that Japanese troops be maintained there, the imperialists did not dare to invade Siberia until the Soviet Union had been brought to her knees by Hitler. The Japanese relied on Hitler to achieve a quick victory.

This was the second miscalculation, both of Japan and of Hitler. The Red Army stood up better than the Japanese had expected.

Moscow still stands. It is quite likely that Japan was to get the signal to intervene in Siberia the moment Moscow fell. The very showing made by the Red Army made the Mikado's generals hesitate. The action of the United States and Great Britain in coming to the support of Stalin and in putting the economic squeeze on an already exhausted Japan, as further thrown confusion into the hearts of the Japanese imperialists. They are driven to seek more loot both southwards and northwards but they must act cautiously and seek again the right timing.

The United States is not yet so much involved in the Atlantic that the Japanese can feel they can go ahead full steam in the Pacific. If the United States became involved by an actual declaration of war against Hitler, the Japanese might once more seize the initiative and move. But for the moment the risk is too great, the enemies too numerous.

In such a situation a nation resorts to diplomacy to try to obtain some partial gains by bargaining while awaiting a more opportune moment to strike. Hence we see the play to gain time with a special diplomat flying to Washington to present "new" proposals. Kurosu himself, the diplomat chosen for this "delicate" work, does not have the slightest faith in his mission. In fact his remarks to friends in Hawaii, "strangely" made public, show that he thinks not only that

his mission will fail, but that the very failure may prove the signal for a new Japanese move toward war, United States or no United States.

KURUSU'S MISSION TO THE UNITED STATES

As has been pointed out here many times, the clash of imperialist interests between the two countries is too fundamental to be easily compromised. The newspapers speculate that possibly the Japanese will demand the cessation of all help to China and pressure on Chiang Kai-Shek to come to terms with the Japanese. Such terms would mean the ceding to Japan of a large part of Chinese territory. What does Japan offer to the United States in return? Secret diplomacy does not permit us in on the conference in Washington. All we can do is to surmise from the facts we have at hand. Probably Japan would offer American capitalism a partially open door; that is, many economic concessions for trading with the new country set up. Also the Japanese may promise not to intervene in Siberia for a period. There might even be an offer to withdraw from the Axis for a suitable consideration. None of this can really be satisfactory to American imperialism which is beginning to get into its stride in military production and to lay out its own time table for conquest.

The crisis in the Pacific is therefore far from a solution,

ARMY FOR STRIKERS?

Brigadier General Lewis B. Hershey, national director of Selective Service, recently "clarified" his order, issued originally in June during the North American Aviation corporation strike, directing the reclassification of strikers in war industries for immediate draft into the army.

"Each case must be dealt with separately," declared Hershey. "There can be no such thing as a blanket reclassification under the act."

Hershey isn't against use of the draft regulations for government strikebreaking and anti-labor intimidation. He just believes in the efficacy of the individual, rather than the collective method so far as use of the draft is concerned. When it comes to dealing with strikers collectively, he still believes that army troops are best.

even from an imperialist angle. The postponement of the next move will not mean the end of friction. The explosion cannot be far distant. When it comes, whether the immediate move be to shut off the Burma Road or some other, intervention in Siberia will not be long in following. Japan has hardly concentrated any large number of troops in Indo-China for an adventure towards the Burma Road. At best this could be only a first step. The main armies have been concentrated in Manchuria for a drive against the Red Army.

Can The 'Isolationists' Fight Against The War?

Only Those Who Fight Against the Cause Of War Can Lead the Struggle to End War

By MYRA WARD

The "isolationists" are loud in their denunciations of the war-mongering Roosevelt administration. But will they, or can they, conduct a real fight against the war?

To answer this question, one must answer many more. Who are the leading "isolationists"? What is their program? What are their principles?

The leading organization of the "isolationists" is, of course, the America First Committee. One is immediately struck by the strange and diverse composition of this group.

General Robert E. Wood, manager of Sears Roebuck, is the official head. Leading spokesmen of the committee are Lindbergh, Wheeler, Clark, etc. Represented on the national committee are large industrialists whose economic interests depend on consumption goods rather than munitions or other war products. Then there are open fascists, — people who are connected with Coughlinite, German-Bundist, or other pro-fascist, anti-Semitic organizations. Also there are "liberals" and "socialists", who are either pacifists or believe that America First can conduct an honest fight against war. Most of these in the latter group either deny or ignore the semi-fascist character of the group.

Undoubtedly many of the Congressmen who support the America First Committee come from states, mainly in the Middle-West and West, where there is a genuine sentiment against the war and the Administration's war aims. That is why they maintain an "isolationist" position. Nevertheless they support all legislative appropriations for the war and vote billions for munitions.

WHAT THE "ISOLATIONISTS" SAY

This fact is verified by the statements of the leading spokesmen of "isolationism" who are not really opposed to the involvement of the United States in war but are demagogically exploiting the anti-war sentiments of the people to build up their own prestige and leadership.

Take, for example, the case of Burton K. Wheeler. He has built up a considerable following in the conscript army, by opposing the extension of the year of draft service, by advocating more pay for the boys in camp, and by constantly referring to the broken promises and war aims of the Administration.

Yet on Oct. 19, the New York Times printed this statement made by Wheeler: "If and when this country goes to war... everything I do and every word I utter will be for the successful prosecution of that war. As soon as

whether the sincere dissenter or the paid agents of outside forces. The fifth column was exterminated before it could form." If Stalin exterminated a "fifth column" before it could form, that means it never existed.

No, these trials were not directed against "paid agents of outside forces." By giving credence to this GPU argument, Scott, Hazard and the others who repeat this lie are supporting the very essence of the frameups, the deliberate Stalinist amalgam between the hundreds of thousands of pro-Soviet elements who were executed or imprisoned and spies, provocateurs, and wreckers."

The disorganization in Soviet military and industrial life that accompanied the purges was as harmful to the defense of the Soviet Union as any conceivable acts of actual imperialist spies and saboteurs. The debacle which today confronts the Soviet Union

the declaration were made, I would stomp this country from one end to the other to urge the people to stand together for victory."

Thus this leader of "isolationism" reveals that his opposition to the war will disappear when war begins at the very time when anti-war movements meet their first real test.

At the October 30 rally of the America First Committee at Madison Square Garden, Lindbergh admitted that to him the question of war or peace was secondary.

"The most fundamental issue today is not one of war or peace, but one of integrity," said Lindbergh. "Whether we are for intervention or whether we are opposed to it, we can unite in believing that if we have integrity in our leadership, and confidence in that integrity, this nation of ours is great enough to survive either in adversity or success. If we have confidence in that integrity, we will pass through these years ahead, whether they be years of peace or years of war, and emerge a stronger nation than we were when they began."

PRINCIPLES OF THE ANTI-WAR STRUGGLE

No group can lead a successful fight against war unless it is guided by certain basic principles:

First, opposition to the system which breeds war — the capitalist system.

Second, opposition to imperialist aims — the exploitation of colonial countries, domination of world markets, raw materials, etc.

Third, opposition to the war not only now, but also after the United States has officially entered the war.

These are the most fundamental and elementary requirements of a genuine anti-war group. The "isolationists" and America Firsters adhere to none of them. Consequently they do not represent a movement which the genuine fighters against imperialist war can support.

Only the independent action of the working class, in line with the above program, can point the road to the abolition of war.

(Next week: The Main Industrial and Financial Supporters of America First)

Stalin's Frame-up Purges Whitewashed

Liberals Aid Stalin's Imperialist Allies Spread GPU Lies About the Moscow Trials

By ART PREIS

Among the obligations undertaken by the bourgeois democrats in line with the diplomatic needs of their new-found friendship with Stalin, is a "re-evaluation" of the frameup Moscow Trials. Belated "justifications" are being advanced for the monstrous purges, which up to now, no one but GPU hirelings, professional apologues for Stalinism, and the official Stalinist press dared appraise as anything but the frameups they were.

Far from serving their purpose of discrediting the Trotskyists, the trials boomeranged on Stalin. During the period of the Stalin-Hitler pact, the Stalinist press maintained strict silence about the trials, and the Trotskyists, charged in the trials with being agents of Hitler and the Mikado, were transformed overnight by the Stalinist press into agents of Anglo-French imperialism.

Now, such representatives of the American bourgeoisie as Harry Hopkins and former ambassador to the Soviet Union, Joseph E. Davies, are assisting the GPU in its task of whitewashing the Kremlin. Leading publications, such as *Time* and *Life* magazines, and the New York newspaper *PM*, through articles by its editor, Ralph Ingersoll, also have given support recently to the GPU versions of the trials.

DAVIES AND THE TRIALS

The crudest expression of this campaign so far is contained in an article by Davies in the November issue of *American* magazine. Davies, after admitting that he had attended some of the sessions of the Moscow trials and had considered them "fantastic"

at the time, now claims to have gained "new light" on them. Just what "new" evidence he has uncovered he does not state. He merely gives full credence to the trials and the "confessions," seeking to implicate Leon Trotsky and his co-thinkers as agents of German and Japanese imperialism.

Davies indicates the purposes of his article in his conclusion, stating: "There are no saboteurs, secret agents or Fifth Columnists to co-operate with the invaders, because the Russians were sufficiently farsighted to eliminate them before it was too late. That is a fact which other liberty-loving nations might well ponder."

Unquestionably this bourgeois support is extremely welcome to Stalin. The sustained defeats and losses of the Red Army have raised new doubts about the Kremlin's policies among the Soviet masses, and the workers everywhere. It has become increasingly difficult for Stalin to conceal the direct connection between the present catastrophic Soviet defeats and the 1937-38 purge of the Red Army command, in which no less than 40,000 officers and technicians were executed or imprisoned.

The American imperialists are

serving their own ends by aiding Stalin in his criminal task of discrediting and destroying the proletarian revolutionary opposition to his betrayal of the international class struggle and his support of the "democratic" imperialists in the war.

Davies is pointing to Stalin's Moscow Trial frameup method, "which other liberty-loving nations might ponder," as a pattern to be followed against the working class opponents of the war in this country.

FINDINGS OF THE DEWEY COMMISSION

The conclusive and irrefutable evidence uncovered and made public by the Commission headed by Prof. John Dewey, which exhaustively investigated the Moscow frameups, has exposed the complete falsity of the "confessions" in the Moscow trials. The Dewey Commission produced documentary evidence which proved the falsity of every alleged material fact permitted to slip into the "confessions." Since the publication of the Commission's findings in 1938, literally no individual or group has dared to offer a specific refutation of them.

So unanswerable are these findings that the *American* magazine, after printing Davies' article, refuses to permit mention of them in its columns. The *Nation*, Nov. 15, reports:

"The *American* magazine has rejected an article by John Dewey answering one by Joseph E. Davies in which the former Ambassador said that the Soviet Union's resistance to Hitler was made possible by the purging of

pro-Nazis in the Moscow trials."

A despicable role in this attempt to justify the Moscow trials frameups is being played by the liberals. Echoing the direct spokesmen of the imperialists, the liberal exponents of the "war for democracy" are likewise beginning to "revise" their estimates of the trials and purges.

The most recent examples of this are contained in the *New Republic*, November 17, in a lengthy compendium of articles on "Russia Today."

SOME "LIBERALS" HELP OUT

Some of the writers, wary of stepping on slippery ground, manage to discuss the most fundamental aspects of Soviet military and industrial policies without even mentioning the purges. Max Werner, in "Prospects for the Red Army," and A. Jugow, in the "Results of the Five Year Plans," write as though the trials and purges had never been.

Others offer various "explanations" designed to provide belated hind-sight justification for the Moscow trial frameups.

Vera Micheles Dean, in discussing the "Kremlin's Foreign Policy," states: "It would seem more accurate to say that the spectacular Moscow trials reflected a widespread outburst of xenophobia — mistrust of all foreigners."

According to this view, Stalin was only yielding to the "xenophobia" of the Soviet masses in the purges which wiped out the old Bolshevik party, decimated the trained leadership of the Soviet army, government and industry and wound up with — a

pact with Hitler.

John Scott, who shortly before the Soviet-Nazi war began was ordered expelled from the Soviet Union for articles he wrote in the *London News-Chronicle*, gives as one reason for the purges:

"I am convinced that many of those high, top-flight functionaries who disappeared between 1936 and 1938 got into trouble originally because of their failure to agree with Stalin's far reaching and ruthless plans for industrialization."

Scott then goes on to imply that tens of thousands of leading officials, technicians, army commanders, etc., had entered into the services of the German and Japanese fascists.

"One of the most important accomplishments of the Soviet administrative system has been the elimination of enemy fifth columnists... In Russia we have seen no evidence of the existence of any effective Nazi organizations or agents. These were eliminated by the systematic vigilance on the part of the Soviet people, the Communist Party and the NKVD (GPU). From 1936 to 1938 thousands of individuals who were accused of hostility to the Soviet Union were purged. Many innocent men and women suffered unjustly, but the Quislings and Antonescus were liquidated."

WHAT THE "LIBERALS" ARE REALLY HELPING

John N. Hazard ("The Legal Framework") brazenly states: "... There was no path open for society except self-protection. This approach was extensively adopted for the political offender,

POLITICS MAKE STRANGE BEDFELLOWS

By M. STEIN

To all outward appearance, the American Labor Party scored a great triumph in the recent New York mayoralty elections. It elected one of its humble members to the highest office in the greatest city in the world. Only a few months ago this party was torn by internal strife, by bitter struggle between the Old Guard and the Stalinist wing. This was not just a family squabble — it was an open scandal which was dragged through the courts and led to a separation. That, you will remember, was in the days of the Stalin-Hitler Pact.

But as soon as Hitler sent his mechanized hordes against the Soviet Union, another mechanized force, the Communist Party, went into reverse, grinding to dust all its resolutions against imperialism and its "Yanks are not coming" slogans and broke down the walls that separated them from the Old Guard in the ALP. The last election saw the Labor Party united around the candidacy of the Little Flower, and he received 434,297 votes under the ALP designation.

One would expect that this recent victory which demonstrated the value of unity when there are no programmatic differences, would tend to further cement the harmony between the Stalinists and the Old Guard union bureaucrats. But here is where the pettiness of human nature comes into play. Small jealousies are once more threatening to break up this seemingly happy family.

The *New York Times* of November 16 reports on its front page, along with the news of the war and the coal strike, that "Garment Union Threatens to Quit Labor Party on Communist Issue."

We read anxiously to find out

what the "communist issue" is. We thought, for a moment that the CP might have changed its line between the time we read the late afternoon paper the day before and the morning *Times*. But the *Times* explains:

"The 'supreme indignity,' according to I. L. G. W. U. spokesmen, was inflicted when it became known that Representative Vito Marcantonio, leader of the left wing of the Labor party, had spent election night with the Mayor while right-wing leaders sought vainly to get in touch with him."

A PERPLEXING PROBLEM

And the following paragraph informs us that: "On the day after the election the Mayor sent telegrams to two right-wing chieftains, Luigi Antonini and Alex Rose, giving the Labor Party credit for his re-election, but this did little to assuage the feelings

of the garment workers."

If we were called upon to take sides in this conflict within the ALP, we would require all the wisdom of a Solomon. We have been educated in the Marxist movement to take sides on the basis of programmatic issues that are involved in a dispute, and to judge by that criterion as to who is right and who is wrong. We are quite perplexed, however, when it comes to a question of complicated feelings and sensibilities.

It would seem to us that the Little Flower would have a heart big enough for both of the rivals contending for his affections. But why then did he spend the night with one while for the other he had nothing but a bouquet the next morning? Is this another of the altogether too numerous cases of a man turning his back on a true and tried, consistently loyal lover in exchange for the

momentary affections of a passing coquette?

No, we don't think so, for to quote again from the *Times*. "The ILGWU and the Amalgamated Clothing Workers, both aligned with the right-wing in the Labor Party, have been the principal financial and electoral bedfellows of the party since its formation." LaGuardia may be accused of a lot of crimes, but no one will say that he does not know which side his bread is buttered on. Neither do we think that this is a case of one night's indiscretion.

WHY THE LITTLE FLOWER WENT ASTRAY

Our explanation of it would be as follows: LaGuardia is a practical enough politician to know that you don't run after a street car once you have caught it. He had the right wing support in the bag and pretty securely sewed up. He had to clinch the Stalinist support, not because he was in doubt

about the stand of the Stalinist leadership, but because he knew that in a closely contested election every vote would count and it was for the purpose of deceiving the Stalinist rank and file especially in the Transport Workers Union, which had had to take so much abuse and insult from him, that he had to be particularly friendly to the Stalinists and their Marcantonios.

Does this mean that the ALP is going to have a definite split? The *Times* informs us that the ILGWU postponed final decision for a month "... based on a desire to discuss the matter with Amalgamated officials after their return from the CIO convention in Detroit..."

It is our guess that the threat of split will bring about all sorts of efforts to soothe the sensibilities of the ILGWU officials and a month is a long time in which to do it.

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The Negro Struggle

By ALBERT PARKER

The Fort Bragg Night of Terror

Finally, after three months, the office of the Secretary of War has worked up and put out its whitewash version of what happened at Fort Bragg early last August when Private Ned Turman, Negro draftee, was shot down for resisting brutal treatment of Negro soldiers by white Military Police who were following out the "treat 'em rough" policy that is applied toward Negro soldiers in the Jim Crow army that is being prepared for another "war for democracy".

About the only thing that isn't denied in the version put out by the War Department is that two men — Turman and a white M. P. — were shot to death. The reason they couldn't deny that was that two bodies lay there when the shooting ended, and it would be stretching it a little too far to say that they committed suicide.

All the rest of the story, with a few unimportant exceptions, flies in the face of all the previous reports given by eyewitnesses at the scene, the daily papers and news services, the Negro newspapers, a personal investigator of the N.A.A.C.P., and others.

If you will believe the War Department, the white M. P.'s did nothing wrong when they stepped on that bus on the night of August 6th. All they did was push some people into seats and start to remove "one of the ringleaders".

Then suddenly "a colored soldier" reached out and took the revolver out of the holster of the M. P. who was later killed, and fired it six times. According to this story, the M. P. and Turman were both killed by this "unknown soldier". Turman, the story goes, was not killed by the M. P., Sergeant Owens, who was previously alleged to have killed Turman "in line of duty".

It is very strange how well this story serves the needs of the Army officer caste, whose Jim Crow system was really responsible for the tragedy. For if you believe this story, Turman's death was an accident, and he didn't die defending his rights. Furthermore, his death was an accident caused not by the authorities, but by "a colored soldier" who hasn't been caught yet, and who probably never will be caught.

The original story was very embarrassing to the Army tops, but now they can say, "It wasn't our fault and it wasn't Turman's fault either." Thus they can clear their own skirts and at the same time make Negro draftees forget Turman's last words: "I'm going to break up you M. P.'s beating us colored soldiers!" Turman becomes a victim of circumstances, and not a hero to those who thrilled at his behavior.

And thus the War Department's statement is able to say: "A noteworthy feature of the investigating officer's report is the finding that, in no respect did the incident itself, or its after effects, acquire any semblance of a conflict of racial sentiments; and that the occurrence did not arise from, or cause any, tendency toward racial discrimination."

But this report is so raw, and so contradicts every report made up to now, that the War Department had to do something it hasn't often resorted to: it ordered Brigadier General Benjamin O. Davis, one of the few Negro officers in the Army, to serve on the committee investigating the Fort Bragg affair. And of course, he arrived at the same conclusions that the others reached: everything was fine and dandy, only thing was to catch the unknown soldier who was responsible for the whole mess, and what about.

I don't know who they expect to fool with such a whitewash report even though it is signed by a Negro general. One thing is sure: they're not fooling the hundreds of thousands of Negro soldiers who are still segregated, discriminated against, insulted and kicked around just as they were before the report was thought up, and who know that Jim Crowism, not accidents, is responsible for "Fort Bragg incidents."

Chicago Labor Council

From Illinois Comrade Robert L. Birchman sends us more information on the recently organized Negro Labor Council, formed by a group of active Negro unionists in an attempt to bring about closer co-operation between the 50,000 CIO, AFL, and independent Negro union members in the Chicago area.

The program and purpose of the Council were outlined as follows in a recent bulletin: "In the main, the Mid-West Negro Labor Council has but two purposes. The first is to serve the trade union movement more effectively. The second is to organize the Negro community to support the worthy efforts of organized labor to improve living conditions for all men."

"There are many ways these two things can be done. Each time we meet, each time a new member casts his lot with us, we discover new opportunities for service to labor. Each time we learn of new ways of bringing the Negro community closer to labor and labor closer to the Negro community."

Temporary officers of the Council include representatives from the following unions: State, County and Municipal Workers; Inland Steel Lodge SWOC; Packinghouse Workers Organizing Committee; United Transport Service Employees; Brotherhood of Electrical Workers; and American Federation of Teachers.

Comrade Birchman adds: "The Dining Car Cooks and Waiters and the Red Caps have appealed to the Council to aid them in organizing public support for a general railroad strike, which has been authorized by well over 90 percent of the membership of the two unions. The unions are asking for a flat 30 percent increase in wages. This action started when F. G. Hurley, representing the railroads before Roosevelt's 'fact-finding committee', stated that the roads are willing to raise wages between 5 and 6 percent only; since this would raise their wages to only approximately 40 cents an hour, it is easy to understand why the members of these two unions are ready to put up a fight. The Council will be of real help to them if the dispute reaches the point of a strike."

The Stalinist Theory Of "Socialism In One Country"

Soviet Disasters, Defeat Of Revolutions Are Fruits Of This Theory

By C. CHARLES

The defeats of the Red Army are the latest fruits of the false "theory of socialism in one country," which is the fundamental idea of the ruling Stalinist clique.

False theories bring tragic results. For example, many so-called socialists preached the idea that the way to achieve socialism was by a gradual transformation of the capitalist governments and industry, bit by bit.

When they had the opportunity, they refused to take control of the government and place industry under the control of the workers. Instead they strengthened capitalism when it was weak, so that they could, according to their illusion, gradually transform capitalism into socialism. They became doctors of capitalism instead of its undertakers.

Their fallacious theories together with the treachery of Stalinism led to the victory of fascism.

THEORY OF THE RUSSIAN REVOLUTION

The greatest historical achievement of the human race, the Soviet Union, was the result of the correct theories of Bolshevism under Lenin and Trotsky.

The central idea of the Russian revolution, was that the Russian workers' and peasants' revolution was the first of a series of revolutions that would establish socialism in the entire world. Through the dark year of hunger and intervention this inspired the Soviet masses. The Russian workers in making their revolution knew that unless the workers of other countries, more industrially developed, joined hands with the Soviet Union, first in a socialist United States of Europe and then a socialist world, the Russian revolution would in the last analysis go under. Either capitalism would conquer the Soviet Union or the workers of the world would vanquish international capitalism.

Stalin, who was practically unknown during the period of the Russian Revolution, came forward with a "new" idea after the defeat of the German workers in 1923, the death of Lenin in 1924 and the coming to power of a privileged bureaucracy in the Soviet Union. This bureaucracy was interested only in maintaining its own power rather than in achieving the aims of the revolution. Stalin's "new" idea was the theory of "socialism in one country." In the words of Stalin this meant:

STALIN'S THEORY

"... that the proletariat, having seized power in Soviet Russia, 'an use that power for the establishment of a fully socialized society there. For this, . . . it is not essential that there should have been a victorious proletarian revolution in these lands.' — Problems of Leninism, by Joseph Stalin.

In other words, Stalin held that the Soviet Union could achieve socialism by itself if allowed to exist in peace by the imperialists.

Let us first examine this idea. Modern economic life is marked by internationalism. For any industry to function it must have raw materials that come from all over the world.

Even the United States, the most developed and richest country in the world, would weaken and decline economically if it did not import products from the rest of the world.

Not only does every industrial country buy raw materials but increasingly it buys finished goods as well.

Just as it must import, so must every country sell to the rest of the world, to keep its industries in operation.

With greater industrial development comes greater connection with the world. Primitive economy has little or no trade or exchange. Modern economy is based on an ever-increasing world trade and international division of labor.

Socialism is more advanced than capitalism. It must develop and extend the international division of labor already achieved under capitalism, thereby giving greater well-being to the people of the entire globe. Under socialism, we will not go backward into a self-contained, national economy, as Stalin with the reactionary theory of "socialism in one country" proposes, but to even greater internationalism.

The practical results of the

theory of "socialism in one country" were disastrous to the workers of the world, including those of the Soviet Union.

WHAT HAPPENED TO THE C. I.

Since socialism could, according to Stalin, be achieved if the capitalist countries did not intervene, it was no longer vitally necessary for the workers of other countries to overthrow capitalism in order to achieve socialism in the USSR. All that was necessary was that the Soviet Union not be attacked.

From this idea it was a short step to make of the Communist International an organization whose primary aim was to defend the Soviet Union instead of overthrowing capitalism. And from this, it was an even shorter step to make of the Communist International an organization whose only aim was to defend the Soviet Union.

The defense of the Soviet Union is of course a duty of every worker. Every attack on the Soviet Union by capitalism, which in its search for profits would like to open the Soviet Union as a market for their goods and as a source of raw material, and to enslave the workers there, must be beaten back by the workers of the Soviet Union and the workers of the capitalist countries.

CAPITALIST ATTITUDE TO THE USSR

The capitalists have, besides their economic purposes, a political aim in desiring to smash the Soviet Union. They hate and fear the Soviet Union because they are afraid that the example of the Soviet people who threw out the Czars and the capitalists, will be an inspiration to the workers of the capitalist nations.

But the real defense of the Soviet Union can only come when

THE FRANCO-SOVIET PACT

In 1934, when Germany under Hitler was arming itself for the present war, France and the Soviet Union signed a military pact

which was directed against Germany.

Part of this pact called for the cessation of the struggle of the workers in France against French capitalism. The French workers, who could easily have taken government power then if they had a correct leadership, were told to support the French capitalists who were "friendly" to the Soviet Union.

Finally, as was to be expected, after the French working class was smashed, French capitalism turned upon the Soviet Union and broke its pact with it.

In America, the workers are told by the Communist Party that they must not go on strike for better wages or conditions and that they must support Roosevelt because Roosevelt and Stalin are coming together on the international scene. This is Stalin's method of defending the Soviet Union. He does not build up the working class struggle for immediate gains and for the ultimate achievement of socialism. Instead he tells the workers through his Communist Party to follow Roosevelt. The end will be that the American capitalists will try to crush the independent workers' movement, and then turn upon the Soviet Union.

The tragic results of the theory of socialism in one country come out most clearly in relation to the present war between Hitler and the Soviet Union.

In order to meet Hitler's attack Stalin was forced to form an alliance with British imperialism. Everyone knows that Churchill hates the Soviet Union and the workers' cause as much as does Hitler. Churchill and British capitalism seek the defeat of the Soviet Union at the same time as the defeat of Hitler, so that Great Britain can dominate the world.

CHURCHILL AND THE USSR

Churchill will inevitably turn against the Soviet Union. Yet, in order to get this pact with Churchill, Stalin forces the Communist Party of Great Britain to

Behind The Talk About Harlem's 'Crime Wave'

The Boss Press Is Deliberately Whipping Up a Campaign Against the Negro People

The only "crime wave" in Harlem is the wave of poverty, unemployment, discrimination, and bad housing. There is nothing new about these "crimes"; they have existed for many years.

The decaying system of capitalism means depressions, unemployment, and miserable living conditions for the workers. These things in turn produce crime, juvenile delinquency, etc.

The other congested and underprivileged sections of the city, — Lower East Side, Hell's Kitchen, South Jamaica, etc., face the same problems which have suddenly attracted so much attention in Harlem. Pocketbook snatching, knifings, and petty thievery take place wherever young boys with no jobs, no money, and no decent homes to go to, roam the streets.

NEGROES FACE EVEN WORSE CONDITIONS

But the situation is even worse for Negroes. In addition to overcrowding, poverty, and sickness, they face the barrier of racial discrimination. The capitalists try to undermine opposition to their exploitation and profiteering by dividing Negro and white workers, by setting up barriers between them wherever possible. Thus Negroes are turned away from jobs because of the color of their skin. In spite of the war boom, most bosses refuse to hire Negroes in these industries. In other fields they are forced into the lowest paid, most menial jobs — regardless of how skilled they may be.

Consequently poverty in Harlem is even more acute than in other sections of the city. Sickness and mortality rates are almost double the rates in other sections of the city. Rents are comparatively the highest; housing conditions are the worst. The unemployed are denied adequate relief. Growing children lack sufficient schools and recreational facilities.

ATTITUDE OF BOSS PAPERS

Why have the New York boss papers suddenly given so much publicity to this so-called "crime wave" in Harlem? The Negro press and various individuals have correctly pointed out that this is a deliberate attempt by the New York papers, particularly the New York Times, to use this publicity as an attack against the Negro people as a whole! Already it has become even harder for Negro men and women to obtain the few jobs which were open to them. That is because the boss papers are deliberately creating the impression that all Negroes are thieves, criminals, etc.

In addition they are trying to whitewash themselves. For they, the boss class which discriminates against Negroes, the landlords who charge them exorbitant rents for rat-infested tenements, the authorities who fail to provide adequate relief, schools, and recreation, — and the boss newspapers who try to hide these facts, — they are the real criminals! They are afraid to tell the

truth about the conditions in Harlem. They know, as does every worker in Harlem, that this is a battle between the rich and the poor. They fear the power of the poor; they fear above all that the black and white workers will get together to fight their mutual enemies.

FIGHT JIM CROW!

All of Harlem is aroused today. The people know that this is no "crime wave". They know that the criminal conditions under which they are forced to live have existed for decades. They know that the bosses, through the newspapers and the schools, through their Jim-Crow policies in industry, in the armed forces, etc., are trying to divide the white workers and the Negro workers.

They have learned that no change in administration can solve their problems. So now meetings are being held throughout Harlem to protest conditions, and to see what can be done.

To win the fight against this latest wave of anti-Negro propaganda, the people of Harlem must base themselves on a militant program of unity of Negro and white against Jim Crowism and the capitalist system that produces and encourages Jim Crowism.

The Socialist Workers Party is holding an open forum this Friday evening, Nov. 21, at 8:30 o'clock, where the problem will be discussed in full. The main speaker will be Sam Fitzgerald, Harlem labor and unemployed leader, and his speech will be followed by a question and answer and discussion period. Admission is free. The meeting will be held at the headquarters of the Harlem Branch of the Socialist Workers Party, 72 W. 125th Street.

Davies Suddenly Remembers About The Moscow Trial

By Jack Weber

The ex-Ambassador of the United States to the Soviet Union, Joseph E. Davies, has been struck with remarkably sudden light. This light made him delve into his own records on the Moscow Trials.

Unfortunately the records were all too clear. His article in the American Magazine admits: "With this thought in mind I recently went through my diary, and, with the permission of the State Department, reread some of my reports as American Ambassador to Moscow in 1937 and 1938. Suddenly I saw the picture as I undoubtedly should have seen it at the time in Russia. Much of the world construed the famous treason trials and purges from 1935 to 1938 to be outrageous examples of barbarism, ingratitude, and hysteria. But it now appears that they indicated the amazing far-sightedness of Stalin and his close associates. In the light of present facts, and after an examination of the record, there can be no doubt that those defendants were, directly or indirectly, in the employ of the German and Japanese High Commands."

What are the present facts to which Davies refers? He states that he, more than any other diplomat, attended the trials and watched the proceedings. His conclusion at the time was no different from that of the rest of the world. "In my reports, I find that I referred to the second charge (treason and relations with those High Commands) quite casually and as of comparatively little importance." He says this not only of himself but of others present: "But all of us there in Moscow at the time, including the diplomats and the able newspaper correspondents, seem to have 'missed the boat'. I certainly did."

That is to say, Davies judged the trials to be nothing but frame-ups at the time. "We knew that Trotsky had a great many followers in Russia, and we regarded the treason trials as Stalin's methods of destroying his internal enemies. Talk of cooperation with the German and Japanese High Commands seemed like so much bizarre window-dressing, a facade to cover the liquidating of counter-revolutionaries."

How Davies Arrives at a Conclusion

Here is a damaging admission indeed. Forgetting it a few sentences later, Davies announces: "They all pleaded guilty, literally beating their breasts as they heaped guilt upon themselves. But, as a trained lawyer, not without experience in testing the credibility of witnesses in criminal trials, I watched the defendants' faces, studied their conduct on the stand, and I arrived at the conclusion that the state had unquestionably proved its case." What an unfortunate sentence for Davies and his own credibility! Davies can refer only to the faces of the defendants, not to their utterly incredible stories!

But what are the facts that made Davies change his mind? The facts are ABC political facts. Davies never dreamed of reexamining his conclusions drawn right on the spot during the Hitler-Stalin Pact. On the contrary, that Pact redoubled the conviction of the entire world that the trials had been a vast frame-up from start to finish. The facts that changed Davies' mind have nothing to do with the trials. They have to do with the switch in war alliances when Hitler invaded Russia. The "facts" are that Stalin has become the ally of Great Britain and the United States.

Politics makes strange bedfellows! Davies and Roosevelt have become bedfellows of Stalin's. The "democracies" will prove their good faith to Stalin. They will give him not only material aid, but political aid as well. The Allies may not establish a "western front" in a hurry at the request of the Kremlin dictator. But a little smoke-screen to help rehabilitate a badly-discredited Stalin in the eyes of the "public" — that is a small expense.

The decisive factor in the mind of the imperialist diplomat is the fact that when Hitler attacked the Soviet Union, no Fifth Column was there to come to Hitler's aid. Stalin had rid Russia of this Fifth Column in advance. But the Daily Worker said this long before Davies. The trouble is that the "interpretation" proves too much. The appearance of any kind of Fifth Column which might have been linked with the victims of Stalin's purges, would have been far better "proof". There is no Fifth Column to aid Hitler and there never was one! The only Fifth Column is the gang in the Kremlin that gave Hitler every aid up to the moment he invaded Russia. Silence on that score cannot wipe away that devastating fact.

But there is the other sad fact, that with so "splendid" a united front against the fascist invader, the Red Army has been forced to retreat and yield the major part of European Russia with two-thirds of all the heavy industry built at such tremendous sacrifices. One great factor that explains that fact is precisely Stalin's beheading of the Red Army in the frightful purges. His killing of the entire tops as well as of an officer corps numbering as many as thirty thousand men left the Soviet Army without those who could have stood up to Hitler's military strategy.

Stalin failed miserably to convince the working class of the world that the entire Bolshevik cadre built by Lenin were traitors to socialism and to the Soviet Union. But the workers may now be at rest. They may now accept the Stalinist version without any more qualms of conscience. An American ambassador, no less, had his doubts, but his further cogitations (at so opportune a time too!) revealed the true light to him, and through him to the rest of the world.

The truth is that in this very farce Stalinism demonstrates anew its bankruptcy. It must depend on these imperialist hacks to whitewash it and to attempt to revive its credit in the eyes of the masses. But how unfortunate that Davies was foolish enough (although he could not have helped himself!) to reveal his opinion at the time of the trials themselves. The political expediency of the Ambassador's article, to appease Stalin, sticks out from every side.

MARXIST SCHOOL

Irving Plaza
Irving Pl. and 15th St., N. Y. C.

MONDAY, NOV. 24

7:10 P. M.

History of 3rd and 4th
Internationals

LYDIA BEIDEL

8:50 P. M.

Decline of the British Empire
and the Problem of Colonial
Revolution

JACK WEBER

WEDNESDAY, NOV. 26

7:10 P. M.

Permanent Revolution in
American History

WM. F. WARDE

8:50 P. M.

American Unionism Today

C. CHARLES

THE MILITANT

Formerly the SOCIALIST APPEAL

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"Reentered as second class matter February 13, 1941
at the post office at New York, N. Y., under the Act of
March 3, 1879."

JOIN US IN FIGHTING FOR:

1. Military training of workers, financed by the government, but under control of the trade unions. Special officers' training camps, financed by the government but controlled by the trade unions, to train workers to become officers.
2. Trade union wages for all workers drafted into the army.
3. Full equality for Negroes in the armed forces and the war industries—Down with Jim Crowism everywhere.
4. A peoples' referendum on any and all wars.
5. Confiscation of all war profits. Expropriation of all war industries and their operation under workers' control.
6. For a rising scale of wages to meet the rising cost of living.
7. Workers Defense Guards against vigilante and fascist attacks.
8. An Independent Labor Party based on the Trade Unions.
9. A Workers' and Farmers' Government.

The 28 Defendants Need Your Help Now!

The government prosecutors last week completed the presentation of their frame up 'evidence' against the Socialist Workers Party and Local 544-CIO members in the Minneapolis 'seditious conspiracy' trial.

By now it has become clear that Roosevelt and his Department of Justice, using all the power and resources of the federal government, are determined to railroad the 28 defendants to prison for terms up to 16 years for the 'crimes' of opposing the administration's war policies, of being militant fighters for labor, of exercising their rights of free speech and press to oppose capitalism, its wars and fascist reaction, and to advocate a world socialist system of peace and security.

This prosecution represents one of the most dangerous and brazen threats to civil rights and workers' liberties in American history. The prosecutors have stated openly that they intend to get convictions on the basis, above all, of the views and opinions of the defendants.

Among the views which the government represents as particularly 'felonious', are the defendants' beliefs that this government is 'imperialistic', that the workers should fight unceasingly for their rights and 'demand more and more', that labor organizations must be prepared to defend themselves from fascist attacks and vigilante violence, that labor has a duty to advocate improved conditions for the soldiers, that compulsory arbitration is against the interests of the workers.

If the government succeeds in its frameup of these 28 working class leaders, it will have established a precedent by means of which the guarantees contained in the Bill of Rights of the United States Constitution can be wiped out altogether. No worker will then dare, without facing the risk of savage governmental reprisal, to advocate independent, militant unionism or to read and circulate political ideas contrary to those of the administration in power.

This trial threatens infinitely dangerous consequences for all labor, for all progressive men and women the country over. In the deepest sense, this is more than a trial of 28 individuals; it is a trial of the most cherished democratic principles won and maintained by the blood and struggle of the millions of common people, workers and poor farmers.

That is why the fight of the defend-

ants for their freedom is equally the fight for freedom of all the masses of American people.

That is why every worker, every progressive individual must come to the aid of the defendants — NOW — before it is too late. The defendants are in desperate need of funds. The legal assistance, the transcriptions of the lengthy court records, the research work essential for the defense are creating staggering expenses. The defendants and their families are penniless, without means of self-support during the long weeks of the trial.

You must act now — sacrifice to the limit. Do your share in the fight for fundamental rights that is being conducted so courageously and uncompromisingly by the 28 defendants in Minneapolis.

Rush financial contributions at once to the Civil Rights Defense Committee, 160 Fifth Avenue, New York City. Don't delay one day! Rush Funds NOW!

Talking About Hitler's Methods

Roosevelt's statement, made to the White House conference of mine union and steel corporation officials last week, that a government decision favoring the union shop for the "captive" mine workers "would be too much like the Hitler methods toward labor," was rank demagoguery.

Roosevelt claims he does not want to "order the closed shop" in the steel corporations' coal mines. In reality, he seeks to order the open shop for the organized 95 per cent of "captive" mine workers, by denying them the right to strike for the union shop. This, if anything, smacks of Hitler's methods.

Hitler's methods are anti-labor in their very essence. His first act on coming to power was to outlaw the right to strike. That is, in fact, the first plank in the program of fascism, which is nothing but the naked dictatorship of monopoly capitalism established to annihilate the workers' independent organizations and render the working class powerless to fight for its rights and conditions.

In both Italy and Germany, it was the steel trust barons who provided most of the finances for the fascist movements and who supported the rise of Mussolini and Hitler to power. Their objectives were the same as those of the American steel barons whom Roosevelt is serving today. They wished to destroy the workers' unions. By strengthening the hand of the steel open-shoppers, by giving them a club with which to batter and weaken the unions in the coal and steel industries, Roosevelt is simply paving the way for that system of American fascism which the steel masters in this country, like their German and Italian counterparts, will seek to impose on the workers tomorrow.

As the government prepares for its totalitarian conduct of the war, its methods toward labor more and more emulate Hitler's. It tries to hand-cuff organized labor, destroy the right to strike, and impose its dictatorship over the unions with armed force or the threat of armed force. And just as Roosevelt hides his imperialist war aims behind "anti-Hitler" slogans, so he attempts to disguise his vicious onslaughts against labor by falsely representing them as being in opposition to "Hitler's methods."

More Taxes On The Workers Are Coming

The extortionate taxes imposed on the workers by the recently adopted federal tax bill will seem light indeed by comparison with the crushing burden of war taxes yet to come.

This last tax measure, most onerous in American history, exacts taxes on incomes as low as \$750 annually and digs deep into the low-wage earners' pockets for excise levies, while leaving corporation war profits virtually untouched.

Many workers have had hope that the capitalist government would place a ceiling on the tax robbery of the poor and demand some sort of "equal sacrifice" from the rich, particularly after Secretary of the Treasury Morgenthau's demagogic statement about taxing all corporation profits over six per cent.

The Roosevelt Administration has already smashed such hopes. Its latest tax recommendation is for a 15 per cent direct tax on wages, deducted in advance by employers. This is called putting the workers on a "budget" and making the payment of taxes "easier".

Meanwhile, the monopoly corporations can continue to pile up their swollen war profits, which for the first nine months of this year have reached the highest peak in American history.

If the workers were to offer a counter-demand that they be given the right to examine the corporations' books and deduct direct advance taxes from the corporations, there would be maniacal howls all the way from Wall Street to Capitol Hill.

But that is exactly one of the things the workers should demand and fight for. Let the rich, who profit from the war, pay for it!

Trotsky Showed How To Defend The Soviet Union

Not Support of the Imperialists In the War, But Relentless Class Struggle Against Them Is Only Way to Save Workers State

More than 24 years after the October Revolution, the Soviet masses are engaged in a life and death struggle to defend the first workers state against its imperialist enemies. In spite of the heroism and sacrifice they are displaying, they have suffered terrible reverses.

What is the correct policy of defense? Should workers in the United States and Britain call for the opening of a "western front"? Would that aid or hurt the defense of the USSR?

Trotsky posed these questions in the manifesto, "War and the Fourth International" (1934), and answered them. Those answers retain their full force and pertinence to this day, when the Stalinists, whose policies have brought the USSR to the very brink of catastrophe, are clamoring for a "western front" by the imperialists as the only means of preventing the defeat of the workers state. We print here the section of the document dealing with these questions:

"In the existing situation an alliance of the USSR with an imperialist state or with one imperialist combination against another, in case of war, cannot at all be considered as excluded. Under the pressure of circumstances a temporary alliance of this kind may become an iron necessity, without ceasing, however, because of it, to be of the greatest danger both to the USSR and to the world revolution."

"Remaining the determined and devoted defender of the workers' state be saved from disaster."

TASKS OF THE WORKERS

"The international proletariat will not decline to defend the USSR even if the latter should find itself forced into a military alliance with some imperialists against others. But in this case, even more than in any other, the international proletariat must safeguard its complete political independence from Soviet diplomacy and thereby also from the bureaucracy of the Third International."

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