

Kutcher Wins Court Decision in Fight for Job

Action by Gov't To Comply Now Awaited by Vet

By George Lavan

James Kutcher, the legless veteran, who has been fighting the witchhunters for eight years, won another important legal victory on April 20. The Court of Appeals in Washington, D.C. handed down a 2-1 decision tearing the government's case against Kutcher to tatters.

Newspapers throughout the country gave prominent coverage to the story and predicted that Kutcher would now get back his job in the Newark branch of the Veterans Administration and over \$20,000 in back pay.

LEGAL MEANING

Important legal points in the decision of the second-highest court in the country, were: (1) Reaffirmed its 1952 ruling in the Kutcher case that membership in the Socialist Workers Party "could not constitute a valid reason for dismissal;" (2) That Kutcher was recording secretary of the Newark SWP branch "was not a reason nor, standing alone even an important detail of the reasons for dismissal;" called a charge of general radical association "wholly vague."

Specifically the court found Kutcher's firing illegal because the reasons given by the government did not prove or had no bearing on the charges. In so doing the court took a step important for the protection of all veterans and for civil liberties in general. It breathed some life back into laws passed to protect government employees. Under the assault of the "loyalty" purge the protective passages of these laws had become dead letters.

The court held that the firing of Kutcher had been in violation of the Veterans Preference Act of 1944, which applies to veterans in civil service jobs. This act provides that a veteran in government employment "shall have at least thirty days' advance written notice . . . stating any and all reasons, specifically and in detail, for any such proposed [removal] action." Analyzing the findings of the VA Loyalty Board of Appeals, the court declared that the reasons adduced in it did not correspond to the charges against Kutcher. He therefore had been deprived of his rights under the above-cited law and could not have anticipated, from the charges served on him, how to prepare his defense.

REASONS KEPT SECRET

On these grounds alone the Court of Appeals ruled in Kutcher's favor. But in addition to this the judges added another telling blow at the prosecution's case. The long report of the Loyalty Board of Appeals in 1953 which purported to give the reasons for Kutcher's firing was never given to Kutcher. He and his lawyer first saw it when the government introduced it as an exhibit in the present proceeding in the federal district court.

This is the document which contains the attacks on Kutcher and the SWP that the court declared irrelevant to the charges. Some of the choice items in it are: "Kutcher said under oath he would not report to the FBI a member of the Communist Party;" Kutcher made a speech in which he referred to Lenin, the program of the SWP; 18 SWP leaders were convicted under the Smith Act in 1941, etc.

In Newark James Kutcher declared he was "ready, willing



JAMES KUTCHER

and able" to go back to work as soon as the VA got in touch with him. He told reporters that he considered the decision not only a personal vindication but an important victory for civil liberties.

As yet the VA has made no move. Technically the Department of Justice can appeal the decision to the Supreme Court. General consensus among lawyers was that the government would lose in the high court even if the latter consented to hear the case. At any rate the Department of Justice has 90 days from the date of the decision in which to appeal. Another possibility is that the government will try what it did last time Kutcher won in the Court of Appeals. It will pretend to comply with the decision by reinstating him and re-firing him simultaneously. Such action would make all the more glaring the vindictiveness with which the government witch-hunters have persecuted the legless vet.

CP CASES

Certainly persecution of Kutcher has been long and inglorious. First his job was taken; next came the attempt to evict him and his parents from a low-cost federal housing project; then his pension was stopped. Public indignation forced the witch hunters to restore his pension. This precedent should encourage all friends of civil liberties to press for restoration of the pensions of Wellman, Thompson and Klonsky, disabled Communist party veterans whose pensions were arbitrarily taken away by the witch hunters in the VA.

The public outcry that would result if the VA tries to evade giving Kutcher back his job is indicated by an editorial in the New York Post (April 24) calling on the government to "concede defeat in its long and inglorious war" against the legless veteran.

THE MILITANT

PUBLISHED WEEKLY IN THE INTERESTS OF THE WORKING PEOPLE

Vol. XX — No. 18

NEW YORK, N. Y., MONDAY, APRIL 30, 1956

PRICE: 10 Cents

Soviet Law Journal Assails Stalin 'Confession' System

SWP Maps Vigorous Election Campaign

Key Issues: Class Politics, Civil Rights

By Daniel Roberts

APRIL 23 — The National Committee of the Socialist Workers Party last week mapped out a hard-hitting campaign for a socialist and class-struggle program in the 1956 elections. The Committee met in full session, April 13-15. At a previous meeting last September, it designated Farrell Dobbs and Myra Tanner Weiss as its candidates for U.S. President and Vice-President respectively. The party has already been certified for the ballot in Pennsylvania and New Jersey, and nominating petitions were filed last week in Michigan. The nominations will be presented to a party convention this summer.

"We will urge radical workers to vote for the Socialist Workers Party," said Art Sharon, National Campaign Chairman. "How else can they further the socialist principles they believe in except to cast their vote for our candidates? To vote for the Democratic Party — as the treacherous Communist Party leaders advise them to do — means to work against the cause they espouse. It means to back the Big Business politicians and the rule of the class enemy. It means to betray the Negro struggle in the South because the Democratic Party chiefs kowtow to the white supremacists."

CANNON'S REPORT

Sharon's report on election campaign plans came after intensive discussion on a resolution entitled A New Stage in the Russian Revolution. The reporter was James P. Cannon, founder of American Trotskyism. A leading member of the Communist Party, he was bureaucratically expelled from the CP for supporting Trotsky's fight against Stalinism when he went to the Soviet Union as a

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"We Have Been Naught! We Shall Be All!"



Power of Mass Action Shown by Montgomery

By C. Thomas

A U.S. Supreme Court decision announced April 24, first interpreted as a sweeping edict banning segregation in interstate transportation, was later revealed to be of much more limited character. The decision came in a case involving bus segregation in Columbia, South Carolina. Instead of ruling on the constitutional question of segregation the Supreme Court returned the case to the lower court on the basis of a technicality involving proper procedure.

Although making a correction of their first interpretation of the court order, the New York Times pointed out that: "Few doubted, however, that the long-range effect would be — as appraised when the court's terse order was announced — to demolish the last bulwark of racial segregation in the field of public transportation."

RACISTS DEFY COURT

This opinion was confirmed by the reaction of bus line operators "in at least thirteen cities" in the South who immediately announced they would no longer enforce race segregation on their buses. The National City Lines, owners and operators of the bus line in Montgomery, Alabama, joined in the announcement. Whereupon the Police Commissioner of Montgomery declared that "bus drivers who permitted desegregation on their buses would be prosecuted. And, he added, "any passenger who mixes with the opposite [race] on buses would face arrest."

It was the arrest of Mrs. Rosa Parks for violation of the city's bus segregation ordinance that set off the Montgomery bus protest movement, now in its 20th week. Following a meeting of

the Montgomery Improvement Association, which is leading the bus protest action, its president the Rev. Dr. Martin Luther King Jr., stated that the protest movement would continue until the original demands were met.

These demands are three in number: (1) Passengers to be seated on a first come first serve basis. (2) An end to the practice by bus drivers of insulting and abusing Negro passengers. (3) The hiring of Negro drivers on buses servicing predominantly Negro routes.

The Montgomery bus protest action has thrown a real scare into the profit-hungry bus operators of the Jim Crow South. They derive a large part of their income from the fares paid by Negro passengers. The owners of National City Lines squealed like stuck hogs when their revenue was cut more than half by the refusal of the Negro community in Montgomery to ride the Jim Crow buses.

To recompense them for their loss the city authorities raised bus fares by 50%. But this increase did not compensate for the loss of Negro riders. The Southern bus operators fear the extension of the Montgomery action which hits them where it hurts the most — in the pocket-book.

FEAR IT WILL SPREAD

"With few exceptions," comments an article in the N.Y. Post on the Supreme Court bus decision, "Southern bus companies appeared eager to do away with segregation. The issue always has been troublesome to them and, as in Montgomery, it has led to economic losses."

"The bus companies have been fearful for weeks," the report continues, "that the boycott

movement might spread to other cities. Hence, they have seized on the Supreme Court ruling, technical though it is, to do away with Jim Crowism."

The daily press reports that in some sections of the South where the city or state government has refrained from intervening, the pattern of bus segregation was abandoned. The April 25 N.Y. Times carried a front page picture of a Norfolk, Va., bus showing white and colored passengers sitting side by side. The Times lists a few more Virginia and North Carolina cities in which bus integration is slated to go into effect and then adds: "No immediate mixed riding appeared in prospect, however, in most of the cities in the Deep South."

On the contrary, city and state government officials of the Deep South, snorted their defiance of the United States Supreme Court and its desegregation rulings. Their attitude was voiced by Gov. Marvin Griffin of Georgia, notorious Jim Crow practitioner, who declared:

"We shall oppose this latest decision just as we are resisting the decision in the school desegregation case by all legal means." The phrase "legal means" is thrown in to cloak the campaign of intimidation and terror, waged with the blessing of the authorities, by the thugs of the White Citizens Councils.

In Montgomery the city officials refuse to yield in their determination to hold the segregation line. When the National City Lines announced it was prepared to comply with the law of the land as interpreted by the highest judicial authority, the city fathers threatened reprisals

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Attack Helps Confirm Exposure of Moscow Trials as Frame-ups

By Joseph Hansen

The Kremlin magazine Soviet State and Law has denounced the practice, prevalent in the Soviet Union under Stalin, of basing convictions in court on mere confessions. In the issue that appeared April 22 it singled out Andrei Y. Vishinsky, main prosecutor in the Moscow Frame-Up Trials, for attack, accusing him of having developed the infamous system of "proving" guilt by confession.

On the same day Pravda mentioned Alexei Ivanovich Rykov without the slanderous invective usually attached by the Stalinists to his name. Rykov was one of the main victims in the March 1938 Moscow Frame-Up Trial who "confessed" to all the monstrous charges cooked up by Stalin's secret political police that were levelled at the defendants by Vishinsky.

These two actions portend a major concession by the Stalinist bureaucracy — acknowledgment of the falsity of the purge trials. If that concession is actually granted, it would seem impossible for the bureaucracy to avoid rehabilitating the names of Leon Trotsky and Leon Sedov to one degree or another.

ADMIT STALIN'S CRIMES

This course seems indicated by the number of Old Bolshevik victims of Stalin already rehabilitated, by the admission that Tukhachevsky and some 5,000 top Red Army officers were shot on frame-up charges, and the public recognition by Kremlin officials that Stalin undermined the defense of the Soviet Union on the eve of World War II and actually paved the way for the onslaught of the German imperialist armies.

The whole pattern of concessions, in fact, as it has developed up to now, points more and more to admitting that no matter what the political differences might have been, Stalin's slaughter of the Old Bolsheviks took place under cover of the most monstrous frame-up in all history.

The Associated Press reported that the unsigned article in the magazine declared that Vishinsky's practice had been made an "unimpeachable dogma." It called for a thorough study to throw light on the "questions of guarantees and the means of insuring legality in the matter of guarding the rights and interests of citizens of the USSR."

According to the article, Vishinsky's theory "denies the need for a court to establish the absolute truth in each case and permits the possibility of convicting a person on the basis only of the probability of some fact or other that is undergoing legal examination."

Such procedure, said the magazine, is a "glaring violation of the principle of Socialist legality." It added that the theory was "at variance with the demands of the party and Government for the strictest observance of legality by investigation courts and prosecuting organs."

Ironically, the magazine, which is the leading Soviet law review, is published by the A. Y. Vishinsky Law Institute of the Academy of Sciences.

The name of Rykov appeared on the front page of Pravda in a letter signed by Lenin which the newspaper printed for the first time. Dated April 12, 1922, and published in connection with observances of the eighty-sixth anniversary of Lenin's birth, the letter was addressed to Rykov, to the editors of Pravda, to N. Osinsky, former People's Com-



LEON TROTSKY



LEON SEDOV

missar of Agriculture, Yuri M. Steklov, who disappeared in the purges of the Thirties, and Alexander D. Tsyurupa, Commissar of Food during the Civil War. Lenin's letter denounced in strong terms the "stinking red tape" and the atmosphere among Moscow's intelligentsia. It demanded more attention to local conditions and actual practice and less "political chatter."

LENIN FOUGHT STALIN

From the description given of the letter, it is clearly directed against the symptoms of rising bureaucracy which so alarmed Lenin toward the end of his life and which led him in the following year to ask Trotsky to join in a bloc against Stalin, leading representative of the usurping bureaucrats.

Trotsky's Speech On Moscow Trials

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Pravda's use at this time of Lenin's letter fits in with the ending of the Stalin cult by the heirs of the late dictator. In the same issue, Pravda repeated the denunciation of the cult of "personality," the euphemism for

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NEW YORK MAY DAY MEETING

"The Stalin Frame-Up System And the Moscow Trials"

Hear the Trotskyist Analysis Of the End of the Stalin Cult

SPEAKERS:

- Joseph Hansen — Former Secretary to Leon Trotsky
- Farrell Dobbs — Socialist Workers Party Candidate for President
- Myra Tanner Weiss — Socialist Workers Party Candidate for Vice-President

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MOSCOW FRAME-UP TRIALS

Trotsky's Speech to the Dewey Commission

The Judgment of History

[We publish herewith the first installment of Leon Trotsky's closing speech at the hearings of the Preliminary Commission of Inquiry into the Charges Made Against Leon Trotsky in the Moscow Trials. The hearings took place April 10 to 17, 1937 at Coyoacan, Mexico. The Commission of Inquiry was an impartial body headed by John Dewey, the eminent philosopher and teacher and a veteran of American liberalism. It included Carlo Tresca, outstanding leader of the anarchist movement and one of the men most hated by the fascist dictator, Mussolini. Otto Ruehle who stood side by side in the Reichstag with Karl Liebknecht in fighting German imperialism in World War I, was another member. The Commission selected as its legal adviser John Finerty, of world-wide fame in the defense of Tom Mooney and of Sacco and Vanzetti.]

The verdict of the Commission after nine months of thorough investigation in several countries was that the defendants in the Moscow Trials were "Not Guilty." The Committee is to be credited with the definitive exposure of the Moscow frame-ups. Trotsky's speech is reprinted from The Case of Leon Trotsky published by Harper & Brothers in 1938. It is one of two volumes the Commission issued on the Moscow Trials. The other contains its own findings under the title, Not Guilty. Leon Trotsky's speech has also been reprinted by Pioneer Publishers in a pamphlet entitled Stalin's Frame-Up System and the Moscow Trials. — Ed.]

By Leon Trotsky

It is entirely beyond dispute that the trials of Zinoviev-Kamenev and Pyatakov-Radek have aroused the utmost distrust of Soviet justice, among workers and democratic circles throughout the entire world. However, it was precisely in this affair that full clarity and unimpeachable judicial power of persuasion were absolutely necessary.

The accusers, like the accused — at least the most important of them — are of world-wide renown. The aims and motives of the participants had to flow directly from their political position, from the characters of the persons involved, from their whole past. The majority of the defendants have been shot; their guilt — we assume — must have been absolutely proved! However, if one leaves aside those who can be convinced of anything, no matter what, by simple telegraphic orders from Moscow, Western public opinion has flatly refused to support the accusers and the hangmen. On the contrary, alarm and distrust have grown into horror and revulsion.

Moreover, no one supposes that a judicial "mistake" has been made. The Moscow authorities could not have shot Zinoviev, Kamenev, Smirnov, Pyatakov, Serebryakov, and all the others — by mistake. To lack confidence

in the justice of Vyshinsky is, in the present case, directly to suspect Stalin of a judicial frame-up, with political aims. There is no room for any other interpretation.

But perhaps sentimental public opinion has been misled by preconceived sympathies for the accused? This argument was used more than once in the cases of Francisco Ferrer in Spain, of Sacco-Vanzetti and Mooney in the United States, etc. But so far as the Moscow defendants are concerned, there can be no question of partisan sympathies. The most informed section of world public opinion, it must be plainly said, no longer had either confidence in or respect for the principal defendants, in view of their numerous previous recantations and, above all, their conduct in court.

The prosecution represented the accused, with their assistance, not as capitulators to Stalin, but as "Trotskyites" who had assumed the cloak of capitulation. Such a characterization, to the extent that it was accepted as true, could in no way increase sympathy for the accused. Finally, "Trotskyism" itself today is represented by a tiny minority in the workers' movement, which is in sharp struggle with all other parties and factions.



feels. But in all the rest of the world the toiling masses have been seized by a tragic confusion which poisons their thought and paralyzes their will. Either the entire old generation of Bolshevik leaders, with a single and sole exception, has really betrayed Socialism for fascism, or the present leadership of the USSR has organized a judicial frame-up against the founders of the Bolshevik Party and the Soviet state.

Yes, that is precisely how the question stands: Either Lenin's Political Bureau was composed of traitors, or Stalin's Political Bureau is composed of falsifiers. There is no third possibility! But it is precisely because there is no third possibility that progressive public opinion cannot, at the risk of its very existence, evade making this difficult and tragic choice and explaining it to the popular masses.

The oft-encountered, semi-official objection that the work of the Commission can "politically harm" the USSR and help fascism constitutes — to put it mildly — a compound of stupidity and hypocrisy. Let us for a moment grant that the charges of the Court against the Opposition have some basis — that is, that dozens of men were not shot for nothing. In that case, it can be little trouble for a powerful government to produce the materials from the preliminary investigation, to fill in the gaps in the records of the court proceedings, explain the contradictions, and dispel doubts. In such case an examination could only increase the authority of the Soviet Government.

But what if the Commission laid bare the premeditated fraud of the Moscow charges? Would not political caution then dictate avoiding the risk of an investigation? Such a consideration, seldom expressed candidly and fully, is based on the craven notion that one can fight the forces of reaction with fictions, humbug and lies, as if the best remedy for curing a sickness consisted in refraining from calling it by name.

If the present Soviet Government is capable of resorting to bloody judicial frame-ups to deceive its own people, it cannot be the ally of the world proletariat in the struggle against reaction. Its internal inadequacy must in this event reveal itself at the first major historic shock.

The sooner the infection is exposed, the sooner the inevitable crisis comes, the greater the hope that it can still be overcome in time by the living forces of the organism. On the other hand, closing one's eyes to disease means only to drive it deeper internally. This would lead to a great historic catastrophe.

Stalin's Service to Hitler

Stalin rendered his first great service to Hitler through the theory and practice of "social-fascism." He rendered his second service through the Moscow trials. These trials, in which the greatest moral values are crushed and violated, cannot be blotting out from the consciousness of mankind. It is possible to help the masses recover from the wound inflicted upon them by the trials only through complete clarity and the full truth.

The opposition of a certain type of "friend" to the investigation, which in itself is a crying scandal, arises from the fact that even the most zealous defenders of Moscow justice lack inner conviction of the soundness of their case. They cover their secret fears with completely contradictory and unworthy arguments. An investigation, they say, is "intervention in the internal affairs of the USSR!" But has not the world proletariat the right to intervene in the internal affairs of the USSR? In the ranks of the Comintern they still repeat: "The USSR is the fatherland of all the toilers." A strange fatherland in whose affairs nobody dares intervene!

If the working masses are suspicious of the acts of their leaders, the latter are under obligation to give them full explanations and every facility for an investigation. Neither the state prosecutor, nor the judges, nor the members of the Political Bureau of the USSR are exempt from this elementary rule. Who-

ever tries to raise himself above workers' democracy, by that very act betrays it.

To the above it must be added that the question is not an "internal" affair of the USSR, even when viewed purely formally. It is already five years since the Moscow bureaucracy deprived me, my wife and our elder son of Soviet citizenship. Thereby they also robbed themselves of every special right with respect to us. We have been bereft of a "fatherland" which could defend us. It is but natural that we should place ourselves under the protection of international public opinion.

In his reply of March 19, 1937, to George Novack, the secretary of the American Committee for the Defense of Leon Trotsky, Professor Charles A. Beard motivates his refusal to take part in the Commission of Investigation with principled arguments which have great value in themselves, apart from the celebrated historian's participation or nonparticipation in the investigating commission.

First of all, we learn that Professor Beard has made "a careful study of many documents in the case, including the official report of the last Moscow trial." One understands without unnecessary comment the weight of such a statement from a scholar who knows very well what a careful study is. Professor Beard, in a very restrained but at the same time absolutely unequivocal manner, communicates "certain

conclusions" to which he has been led by his study of the question.

First of all, he says, the accusation against Trotsky rests exclusively on the confessions. "From a long study of historical problems, I know that confessions, even when voluntarily made, are not positive proof." The word "even" indicates clearly enough that the question of the voluntary character of the Moscow confessions is for this scholar, at the very least, open.

As an example of false self-accusations, Professor Beard cites the classic cases of the trials of the Inquisition, along with instances of the darkest superstition. That single comparison, which coincides with the development of the thought of Friedrich Adler, secretary of the Second International, speaks for itself. Furthermore, Professor Beard deems it proper to apply a rule which governs American jurisprudence, namely: The accused must be considered innocent if there have not been brought against him objective proofs which leave no room for reasonable doubt.

Finally, the historian writes that "it is almost, if not entirely, impossible to prove a negative in such a case; namely, that Mr. Trotsky did not enter into the relations of conspiracy charged against him. Naturally, as an old revolutionist, experienced in the art, he would not keep incriminating records of the operations, if he did engage in them. Furthermore, no person in the world could prove that he was not engaged in a conspiracy, unless he had a guard set over him every moment of the time covered by the charges. In my opinion it is not incumbent upon Mr. Trotsky to do the impossible — that is, prove a negative by positive evidence. It is incumbent upon his accusers to produce more than confessions, to produce corroborating evidence to specific and overt acts."

As has already been said, the conclusions reached are of the highest importance of and by themselves, since they contain an annihilating appraisal of Moscow justice. If unconfirmed confessions of a doubtfully "vol-

untary" character are insufficient basis for accusing me, they are also insufficient for accusing all the others. This means, in Professor Beard's opinion, that dozens of people who were innocent or whose guilt had not been demonstrated were shot in Moscow. Messrs. Executioners must reckon with this estimate, made by an exceptionally conscientious investigator on the basis of a careful study of the question.

Nevertheless, I must say that in my opinion Professor Beard's formal decision — namely, his refusal to participate in the investigation — does not at all follow from his material conclusions. Indeed, public opinion seeks above all to resolve the enigma: Is the charge proved or not? It is precisely this question which the Commission primarily wishes to resolve.

Professor Beard declares that he personally has already arrived at the conclusion that the charge has not been established, and that that is why he does not join the Commission. It seems to me that a correct decision would be the following: "I enter the Commission in order to test the accuracy of my conclusions." It is absolutely clear that the collective decision of the Commission, in which representatives of the various branches of intellectual endeavor are found, will carry much more weight with public opinion than the conclusions of a single person, even a great authority.

Professor Beard's conclusions, with all their importance, are incomplete, however, even in their material essence. The question does not consist simply in knowing whether or not the charge against me has been established. In Moscow dozens of people have been shot. Dozens of others await execution. Hundreds and thousands are under suspicion, accused indirectly or calumniated, not only in the USSR but also in all other parts of the world. All this on the basis of the "confessions," which Professor Beard finds himself able to compare to the confessions of the victims of the Inquisition.

The Fundamental Question

The fundamental question, consequently, should be formulated in this manner: Who organized these inquisitorial trials, these crusades of calumny, why, and for what purpose?

Hundreds of thousands of men throughout the entire world are firmly convinced, and millions suspect, that the trials rest on systematic falsifications, dictated by definite political aims. It is precisely this accusation against the ruling clique in Moscow that I hope to establish before the Commission. Consequently, it is a question not only of a "negative" fact — that is to say, that Trotsky has not participated in a plot — but also of a positive fact; namely, that Stalin did or-

spirator, I, basing myself on that credit, can fully discredit the "confessions," in which I am presented as a comic-opera conspirator, primarily concerned with furnishing the greatest possible number of witnesses against myself for the future prosecutor.

The same holds true as far as the other defendants, especially Zinoviev and Kamenev, are concerned. Without rhyme or reason they enlarge the circle of initiators. Their lack of prudence, which cries to high heaven, has a deliberately calculated character. All this notwithstanding there is not a shred of evidence in the hands of the prosecution. The whole affair is built on conversations — more exactly, on recollections of alleged conversations. The absence of evidence — I shall never cease repeating this — not only annihilates the charges, but also is a terrible piece of evidence against the accusers themselves.

However, I also have more direct and, moreover, quite positive proofs of the "negative fact." That is not so very unusual in jurisprudence. Naturally, it is difficult to demonstrate that in eight years of exile I had no secret meetings — with anyone, anywhere — devoted to a conspiracy against the Soviet

authorities. But that is not in question. The most important witnesses for the prosecution, the defendants themselves, are forced to indicate when and where they had meetings with me.

In all of these cases, thanks to the circumstances of my mode of living (police surveillance, constant presence of a guard composed of my friends, daily letters, etc.), I can with irrefutable certainty demonstrate that I was not and could not have been at the places named at the times indicated. In juridical language, such positive proof of a negative fact is called an alibi.

Furthermore, it is absolutely indisputable that I would not preserve in my archives records of my crimes had I committed any. But my archives are important for the investigation, not for what they lack, but for what they contain. Positive acquaintance, with the daily development of my thought and acts over a period of nine years (one year of banishment and eight of exile) is entirely sufficient to demonstrate a "negative fact" — namely, that I could not have committed acts contrary to my convictions, to my interests, to my whole character.

"Mockery of Justice"

The agents of the Moscow Government are themselves well aware that the Moscow verdicts cannot stand without the support of authoritative, expert opinion. For this purpose the English attorney Pritt was secretly invited to the first trial, and another English attorney, Dudley Collard, to the second. In Paris, three attorneys — obscure but quite devoted to the GPU — tried to use for the same purpose the shingle of the International Juridical Association.

By arrangement with the Soviet Embassy, the obscure French attorney Rosenmark, acting under the cover of the League for the Rights of Man, issued an expert opinion no less benevolent than ignorant.

In Mexico, the "Friends of the Soviet Union" have proposed to the "Socialist Lawyers' Front" — by no means accidentally — that they undertake a juridical investigation into the Moscow trials. Similar steps are apparently being prepared at the

moment in the United States.

The People's Commissariat of Justice in Moscow has published in foreign languages the "verbatim" report of the trial of the seventeen (Pyatakov, Radek, etc.), the better to obtain from authoritative jurists certification that the victims of the inquisition have been shot entirely in accordance with the rules established by the inquisitors.

In fact, a certification of a purely formal observance of external rules and the ritual of jurisprudence has an importance which is close to zero. The essence of the affair is in the material conditions of the preparation and conduct of the trial. Of course, even if one disregards for the moment the decisive factors which are to be found outside the courtroom, one cannot help recognizing that the Moscow trials are a pure and simple mockery of justice.

[To be continued.]

World Public Opinion

The accusers are in an incomparably more favorable position. Behind them is the Soviet Union, with all the hopes of progress which it represents. The rise of world reaction, especially in its most barbarous form — fascism — has turned the sympathies and hopes of democratic circles, even the very moderate ones, toward the Soviet Union.

These sympathies, to be sure, are very hazy in character. But that is precisely why the official and unofficial friends of the USSR are not inclined, as a general rule, to unravel the internal contradictions of the Soviet regime; on the contrary, they are ready in advance to consider all opposition against the ruling stratum as voluntary or involuntary cooperation with world reaction.

To this it is necessary to add the diplomatic and military ties of the USSR, taken in the general context of present-day international relations. In a number of countries — France, Czechoslovakia, to some extent Great Britain and the United States — purely nationalist and patriotic sentiments predispose the democratic masses in favor of the Soviet Government, as the adversary of Germany and Japan.

It is not necessary to mention that, to cap this, Moscow has at its disposal powerful levers, tangible and intangible, with which to exert pressure on public opinion in the most widely separated layers of society. The agitation about the new Constitution, "the most democratic in the world," which was made public, not ac-

cidental, on the eve of the trials, has aroused still more sympathy for Moscow. An overwhelming preponderance of a priori confidence was thus assured to the Soviet Government at the outset.

Despite all this, the omnipotent accusers have not convinced and have not conquered world opinion, which they tried to take unawares. On the contrary, the authority of the Soviet Government dropped sharply after the trials. Implacable adversaries of Trotskyism, allies of Moscow, and even many traditional friends of the Soviet bureaucracy, have demanded verification of the Moscow charges. It is enough to recall the steps taken by the Second International and the International Federation of Trade Unions in August, 1936.

In its incredibly rude response, the Kremlin, which had counted on a complete and absolute victory in advance, exposed the full depth of its disappointment. Friedrich Adler, secretary of the Second International and, consequently, an implacable foe of Trotskyism, compared the Moscow trials to the witchcraft trials of the Inquisition. The well-known reformist theoretician, Otto Bauer, who considers it possible to declare in the press that Trotsky is speculating on a future war (a statement which is not only false but also absurd), is compelled, despite all his political sympathy for the Stalinist bureaucracy, to recognize that the Moscow trials are judicial frame-ups.

Only Truth Can Help USSR

The New York Times, an extremely prudent newspaper and far from having any sympathy for Trotskyism, sums up the end of the last trial in the following words: "The burden of proof lies not on Trotsky but on Stalin." This single, crushing phrase reduces the juridical persuasiveness of Moscow's court procedure to zero.

If it were not for diplomatic, patriotic and "anti-fascist" considerations, the lack of confidence in the Moscow accusers would assume incomparably more open and vigorous forms. This can be easily demonstrated by a secondary but extremely instructive example.

In October of last year my book "The Revolution Betrayed" was published in France. Several weeks ago it appeared in New York. Not one of the many critics, most of them my adversaries — among them the former

French Premier Caillaux — so much as mentioned the fact that the author of the book has been "convicted" of an alliance with fascism and Japanese militarism against France and the United States. No one, absolutely no one — not even Louis Fischer — considered it necessary to compare my political conclusions with the charges of the Kremlin. It was as if there had never been either trials or executions in Moscow!

This single fact, if one thinks about it, is irrefutable proof that the thinking sections of society, beginning with the interested and most sensitive country, France, not only have not accepted the monstrous accusation but have, quite simply, cast it out with scarcely concealed disgust.

We cannot, unfortunately, say what the stifled population of the Soviet Union thinks and

CP-Backed French Gov't Jails Algeria War Foes

By Carl Goodman

As part of its savage campaign of repressions against the Algerian people who are seeking their national independence, the Mollet government in France is trying to silence opponents of its Algerian policy.

On March 31, Claude Bourdet, co-editor of the liberal magazine, France Observateur, was arrested for his defense of the right of the Algerian people to self-determination. Bourdet has written articles and pamphlets exposing French imperialist rule in North Africa and the role of the notorious North Africa Lobby in shaping French policies.

ATTACK TROTSKYISTS

On April 4, six police inspectors seized issue No. 401 of La Verite, French Trotskyist weekly newspaper, as it left the printshop. The next morning the cops returned to smash the type. La Verite has carried on a vigorous campaign against the war in North Africa and for French working class support to the North African national independence aspirations. Previous issues of the paper have been suppressed in Algeria, but this was the first time the paper was seized in France. However, Daniel Renard, editor of La Verite, and other members of the Internationalist Communist Party, have been arrested on several occasions since the Algerian liberation war began in November 1954.

On April 8, agents of the D.S.T. (French secret police) arrested Simone Minguet and Raymond Bouvet, members of a Fourth International organization in France and Janine Weill, member of the "New Left" for the sole "crime" of receiving copies of Resistance Algerienne through the mails. This newspaper is published in Belgium by the National Liberation Front. Pierre Frank, a member of the Secretariat of the Pabloite group in the Fourth International, was also arrested. They have been brought before the Military Tribunal and indicted on the frame-up charge of "attempting to demoralize" the armed forces.

The French government of "Socialist" Mollet has also decreed the exile of Messali Hadj, veteran leader of the Algerian national liberation movement, to Belle-

Isle, used in the past as a penal island.

In Algeria itself, the Mollet regime continues its fascist-like use of torture and concentration-camp imprisonment against Algerian patriots. The March issue of Algerian Resistance reports the death under French police torture of Dr. Benzerdjeb and Kassem Zedkour, militants of the National Liberation Front. It also carries a harrowing account by Akli Said of barbaric treatment by police authorities. He was beaten nearly to death, reports Said, then driven in a jeep to an isolated beach. "I was seized by four cops who submerged me in the sea water for a period of time. I was pulled out for several seconds. I could not manage to breathe. I was submerged again. I was suffocating. I felt myself dying. My belly was swelling. I was pulled out again. I had lost consciousness."

These tortures in Algeria and suppressions of free speech in France are part of the "special powers" granted March 11 to Mollet by the French National Assembly. The Communist Party deputies cast their vote for the powers. In explanation for its support to French imperialism, the Central Committee of the French Communist Party stated in a recent resolution that "In voting for the government of Guy Mollet on the issue of the Algerian debate . . . the Communist group [of deputies] has created favorable conditions for a resurgence of the united front and for progress in achieving a new popular front."

This cynical declaration underscores the truth of what Trotskyists have said about the Stalinist class-collaborationist policy of "Popular Frontism" — namely, that it represents the worst sort of betrayal of the interests of the working class both in colonial countries as well as the main centers of capitalism. The repressions in Algeria and France — that is the popular front in action.

Daily Worker's New Version of CIO Split

By Tom Kerry

Marshall at '47 CIO Convention



The late Philip Murray (right) shown with former Secretary of State George C. Marshall, at the 1947 CIO convention in Boston. The former Army Chief-of-Staff was permitted to use the CIO's platform to propagandize for Wall Street's war preparations against the Soviet Union. This "partnership" of the labor officials with the cold-war chiefs led to the all-out witch hunt within the CIO and the expulsion of unions led by the Stalinists.

only about Stalin's crimes but some of their own. All of this mumbo jumbo is intended to conceal the true role of the American CP as a political agency of the Kremlin. Their frantic twists and turns of the past had no relation to the needs and interests of the American working class. On the contrary, they were always ready to sacrifice the interests of the workers to the requirements of Soviet foreign policy. The formula of "coexistence," which translates into class collaboration on an international scale, still determines the basic policy of the American CP. It was first enunciated, not by Khrushchev but by Stalin.

These facts, while generally known, are first being admitted by American CP leaders. But, they hasten to add, all that is part of the past — things will be different in the future. How different? "One basic positive by-product of the post-Stalin developments," writes Stalinist "labor expert" George Morris in the April 22 Sunday Worker, "has been a quickening of the process of Marxist independence in every land." This time is played in every key by all CP leaders.

CP UNION POLICY Independence, critical self-analysis and agonizing reappraisal. That is the theme song of Morris and his cohorts. As the labor movement is his special field, Morris confines his "self-criticism" to CP trade union policy. To begin with says Morris:

"I don't think it is a question of atoning for sins, although that's part of it. Primarily the problem is to look back to see if we are going on the right road ahead. My own view is that the left, particularly the Marxists within it, has been responsible for some serious mistakes in the trade union field. Most of them can be traced to a lack of independence and clinging to dogmatic formulas and doctrinaire

scriptures, when we should have grappled with the problems of REALISTICALLY applying Marxism to American life and problems."

It is first necessary to decipher this Stalinist jargon. The term "Marxist" in the above quoted passage applies to members of the CP. "Lack of independence," refers to selling out the workers whenever Kremlin policy required it. "Clinging to dogmatic formulas and doctrinaire scripture," is a new note coming as an aftermath of the open revision of Marxist theory by the recent 20th Congress. The language is identical with that used by vulgar critics and bitter enemies of Marxist doctrine.

The literature of the reformist Social Democracy, which sought to emasculate the revolutionary essence of Marx's teachings, is studied with such epithets. Lenin spent the better part of his life in irreconcilable struggle against all attempts to present Marx as a bourgeois democratic reformer. He was constantly reviled as "dogmatic" and "doctrinaire." His collected works are a veritable arsenal in defense of orthodox Marxist doctrine. And the October revolution was historical confirmation of revolutionary Marxist theory.

You will find nothing in Marx, Engels, Lenin or Trotsky to support the "coexistence" theory of Khrushchev-Stalin and their American exponents. Marx's outstanding contribution to social science was the disclosure of the class struggle as the greatest motive force in history. He affirmed that in capitalist society the exploited working class has nothing in common with its exploiters — the profit-gouging capitalist class. That the working class can emancipate itself from wage slavery only through independent class action on the economic and political field. That class collaboration was a betrayal of the struggle for socialism. That is basic Marxist doctrine!

How does Morris propose to use his newly acquired "independence" in "REALISTICALLY" applying Marxism to American life and problems? After a soul-searching reappraisal of past events he informs us that:

"A serious examination of the trend in the left, especially since World War II, I am sure, is bound to lead to the conclusion that the split in the CIO, that came to a climax in 1949 might have been avoided. The blame for the split cannot be placed entirely on Philip Murray and the CIO's right wing. For some time before the split it was apparent that the left forces — influenced strongly by the narrowness and leftism in the ranks of the Marxists — forgot that the key to the success that marked the CIO's first ten years was left-center unity.

"That unity was breached — and the left itself contributed to that breach by its narrowness, over-estimation of its strength, refusal to retreat and compromise some when that was imperative (especially on the presidential race and on the Marshall Plan)." (Morris' emphasis)

This is truly amazing — even for a Stalinist. The basis for the expulsion of the Stalinist-led CIO unions in 1949 was laid at the Portland convention which met in November after Truman was elected president with all-out CIO support. The Stalinist-led unions had supported the candidacy of Henry Wallace, running for president on the Progressive Party ticket.

Flushed with their "election victory" the CIO leaders led by Philip Murray opened a slashing attack on the Stalinists. Murray was voted dictatorial powers to "discipline" any union affiliate which failed to follow CIO policy. The central tenets of CIO policy as defined by Murray were: (1) Unqualified support of the Truman Doctrine and the Marshall Plan, and (2) Support of the Democratic Party and its candidates in elections.

The Truman Doctrine unleashed the "cold war" against the Soviet Union and led directly to the "police action" in Korea and war against China. Marshall Plan funds were used as a weapon in the "cold war." Billions of American dollars were expended to bolster Wall Street's tottering imperialist allies in Europe and to aid them in retaining their grip on their insurgent colonial possessions. More billions were poured into Asia to prop up the reactionary dictator puppets of American Big Business. The Marshall Plan was devised to save world capitalism, to stabilize capitalist rule, and to lay the ground work for World War III against the Soviet Union and its allies.

Now the "independent" Morris, in a quick glance backward, takes a pot-shot at "the left" for its "refusal to retreat and compromise" "especially on the presidential race and the Marshall Plan." To set the record straight it must be said that the Stalinists did their best to "retreat and compromise" at the 1948 CIO convention. They gave "left" support to the Marshall Plan by proposing that the fund be administered by the United Nations. They protested that the Progressive Party campaign for Wallace aided in the election of Truman. They cringed, they crawled, they retreated, they offered to compromise. But that was not enough for Philip Murray and his lieutenants. Nothing but complete and abject capitulation would have sufficed. Now, in retrospect, Morris comes to the conclusion that Philip Murray was not entirely to blame but that the "left" must share responsibility for their failure to "REALISTICALLY" apply "Marxism to American life and problems."

It would be stupid to think that Morris' indulgence in the new-found luxury of "self-criticism" is a mere exercise in critical re-examination of the past. There is method to his madness. Next to the Stalin cult disclosures the thing that is most disturbing to CP members and supporters is the policy of supporting the Demo-Dixiecrat party and its candidates for public office. Morris is engaged in drawing "lessons" from the past in order to sell the Kremlin's present co-existence line to CP members and supporters.

All of the twaddle about applying Marxism "realistically" is mere window-dressing for a policy of class collaboration which violates basic Marxist doctrine. Morris and Co. are trying with might and main to cuddle up to the American trade union bureaucrats, and are prepared to sell-out the interests of the American workers one-thousand-times over to accomplish their aim. While this betrayal is cloaked in all of the paraphernalia of the new dispensation it adds up to the same old poison in new bottles.

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THE MILITANT

Published Weekly in the Interests of the Working People

THE MILITANT PUBLISHING ASSOCIATION

116 University Pl., N. Y. 3, N. Y. Phone: AL 5-7408

Editor: MURRY WEISS

Business Manager: ANNE CHESTER

Signed articles by contributors do not necessarily represent The Militant's policies. These are expressed in its editorials.

Entered as second class matter March 7, 1944 at the Post Office at New York, N.Y., under the act of March 3, 1879.

Subscription \$3 per year: \$1.50 for 6 months. Foreign: \$4.50 per year; \$2.25 for 6 months. Canadian: \$3.50 per year; \$1.75 for 6 months. Bundle Orders: 5 or more copies 6c each in U.S., 7c each in foreign countries.

Vol. XX — No. 18

Monday, April 30, 1956

May Day 1956

Despite temporary setbacks and detours, the progressive development of mankind has proceeded along the path charted by Marx and Engels. History has brilliantly confirmed the Marxist prognosis. The non-capitalist world now embraces one-third of the human race. The remainder is shaken by an insurgent mass movement comprising the most exploited and oppressed sections of humanity.

The Marxist prognosis has been conspicuously amplified and enriched by Leon Trotsky's illuminating theory of the permanent revolution. Trotsky etched the continuing and permanent character of revolutionary change within each country and on a world scale. He traced the interaction between the two and pinpointed the role of the various class forces involved in the struggle. The end product of the course of historical development outlined by Trotsky is world socialism.

Capitalism Off Balance

On May Day 1956 the events of the past year are a source of great encouragement to the advanced workers of the world. They highlight the dynamic quality of Trotsky's revolutionary concept. History does not proceed in a straight line. Capitalism breaks at its weakest link. The initiative has temporarily passed into the hands of the more economically backward areas of the earth. The forward thrust of the colonial revolution has thrown the main capitalist powers off balance, upset their timetable for war, prevented the establishment of any degree of stability, altered the world relationship of forces and given an impulse to the revolutionary movement in the industrial centers.

The insurgent masses of the colonial countries are now making payment on their debt to the Russian revolution of October 1917. The October revolution set in motion the current wave of colonial revolt which has now swelled to formidable proportions. The Bolshevik party, under the leadership of Lenin and Trotsky, was the first to recognize the tremendous evolutionary potential lodged in the colonial struggle for national independence. They championed the doctrine of self-determination for all subject peoples. They formulated the theory, elaborated the program, provided the leadership and set in motion the forces of revolt against capitalist-imperialist domination of the colonial world. They saw in the horribly impoverished, downtrodden and cruelly exploited colonial masses the most reliable allies of the Soviet Union and the world working class. History has eloquently verified their conviction.

The leaders of the Russian revolution viewed the Soviets as the first conquest in the world-wide struggle for socialism. They considered the extension of the October revolution as the only effective defense of the first workers' state. They saw the Soviet Union as a beleaguered fortress surrounded by capitalist reaction. They sought to rally the workers of the industrial West and the colonial slaves in struggle against the common enemy. Despite their most heroic efforts, the revolutionary wave receded. Capitalism proved too strong and the revolutionary leadership in the West too inadequate. The revolution was confined within the borders of the Soviet Union, besieged by capitalist expeditionary forces and racked by civil war.

'Socialism in One Country'

Although unable to make their own revolution the workers in the West were powerful enough to prevent the destruction of the Soviet state. The Soviet economy, devastated by war and civil conflict, was bleeding at every pore. The ranks of the Bolshevik party were decimated in the civil war. The industrial workers, the backbone of the revolution, numbered only three million out of a total population of approximately 140 million. Hope in the extension of the revolution faded. The reaction set in.

It was on the basis of the reaction that the Stalinist bureaucracy arose and consolidated its power. As against the Bolshevik program of international socialism embodied in the doctrine of permanent revolution, Stalin counterposed the reactionary and utopian theory of "building socialism in a single country." This "theory" fitted the needs of the rising bureaucratic caste like a glove. Eager to exploit the conquests of the revolution and greedy for the privileges that came with bureaucratic power, they saw in Stalin and his "theory" the man and the formula to screen the satisfaction of their voracious appetites. This was the genesis of the Stalin cult.

In practice, the theory of building so-

cialism in a single country has meant building socialism in no country. It meant subordinating the interests of the workers and colonial people to the needs of the Kremlin bureaucracy. It led inexorably to the betrayal of the socialist revolution. Probably the greatest crime of the "Stalin cult" arose from the theory and practice of national socialism which has served to prolong the existence of outlived capitalism. Humanity has paid heavily for this crime and the end is not yet!

Stalinism served to delay the final reckoning but it could not stay the onward march of history. The permanent revolution prevailed over Stalinist reaction. Following World War II, putrefying capitalism crumbled in its weakest centers. Despite all Stalinist attempts to contain it, the revolution was extended beyond the borders of the Soviet Union. In China, the Stalinists tried to make a deal sponsored by the American State Department, to share the power with Chiang Kai-shek through the medium of a coalition government organized on a capitalist basis. That they failed is no credit to them. The recalcitrance of Chiang, and more important, a surging mass movement of the multi-millioned Chinese workers and peasants, impelled them to take the power. In its impact on history the Chinese revolution is second only to the October overturn in Russia.

In the Soviet Union the nationalized property forms established by the October revolution demonstrated undreamed-of vitality in repairing the war damage and catapulting the Soviet Union into a position of world industrial power second only to the American colossus. The Soviet industrial working class has grown from three million at the time of October 1917 to 48 million today. No longer isolated and encircled by hostile capitalist powers, with its specific social weight enhanced by its strategic position in production, the Soviet working class has acquired enormous confidence and assurance. Confidence and assurance due in no small part to the revolutionary impulse imparted by the colonial struggle against world imperialism.

New Stage in Russian Revolution

The concessions already wrested from the Kremlin bureaucracy by the mounting pressure of a revitalized Soviet working class is only the beginning. The events taking place in the Soviet Union today mark the first stage of the political revolution which has as its aim the restoration of workers' democracy in the Soviets, the establishment of democratic trade unions with workers' control of production and the reconstitution of Lenin's Bolshevik party. The victory of the political revolution in the Soviet Union will again elevate to a position of pre-eminence the theory and practice of international socialism as codified in the theory of the permanent revolution. Decrepit capitalism could not long survive the event.

Even today, the centers of capitalist imperialist power are severely shaken. The revolution in Indo-China, the insurrectionary movements for independence in Tunisia, Morocco and Algeria, have created a condition of perpetual crisis in France. The power of British imperialism has been undermined by the loss of its most coveted colonial possessions and the continuing revolt of its subject peoples. The recent general strike of the Spanish workers and the movement for independence in Spanish Morocco, herald the beginning of the end for the bestial Franco dictatorship. Each recurring shock to the imperialist system sends a tremor through the citadel of world capitalist power in the United States.

Negro Struggle in U.S.

As the dominating capitalist power the American ruling class has grown sensitive to the pressure of world opinion. They have been compelled to take cognizance of the swelling protest against color discrimination voiced by the newly-awakened masses in the erstwhile colonies. The desegregation decisions of the U.S. Supreme Court were, in large measure, a concession to this pressure. Taking the concessions as a new point of departure and using them as a springboard for a further advance, the Negro people are pressing forward on all fronts in their fight for civil rights.

Montgomery is a harbinger of things to come. The forces of freedom, progress and socialism are on the march. When the powerful American labor movement joins forces with the movement for Negro equality in militant action to storm the last stronghold of the racist open-shop Dixiecrat South, the knell of world capitalist power will have sounded.

Since the campaign against Stalin was unleashed by his closest collaborators in the Soviet Union, it has become standard practice for the leaders of the American Communist Party, to shift responsibility for all the Stalinist crimes and betrayals of the working class onto the malodorous "Stalin cult." In following this course they ape the bureaucrats in the Kremlin who see in Stalin's corpse a convenient scapegoat.

Stalin's closest co-workers in the Kremlin say they did not act when the bloody tyrant was alive because they were paralyzed by fear. They knew what was going on but did not protest because they wanted to save their own skins. They were afraid — so they went along. They participated with Stalin in committing the most monstrous atrocities. But now that their erstwhile chieftain is safely ensconced in his tomb, they appear eager to confess and expose "his" crimes. In doing so they seek immunity from the wrath of the Soviet masses among whom the name of Stalin became anathema. But — while decrying Stalin's name they continue to carry on, deepen and extend, his basic policies — policies which must inevitably lead to further betrayals of the world working class movement. How is this reflected in the policy advocated by leaders of the American Communist Party?

"TAKEN IN" BY STALIN

Because they operated thousands of miles beyond the borders of the Soviet Union, the leaders of the American CP cannot use the excuse of personal cowardice. They pretend they were "taken in" by the Stalin cult. They did not criticize, they say, because they were afraid of giving aid and comfort to the "enemies" of "socialism." They slavishly followed every twist and turn of Stalinist policy because they had faith! They contributed in their own way to the building of the Stalin cult because they believed in the infallibility of Stalin. They supported every crime and participated either directly or indirectly in every betrayal. But since the Kremlin called it to their attention they are prepared to admit they were mistaken. Not

... Vishinsky Accused

(Continued from page 1)

Stalin. Having coupled its concession on the cult with the immensely popular slogan "Back to Lenin!" the Kremlin is forced to bring out Lenin's real attitude toward Stalin and the bureaucratic danger. Through this, along with genuine economic and legal concessions and reforms, Khrushchev & Co. hope to appear as continuators of Leninism, thus ridding themselves of the taint of their decades of acting as Stalin's hatchet men.

The attack on Vishinsky is of utmost importance as a signal of how far the Kremlin is prepared to go under pressure of the masses in smashing the Stalin cult.

When Vishinsky died in November 1954, he was known in this country as the Soviet delegate to the United Nations. The Stalinist press mourned his death as the "dean" of Soviet law.

But Vishinsky was a sinister figure, who advanced to prominence in the Stalinist machine through his role in the slaughter of Lenin's general staff. In the Russian Revolution of 1917, Vishinsky was on the side of the counter-revolution. He came over to the Bolsheviks only after the definitive victory of the beleaguered young workers state. An obscure careerist, he made his way through his ability to play the role of "prosecutor" in the frame-up scripts prepared by Stalin's secret political police.

In the 1936 Zinoviev-Kamenev trial, Vishinsky raged at the defendants, calling them "fascist mad dogs" and worse. These Bolsheviks, who had fought shoulder to shoulder with Lenin and Trotsky as leaders of the Russian Revolution were denounced by Vishinsky as in league with Hitler and as morally responsible for the assassination of Kirov. Vishinsky demanded that these heroes of the Revolution be summarily shot, a demand that was carried out.

The main pillar of this trial was "confessions" of guilt by the defendants. Aside from this the "evidence" consisted of such items as an alleged "meeting" with Trotsky in the "Hotel Bristol" in Copenhagen.

Trotsky denied any such meeting and pointed out that the defendants were not his followers, but on the contrary had done their best to make peace with Stalin. Trotsky's denial was confirmed by proof that no "Hotel Bristol" existed in Copenhagen. It had been torn down years before.

Vishinsky paid no attention to

this. The death sentence was carried out and Stalin's followers the world over tried to justify the judicial murders by asking why the victims "confessed" if they were not guilty.

In 1937 another trial was staged to make up for the bad impression created by the Zinoviev-Kamenev farce.

Again Old Bolsheviks were put in the dock. Again Vishinsky called them "fascist mad dogs." Again they "confessed" to being in league with Hitler and of organizing the assassination of Kirov, plotting the death of Stalin and attempting to bring back capitalism to the Soviet Union through the aid of a foreign power.

Again the sole "evidence," an alleged airplane trip by Pyatakov to Oslo to visit Trotsky, was proved to be a fabrication. And again despite the exposure of the frame-up, Vishinsky demanded the death sentence and it was carried out.

1938 TRIAL

The last big trial in which Vishinsky figured was in 1938. His victims this time included Bukharin, Rakovsky, Rykov and other stellar names in the Bolshevik Party in the early days. Also included was Yagoda, the head of the secret political police who had organized the first two trials. He was now being made to pay the price for his errors in the previous frame-ups which had led to their easy exposure.

Besides repeating the charges in the previous trials, Vishinsky added some new twists. The "plotters" were accused of poisoning the famous novelist Maxim Gorky, and of plotting to overthrow the Soviet regime as early as 1918 by murdering Lenin, Stalin and Sverdlov. Trotsky was accused of having been a German spy since 1921!

The frame-up in this trial was exposed while the trial was in session but that didn't save the hapless victims. On the basis of their "confessions," Vishinsky demanded the death penalty and 18 were shot.

DEWEY COMMISSION

The famous Inquiry Commission headed by John Dewey, the American philosopher and educator, had already proved that the first two trials were frame-ups and that the victims, including the two main defendants, Leon Trotsky and his son Leon Sedov, were innocent. Thus there were few outside the most glibble Stalinists who accepted the 1938 trial as genuine.

The world was even more con-

victed that the plotting was on the side of Stalin and that it was directed against Trotsky and Trotsky's program of revolutionary socialism, by two significant facts. First, Leon Sedov died just a month before the trial under mysterious circumstances in a Paris hospital. Second, while Stalin's agents were trailing Sedov and attempting to assassinate him, the Stalinists organized a big campaign to deprive Trotsky of his asylum in Mexico, thus preventing him from speaking out and exposing the impending trial.

The charges in the 1938 trial were so fantastic that Trotsky said of them: "Having cut themselves loose from every responsibility, the totalitarian leaders have cut themselves loose from the elementary laws of common sense. The Moscow trials strike one as grandiose nonsense, as the delirium of a lunatic armed with enormous power. It would be no exaggeration to say that this part of the accusation is saturated with TOTALITARIAN IDIOCY."

When Bukharin, Rykov and the others were shot as "fascist spies," Benito Mussolini was so pleased that he wrote in his own newspaper, Popolo d'Italia, that Stalin "had become a Fascist." And the Italian dictator added: "Stalin does not resort to castor oil to punish Communist leaders who are so stupid or criminal as still to believe in Communism. Stalin is unable to understand the subtle irony involved in the laxative system of castor oil. He makes a clean sweep by means of systems which were born in the steppes of Genghis Khan... Stalin renders a commendable service to fascism."

THE REAL CRIMINAL

The only "evidence" in the Moscow trials was interlocking "confessions," all of which were proved to be false at the time they were made. Today's attack on the practice of trial by confession is thus an attack on the validity of the Moscow Trials, no matter what other aims it may have such as assuring the bureaucrats there will be no repetition of such monstrosities. To name Vishinsky helps make this clear. But Khrushchev & Co. have yet to name the real criminal in the Moscow Trials, the one really guilty of introducing trial by confession: namely, Vishinsky's master, Stalin.

The way the pattern of concessions is developing, however, that concession too will be wrung from the bureaucrats who helped Stalin stage the Moscow Frame-Up Trials.

Marxism vs. Stalinism

By Myra Tanner Weiss

Karl Marx was born on May 5, 1818. On that day began the life that was to be devoted to laying the scientific foundation for man's understanding of his social existence, the discovery of the laws of motion of capitalist society. Above all else — with Marx began man's conscious intervention into the process of historical change.

During Marx's life and ever since, the capitalist rulers have been hard at work trying to refute him. In vain! Marx's views found more and more adherents in the working class. Today his name shines brighter than ever and his ideas light the way for the anti-capitalist movement of hundreds of millions of working people.

FIRST WORKERS' STATE

In less than a century after Marx's birth, the working class of Russia won a great revolution which established the first workers' state in history. Thus the validity of Marx's central thesis that capitalism would be replaced by a planned economy instituted through a proletarian revolution was proved. With this historic event the main body of the "refutations" of Marx's views collapsed like a house of cards.

As the authority of Marxism grew in the eyes of oppressed people everywhere, so did the number of pretenders to the Marxist school. Chief among these claimants within the working class are the Stalinists, who in the United States call themselves the Communist Party. It isn't possible, however, to decide who is a Marxist and who is not by what people claim to be. There is an objective test: before all else Marxism is a correct analysis of the real world. Only with such an analysis can a program of struggle be provided that will bring the workers to power.

A problem of major importance for Marxists of our generation is to understand what is going on in that part of the world where capitalism has already been overthrown — the Soviet sector. How did the "Marxists" of the American Communist Party meet this problem?

The entire non-Stalinist world knew of the police dictatorship in the Soviet Union with its concentration camps, frame-ups, ex-torted confessions, anti-Semitism and officially promulgated pogroms. The capitalists used these crimes of the Stalinist bureaucracy in their effort to discredit the ideas of socialism. The Social Democrats used the crimes of Stalin to justify their cowardly support of the capitalists. Only the Trotskyists analysed



KARL MARX

the phenomenon of the appearance of a police dictatorship in a workers' state, differentiated it from the Russian Revolution and the planned economy and thereby showed the way to defend the Soviet Union against its enemies, internal as well as external.

Foster and his cohorts in the CP saw no evil, spoke no evil and heard no evil. Now their masters have rudely opened their eyes and ears — and what comes out of their mouths? "Explain it to us," they beg of their former deceivers. Even now they cannot attempt an analysis on their own but can only beat like sleep the few facts that are given to them and hail it all as progress, just as yesterday they hailed the crimes and lies of Stalin as "progress." They know no other method.

REWRITING HISTORY

In an article headed, "What Was New at Soviet Party Congress," March 18, the foreign editor of the Daily Worker briefly listed among other items: "The congress condemned practices of rewriting history in order to explain away events in history. It expressed great dissatisfaction with the insufficient works of history, economics and philosophy." That is all. Not a word as to who did the "rewriting." Why they did it. Or what they rewrote.

Almost a month later, April 10, Foster could write in the Daily Worker with complete aplomb, "When all of Stalin's shortcomings (re-writing of history?) and leadership excesses (frame-ups, pogroms, concentration camps?) have been exposed and explained, he will still stand as a fighter who performed great services in the building of Soviet and world Socialism." (My paranoiac questions, MTW.) Is this servile apology for Stalinist crimes to be palmed off as Marxism?

The capitalist world is closer at hand for the American Stalinist leaders. Perhaps here they

are able to do better. But people who have long been trained to take orders from above — can only take orders from above. Thus Joseph Clark in the article quoted above enthusiastically reports another item from the 20th Congress: "The Soviet leaders said that under present conditions they recognize the possibility of a peaceful transition to socialism in various countries. They also said that working people would be able to establish socialism through parliamentary means."

Then Clark goes on to say, "Thus, they (20th Congress) reaffirmed the Marxist premise that Communists never seek violence, in transition or in anything else." But Marx's theory of revolution has nothing to do with the workers "seeking" violence. It was based on the violence of the capitalist class — a violence that is perpetuated daily and ultimately assumes the form of fascist rule if the workers fail to take power.

LAST PRETENSE GONE

The heads of the bureaucratic caste in the Soviet Union, and Clark indecently quick behind them, are throwing out the last pretense to Leninist theory. Lenin devoted himself tirelessly to combating the Social Democrats whom he contemptuously called "parliamentary socialists."

But perhaps the ideas of Marx and Lenin are now invalid. Perhaps we no longer live in an "epoch of wars and revolutions" as Lenin termed it. If so, what change has taken place in the nature of capitalism? Has it ceased to be exploitative? Is it no longer monopolistic? Is the economic crisis resolved? Has imperialism ceased to be expansionist? Has capitalist rule lost its violence?

Far from it. There are differences of course in capitalism as Lenin knew it and capitalism as it is today. But these differences are quantitative, not qualitative. Capitalism is more monopolistic — the whole capitalist world is today dominated by U.S. Big Business. Its need for world conquest is greater than ever before — that is why the capitalists have embarked on a permanent war economy. And there is certainly nothing pacific about a nuclear arms race.

There is now only one body of Marxist thought that stands the test of time. With Stalin acknowledged as a tyrant everything published by the Communist Party in the last three decades has to be revised from beginning to end. Anyone who is serious about finding the road back to Marxism must begin with the work of Leon Trotsky.

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THE MILITANT

VOLUME XX

MONDAY, APRIL 30, 1956

NUMBER 18

Buffalo Smith Act Victim Sentenced to 5 Years

By Theodore Kovalesky

BUFFALO — John Francis Noto, former local Communist Party organizer, was found guilty April 12 of violation of the "membership" clause of the Smith Act and sentenced to serve five years

in a federal prison. Thus Noto, suffering the penalty for having "dangerous thoughts," becomes the first witch-hunt victim in New York State under this vicious provision of the Smith Act.

The prosecution took very few chances in the selection of a jury which would be virtually certain to convict Noto. One of the questions asked prospective jurors — and this was entirely unprecedented in this area — was, "Have you ever been a member of either Bell Local 501 UAW or Westinghouse Local 1581 IUE?" These two powerful locals, among the largest in the Buffalo area, have long been noted far and wide for their militancy.

Also among the questions was a list of publications including both the Daily Worker and the Militant. Obviously anyone answering that he had read these papers would have been disqualified immediately.

After such careful screening, the jury eventually selected was a middle-class grouping composed mainly of managerial types and well-to-do women, who listened with stony faces to the proceedings and took a scanty three-and-a-half hours to reach a verdict of guilty.

STOOL PIGEONS

As is usual in these witch-hunt trials, much of the time was spent on testimony of government stool pigeons. These fell into two categories: first the spies who had operated within the CP as members while actually turning in reports to the FBI; and second former members who had believed in the principles of Stalinism and then

later, as paid informers, betrayed their former comrades.

In the latter group was John Lautner, former high-ranking functionary of the Communist Party, who was mentor and guide to the bumbling prosecutor, U.S. Attorney John O. Henderson.

One stool pigeon whose testimony positively enchanted the jury was Joseph Chatley, a bus driver who joined the Communist Party in 1949 as an FBI informer. Chatley unfolded what the Buffalo Evening News described as a "cloak and dagger" account of supposedly being assigned to conceal a top ranking member of an "atom spy ring" in his home. He claimed Noto had told him that a certain man would appear at his house with a certain password. Since the actual time of the gentleman's appearance was vague, Chatley would have to remain at home during certain specified hours each night awaiting the mysterious stranger. But although he waited patiently for months, Mr. X never did show up.

That a new party member such as Chatley should be trusted with such an assignment (if we grant for a moment any part of this cock-and-bull story) would seem inconceivable on the face of it. The jury, however, digested this rich comic-book material without even a burp.

COOL RECEPTION

In 1952 Chatley managed to get himself removed from his post on the transit local's executive board to prove to the FBI what a roaring red role he was playing as a militant Communist. This past week, after his former "radicalism" was exposed

as the tawdry trickery of a stool pigeon, Chatley hastened back to his union. Expecting to be greeted with cheers and perhaps a rousing chorus of "Hail the Conquering Hero," he was instead greeted with silence. When finally some friend of his moved that the membership extend an apology to him for their past action, the unionists weren't interested and refused to reconsider their past position. Evidently they didn't like stool pigeons.

Following the conviction, Federal Judge Harold P. Burke immediately raised Noto's bail from \$10,000 to \$20,000. The witch-hunt victim, unable to produce it, was committed to the Erie County Jail. This is entirely in keeping with the savage precedents that have been set in this period concerning political prisoners. Excessive and discriminatory bail, although in direct violation of the U.S. Constitution, has become the rule rather than the exception where victims of the witch hunt are concerned. The defense is appealing the excessive bail as well as the conviction.

While Noto was virtually unknown in the Buffalo area, the capitalist press nevertheless devoted enormous space to the coverage of the trial. Not since the Korean War has the witch hunt locally been raised to such a pitch. But as every action has its own reaction, there are very definite signs of resistance to it.

When John Noto was attempting to raise his original bail of \$10,000, the Buffalo Branch of the Socialist Workers Party gave him what financial aid it could. At that time the SWP stated that it would then and in the future be glad to assist him in this case in any way possible, despite fundamental political disagreements.

... Montgomery Fight

(Continued from page 1)

against any and all who dared to cross the color line.

THE FIGHT CONTINUES

The fight in Montgomery goes on! The ranks of the freedom fighters are standing firm. Their heroic struggle has already made impressive gains. Their sustained protest action has made Jim Crow a major issue in the presidential election campaign. It has spurred labor leader Walter Reuther to issue a public ultimatum addressed to the chiefs of the Democratic party: "You've got to make a choice — you cannot have Mr. (Senator) Eastland and have us at the same time."

The mass action in Montgomery was directly responsible for the capitulation of the bus companies on the segregation issue and was largely instrumental in upsetting the segregation pattern in a number of important cities of the border states. We can be assured that it plays no small part in the deliberations of the august Justices of the Supreme Court.

And the fight goes on! The recent events are calculated to impart an added impetus to the struggle for civil rights. The movement of support for the embattled Montgomery freedom fighters must be expanded and intensified. Especially by the organized labor movement. Many unions throughout the country have contributed material aid to the bus protest movement. But by and large the initiative has come from the ranks with only an exceptional union leader here and there coming out in active support.

THE ACID TEST

It is not enough for Walter Reuther to berate the leaders of the Democratic party for their failure to take a stand for civil rights. The acid test today for those who champion the cause of civil rights is Montgomery. That is the front line. That is where the issue has been joined. That is where the victory can be won — if labor throws its power into the breach on the side of the indomitable freedom crusaders.

Reuther is president of the most powerful labor union in the country. In addition, he is head of the industrial union section of the AFL-CIO. The minimum, the absolute minimum he should do, is to call upon the unions which look to him for guidance and leadership, to respond to the appeal of the Rev. Dr. Martin Luther King Jr., head of the Montgomery Improvement Association, for 100 station wagons to provide transportation for the Montgomery Negro community.

That is not much to ask. The United Automobile Workers, alone, numbering over one million members, could very easily finance the entire project.

While material aid to Montgomery is the immediate need, much more is required to batter down the walls of color discrimination and segregation in the South. A call for material aid by Reuther — or any other top leader of the AFL-CIO — would set the entire labor movement in motion. The Montgomery mass movement has set the stage for the union organization of the open-shop South.

The AFL-CIO has announced it has accumulated a huge fund amounting to many millions of dollars to organize the South. The organization of the South was given top position in the convention deliberations which unified the two organizations.

The militant mood of the Negroes in their fight for civil rights has been matched in recent times by militant strike action by key unions in the South for their economic demands. If both are joined in unified struggle against the common foe the victory is assured.

The rapid industrialization of the South has created a large urban working class. The fear of unionization on the part of the Southern plutocracy has grown in direct proportion to the ex-

panding working class concentrations in the cities. Their traditional weapon to keep the workers divided is color discrimination and segregation. Their racist propaganda is designed to cloak their naked material interests.

They can succeed only so long as the labor leadership fails to intervene. With a correct policy and program and with a determined leadership, the labor movement can rally the workers, white and black, in defense of their mutual interests.

The White Citizens Councils have been able to prevail only because the labor leaders have been derelict in their duty. Too long a delay can only accelerate and strengthen the divisive tendencies already dangerously manifested in a number of Southern union affiliates under the influence of elements associated with the anti-Negro, anti-union White Citizens Councils.

Conditions are favorable now for a major thrust into the open-shop South. By launching a successful organizing drive now the relationship of forces in the entire country can be altered in favor of the working people. The union leaders have the money, they have the mass power, Montgomery has provided them with a favorable conjuncture — all they need is the will.

Chicago Unionist Arrested While Collecting Funds for Montgomery

Chicago cops last week arrested Kenneth Sanders, active Chicago trade unionist, for collecting funds to finance the purchase of a station wagon to be contributed

to the Montgomery car pool. Sanders was acting as an authorized representative of the Chicago Station Wagon for Montgomery Committee which is engaged in a campaign to augment the Montgomery car pool by raising funds from sympathizers and supporters of the fight against Jim Crow.

The charge against Sanders was based on the flimsy technicality of collecting funds without being "affiliated with any charitable organization authorized by the city council to solicit funds on designated days." Cops are the same the world over. In Montgomery the cops harass drivers of the car pool by arrests on legal technicalities. A practice duplicated by the cops in Chicago who harass supporters of the bus protest movement.

The Chicago Station Wagon for Montgomery Committee was set up after a mass meeting in that city heard a report by Socialist Workers Party presiden-

Macy Picket Injured



Injured striker, Ceil Curry, is helped by fellow-pickets while waiting for arrival of ambulance. The 12-day strike of 8,000 Macy workers, the largest department store in the world, was settled April 23. Some concessions were made on all of the union's demands except working hours.

... Key Issues of 1956

(Continued from page 1)

representative of the American CP in 1928.

"The crisis of world Stalinism, made evident by the 20th Congress of the Communist Party of the Soviet Union is an expression of a new stage of the Russian Revolution," Cannon said. "The Russian Revolution has dominated the course of the world in the last 39 years. It is the greatest force in history, because it marked the beginning of the world revolution. Our struggle against Stalinist reaction has been a struggle to uphold the program of the authors of the Russian Revolution: independent working class political action and the principle that the revolutionary vanguard needs to organize its own party. The long Trotskyist struggle is being vindicated by the events."

Designating the liquidation of the Stalin cult as a genuine concession to the Soviet working class, the resolution on the New Stage in the Russian Revolution states the Kremlin was forced to grant it under heavy pressure from the masses. The Soviet working class — nearly 50 million strong — is beginning to assert itself as an independent force. It will not rest at the present concessions but will keep demanding more. Eventually it will move to overthrow the bureaucratic dictatorship in a political revolution.

Whereas the Trotskyist movement is being confirmed in the principled struggle it has waged since 1923, the entire Stalinist movement — large and powerful as it is — has been thrown in confusion and consternation by the junking of the Stalin cult. In light of this the SWP National Committee adopted plans for a vigorous educational campaign around revolutionary principles betrayed by counter-revolutionary Stalinism. The campaign will feature publication and wide-spread distribution to radical workers of material exposing the crimes of Stalinism and setting forth the authentic revolutionary outlook. "Young workers and students aroused to socialist ideas want to read and study the problems of the working class movement — including the most complicated," said Cannon in his report. "We Trotskyists are the only ones with a body of literature they can sink their teeth in."

The aim of the campaign is to regroup the workers' vanguard around the program of the Russian Revolution, which placed defense of the Soviet Union in the context of the extension of the revolutionary conquests to the entire world. Within the Communist Parties Stalin overthrew Lenin's program of international socialism and foisted on them his own reactionary nationalist course designed to promote the interests of the Soviet bureaucracy.

Stalinist domination of the radical movement brought disorientation to its militants who reluctantly carried out class-collaborationist policies — including support to the Democratic Party in this country — because Stalin had decreed them to be necessary for the defense of the Soviet Union. The denunciation of the Stalin cult by his heirs opens the way for complete re-examination by radical workers of all Stalinist tenets — including those

the present CP leaders continue to preach.

Farrell Dobbs, National Secretary of the SWP, gave the National Committee an inspiring report of his trip to Montgomery, Ala., where he covered the recent trial of the bus-segregation protest leaders for the Militant. He also reported on his trip to Detroit, Chicago and Cleveland to organize aid for the embattled Alabama Negroes.

"The Negro struggle has reached a new stage of development," said the SWP presidential candidate, "Last fall, mass protest meetings and demonstrations took place in the Negro communities in the North and West over the murder of Emmett Till. Then, an independent Negro mass movement began to assert its power in the South. This was dramatically illustrated by the protest movement in Montgomery."

UNIONIZE THE SOUTH

The action, added to the upsurge of labor militancy among white workers as shown in the strike wave last year, creates favorable conditions for an AFL-CIO campaign to unionize the South. Success would demolish the last stronghold of the open shop in the U.S. and undermine the political power of the Southern Bourbons, one of the firmest pillars of Big Business rule in the U.S.

Dobbs scored the AFL-CIO top leaders for failure to send representatives to the Montgomery trial and launch an all-out campaign to aid the Negro movement. Their failure to act is playing into the hands of the White Citizens Council, who by default are organizing white workers into their ranks. The primary reason, he said, for the do-nothing policy of the top labor officialdom on this score is their tie to the Democratic Party.

The National Committee sent a message to the Lanka Sama Samaja Party, Ceylonese Trotskyist organization hailing its recent election gains. "By its irreconcilable struggle on behalf of the working masses the LSSP paved the way for the ignominious defeat of the reactionary Kotelawala government," said the message. "This defeat constitutes a telling blow at Anglo-American imperialism in Asia and throughout the world. . . . The election results, which registered your growing strength, should prove of inestimable aid in advancing Trotskyist ideas and methods of struggle throughout the colonial world, ideas and methods which are embodied in the theory of the permanent revolution. For the colonial masses there is no way to emancipation except through socialism."

The last item of business of the National Committee meeting was to launch a Socialist Campaign Fund to finance the ambitious educational and propaganda activities planned. The fund would include financing of the SWP's civil rights and civil liberties campaign and a publications program of books and pamphlets dealing with the Russian Revolution, Stalinism and other major theoretical problems of the socialist movement. Radical workers, battlers for civil rights and champions of civil liberties are urged to send their contributions to the Socialist Campaign Fund, 116 University Place, New York 3, N. Y.