

# Malkin and Franklin Go to Prison

THE American Frame-Up System claimed two more victims when the New York Court of Appeals confirmed the conviction of comrades Maurice L. Malkin and Leo Franklin in the famous Mineola furriers' case. These two fur workers entered Sing Sing prison on Monday January 14, 1929, to begin serving their sentences of two and one-half to five years.

Both of these new class war prisoners are rank and file fighters who have done valiant work on the picket line in the great battles of the Furriers Union. Comrade Franklin is a non-Party worker. Comrade Malkin is one of the pioneer American Communists who has been with the Party since its formation. Prior to that he was active in the I.W.W. and the Left Wing of the Socialist Party. The imprisonment of Comrade Malkin is a heavy blow to the forces of the Opposition. He was the first Party member to enlist in the struggle for the cause of the Opposition when the "Three Generals Without an Army", standing alone, unfurled the banner of Trotsky and the Russian Opposition on October 27. Malkin was not a shame-faced sympathizer, but a soldier who fought in the open for his convictions. He was the first to distribute our statement to the Party members and the first to take a bundle of our Militant to sell before the Workers Center. From the beginning of this historic struggle till the day of his departure for prison he was in the forefront, one of the most active, most tireless, most devoted and courageous workers for our cause. The group of Opposition Communists which grew and became hardened into an iron solidarity under a drumfire of slander was inspired not a little by his infectious enthusiasm and unwavering confidence.

The tragic aspect of his imprisonment for the Communist movement is heightened by the fact that this loyal Communist and fighter for the labor movement was expelled from the Party by the clique of bureaucrats a few weeks before. Since then they have been very busy defaming his character. They hated this up-standing militant, who told them to their faces what he thought of them and they tried in every way to discredit him. "Renegade", "counter-revolutionist" and similar epithets were showered upon him till the very hour the prison doors closed behind him.

The Daily Worker covered itself with infamy by its deliberate sabotage of the publicity. They could not bring themselves to mention his name in the issue of January 7, which announced a protest meeting on the case, speaking only of "two fur workers who were sentenced to serve from two and a half to five years in prison." His speech at the convention of the Amalgamated Fur, Dress and Cloak Makers, the speech of a true revolutionist, and the great ovation given him by the assembled workers, was omitted entirely from the Daily Worker reports of the convention.

Those who have recently become the leaders of the International Labor Defense as a result of factional machinations have also made a shameful record in this case. They announced a protest meeting on the case for January 7, but refused to put comrade Malkin on the speakers' list, and likewise refused his request that comrade Cannon, a member of the National Executive Committee of the I. L. D. and its National Secretary from its foundation in 1925 until October of 1928, should also speak at the protest meeting. When pressed for reasons to justify such an unprecedented procedure, comrade Wagenknecht said: "The Party has decided you cannot speak." Rose Baron, New York Local Secretary of the I.L.D. said: "Neither Malkin nor Cannon can speak because of their political views."

When confronted with the declaration that comrade Malkin would attend the protest meeting called in his name and ask for the floor, they called the meeting off. A period of ten days went by, from the confirmation of the sentence on December 31, till comrades Malkin and Franklin entered Nassau County Jail on January 10, prior to transfer to Sing Sing, without a protest meeting by the I. L. D. in their behalf.

Fortunately, comrade Malkin was still free when the first public meeting of the Opposition was held at the Labor Temple on Tuesday, January 8. He spoke there and the ovation given him by the assembled workers was a warning to the factional upstarts who trifle with the great principle and tradition of solidarity with all class war prisoners. After the mass meeting a farewell party was

given to comrade Malkin by the Opposition group, which lasted till a late hour.

We will not forget comrade Malkin. His dauntless courage in the darkest hours and the Communist spirit with which he faced the prison ordeal will remain with us as an example and an inspiration to weld our ranks more closely together and battle onward for the victory of the proletarian cause.

## FAREWELL NOTE FROM COMRADE MALKIN

Jan. 9, 1929.

Dear Jim:

*I am very sorry that I did not find you home. I wanted to say Good-bye to you, Marty and Max, but I hope we will see each other soon. I am going in tomorrow at 8 A. M. so tell the bunch that they should excuse me for it.*

*Well, Good-bye, and always count on me in our fight. You will hear from me from my hotel, Sing Sing.*

M. L. MALKIN.



Maurice L. Malkin

## Malkin's Statement

Regarding the decision of the Court of Appeals confirming the sentence of 2 1/2 to 5 years in prison for activity in the Furriers Strike of 1926.

Comrades and Fellow-Workers:

"The decision of the Court of Appeals confirming the sentence of two and a half to five years in prison against comrade Leo Franklin and myself is another act of the judicial system proving its class character and its role as an instrument of the capitalists in their war against the workers' organizations. So our union must regard it and point it out to all workers as another proof that justice for the workers can come only from their own organized power. Our sentence, intended to terrorize the workers, can thus be turned into a means of overcoming illusions about class courts and class justice.

"Our conviction and sentence is a result of the operation of the Frame-up System by means of which many fighters for the working class have been victimized in the mad campaign of the ruling class and its governmental agencies to smash the labor movement. Mooney and Billings are serving a life sentence through the frame-up system. Our glorious martyrs, Sacco and Vanzetti, were done to death by it. The Centralia prisoners, the prisoners of the Passaic strike, the Ziegler miners, the previously convicted members of our own left wing in the needle trades (Furrier Samuel Kurland)—all these and many others have fallen victim to the American Frame-up System. Now it is our turn. We are rank and file fighters, but we will hold our heads up under this blow and serve our cause in prison by conduct worthy of revolutionary labor militants.

"This frame-up against us is the joint work of the employers, the State government and judicial system, the A. F. of L. machine, the right wing leaders in the needle trades and the Socialist Party. We go to prison as a direct result of this conspiracy. Every needle trades worker must be made to

understand the part of the right wing leaders and the Socialist Party in this infamous Frame-up. The workers must be shown that these elements have acted in this case, as they always do, as the direct agents of the exploiters. Every worker who supports them is supporting this class enemy.

"We put our hope and confidence in the new Amalgamated Union. We call upon all needle trades workers to rally to it and build it into a mighty power for the workers in the daily struggle and an instrument for the final liberation from the slavery of Capitalism.

"In this parting statement I want to make the following personal remark. I stood up in the court at Mineola as an avowed Communist and in all my activity as a rank and file fighter for the Union I have been animated by my allegiance to the principles of Communism and to the Communist Party which is the only party of the workers. On the eve of my departure for prison I reaffirm that stand. It is in the nature of things that Communists should be among the first to pay the price of prison, for the Communist Party fights at the head of militant workers not only in words but in deeds and this must be doubly true of those Communists who belong to the ranks of the Opposition as I do. I firmly believe that the Russian Opposition and International Opposition under the leadership of Comrade Trotsky is defending today on an International scale the true principles of Leninism, of the Russian Proletarian Revolution. I consider my adherence to the cause of the Party Opposition to be an organic part of all my revolutionary and labor activity and I reaffirm my allegiance to the Opposition now. It is very sad that this support of the Opposition has brought about the temporary expulsion of myself and other comrades from the party, and that we have been branded as "renegades" and "counter-revolutionists" by people who have little right to speak about us. In spite of all this I consider myself a member of the party and will act as such. In this, as in all other questions, I am in full solidarity with all expelled comrades of the Opposition. We are and remain Communists just the same. Our expulsion can only be temporary and the slander hurled against us will be refuted by our deeds.

"Comrades, keep up the struggle! Down with the exploiters and their Right Wing Agents! Long live the new Amalgamated Union. Long Live Communism!"

Maurice L. Malkin

## ARREST PHILLY COMRADES

As we go to press, we are informed by Comrade Sol Lankin of Philadelphia that comrades Morgenstern, Leon Goodman, Kravetz and another sympathizer of the Opposition in Philadelphia were arrested for selling The Militant at the Daily Worker Anniversary affair on Jan. 11th. Only Opposition comrades were arrested.

While selling the Militant, they were attacked by party members who proposed to search them (!) Naturally, our comrades declined to be searched—a custom employed against us ordinarily only by "Dicks", D. of J. men, etc. A scuffle developed. Comrade Morgenstern, who wears glasses was struck in the eye, and the broken pieces of glass entered his eye. He was rushed to the hospital. His eye is seriously damaged, and it is not known yet whether he will be blinded in that eye.

The two sympathizers of the Opposition were bailed out by the I. L. D. But the I. L. D. took no action on our comrades so far as we have been able to find, and our comrades had to devise ways of bailing Goodman and Morgenstern out. This was finally done.

Comrade Morgenstern had been held as a material witness. In police court on Saturday Jan. 12, our comrades naturally, would not press any charges against anyone. All four were discharged. The comrades report increasing sales of the Militant and interest in the Opposition program.

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# The Crisis in the German Party

HARDLY had the ink dried on the resolutions of the Sixth Congress of the Comintern which noted the "growth" of internal consolidation in all the sections, than the racking fever of factional struggle rose to a more menacing degree than has been experienced in the Comintern for some time. The elements of a devastating crisis are at hand in their full, diseased bloom in the most important parties of the International: the German, Russian, Czechoslovak, Polish, French and American sections.

In the German Party the crisis is proceeding with unabated rapidity, and it is there that it has found its sharpest expression. For the yes-men in the various Party committees throughout the International it is the simplest thing to put their seal to the resolutions approving the official line which are sent out by the apparatus, in the hope that this will serve to dismiss the issues of the struggle and solve the problems raised by them. A flourish of the pen, a few slanderous denunciations in the press, as many expulsions and removals as are necessary to behead the minority—and a new victory for Bolshevization a la Stalin is chalked up, although the principle questions involved remain unsettled.

The crisis in the German Party was brought to a head in the notorious Wittorf-Thalman case. Wittorf, the secretary of the Hamburg Party district, was finally expelled from the Party after the Left (Urbahns) press had for months published stories that accused Wittorf of mishandling and stealing Party funds. But we had here no ordinary case of individual corruption. Standing behind Wittorf was his factional colleague Thalman, the chairman and leader of the Party, who, although he was fully aware of the criminal guilt of Wittorf, kept the information from the Party committee, denied his own knowledge of the facts and protected Wittorf until the overwhelming evidence finally permitted of no further concealment.

The proved complicity of Thalman in the corruption scandal compelled the Central Committee under pressure of the right wing (Brandler group) and the "conciliators" (Ewert group), to remove him from his post as chairman of the Party, if for no other reason than to safeguard the moral and political prestige of the Party before the proletarian masses. Before Thalman's removal by the Central Committee had properly taken effect, the Executive Committee of the Comintern ordered the Party to reinstate Thalman to his position and attempted to force the entire attention of the Party away from his record in the scandal by raising a hue and cry against those who had exposed him, the rights and conciliators. The Comintern magnanimously excused Thalman by saying that his silence had been in the interests of the Party, that he had tried to prevent the crippling of the "cruiser campaign" that would follow the Wittorf exposure.

But the facts entirely reject such an apology for this German agent of Stalin's faction. Thalman not only knew of Wittorf's peculations prior to the beginning of the cruiser campaign but, armed with this very knowledge of Wittorf's guilt he had proposed him, in the Spring of 1928, as Party candidate for the Reichstag. Moreover, Thalman not only continued to maintain factional connections, and hold meetings with Wittorf after the latter's expulsion, but he had himself partaken of the orgiastic fruits of Wittorf's thieving. Above all, the Comintern failed to explain since when it is proper for any individual to take upon himself the responsibility of "protecting" the Party or its campaign without consulting with or informing the proper committee of his self-sacrificing and heroic intentions.

The demoralizing effect of the rehabilitation (by decree only) of Thalman was accompanied by a violent campaign of denunciation and attack upon the Brandler-Thalheimer group and the Ewert-Gerhard group of conciliators, in short, by the spurious and hypocritical campaign "against the right danger" whose existence was only yesterday so vigorously denied by the spokesmen of the International.

This "campaign" could not hide the bitter facts of the alarming state of affairs in the German Party. Not only in Hamburg, but in other sections on the Party also similar cases were discovered—cases of material corruption which were the expression of the political corruption, which, under the Stalin-Bucharin regime, is eating the

heart out of the Communist Parties everywhere. What the Stalin leadership of the Comintern fearfully refused to recognize is that material corruption flows from a condition where the Party functionaries, appointed in one way or another from above, easily and light-mindedly succumb to material temptations because they realize that there is no control from below, from the ranks. Because they realize that the worker in the ranks has less and less to say about the policies or leadership of his Party. Because they realize that an uncomplaining and unquestioning readiness on their part to beat the drums for the faction in control; the easy-going levity with which they undersign such crimes as the decapitation, imprisonment and exile of the Russian Opposition, the Chinese and British policies of Stalin and Bucharin—that all this guarantees them protection from the delinquencies or crimes they may themselves commit. Because they realize that the condition for the continuation of Stalin's opportunist domination is the installment in power everywhere—not of tested fighters, not of revolutionists capable of objective, independent thought—but of willing martinets with no past (or worse, a malodorous one) and no future in the movement, creatures like the Thalmanns, Neumanns, Stoekers, Smerals, Cachins, Petrovskys, Martinovs, Lovestones and Peppers.

Brandler, who had returned to Germany after an exile of five years in Moscow, together with Thalheimer, and their group of the right, commenced a sharp struggle against bureaucracy and corruption, gaining wide support from the party membership. To a certain extent they were covered by the Ewert group. (Ewert, it will be remembered, was Comintern representative to the American Party before its 1927 convention where carrying out instructions of Stalin and Bucharin, he turned the Party over to Lovestone once more, after having helped him gerrymander one district convention after another. Incidentally, he was one of the fathers of the Menshevik Panken policy of the Party, together with Lovestone and Weinstein.) The criticisms of the Right group were immediately answered by the Comintern and the Thalman Central Committee with—wholesale expulsions. And it does not bode well for the German revolutionary movement when men like Brandler, Thalheimer, Frolich, Walcher and their colleagues, who are not only the last of the leaders of the old Spartakusbund of Rosa Luxemburg and Karl Liebknecht, but highly qualified mass leaders and politicians, are summarily expelled from the Party, despite the errors they may have made in 1923 and today. Such a procedure is all the more re-

less and portentous when we see that they do not stand alone but that large sections, whole Party districts, stand behind them, and have suffered their fate by the hundreds.

The line of the Brandler-Thalheimer right is not yet clear. Their platform is limited and vague in many respects. They have not said a syllable about the tremendous, burning issues raised by the Trotsky Opposition, or their attitude towards them. On the contrary, there are indications that they are being supported by the right wing (Rykov-Tomsky-Bucharin) in the Russian Party. But it is clear that thousands of the proletarians who are supporting them now do so because that is their sole "legal" means of expressing their antagonism and resentment of the bureaucratic and corrupt regime. To have supported the expelled Urbahns group, which is the best representative in Germany of the line of the Leninist Opposition, would have meant forthwith expulsion for any Party worker. In the Brandler-Thalheimer fight they thought to find this "legal" or "semi-legal" means which the bureaucratic lid had suppressed. But hundreds of these workers are now being expelled for this also. What hysterical fear of the worker-masses in the Party must impel the bureaucrats when they are obliged to take such drastic and fatal steps to halt criticism! The German Party can ill afford these luxuries of expulsion, particularly in view of the catastrophic collapse of its cruiser campaign, so rich in revolutionary possibilities; of its loss of votes in the recent municipal elections; of its loss of prestige following the Wittorf-Thalman disgrace; of its loss in Party membership (the Berlin organization fell from 18,000 to 12,000 members in six months!); of its loss, by expulsion, of the revolutionary fighters who have rallied around our comrade Urbahns in their fight against opportunism and for Leninism.

The warning of Trotsky that the "victory" of Stalin over the Opposition merely foreran Stalin's shipwreck has been realized. The policy of bureaucratic order, of telegraphed command from Moscow, as a substitute for ideological clarity and leadership, has had its black day in the Comintern. Its fruits are evil ones. They have blossomed in crises that rend the leading and most important Parties of the International.

The blows are heavy, and the wounds are already gaping wide. For the dilettantes and adventurers everything is halcyon and as it should be. The serious Communist fighter, however, pauses to think. There is yet time to heal the wounds and restore the militant health of the body. That task belongs to the stubborn fighters. M. S.

## A Muddler on an American Scale - - by A. Lozovsky

(These remarks on American trade union questions by the General Secretary of the Red International of Labor Unions are reprinted from the Official Organ of R. I. L. U. printed in English for October.—Editor.)

Things, however, are different in the United States. Here the Central Committee instigated an opposition against the Fourth R.I.L.U. Congress decisions on the American question. Even previous to the Congress there was much dissatisfaction in the Central Committee of the American Party with my sharp criticism of the erroneous attitude of the Party leadership to the Trade Union Educational League, its passivity on the question of organizing unorganized workers, its incorrect attitude to the Negro workers (its incorrect attitude to the Negro workers, and the way it regarded the reactionary American Federation of Labour. This dissatisfaction was expressed in the protest of the American Communist Party C.C. against the R. I. L. U. appeal to the T. U. E. L. Conference, held in December, 1927, because in this appeal the necessity of organizing the unorganized in the trade unions was stressed. This was further expressed in several articles, among which comrade Pepper's articles occupy a special place.

In "The Communist" comrade Pepper published an article to prove that American capitalism is extremely strong, that the American working class is very poorly organized, that the Party is weak, and that there are many difficulties in general in America. This is what he said also at the Congress. Comrade Pepper sees nothing but the power of American capitalism, and discovering America anew, although this discovery was made long ago, completely passed over those vital problems raised in my articles on the eve of the Fourth R.I.L.U. Congress in the order of self-criticism. To befu-

dle the question still more, comrade Pepper launched the "theory" of the possible growth of the American Federation of Labour. Why did he do this? This was done in order to divert the attention of the Party from the immediate problem that faces us today, of organizing the unorganized, to the future problems that will rise if the American Federation of Labour begins to grow again. All this teacup guessing had only one political meaning—instead of concentrating attention on the most urgent task to dispel the attention of the Party. I do not intend now to take up in detail Pepper's "theory" as outlined in his nine points, but will merely say that whereas comrade Pepper previously frequently lost his bearings in European affairs, today he is all at sea in American affairs. He could be truly named: the muddler of the two hemispheres.

Let us leave comrade Pepper and take up the C.C. of the American Party. The American Communist Party C. C. declared itself to be against the Fourth R.I.L.U. Congress resolution on the American question. Why did they come out against this resolution? This the C.C. is concealing. When the members of the C.C. arrived in Moscow and saw that to oppose the decisions of the Fourth R.I.L.U. Congress would not be very expedient, they declared in Moscow that they had long ago expressed support for the Fourth Congress decisions. It was certainly comic to find at several R. I. L. U. meetings that whereas the majority of the C.C. had expressed support for the decisions, comrades Foster, Bittleman, Cannon and Johnstone, C.C. members, declared that there was not a word on the subject to be found in the minutes of the C. C.