

WORKERS
OF THE
WORLD.
UNITE

THE MILITANT

Weekly Organ of the Communist League of America [Opposition]

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Marine Workers on Trial

The trial of the three marine workers, which was interrupted for a week on account of the illness of Assistant District Attorney Capozzoli, was resumed Monday in the court of General Sessions No. 1 before Judge Allen. With six witnesses for the prosecution already examined, the contentions of the state are already before the jury. The great conspiracy announced last November, with such a fireworks of publicity and cries of the red terror, is taking on the character of a farce at the trial. The gigantic "dynamite plot" to "blow up the shipping" in the New York harbor has dwindled down in the actual testimony to the claim that the defendants were responsible in some way or another for a leak about the size of a quarter which was discovered in the bottom of a worn out sand and gravel barge.

The first witness was John Schimmel, night watchman on the barge "Anthony", owned by the O'Boyle Transportation Company, a non-union concern and complainant in the case. Schimmel testified that on November 4, 1931, at about one o'clock in the morning, he heard a noise that brought him on deck to investigate. Finding nothing there, he went to the hold of the boat and discovered a small hole through which water was entering. He also claimed that a man, whom he now "identifies" as Bunker, called to him from the pier to which the boat was moored and asked him if he had a place to sleep that night. On cross examination it was brought out that the only light on the boat was a kerosene lamp on the cabin 70 or 80 feet from the place where he was standing. There were no lights on the pier, and the only street lights were more than 500 feet away. In addition to these difficulties in the way of positive identification under the circumstances, it was brought out in cross-examination that Schimmel was both hard at hearing and afflicted with poor eye-sight. It was also shown that he was a non-union man, working for a \$1 a day. He was once a member of the Tidewater Boatmen's Union, he said, but admitted he had been "always in trouble with them" and thought "unions were no good".

The next witness, named Murphy, a "runner" for O'Boyle testified that he went on board the good ship "Anthony" about 2 A. M. on November 4th and went into the hold to examine the leak. He found it stuffed up with some material. He also said there was some water in the hold, although on cross-examination, he admitted that he had inspected the boat on the previous day found water in the hold on that occasion. This witness also "found" a battery and some wires and an old alarm clock, which were put in evidence as the instruments with which the shipping in the harbor was to be blown up.

The testimony of Schimmel, the dollar a day hero who had positively identified Bunker, was further discredited by the cross examination of Scarr, of the U. S. Weather Bureau, New York District. As Scarr testified that at 2 A. M. on the day in question, there was a waning moon, and that a shadow cast by a person standing in front of the moon, as it was established the man whom Schimmel "identified" as Bunker stood, would be hard to recognize.

John Hickey, the manager of the O'Boyle Transportation Company, who has been one of the leading fighters against the union in the harbor, gave a touching display of innocence and of disinterestedness in the labor side of the case. It was brought out, on cross-examination, that he had acted as a State's witness in many cases. He "didn't know" if he had any union men in his employ, but admitted that he paid less than the union scale. He didn't know anything about the unions on the water front. "The police," he said, "should know about them." He had never heard of the I. T. B. U. before.

This man, who gets a salary of \$4500 a year for his efficiency as a union smasher, admitted on cross-examination that he gave money to Hoyle, who is regarded as the provocateur in the case. The cross examination of defense attorney Peter L. F. Sabbatino and the bizarre explanations of the witness on this point, evoked a lot of merriment in the court room. Hickey, who has never been known as a spendthrift, got a fit of magnanimity on the day that the defendants were arraigned. Hoyle, he said, asked him for a quarter for cigarettes. But big-hearted Hickey opened his pocketbook and handed him a bill, with the remark—so he said—"share it with the other boys."—the union men whom he is trying to railroad.

The next witness was Lieutenant Leonard of the Harbor Police Squad. He admitted, by way of confirmation, you might say, of Hickey's contention that the union was no way involved—that the headquarters of the I. T. B. U. had been raided, a police padlock put on the door, and the files taken to police headquarters. Leonard knew, he said, that the defendants were union men but "didn't know anything about the Tidewater Boatmen's union or any other union on the water front."

Further ignorance of any connection of unionism with the prosecution was exhibited by detective Bolle, who said

he examined Hoyle "in a little room" at the police station and "got a statement from him." Bolle knew nothing whatever about unions on the water front, he said, and had never heard of the I. T. B. U., nor of the defendants.

As *The Militant* goes to press the trial is still in progress, and is expected to continue for at least another week. The Marine Workers' Defense Committee is appealing for financial support for the expenses of the legal defense. The Communist League, which is affiliated with the Defense Committee, decided at its last meeting to concentrate its activities in the next ten days on the raising of funds for the defense. The address of the Marine Defense Committee is 82 East 10th St., to which contributions should be sent.

OPEN FORUM

THE COMMUNIST PARTY AND THE WORKING CLASS MOVEMENT
TODAY
Lecture by
ARNE SWABECK
on
FRIDAY, APRIL 8, 1932
at the
Labor Temple
14th Street and Second Avenue
at 8 P. M.
QUESTIONS AND DISCUSSION
ADMISSION: 25 Cents
Unemployed Workers Admitted Free
Sponsor: New York Branch Communist League of America (Opposition)

Scottsboro Verdict Must Be Smashed

The six-to-one decision of the Alabama Supreme Court upholding the death sentences of seven of the nine Scottsboro prisoners is a class verdict. It is necessary only briefly to review the case to prove this and to give the lie to the N. A. A. C. P. sabotegers, the socialists and their liberal supporters like the New Republic, all of whom have claimed that the verdict of guilty and sentence of death were the result of the hatred stirred up by the agitation of the Communists.

The nine Negro boys on their way to look for work were taken off a freight train and charged with stealing a ride. But, upon the subsequent discovery on the train of two white girls, the charge was changed forthwith to rape, which, in Alabama, is a capital crime.

The intention of the Southern bourgeois to dispatch the boys with all possible expedition was clearly revealed by the arrangements made for and conduct of the trial. It was held on fair day in a court house surrounded by a lynch mob, held in check by promises from the militia that verdicts of guilty would be speedily forthcoming. The task of the prosecution was made easier by the collaboration of the N. A. A. C. P. "defense" lawyer who produced no witnesses and refused to ask for an acquittal. The trial required only three days. The verdict was guilty. The sentence was death by electrocution. The entire elapsed time between arrest and conviction was only fifteen days.

The decision of the Supreme Court upholds this verdict and sentence. It affirms that the trial was fair and impartial. It says that the militia which fraternized with the mob while it marched around the court house singing the Star Spangled Banner and stopping only to cheer the verdict of guilty "... was notice to everybody that the strong arm of the State was there to assure the accused of a lawful trial."

The six robed and dignified justices found no ground for reversal in the speed of the trial, basing themselves on the precedent created in the speedy trial and execution of Czolgosz, the assassin of McKinley. It is true, they argue, that in the Scottsboro case, no one was assassinated (they intend to accomplish this en masse on May 13th); but, they say, "... we are of the opinion that some things may happen to one worse than death and if the evidence is to be believed one of these things happened to this defenseless woman, Victoria Price..."

The verdict of the Supreme Court speaks the intention of the capitalist class to make a significant example of these boys: to warn the super-exploited, suppressed Negro masses of a similar fate for all who aspire to political, economic and social equality, and dare to struggle for it. It is the familiar answer of the capitalist class to all working class protest—the frame-up. The verdict is a class verdict. The case is a working class issue.

To this class verdict the working class must reply by a united, fighting, mass movement. The working class must close its ranks. It must say to the capitalist class that it will not permit nine of its members to be electrocuted. Through this case the white and black masses must begin to achieve the unity indispensable for the overthrow of capitalism.

The class verdict must be answered by a class fight. For this the I. L. D. and C. P. must break through the shell of their isolation. They must go to the masses with the proposal to unite on this issue. The logic of the situation leads with irresistible force to the tactic of the united front of working class organiza-

tions. Who refuses to see this understands nothing. The I. L. D. must appeal to all working class organizations regardless of political tendency for a united front on the one issue of the fight for the Scottsboro boys. Concretely, at the present stage. This should take the form of conferences, to work out systematic plans collectively.

The conferences, to serve this aim, cannot be replicas of the "united front" of the familiar Stalinist variety. They cannot be mechanically controlled. Presidiums and committees must be freely elected. Freedom of discussion and criticism must be the rule, not the exception.

Neither the prisoners nor the Communists, who alone can lead their fight, have anything to lose in such a united front. On the contrary, they have everything to gain. The cause of the prisoners, and with it the influence of the Communists, will reach masses of workers now inaccessible. In the fight the superiority of the Communist program will be demonstrated. The workers will see this for themselves: that is the only way they can learn it.

On the other hand, should the socialist and progressive leaders and their brethren of all shades and hues refuse to enter such a united front, they will stand exposed before their own rank and file, for what they are. In this way they can be made to reveal their true nature as misleaders who live on the division of the working class. In either case the Communists have nothing to lose, everything to gain.

Unfortunately the Centrist opportunists who have the leadership of the I. L. D. and the C. P. in their hands do not see this, do not understand anything. They are still obstinately playing with united fronts from "below". At the time of this writing (Tuesday) they have not made any move to build a united working class movement. They have issued no call for conferences.

They have limited themselves to a call for a demonstration on April 8th. By all means let us have the demonstration. But also let us begin to build the working class movement without delay.

The execution has been set for May 13th. It may be postponed for a time because of the legal appeals. But even so there is not too much time. Mass pressure must be brought to bear on the Alabama Supreme Court, and, failing there, later on the U. S. Supreme Court. Mass pressure can give a weight to the legal appeal not contemplated by the judicial fossil of the judicial system.

Mass pressure can prevent a second Sacco-Vanzetti case, a second Mooney case. It must be organized. To this end we must work. The Stalinist policy of fulmination in the press, without a serious mobilization of the masses, will not avail. The comrades in the party should add their voices to that of the Left Opposition for the policy of a fighting united front.

—T. STAMM.

WHAT NEXT? -- by Leon Trotsky

Chapter 1: The Role of the German Social Democracy

The "iron front" is essentially a bloc of numerically powerful social democratic trade unions with impotent groups of bourgeois "republicans" which have lost entirely the support of the people and all confidence in themselves. When it comes to fighting, cadavers are worthless, but they come in handy to keep the living from fighting. Their bourgeois allies serve the social democratic leaders as a bridge across the necks of the workers' organizations. We must fight! We must fight! ... but that is only empty talk. With God's help, everything will be settled ultimately without any bloodshed. Is it possible that the Fascists will really decide to stop talking and get down to business? They, the social democrats, never so much as ventured on such a course, and they, the social democrats, are no worse than other people.

In case of actual danger, the social democracy banks not on the "Iron Front" but on the Prussian police. It is reckoning without its host! The fact that the police was originally recruited in large numbers from among social democratic workers is absolutely meaningless. Consciousness is determined by environment even in this instance. The worker who becomes a policeman in the service of the capitalist state, is a bourgeois cop, not a worker. Of late years these policemen have had to do much more fighting with revolutionary workers than with Nazi students. Such training does not fail to leave its effects. And above all: every policeman knows that though governments may change, the police remains.

In its new-year's issue, the theoretical organ of the social democracy, "Das Freie Wort" (what a wretched sheet!), prints an article in which the policy of "toleration", is expounded in its highest sense. Hitler, it appears, can never come into power against the police and the Reichswehr. Now, according to the constitution, the Reichswehr is under the command of the president of the Republic. Therefore Fascism, it follows, is not dangerous so long as a president faithful to the constitution remains at the head of the government. Bruening's régime must be supported until the presidential elections so that a constitutional president may then be elected, through an alliance with the parliamentary bourgeoisie; and thereby Hitler's road to power will be blocked for another seven years. The above is, as given, the literal context of the article*. A mass party, leading millions (toward socialism!) holds that the question as to which class will come to power in present day Germany, which is shaken to

*The article is signed with the modest initials E. H. They should be engraved for posterity. Generations of workers have not labored in vain. Great revolutionary thinkers and fighters did not journey over this earth without leaving their mark. E. H. exists, stays on his job, and points the way to the German proletariat.

Evil tongues would have it that E. H. is closely related to E. Hellmann, who so besmirched himself during the war by the most sordid kind of chauvinism. Impossible! What, such a lucid head . . . ?

Open Letter to the C.E.C. of the U.S.S.R.

With inevitable delay I learn from Pravda of your decision of February 20, 1932, depriving me and the members of my family sharing with me expulsion, exile and work of the rights of Soviet citizenship and forbidding our entry to the U. S. S. R. Wherein my "counter-revolutionary" activity lies, the decision does not say. If we should discount the polemical rituals against "Trotskyism", there were cited in the Soviet press only two instances of my supposed activity which could have been characterized as counter-revolutionary—had they actually occurred.

Pravda of July 2, 1931, carried with corresponding commentaries, a photostatic reproduction of the first page of the Polish newspaper Kurier Pospolny containing an article supposedly by me and directed against the Soviet Union. It is understood that none of you doubted for a moment that this article presents a forgery of a filthy sheet, well-known for its falsifications. The same newspaper shortly thereafter forged documents against Galician (Ukrainian) revolutionaries. Even the bourgeois press, such

as the Manchester Guardian, at that time characterized the Kurier Pospolny as a newspaper which has already distinguished itself by the forgery of an article by Trotsky. I demanded from Pravda a factual denial. It did not appear. Pravda consciously deceived millions of workers, red soldiers, sailors and peasants, lending support under its own name to the forgery of Polish Fascists. One cannot but recall that the author of these "disclosures" in the Pravda was none other than Yaroslavsky, in these days one of the supreme guardians of party morality. If after that he has suffered somewhat, it was at any rate not due to the forgery, but rather to its incompleteness.

The second example of my "counter-revolutionary" activity, preceded your decision only by a few weeks. On January 16, 1932, the Izvestia of the C. E. C. carried a dispatch from Berlin to the effect that I call for the support of the Bruening Government, acting in agreement with the German social democracy, and in particular with Karl Kautsky and Alfred Adler (?), and that a visa

its very foundations, depends not on the fighting strength of the German proletariat, not on the shock troops of Fascism, not even on the personnel of the Reichswehr; but on whether the pure spirit of the Weimar constitution (along with the required quantity of camphor and naphthalene) will be installed in the presidential palace. But suppose the spirit of Weimar, in a well-known situation, recognize, together with Bethmann-Hollweg, that "necessity knows no law", what then? Or suppose the perishable substance of the spirit of Weimar falls asunder at the most untoward moment, despite the camphor and naphthalene, what then? And what if . . . but there is no end to such questions.

The politicians of reformism, these dexterous wire-pullers, artful intriguers and carterists, expert parliamentary and ministerial machinators are no sooner thrown out of their habitual sphere by the course of events; no sooner are they placed face to face with momentous contingencies than they reveal themselves to be—there is no milder expression for it—inept boobs.

To rely upon a president is only to rely upon "the government". Faced with the impending clash between the proletariat and the Fascist petty bourgeoisie—two camps which together comprise the crushing majority of the German nation—these Marxists from the "Vorwärts" yelp for the night watchman to come to their aid, "Help! Government exert pressure!" (Staat, greif zu!). Which means, "Bruening, please don't force us to defend ourselves with the might of workers' organizations, for this will only arouse the entire proletariat; and then the movement will rise above the bald-pates or our party leadership: beginning as anti-Fascist, it will end Communist."

To this Bruening could reply, unless he preferred silence: "With the police force I could not handle Fascism even if I wanted to; but I wouldn't even if I could. Setting the Reichswehr in motion means only splitting the Reichswehr, if not throwing it altogether against us. But what is most important is that the turning of the bureaucratic apparatus against the Fascists would mean untying the hands of the workers, restoring their full freedom of action: the consequence would be precisely those which you, social democrats, dread so much, and which I accordingly dread twice as much."

The effect which the appeals of the social democracy produce on the state apparatus, on the judges, the Reichswehr and the police cannot fail to be just the opposite to the one desired. The most "loyal" functionary, the most "neutral", the least bound to the social democracy can reason only thus: "Millions are behind the social democrats; enormous resources are in their hands: the press, the parliament, the municipalities; their own hides are at stake; in the struggle against the Fascists they are assured of the support

(Continued on page 4)

Germany after the Presidential Elections

BERLIN, March 1932

The parliamentary battle of March 13 is over. The results are astonishing. The election figures speak a clear language. 18,000,000 votes for Hindenburg, 11,333,000 for Hitler, 4,970,000 for Thaelmann and 2,560,000 for Duesterberg. The Field Marshal General almost attained victory on the shoulders of enormous sections of the working class. The Bruening dictatorship was able to secure a great victory. German Fascism was able to nearly double its number of votes against the Reichstag elections of 1930 (6,379,000). Although the predicted victory of Hitler has not been realized. The number of votes received by Hugenberg's candidate—Duesterberg—is also relatively high. The increase in the vote for the Communist party is, on the other hand, astonishingly small, especially when we take into account the fact that participation in the elections was greater by 3,000,000 than in the Reichstag elections of 1930.

The results in some of the industrial districts are especially alarming for the proletariat. Thus, for instance, the party could not retain the 739,000 votes it received in Berlin in 1930, but had to contend itself with 685,000. On the other hand, the figure for the Hindenburg-Front rose from 1,170,000 to 1,307,000 and that of the Fascists from 396,000 to 665,000. In Berlin the party vote fell from 27.2 per cent to 23.6 per cent and the Nazi vote rose from 14.6 to 22.9 per cent, of the total number of ballots cast. Industrial regions like Halle, Duesseldorf, Essen, Dresden, Hamburg, Bochum brought losses for the party and in most cases, gains for the Fascists. In the workers' section of Wedding, the C. P. G. dropped from 99,000 to 90,000, while the Hindenburg-Front rose from 87,000 to 97,000 votes and the Nazis from 21,000 to 36,000. In the Landtag (provincial diet) elections of New-Strelitz, the party lost 2,000 votes previously 7,000, now 5,000 and the S. P. G. gained 1,400 votes.

The conditions preceding the elections were full of promise for an absolute growth of the Communist movement. The economic crisis has reached an unprecedentedly low level. It produces its effects

in the tremendously large unemployment figures (6,000,000) in the shutting down of factories, mass dismissals, bank crashes and export decline. The economic exploitation of the working class increases from day to day, wage cutting goes on unabated. Unemployment relief has almost reached the point of total suspension. Only a few pithy crumbs remain of all the social legislation. The political oppression of the working class has its expression in the rule of the Bruening dictatorship. Emergency decrees, one following on top of the other, are directed exclusively against the toiling masses. The right of assembly, the right to strike have been suspended. War is looming up as a reality. The general war danger is more immediate than ever before. Aside from the economic collapse of the capitalist system, aside from the economic and political reaction, there is the S. P. G. joining the front of the reactionaries, there is its support in the election of Field Marshal Hindenburg, against whom it fought in 1925 as the representative of monarchism and war. On the other hand there is the tremendous advantage for the Communists in the successes of socialist construction in the Soviet Union and in the fact that there is only one working class candidate nominated for the elections—Thaelmann. Despite these unbelievably favorable circumstances, the C. P. G. has not been able to make any progress.

Why was it possible for the S. P. G. leaders to convince overwhelming masses of workers of the necessity of the policy of the "lesser evil"? The S. P. G. leaders succeeded in restricting the question of the decisive struggle between Fascism and proletariat to the sphere of parliamentary contest. They could succeed in this only because the C. P. G. and along with it, the proletariat, is incapable of conducting an extra-parliamentary struggle. For the workers organized in the S. P. G. and the trade unions, it was not a matter of a choice in which they are faced with the prospect of a C. P. G. armed with a tremendous influence, prepared for an extra-parliamentary struggle, ready to defeat Fascism

(Continued on page 3)