

Biased Judge Rushes Negro Boys to Chair

No Reliance on Capitalist Justice; Only Mass Pressure of Workers Can Save Scottsboro Boys

For the third time in three years Scottsboro there is no essential difference. Scottsboro is a legal Heywood Patterson guilty of the rape of Victoria Price, locally notorious prostitute, and condemned to death. The capitalist beast is determined not to give up its prey. The wheels of justice are moving now with greater speed than they did last April at the last trial, almost as fast as the San Jose and St. Joseph lynch mobs did, and Clarence Norris is standing trial a second time for the same "crime". By the time this reaches the press the verdict will be in and the trial of the third or maybe even the fourth Scottsboro boy will be over.

The "Impartial" Jury
The jury which tried Patterson and the jurists which will try the other defendants are supposed to be made up of impartial men who have no fixed ideas about the innocence or guilt of the boys. They are all white men, and if you wish you can believe that they have no prejudices against other men just because their skins are black. These jurymen are all local residents in a none-too-numerous community where the Scottsboro case has been the subject of discussion for years. How many sat in the courtroom during the previous trials? Leastways we are asked to believe that these men heard a good deal of argument on the case, participated in it, read the editorials in the Southern papers urging them to "lynch the damned niggers", and still have open minds. One has to be as simple and trusting as a child to believe this fairy tale out of the capitalist propaganda book. These men are all set against the Scottsboro boys no matter what they say they believe or don't believe.

If there was one among them who had any lingering doubt, the way Judge Callahan ran the trial would have removed it. Callahan was fair. He gave the defense its day in court. Sure, he didn't allow the Jew lawyers from New York to play tricks on the court. He defended Southern womanhood. Yes, sir.

Cards Dealt from the Bottom
There isn't a white farmer in the neighborhood who could have held his opinion of Patterson's innocence against the bias of the upright justice's charge to the jury and his bewildering judicial hair-splitting. Callahan dealt cards from the bottom of the deck. That's what he is there for.

Callahan does his job well. There's nothing raw like the stuff Horton pulled and the speeches prosecutors Knight and Wright made in the last trial. It's all strictly according to Hoyle. Callahan is carrying out the order of the Supreme Court to do it over again and cut out the mistakes.

Callahan made one serious slip. In his charge to the jury which consumed an hour and a half of Patterson's life he FORGOT to remind the jury that if they found the evidence insufficient to prove the charge against Patterson they could bring in a verdict of acquittal. Strange omission! Convenient memory! Only when reminded by the defense counsel and the prosecutor did he perfunctorily add this detail.

That slip gave the whole show away. What of that? Bias is no ground for acquittal in the higher courts. The learned justices do not arrive at their decisions by obvious facts and simple considerations. For them the question is not whether Callahan showed bias. They will take out their legal yardstick and see whether what Callahan said or did denied the defendant, who is presumed innocent until proven guilty, a fair trial by violating this statute or that law or is not in accord with the decision of Judge so-and-so in this-and-that case. You can be as lunatic on the bench as Ralph of California is in the governor's chair, but if you want your stuff to go over with the boys higher up you have got to make it appear that you are sticking within the law. If you do they will give you the official o. k.

Learned from Massachusetts
And whoever heard of a high court saying straight out: the man is innocent, release him? Where and when did that happen? In the Mooney case? In the Sacco-Vanzetti case? Where? When? The cards are stacked against the boys all the way up the line.

The strategy of the capitalists is plain. They want to give the country another "In lesson". "In California", they want to say, "and in Maryland they do it with the rope and the fagot; but in Alabama they are civilized. There they burn innocent men in the electric chair according to the law. But first they torture them in jail for years, holding out a ray of hope to them and snatching it away again. They learned that from what Massachusetts did to Sacco and Vanzetti."

Between St. Joseph, Mo., and

American Imperialism at the Montevideo Congress

The Seventh Pan-American Conference convened December 3 at Montevideo, Uruguay with twenty-one nations represented. The American delegation, headed by Secretary Hull, arrived prior to the conference to line up puppet delegates and to attempt to iron out and side-track some of the most difficult problems that are sure to be thrown open for discussion on the floor. This is the first Pan-American conference to be held since 1928. It is convened at a time when the economic life of Latin America is almost at a standstill as a result of the crisis within the leading imperialist nations, particularly the United States. These secondary capitalist nations of Latin America have long ago been subordinated to the imperialist powers. The leading capitalist nations, such as the United States, have attempted to shift part of the crisis burden onto the lesser nations of Latin America.

The conference has been compared to the last London conference. The capitalist press says the Montevideo meeting will succeed and will accomplish for America, what the London conference failed to accomplish for world capitalism. However, the set-up is entirely different even if economic problems hold the center of the stage at the Pan-American conference.

At Montevideo there will be a meeting of unequals. The leading capitalist nation in the world is able to hold a conference with 20 other nations under the self-made jurisdiction of the Monroe Doctrine the enforcement of which Roosevelt hopes to modernize with his "new diplomacy". The London conference was a battle of the leading imperialists of Europe and America; the Montevideo conference is the set-up of American imperialism. Most of the delegates are puppets; others will be forced to cringe before the might of Yankee imperialism or stand the consequences. The other imperialist powers, particularly England are forced to pound away within the conference in an attempt to prevent America from constructing something tangible for itself. England will do this primarily through such forces as she can muster within the Latin American countries for policies that will be cloaked in the form of "national" demands of this or that Latin American country.

In the past, Argentina has been the main opposition force to the United States in the Pan-American conference, not only because of its weight within South America but because England has been fighting American imperialism tooth and nail in the struggle for domination within this first rate Latin American country.

War and revolution will be discussed extensively in the different caucuses. Bolivia and Paraguay are in the midst of the Chaco war. Peru and Columbia have not yet settled the Leticia affair. The Cuban revolution is in the foreground. Secretary Hull attempted to inject America's "good will" into the Chaco War before the conference, but Paraguay rejected his "kind" offer. A labor delegate from Haiti caused uneasiness, and showed that all was not so well in lining up safe and sound delegates to the conference, when on the first day he condemned American's 15

year military action in Haiti, intervention in Latin America, and the present financial supervision in Haiti which reveals how the Roosevelt government is driving ahead with great speed for better imperialist domination.

Revolutionary Cuba has not spoken yet. But it is very doubtful if the petty-bourgeois government will go beyond words, and this only for the sake of bargaining power and compromise with American imperialism. It is very doubtful if the voice of the oppressed workers and peasants will even get a word into the proceedings. What opposition does materialize will be that of the nationalist bourgeois opposition to American imperialism and of spokesmen from British imperialism.

The economic factors and questions take on a varied number of forms. The American imperialists are attempting to avoid these problems which will interfere with the further development of the NRA and the struggle of the Dollar vs. the Pound. The U. S. Government issued a statement on November 19th, which said in part: "Unsettled conditions, such as European commercial quota restrictions, make it seem desirable for the United States to forego immediate discussions on such matters as currency stabilization, uniform import prohibitions, permanent custom duties and the like."

A real discussion on the above points, and not mere talk by puppet delegates, would really be stepping on Uncle Sam's toes. That is the reason America hopes to keep these points off the Agenda. The question of debts is important, but America does not care to talk debts when her creditors are bankrupt and may ask for a moratorium; rather it is wiser to see what can be done to use these debts as clubs to line the countries up for further economic penetration by America. That is what the delegates of the Wall Street government hope to accomplish. America as the creditor, facing this condition, is opposed to debt discussion; many of the debtors, on the other hand, hope to force discussion. As a compromise American imperialism will agree to discuss debts so long as the discussion does not lead to decisive action.

Regardless of what form the economic discussion may take one thing is certain. The conference is an American Imperialist set-up for the benefit of American imperialism. To strip the issues bare, the U. S. imperialists are primarily interested in the following, from an economic standpoint: To strengthen their position and control over Latin America in the struggle against the other imperialists. To arrange long-term credits for private and public projects, which will enable America to export surplus capital so vital for America's internal life and, at the same time, enable her to use these projects to further consolidate her Latin American empire.

The American delegates are empowered to offer a half a million dollars as a start for the Texas-Santiago highway, to assume the major share of the expense of an engineering survey for a proposed Central American-Rio de Janeiro railroad. These projects will open up the doors for capital investment and the further extension of American imperialism. The aims of the U. S. Government in the Pan-American conference are the further extension of American domination, the elimination of other imperialist contenders and a straight jacket for the workers and peasants of Latin America to prevent the Soviet idea that raise its head in the Cuban revolution from becoming a living reality in the Western Hemisphere.

The conference is only two days old. Although it is America's set-up. There are factors within it that may get beyond the control of Wall Street. The results of the conference will be discussed in a later issue of THE MILITANT.
—HUGO OEHLER.

Shoe Workers to Merge Unions

Independents at Boston Convention

The eyes of the labor movement will be on Boston next Monday, December 11, when the amalgamation convention of the independent unions of shoe workers convenes for the purpose of uniting them into a single body. This convention comes as the culmination of a long struggle of the rank and file to bring about the amalgamation in the face of the most stubborn resistance and sabotage of the conservative officials. When the delegates meet at Boston next Monday they will stand instructed by referendum vote of the organizations to take the necessary steps to bring about the unification. The referendum carried by the overwhelming majority of more than 80 to 1.

Directly represented at the convention will be the National Shoe Workers' Association, with approximately 28,000 workers; the Shoe Workers' Protective Union, with approximately 30,000; and the Inde-

Nazis Doom 91 S.W.P. Workers to Long Terms

91 S. A. P. members were arrested in the month of August in Dresden by the local S. A. (Storm Troops) The trial began on November 1, unannounced in the presence that, hundreds of workers gathered in front of the courthouse. Only a small number of them gained admission to the proceedings. The press was not admitted either. The court issued statements of its own accord. The S. A. leader attached to the troop guarding the contingent of arrested workers addressed the crowd as follows: "The accused are warned that in case they disturb the trial by any kind of shouts or remarks, they will be deported immediately to the special court at Freiburg (where beatings are administered)". The indictment is based on "confessions" made by the arrested after maltreatment in the "People's House". It charges violation of the security of the state and the people, the issuance of illegal papers, betrayal of military secrets, work for illegal organizations. 7 of the accused are under 18 years of age, the majority are between 18 and 30, one over 60. 31 of the men were put under cross-examination the first day of the trial, the remaining 60 on the second day. Some speak reluctantly about the confessions forced from them, others protest openly that they were misled. This is passed over in silence. The state's attorney asks them whether they actually believe what they wrote in their illegal paper, *Klassenfront*, viz that the Nazis set fire to the Reichstag. One of the accused answers: "What *Klassenfront* reports is the general opinion of the people". Another answers: "I do not believe that my comrades who put out this paper would set any false reports afoot".

The verdict has just been made known: All 91 were condemned to 100 years of prison and 10 years in corrective institutions.

(The following extracts from a letter from Dresden, the 91 members of the Socialist Workers Party was published in the *British New Leader* for November 17, 1933.)

About the methods of investigation reports are now coming through....

"It is known that most of the accused after being arrested were brought to the Dresden Storm troops barracks in the former Trade Union Building....

"Usually they were brought to a room and commanded to stand by a stone pillar. Then a commissioner began the investigation, continually insulting the prisoner. The alleged crime was put as a question, and the prisoner could answer only 'Yes' or 'No'. If he answered otherwise, the stormtrooper punched his face so hard that his head struck the stone pillar with terrific force.

"It is impossible to describe the results of this treatment. The victims almost lost consciousness, and the more they screamed the more pleasure their torturers gained....

"If this first 'admonition'—so they called this brutal treatment—did not succeed, it was reinforced by blows from the rubber truncheons on the head and back, until the wretched victims admitted anything to avoid further torture....

In some cases the accused were

President Shoe Workers' Union of Salem, with about 2,000 members. The attempt to bring the Brotherhood of Shoe Workers and Allied Craftsmen of Brockton, with about 11,000 members, into the amalgamation movement has not yet succeeded because of official opposition, but a strong rank and file sentiment for the unification exists there also.

Independent Unions in Shoe Industry
The shoe industry has long been noted for the multiplicity of independent unions. The shoe workers were forced onto this path by the systematic betrayals of the official A. F. of L. body, the Boot and Shoe Workers' Union. Even from the standpoint of typical American reactionary unionism, this "label" union stands in a class by itself as a corrupt and boss-serving organization. The impulse of the workers for genuine trade unionism manifested itself in almost every revolt through the medium of independent organization. The weakness of their movement arose from the inability up till now to bring the various independent organizations together; the conservative officialdom, which fastened itself on the two main organizations, blocked the unity.

The strike wave of the past season gave the necessary impulse to the movement from below and carried it forward with a surging militancy to the present result. If the delegates at Boston succeed in carrying out the mandate of the rank and file, and come out of the convention with a harmonious program for the final amalgamation of the unions, a new day will dawn for the shoe workers of the country and a bright page of labor history will be turned. The solidarity and hope of the advanced workers everywhere will be with the convention in its deliberations and every progressive tendency in the labor movement will be strengthened and encouraged by its success.

Bright Prospects of New Independent Union

The bright prospects for the emergence of a new powerful union of workers on an independent basis, at a time when the general tide is flowing strongly in the channel of the A. F. of L., demonstrates once again that the labor movement follows nobody's pre-conceived plan or arbitrary pattern, but takes its own course in different industries according to differing circumstances. If the general developments of the past months dealt a crushing blow to those who prescribed the arbitrary building of new independent unions all along the line, the specific situation in the shoe industry, which drove with the force of necessity to the constitution of a completely independent union, refutes the A. F. of L. fetishists no less conclusively.

The new amalgamated shoe workers' union will not be a "dual union"; it will be the legitimate and genuine organization in the industry and will be entitled to the unqualified support of the workers in its struggle for supremacy against the A. F. of L. union, the corrupt and treacherous "Boot and Shoe" Tasks of New Union

In our opinion the new union will have the task of making further efforts to come to an agreement and unification with the Brockton Brotherhood (independent) and in waging a determined battle to organize the entire industry in head-on collision with the corrupt "Boot and Shoe" affiliate of the A. F. of L. The worst danger to the new movement is presented by those who have some maneuvers with the Boot and Shoe Workers' Union up their sleeve. The problem of the new union is to become a power in its own right and drive its corrupt rival from the field with the help of the betrayed shoe workers still within its ranks who only await a favorable opportunity to break away from it and unite with their fellow workers in a genuine labor organization.

The developments among the shoe workers provide another instructive lesson regarding the real trend of the labor movement. In demonstrating the vitality that remains in the independent union movement they prove concretely, at the same time, that the organizations of the Stalinists cannot be the medium for its growth. The Shoe and Leather Workers' Industrial Union, after trying in every way to disrupt the amalgamation movement, and to take the place of the other unions, has been reduced to such a weak position that it had to apply for admission into the amalgamation convention at the last moment under pressure of its own members. The Stalinists contributed nothing but disruption and disorganization to the effort to bring the shoe workers together and have completely discredited themselves.

Hotel Union Shows Gains

New York.—The waiters at the Hotel Montclair, have gone out on strike under the leadership of the Hotel and Restaurant Workers' Union, branch of the Amalgamated Food Workers. The strike is against the wage scale of 64 cents a day for 9 hours forced on the waiters by the management after the new hotel code went into effect. The workers demand \$12.50 a week, no arbitrary firing, no splitting of tips with the captains, the house to keep uniforms clean, and decent food.

New York.—Last week we reported the new orientation of the Hotel and Restaurant Workers Union organization drive. Already, the workers of the Union understand that they can expect very little from the NRA, and that only the Union is in a position through its strength to put back to work the workers that were discharged without any reason at all.

The huge new headquarters of our Union facilitates much of its activities. Shop meetings of hotels, restaurants and clubs take place every week at which the problems of the Union are discussed and decided. The joining of bellhops, housemen, chambermaids, elevator men and women is bringing about the realization of an ideal industrial union, aided also by the coming together of native and foreign born members.

Mass meetings will be held twice a week, one in the evening and one in the afternoon. Last Friday evening our Secretary, B. J. Field, reported on the fight which we put up in Washington against the Codes which the bosses are using as a means of keeping our conditions miserably low. In addition to a number of shop delegates, James P. Cannon also spoke at this meeting.

On Tuesday, November 22, Burkhardt, Cook and B. J. Field were the first ones to speak for labor's side of the case at the NRA hearing. They took the leadership in presenting the argument for the workers, all the other unions represented except the A. F. of L. taking up our demands.

Irrespective of what the NRA may do about the Code, the A. F. W. has gained increased prestige in the eyes of the workers as have their representatives. —A. C.

DRIVING FOR THE NEW PARTY

Less than two months have passed since we issued our public declaration for the creation of a new International and a new Communist party in this country. Already there have been a good many indications of a hearty response from the revolutionary workers. They come to our greetings in much greater numbers than before. Serious questions, asked sympathetically, manifest their live interest in the issue. The response is reflected most directly in the actual growth of the League. New branches are springing up and nearly everywhere the existing units are teeming with life and activity, extending the influence of the Left Opposition and its sympathetic circle.

To assemble the forces for the creation anew of a revolutionary party—this is the gigantic task which we have undertaken in this country. It will test the ability, devotion and capacity for sacrifice of every comrade. Our task is facilitated by the present raising curve of the labor movement as a whole. The most momentous problems will be posed before it in the next immediate period. For these a correct solution can be advanced only from the arsenal of Marxism. It is in the crucible of the struggle that all the programs will be tested. To be the most active participant in it is our aim.

We have taken the first preparatory step by openly proclaiming our orientation for a new International and a new party. This first decisive step has been followed by the elaboration of an Action Program for the coming immediate period.

In this we proceeded directly from the firm conviction that the way to overcome the contradiction between our heavy tasks and the inadequate forces and material means at our disposal is to make a bold expansion of all activities. One of the most important points in our

Action Program is the popularization of *The Militant* and the establishment of a monthly theoretical organ. We have already made a beginning towards the popularization of the contents of *The Militant*. We have reduced its price to put it within reach of the workers so

frantically hit by the ravages of the capitalist crisis and the new pressure of the results of measures. We aim to make *The Militant* a real builder of this new movement which, while maintaining entirely, its unequivocal Marxian position, speaks in terms understandable to the workers. We aim to have it yet more fully reflect their struggles and aspirations and serve as an unflinching guide.

We plan the publication of a theoretical organ in the near future. A number of new pamphlets are coming up. Organizers are to be placed in the field.

But all of these aims, which are necessary parts of the big job of assembling the forces for a new revolutionary party, depend for their fulfillment on the financial support we receive now from our comrades and friends. This point now stands out prominently and imperatively. We are depending on you to stand with us now. Funds are urgently needed for current work as well as for the promotion of the new projects in our program of action. Enroll yourself now as a supporter of the new party of Communism in a concrete, practical way. Send your contribution to THE MILITANT
126 East 16th Street
New York City

OPEN FORUM

ARNE SWABECK
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THE PROSPECTS FOR REVOLUTION IN AMERICA
Friday, December 8, 1933, 8 p. m.
JAMES P. CANNON

THE MEANING OF THE RECENT LYNCHINGS
Maryland, California, Missouri.
What Next?

at
Friday, December 15, 1933, 8 p. m.
International Workers School Hall
126 East 16th Street, nr Irving Pl.
Auspices: Manhattan Branch, Communist League of America (Opp.)
Questions — Discussion
ADMISSION 15 CENTS

RUSSIAN REVOLUTION FILM
The "Russian Revolution" film scheduled for Dec. 3rd is postponed for Saturday, Dec. 23rd. It will be held at the Militant Hall, 154 Watkins St., Brooklyn, under the auspices of the Film Club of the International Workers School. The hall can be reached by the B. M. T. 14th St. Canarsie Line to Sutter Ave., or the I. R. T.—7th Ave.—New Lots to Rockaway Avenue.