

# The Crime of Scottsboro

AN EDITORIAL

For the fourth time an Alabama jury has convicted Haywood Patterson of a crime neither he nor any of the Scottsboro boys committed. This time Patterson has been given a 75-year sentence. Living death in an Alabama jail, the Alabama authorities seem to feel, will be more difficult to fight than a death sentence. Patterson, on being sentenced, declared:

"I'd rather die than spend another day in jail for something I didn't do."

Attorney Samuel Leibowitz, however, "feels" that he has won a victory. And Colonel W. J. Schieffelin, treasurer of the Scottsboro Defense Committee, says that we should be thankful that Patterson's life has been saved!

We are not thankful. We do not agree with Leibowitz. We agree with Patterson. This sentence is worse than a death sentence.

It is a victory for the prosecution, not for the Scottsboro boys. The latter are in greater danger than ever.

On the way back to Birmingham, after all other trials had been postponed. Ozie Powell was framed and shot by a guard. Powell, subjected to extreme provocation, is said to have scratched the guard's face with a knife. Today Powell is close to death. For him, as well as for the two boys in the car with him, there must be an uncompromising defense against the charge of assault with intent to kill which the State is bringing in order to discredit the boys' fight for freedom.

The Scottsboro Defense Committee seems today to be concentrating on the idea of getting the case into a Federal court. A number of its spokesmen are arguing that Decatur juries convict because the jurors are afraid of their neighbors. They say that a Federal jury in Alabama will be made up of people unafraid of their neighbors. They say that these are "people of standing," "the best people of Alabama," who "want to see justice done."

We, too, think that a fight should be made to get the case into a Federal court. We support the appeal to higher courts, based on the fact that the lynch judge of Decatur refused a change of venue and a transference to a Federal court.

But not because we think "people of standing," "the best people of Alabama," will heed only the evidence in this case and free the boys. We do not support the appeal from the poor whites of the Alabama back-country, to the cold-blooded lynch-organizers of the Alabama ruling class. We put no more stock in the "fairness" of a Federal jury in Alabama than in that of the Decatur jury.

We favor going into a Federal Court only because it will then become possible to demand of the Federal judge a change of venue out of the Federal District of Northern Alabama into some other state, preferably a Northern state, where the Jim Crow system cannot influence the trial as it does in Alabama.

To the Scottsboro Defense Committee we give this word of advice:

Ask for a Federal trial on the grounds that fair juries are impossible in an Alabama state court on this case. Do not proclaim that in a Federal court you expect a "fair jury." Should you win the demand, you will get a jury which you will have approved in advance, and a Federal court conviction would then silence you forever.

There are other things to be said to the Committee. Elsewhere in these pages is a report of the Committee's "mass meeting" in New York last Sunday. The sort of thing which went on there will not build a militant mass protest movement, a fighting defense. It can only weaken the defense movement at a moment when Leibowitz, by refusing to recognize the defeat the boys suffered in the Patterson trial, is jeopardizing the future of the whole struggle.

Only a mighty mass movement, based primarily upon labor and Negro organizations, following an aggressive policy, can save the Scottsboro boys. This is as true today as it was when first the boys were snatched from death by the intervention of "radicals and damned Yankees."

It is time to stop making concessions to the red-baiting, Jew-baiting and Yankee-baiting of the prosecution. It is time to stop appealing to patriotism and God and "the best people of Alabama."

When he cried out against the 75-year verdict, Haywood Patterson showed that he still has fight left in him. When he resisted the brutal guard, Ozie Powell showed that he still has fight left in him. Today they are leading their own fight for freedom.

Victory will come only through a militant fight!

## Zeller Pamphlet Out!

Previous announcements have given only a bare indication of this pamphlet at the time when it was on the way. It is now off the press. Of course, to get a complete view of what it contains, it is necessary to read this pamphlet. We on our part recommend it highly.

Fred Zeller is the acknowledged leader of the French Socialist youth. He was expelled from the Socialist youth organization by the agents of Leon Blum and his Old Guard some time ago, together with twelve other youth comrades. The young Socialists, however, remained supporters of the viewpoint represented by Fred Zeller and his co-workers. Fred Zeller represented the revolutionary position and he is continuing his struggle for that position. How this struggle has been pursued and how comrade Zeller and his co-workers came to a revolutionary position, and came to be supporters of the Fourth International, is described in this little pamphlet. The introduction is by Leon Trotsky.

We believe that the few words mentioned above is sufficient reason for our recommendation to all, and particularly to revolutionary Socialists, to read this pamphlet. It retails at 5c a copy; in lots of ten or more the price is 3c a copy. Send your order to the NEW MILITANT, 55 East 11th Street, New York, N. Y.

## Dance

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## Needle Strike Impends

With unprecedented enthusiasm and solidarity 105,000 dressmakers organized in the I.L.G.W.U. are ready to go over the top on Saturday, Feb. 1, in a general strike that will close down every dress shop in Metropolitan New York. At the same time, expiring agreements and demands for union conditions may also bring out 18,000 furriers, and the entire millinery trade, and all building service workers of the garment district in the largest general tie-up ever known in the needle industry.

Among the demands presented by the I.L.G.W.U. are the following: (1) the thirty-hour week, (2) establishment of a labor employment bureau, (3) higher minimum scales, (4) limitation of contractors, (5) price settlement on jobbers' premises, (6) the unit system of price settlement.

The union is strong both in morale and finances and for months has prepared carefully for the strike. Strike pickets are ready. Hall committees, picket committees—the entire strike machine—has been prepared to handle the huge tie-up. Every member of the union, from the oldest member to the newest recruit, enters the strike with supreme confidence that a satisfactory agreement can be won. Last minute conferences called by Mayor LaGuardia have, up to the moment, given no indication that the bosses can be brought to their senses without a strike.

Demands put forward by the Furriers Union are similar to those of the Dressmakers: 30-hour week, closed shop, division of labor, etc. As we write, furriers are jamming the streets in front of the Cooper Union and Labor Lyceum on hour

before the opening of the balls, eager to take part in a union rally in preparation for the strike.

In the millinery trade negotiations are still proceeding and it is not yet clear whether the strike will be called February 1 or later. The bosses are demanding the right of reorganization which would be ruinous to the union.

## Trojanovsky Dodges Sergei Trotsky Issue

(Editor's Note: The International Committee for Political Prisoners sent out the following release to city editors on Jan. 29, 1936.)

This committee has been concerned over the disappearance in Soviet Russia of Leon Trotsky's son and daughter-in-law, Sergei Trotsky and his wife, both of whom are said to have been imprisoned in the Soviet Union for some time. Inquiry has been directed to the Soviet Embassy at Washington, but so far no information has been made available as to their whereabouts. Young Trotsky is twenty-seven years old and a professor. His wife is a librarian. Neither of them have ever engaged in political activity.

We have in our possession several interesting documents which we will be glad to release to the press concerning this case, and, if you care to get in touch with us in regard to the story, we will gladly show them to any reporter you care to send to our office.

Very truly yours,  
ROGER BALDWIN,  
Chairman.

## Hired Liar Number One

(Continued from Page 1)

From whom was this permission received; from what person or persons?

When was this permission granted? What date?

(The Tarov article and Trotsky's comment appeared in the NEW MILITANT on Oct. 19, 1935.)

4. Where was this permission given? In the office of the New York Militant? In the office of the NEW MILITANT? Or where? Where? In a dark alley? Where?

5. Then Cullen is alleged to have said in reply to a question "as to the date of the NEW MILITANT from which the reprint was made": "I don't know the date. We have reproduced the masthead of the paper and you will find the date there. We have only a photostatic copy of the masthead. We returned the original to them."

No date appeared on the masthead of the NEW MILITANT as reproduced in the N. Y. American!

Why didn't Budenz inform Cullen of this? He knew this to be the fact otherwise why did he ask the question? There should be a little honor even among thieves. Or why doesn't Budenz inform the Daily Worker readers of this fact?

Or was the NEW MILITANT masthead reproduced from a copy of the paper (as is the actual fact) which can be purchased on innumerable newsstands in the city? Or did the Daily Worker, perhaps, send Hearst a copy?

But why trouble Budenz about such details. He earns good pay for every word of slander written against the revolutionary internationalists.

This creature loves the mud and before he gets through he wallows in it up to his neck, even attempting to besmirch the unsullied name of Leon Trotsky.

Did Trotsky Get Paid? He blithely asks Cullen whether Trotsky will get paid for the articles and says he received the answer:

"That question you can't take up with me. I don't know. You will have to ask the auditor. We don't get anything for nothing. I assume the author will get paid for it—Mr. Trotsky."

Nothing daunted our inquiring reporter who judges everyone else by his own sordid standards goes to the auditing department of the N. Y. American and says he is told that "general orders for the payment of articles do not come through for about a month. We would not know at present if payment were to be made or not. Even if we did, we could not disclose this information, as it is confidential."

"Finally," (apparently in despair) says Budenz, "a secretary or other representative of Ranck (Who was this representative? What was his name? Didn't you trouble to find out?) as to whether the articles had been paid for, he replied: 'I'm sorry. We don't discuss such information. It is of a confidential nature. We don't care to discuss it.'"

Stop Crawling, Budenz!

So you didn't get the goods on Trotsky, Mr. Budenz. You didn't get the goods because there aren't any!

Don't try to crawl out from under by saying that "for the American workers the vital thing is not

whether or not Trotsky was paid by Hearst or his attacks on the Workers Republic and on the Communist party."

Yes, that is the "vital issue." In last week's Sunday Worker you promised your readers the evidence. You claim to know how much Lang, Beal, Walker, et al were paid for these articles. Was Trotsky paid by Hearst, and how much? Produce the evidence or shut your lying mouths!

A Shameless Pair You have no evidence, if the truth is told. You have no more evidence, Budenz, than did your brother-in-dishonor, Moissaye J. Olgin, editor of the Freiheit, when he accused Lenin and Trotsky of having been bought by German gold.

But your motives and Olgin's are the same as the latter's in 1918: recruit the workers for the army of American imperialism and defame the revolutionists for self-protection.

"Trotsky," says Budenz with his tongue in his cheek, "has already written for pay for equally reactionary publications—the Saturday Evening Post and the Liberty Magazine."

The Question is WHAT Not Where

Indeed! And what of that? Budenz in his ignorance doesn't know—he isn't paid to know such things—that all revolutionists, Marx and Engel, and even some who aren't revolutionists like Radek and Stalin have written in capitalist periodicals so that their views might receive broader publicity.

He doesn't know that Lenin used the Kaiser's "sealed train" to get into Russia!

The question is not where but what a revolutionist writes. The only time the Stalinists were able to "prove" that Trotsky wrote against the Soviet Union was in the case of a Polish paper which printed a forgery concocted by the G.P.U. On the other hand, every article written by Stalin or the smaller Stalinists, whether they appear in the capitalist press or the Daily Worker is a blow at the Workers' Fatherland and the working class. A blow because they trample on Marx and Lenin and reek with patriotism.

This latest frame-up by Budenz is hardly surprising. He once advised the revolutionary movement to learn from the methods of the Fascists.

Deny the Charges, Browder! Once again we accuse Stalin of furnishing Hearst with ammunition against the Soviet Union by his anti-Bolshevik terror.

In the case of the scoundrel Lang the Daily Worker took great pains to answer his assertions point by point.

Why not with Trotsky or Tarov? Why don't they deny the gruesome facts about Zinoviev, Kamenev, Medvediev, Shlyapnikov or the Hungarian Communists or the Jugoslav Communists?

They dare not because they know every word to be true.

They know from their own experience that to incur the slightest displeasure with the Stalin clique in Russia means expulsion, loss of party job, slander, etc.

The Stalinists are playing with fire when they resort to this frame-up against us.

Before the flames have died down they will be so deeply burned that every conscious worker will know that nothing distinguishes the Daily Worker from the Hearst press but a label—the cravens on both papers lie about revolutionists, blackmail them and frame them up, and in each case it is done for a price.

# Will the A. F. of L. Split on the Issue of Industrial Unionism?

By ARNE SWABECK

Reports from the Executive Council sessions, at Miami, Fla., fully bear out the unmistakable rumblings of a conflict in the A. F. of L. more profound than any ever witnessed before and of far reaching consequences for its future. The A. F. of L. is approaching a crisis. Sooner than could have been expected it is coming to its crossroads and it must decide which way to go.

The industrial union issue is now a matter of intense dispute in the high council and may soon become the axis of active struggle throughout the ranks of the organization. On the surface only this issue appears to be involved; but the conflict that is developing goes much deeper. Forms of organization, or to be more exact, industrial unionism versus craft unionism, embrace, on the present-day basis of a highly developed industrial structure, the whole problem of which direction the movement shall take. Its attitude to the most burning questions of the class struggle and its own policies and methods will be vitally affected by whichever of these conflicting forms of organization become predominant.

Militants should, therefore, give the utmost attention to this present struggle in the A. F. of L. They should become its most active participants.

Lewis Central Issue

The Executive Council sessions, from beginning to end, were taken up almost exclusively with the question of the Committee for Industrial Organization, headed by John L. Lewis, and related questions. Other matters were simply put aside.

This was natural. What could it do, for example, about the projected amendment to the United States constitution, so long as this all important question stared the craft union dignitaries in the face. The intensity of the debate was reflected in the threats of an imminent split with which the reports of the sessions are filled.

It is stated that the craft union officials, led by O. A. Wharton, W. D. Hutcheson and Dan Tobin, demanded aggressive action against the Lewis committee. They are reported to have demanded the suspension of the eight unions whose representatives make up this committee. In the end, however, somewhat more moderate counsel prevailed. A committee was designated to confer with the industrial union bloc and report the results to the council sessions in May.

A Threat to the Old Guard

Yet, in view of the declaration adopted by the Executive Council, the selection of this committee is largely perfunctory. It will have to approach the industrial union bloc with a condemnation and a demand for its dissolution. The latter cannot be mistaken about the intent of the condemnation. Even if there had been no preceding conflict the wording of the declaration adopted leaves no room for doubt.

The Executive Council declared that: "there is the growing conviction among an ever increasing number of affiliated unions and those outside of the labor movement that the activities of this committee (the Lewis committee) constitutes a challenge to the supremacy of the American Federation of Labor and will ultimately become dual in purpose and character to the American Federation of Labor."

Further on it is stated that, "It is the opinion of the Executive Council that the committee for industrial organization should be immediately dissolved."

Bitter-Enders Dissent

This puts the question bluntly, but still not bluntly enough, for some of the members of the Executive Council. In the voting five of the "bitter-enders", which means the most conscious craft union reactionaries, dissented. They said the declaration was "not strong enough"; they wanted more drastic action. Open threats of secession by the unions they control, is reported to have been made by them, unless more drastic action is taken.

And how deep-going this conflict really is, can perhaps best be illustrated by the orders that have gone out from Hutcheson's office instructing all carpenters local unions to withdraw from every city central labor body that indorses the objectives of the industrial union bloc.

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## Miami Meet Sharpens Cleavage Between Old Guard and Lewis

No doubt these most conscious craft union top officials fully comprehend what is involved. In the Lewis committee they see a challenge not only to the control of what they consider their own special preserve, but also to their whole idea of trade unionism. No matter how stubbornly they insist on the superiority of the old forms of organization, they are aware of the dynamic forces that the industrial union issue may set into motion under present-day conditions. They may not be of the particularly old fashioned, corrupt type like Skinny Madden, Robert Brindell or "Umbrella" Mike Boyle. Nevertheless they are conscious supporters of the capitalist system. That mechanical skill ought to have a special reward they consider as established by tradition.

Organization as Special Privilege

In their opinion, organization is, therefore, to be a special privilege of the skilled workers and they feel that this can best be accomplished in cooperation with the employers, or, at least, on friendly relations with them. Beyond this their social philosophy does not penetrate; their interest in organization does not embrace the workers as a class. They are perfectly contented to leave the great mass of production workers in the basic industries outside the unions. And, besides, the organization of these workers causes the sharpest conflict with the employers.

It is true that the bosses do not want any union at all in the big manufacturing plants. It is equally true that, if compelled to make concessions to union organization, they dislike to deal with a multitude of craft unions. But much less do they want unions with greater militant potentialities such as industrial unions, embracing all the workers in the plants, will have. On this basis the reactionary craft union top officials do not find it so difficult to cooperate with the employers. They also want to limit the unions to the skilled crafts. The right to represent the latter is the only concession that they demand from the employers.

And so, harmonizing their position in the unions with their own basic concepts, they function essentially as agents of the employers.

Antagonism Will Grow

Out of this situation arises the great fear of the industrial union issue manifested by the reactionary bureaucrats—and out of this arises also their furious opposition to the Lewis committee. It should be easy to foresee that in further developments of union organization, this opposition will tend to increase rather than diminish. An encouragement given to industrial union organization will immediately inspire them to greater resistance against the onslaughts of the employer and equip the whole working class with a more effective weapon of resistance than the craft unions can give.

Out of this develops also the most fundamental issues in the present cleavage in the A. F. of L. leadership. In every respect this will tend to increase and sharpen the present conflict. The dyed-in-the-wool craft union chiefs will be compelled to lean ever more upon the bosses and upon the instruments of the capitalist state for support to stem the tide.

Pressure on Lewis

On the other hand the leaders in the industrial union bloc will most likely find themselves compelled to lean ever more upon the workers who are actually set into motion for industrial unionism and who also demand democratic unions with an aggressive policy of organization. These workers who are in motion, and whose ranks are sure to increase, will press the issue forward and exert their pressure on the Committee for Industrial Organization.

It will be increasingly more difficult for the latter to retreat at the same time as it will be extremely difficult for the reactionary bureaucrats to accept a compromise on this issue. What can be expected is, therefore, a sharpening of the present conflict all along the line.

John L. Lewis, in answer to the Executive Council condemnation, has already indicated that the Committee for Industrial Organization will continue with its program.

With his characteristic scorn for the Council, he said: "The month has labored and brought forth a mouse." He added:

"After all the rumblings and convulsions at Miami for a week past, the unorganized workers of the country had a right to expect that the A. F. of L., in its own interest, would extend a sympathetic hand of assistance rather than a churlish denunciation of these organizations in the federation which are trying constructively to help the cause of labor

and the common people in this country."

Deep Organizational Guilt

In questions of basic class ideology it would be difficult to find a real distinction between John L. Lewis and his official co-workers, on the one hand, and Green and company on the other. To foster illusions on this score would be pernicious and worthy only of the mealy-mouthed funk. But in questions of organizational policy the gulf already appears to be an unbridgeable one. The very existence of the Committee for Industrial Organization, as inadvisedly admitted by the Executive Council declaration, is a challenge to the rock-ribbed reactionary organization policy of the A. F. of L. A continuation of this committee's work must of necessity deepen the present cleavage.

So far there has not been much concrete evidence of direct intervention by this committee for industrial organization in the mass production industries. Nevertheless, the raising of the issue is an important step in itself and, as could be expected, a powerful response followed immediately. The automobile workers' union wrote into its constitution, a provision making the union industrial in character. In this field there is a definitely growing clamor for an all-inclusive industrial union in which the independent unions may merge. Representatives of the radio workers' federal locals intimated to the Executive Council meeting that secession from the A. F. of L. may follow rejection of their demand for an industrial union charter. Nevertheless it was rejected.

On the whole, there is ample evidence throughout the country that the demand for industrial unionism is beginning to take on the form of a movement. Such a movement will be distinctly progressive in character. It will give a stimulus to new and greater struggles and it will provide a fertile field for the advancement of revolutionary ideas of policy and methods of working class organization. This particular fact will undoubtedly exert its influence in a fundamental sense upon the present conflict in the A. F. of L.

The Possibilities of Split

It may be entirely premature to speak of the probability of a split in the A. F. of L. in the sense that the report from the Executive Council sessions do. While one cannot lose sight of the fact that the A. F. of L. is purely a voluntary federation of completely autonomous unions, and while secession of some of these unions, sometimes more than one at a time, have taken place before, they have occurred usually over purely jurisdictional disputes leading to a separation of a purely temporary nature. In such cases the secession did not carry the stigma of dual unionism; nor would the A. F. of L. undertake to organize rival unions in the place of those that withdrew from its ranks. An actual secession movement in this present situation, or a split arising out of this present conflict and around the present issues in dispute would be far more profound in its nature and in its implications for the future. Inevitably the result would be two rival movements struggling for supremacy.

Horse-and-Buggy Age Over

While a split of this nature in the A. F. of L. may not be an immediate probability, it cannot be denied that all the implications leading in this direction are already at hand. The choice, however, is essentially with the officials who are in control of affairs of the A. F. of L. They cannot help but see the handwriting on the wall. They have the choice of changing, and adjusting the federation to the requirements of modern conditions and to the needs of the masses or to give way to other forces capable of undertaking such a task.

The issue of industrial unionism is now of paramount importance. It grows out of the needs of the working class and once its real importance is fully appreciated it can become the vehicle for the revitalization of the whole labor movement. The moods of the masses is changing. The masses seek organization and they seek to utilize their organizations as instruments of struggle for their own class ends. In this respect there are now the most favorable opportunities available.

If the Committee for Industrial Organization stands its ground in this present conflict a first and most important step can be accomplished. It can become an instrument toward the creation of a genuinely progressive movement in the trade unions. This is today an imperative necessity and an absolute prerequisite. Once this genuine progressive movement is finally established there need be no fear of the consequences of any position taken by the reactionary A. F. of L. top leaders, be it ever so hostile.