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# Socialist Appeal

Official Organ of the Socialist Workers Party, Section of the Fourth International

Issued Twice Weekly

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VOL. III—No. 13

TUESDAY, MARCH 7, 1939

375

3¢ per copy

## COURT OUTLAWS SIT-DOWNS

### New Fight Begins for War Referendum

#### La Follette Group Backs Amendment

Mass Sentiment Against War Punctures  
Roosevelt Plans to Evade  
Nation-wide Vote

#### SERIOUS FLAWS IN BILL

(Special to the Socialist Appeal)  
WASHINGTON, D. C., March 2.—The tremendous public sentiment against plunging the United States into the rapidly approaching world war managed to break through the iron barrier of Roosevelt war preparations Feb. 28 in the Senate with a proposed amendment to the Constitution providing for a popular referendum before war could be declared by Congress.

The new proposal, backed by a group of twelve senators headed by Senator La Follette of Wisconsin, is similar to the Ludlow amendment which was killed in the House last year.

The Ludlow amendment as originally proposed declared against Congress engaging the United States in any war without a popular referendum unless an attack was launched against the mainland of the country.

**War Mongers Attacked Bill**  
Both the Economic Royalists and the Stalinists attacked this proposal viciously. The Economic Royalists argued that it would tie the hands of the government in carrying out its foreign policy. The Stalinists, hoping for a war alliance between the Stalin government and the Roosevelt administration, argued that it would commit the government to "isolation" and in actual practice prevent it from "actively" engaging in the "fight against fascism."

As the attack grew in fury from the war-mongering capitalist camp and the war-mongering Stalinist camp, Ludlow acceded to amendments to his bill which greatly reduced any effectiveness it might have exerted had it been passed. The House later killed even this emasculated version.

**Contains Grave Defects**  
The present proposed amendment to the constitution contains very grave defects. The referendum would be called when in the opinion of Congress "a national crisis" existed, but only to decide on war in Europe or Asia. If the administration decided that the war should be started in Latin America, it could be launched immediately without the referendum.

Moreover, wars in these days are started and sometimes ended without even the formal declaration of war, much less the declaration that a "national crisis" exists.

Secondly, and more important, if Congress wished to make a formal declaration of war without calling for a referendum, it could do so in its opinion any of the following conditions existed: (a) The United States or its possessions had been attacked, (b) The United States or its possessions were immediately threatened with attack, (c) Any non-American nation had attacked or was threatening to attack any country in the Western Hemisphere.

**How It Would Work**  
Translated into the language used by the Roosevelt administration at secret conferences and in secret war commitments, this means, for example, that if the people don't want war and the majority will vote against it, then Congress, strictly conforming to the amendment, can decide that any nation—Japan, Germany, Italy or one of the other capitalist rivals such as France or Great Britain, "threatens to attack" Mexico, Brazil, or Patagonia, or one of the remote outlying islands of the United States in the Pacific Ocean.

Already those who are deliberately steering the nation into war have started their attack against even this mild and imperfect call for a referendum. Neither the Economic Royalists nor the Stalinists can permit so much as the idea to enter the mind of the public that there is a war referendum in the constitution. In a public statement today Secretary Hull

attacked the bill viciously, declaring that it would "interfere with representative government."

**Unionists Support Referendum**  
Support for a referendum on war is widespread throughout the nation, especially among militant unionists. Even though they realize that a referendum cannot prevent war, they recognize the progressive sentiment of the people in demanding such a referendum and are exerting every effort to further any bill which will make a declaration of war difficult or embarrassing to the Roosevelt administration or lead to the exposure of its real war aims.

#### CARIBBEAN NAVAL MANEUVERS AIM AT INTERVENTION

Problem is How To  
Control South  
America

Fleet Problem XX, or what the navy will do to enforce U.S. domination of South America, was last week solved by the Caribbean maneuvers. That the theoretical war fought somewhere in the southern Atlantic was more than a routine drill is proved by the participation of Pres. Roosevelt in its direction as well as by the unusual secrecy with which the "games" were surrounded.

As explained by the N.Y. Times (Feb. 28) the problem was based on a presumed large-scale uprising in the southern half of the American Hemisphere, with supplies of both men and munitions coming from Europe. While the Panama Canal and the Atlantic Coast defense were of undiminished importance, the broader aspect of the problem involved giving effective military support to the long-established Monroe doctrine of America for the Americans.

**Purposes of Games**  
The maneuvers then had a double-barreled aim based on one intent: to preserve America for American profiteers. On the one hand the objectives of the "games" were patently directed against a possible revolution in South America. On the other, they were designed to work out American strategy for a coming war which may see certain of the South American countries lined up with powers against whom the U.S. has declared war.

South America, it has been repeatedly proved, figures larger

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#### AUTO UNION WPA DIVISION PERILED BY STALIN GANG

Stalinists Seek to  
Force Jobless  
Into W.A.A.

(Special to the Socialist Appeal)  
DETROIT.—The United Automobile Workers Union first launched a campaign to organize the W.P.A. workers of Michigan in the early months of 1939. Michigan, at that time, had over 150,000 workers on the W.P.A. payrolls. The vast bulk of these men were automobile workers and other mass production workers. This campaign constituted one of the most progressive steps of any C.I.O. union.

The U.A.W. was the first important international union that recognized unemployment as a responsibility of the labor movement itself and assumed its rightful obligation to organize the W.P.A. workers in the states where it dominated the labor movement.

The bold stand of the U.A.W. marked a sharp contrast to the timidity and confusion of the C.I.O. national leadership. The only advice and leadership the C.I.O. leadership provided to its affiliated unions consisted of several mimeographed bulletins over the signature of Ralph Hetzel, National Unemployment Director, advising all local unions to hold on to its unemployed membership. How this was to be accomplished, Mr. Hetzel did not know.

In effect, the C.I.O. policy meant no organization of the W.P.A. workers.

**Set Up Staff**  
The Stalinists quickly stepped into this picture of confusion and uncertainty. Through their control of key C.I.O. central labor bodies, they "implemented" the national C.I.O. policy by the proposition that all other workers other than the C.I.O. enumerates, be required to join the Workers Alliance. The C.I.O. central labor bodies thus turned the W.P.A. and unemployed workers over to the defunct Workers Alliance. In spite of this shot in the arm, the Workers Alliance organized no W.P.A. or unemployed workers during this whole period in the middle western states.

The progressive character of the automobile workers program is obvious. For the first time, organized labor stopped mouthing pious phrases about the unemployed. An organization staff was set up, dues were placed at 50¢ per month, proper arrangements were made with the other international unions in Michigan and the drive was all geared to start.

**Wrecking Crew in Action**  
Were the Stalinists going to allow the W.P.A. workers to actually be organized in a union not under their complete control? Perish the thought, said Earl Browder and his Michigan lieutenant, Bill Gebert. The wrecking crew got into action!

The first monkey wrench was thrown into the machinery by George F. Ades, union secretary-treasurer. He sent out a circular letter to all local unions, countermanding, in effect, the previous instructions issued by the union President. It was illegal, Ades, stated, to charge 50¢ dues; the constitution required that dues be set at \$1.00; the fact that this was a W.P.A. auxiliary and the men involved were earning \$60 per month meant nothing to Ades.

Several more weeks of wran-

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#### "Our Interests" Must Be Defended!



#### Court Decision or Not--The Right To A Decent Living Comes First!

AN EDITORIAL

The Supreme Court has ruled that sit-down strikes are illegal. The Labor Board cannot compel an employer to rehire a worker who took part in such a strike.

This brutal blow was delivered at the working class and the labor movement by Roosevelt's "liberalized" court.

Roosevelt's direct appointees joined the outright reactionaries of the Court in declaring sit-downs illegal. The Declaration of Independence about which all "democrats" talk so much, states that we have the unalienable rights of Life, Liberty and the Pursuit of Happiness.

Life, Liberty and the Pursuit of Happiness mean absolutely nothing without the RIGHT TO A JOB FOR EVERY WORKER and the RIGHT TO A DECENT LIVING.

These rights come before everything else—whether the Supreme Court or anybody else says so or not.

The Supreme Court decision means: The worker does not have the right to a decent living, because he has no right to fight for one.

The American workers found out that one of the best and quickest ways of winning their demands for better conditions was the sit-down strike.

The capitalists, who would like to see labor reduced to the level of starving serfs, shouted: Get out of our plants! They belong to us! They are our private property!

The workers replied: Here we stay until you recognize our union, pay us better wages, shorten our working day.

The workers were saying: Our right to live as decent human beings comes before your right to private property.

**THEY WERE 100% CORRECT!**  
Now, the Supreme Court says: The right to private property comes before the right of the workers to live decently.

It says so now, when it thinks labor is asleep, not fighting.

It didn't dare say a word about it before, when hundreds of thousands of workers were in action, sitting-down in the plants of big capital, and in no mood to be trifled with.

Why was it silent? Because the Supreme Court, like its capitalist masters, fears the power of the organized working class in action.

We repeat: the right to a job and a decent living comes ahead of the right of private capitalist property.

And labor will enforce that right with its own organized strength, whenever it deems it proper, necessary and effective—Supreme Court or no Supreme Court!

#### British Overlords Sole Gainers In Palestine Conference Plan

BY FELIX MORROW

While the Arab world joyously celebrates and Zionists in and out of Palestine cry out against betrayal, the fact of the matter is that the Palestine conference in London has benefited the British government most of all.

What do the Arabs actually have to show, to justify the jubilation in Palestine and the neighboring Arab states? Upon close scrutiny, apart from whatever private promises were made to the Arab delegates and which as so often before will not be carried out, the official British text of "suggestions" as a basis for further discussion provides:

1. A "transition period" in which Britain would continue to rule much as before. The "many questions" which Britain proposes to settle during this period mean that this period will last as long as British diplomatic ingenuity can drag it out.

**Guards British Interests**  
2. The Constitution to govern the "independent Palestine state" which would follow the transition period will be written under the

round-table conference." The document contains no commitments concerning provisions for democratic elections of any legislative body, or even for proportional representation according to population which would ensure an Arab majority.

In a word, perfidious Albion has given nothing away that can mean anything to the Arab masses.

**Arab Backwardness**  
That this document is received so joyously by the Arab population, both in Palestine and the neighboring Arab states, testifies to the immature development of the Arab nationalist movement as compared, for example, to the Indian struggle for independence.

Whereas the rulers of the native states in India are correctly hated and despised as puppets of British imperialism and receive not the slightest measure of confidence,

the British statement brazenly likens the procedure for working out this constitution to "the way" that the Indian Constitution was worked out—at a time when all India is up in arms against this British-dictated document!

The Arab and Jewish representatives to the "round table" which would work out the constitution would not be elected but would be appointed by the British government, "as in the case of the Indian

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#### Property Rights Take Precedence

Rooseveltians and Tories Join Hands  
In Striking Brutal Blow At  
American Labor Movement

#### ALL NINE BAN SIT-INS

Continuing the headlong policy of "business appeasement," for which the lead has been given by the Roosevelt administration during the past month, the Supreme Court last Monday fawned on Wall Street and struck hard at labor in three vicious and reactionary decisions.

The decisions were handed down on appeals by the Fansteel Metallurgical Corp., (North Chicago), the Columbian Enameling and Stamping Co., (Terre Haute), and the Sands Manufacturing Co., (Cleveland), from the rulings of the National Labor Relations Board made under provisions of the Wagner Act.

**BARRIO NAMED  
PRESIDENT, BUT  
HE PLAYS SAFE**

The Fansteel case was the most spectacular of the three, involving as it did the legality of sit-down strikes. During the bitterly fought Fansteel sit-down strike, which was finally smashed by the brutal terror of armed police and company thugs, the Fansteel Corp. discharged a long list of militant workers. The N.L.R.B. investigation disclosed—what was known to every worker in the North Chicago area—that the Fansteel Corp. had been guilty of every sort of criminal and illegal "unfair labor practice." It ruled that the company should re-hire the discharged workers.

**Azana Reveals War  
Given Up as Lost  
Long Ago**

A communique was issued in Madrid on Wednesday announcing that Diego Martinez Barrio, head of the Spanish Cortes, had "assumed" the Spanish Presidency, but Barrio, still in France, did not confirm it.

On Tuesday Martinez Barrio had informed the press that he

**U. S. AND RUSSIA  
REFUSE TO ACCEPT  
SPANISH REFUGEES**

Reporting a speech made by Georges Bonnet, French Foreign Minister, the N. Y. Times on March 2 said: "United States was among the countries that had declined to admit Spanish refugees. He said France had requested various governments to make offers to give asylum to certain numbers of refugees. Great Britain had declined, but had offered liberal contributions to the Red Cross. Russia had refused also, but had sent 5,000,000 francs, a sum insufficient to care for the refugees now in France for a single day, as they are costing 7,000,000 francs a day."

They refused to accept the ruling, and turned matters over to their high-power lawyers, confident of the final outcome in the courts since they knew that the courts, like the police, exist for the purpose of guarding their property and their profits.

The Supreme Court, highest deity of capitalist property, did not disappoint them. As a matter of fact, all of the Supreme Court justices simply took for granted that sit-down strikes are "illegal"—this was assumed by the two dissenting justices, Black and Reed, in the same manner as by the majority.

**"Without Shadow . . ."**  
Chief Justice Hughes, who wrote the majority decision, licked his chops and put it this way: "Nor is it questioned that the seizure and retention of respondent's property were unlawful. It was a high-handed proceeding without shadow of legal right."

The crux of the decision turned, not on the point of the illegality of sit-downs—which was thus taken for granted, but on whether, assuming the illegality of sit-downs, the company was nevertheless compelled under the Wagner Act and the N.L.R.B.'s ruling to reinstate the discharged employees. The Court decided that it was not.

**Barrio's Past**  
Barrio, head of the Union Republican party, was closely associated with Azana throughout the life of the Spanish Republic since 1931. If anything, he was to the right of Azana, being the right-hand man of the notorious Alejandro Lerroux, head of the Radical party, which collaborated with the fascist Catholic Action party and in crushing the workers' revolt of October, 1934. Barrio did not break with Lerroux until 1935, when it became evident that Gil Robles had failed to smash the labor movement, and a series of financial scandals put an end to the Radical party.

Barrio himself was one of the premiers during the *bienio negro*—the two black years, 1933-1935—putting down with great cruelty an anarchist rising in December, 1933.

This is the "anti-fascist" pillar on which the Spanish Republic now rests!

**Azana's Letter**  
Azana's letter of resignation did not limit itself to his own retirement, but constituted a vicious

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In this decision the Court based itself upon a denial of the facts discovered and shown by the N.L.R.B., and the inferences drawn by the Board from these facts. The important point here is that the

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