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FIGHT WITH THE SOCIALIST WORKERS PARTY FOR:

- 1. A job and a decent wage for every worker. 2. Open the idle factories—operate them under workers' control. 3. A Twenty-Billion dollar Federal public works and housing program. 4. Thirty-thirty! \$30-weekly minimum wage—30-hour weekly maximum for all workers on all jobs. 5. Thirty dollar weekly old-age and disability pension. 6. Expropriate the Sixty Families. 7. All war funds to the unemployed. 8. A people's referendum on any and all wars. 9. No secret diplomacy. 10. An independent Labor Party. 11. Workers Defense Guards against vigilante and Fascist attacks

Behind Closed Doors

The agreement between the New Deal and the Old Deal, which accepted the \$100,000,000 W.P.A. figure voted by the House and thereby guaranteed mass cuts from W.P.A., was made in the Sub-Committee of the Senate Appropriations Committee during sessions held on Wednesday, April 5.

At these sessions, Colonel F. C. Harrington, head of W.P.A., testified for several hours.

The sub-committee voted that the entire record of the sessions, including all of Harrington's testimony, should be kept secret.

What went on behind the closed doors of the sub-committee? These skulking cowards, deciding on a measure that means starvation for millions of persons, do not dare let the people know the terms of their conspiracies.

We demand that the full record be made public!

Let the people know, and judge the plot against the unemployed!

Answer With Pickets

In the first week of May, for the crime of being unemployed in a system that has no jobs, blue and orange food cards will be forced on all those now struggling to keep alive on relief in Rochester, New York, and Allentown, Pennsylvania, and by June this experiment on the unemployed guinea pig will be extended to six cities of about 300,000 population.

The only attempt yet made to justify the imposition of this orange and blue food card system by these miserable bureaucrats in charge of the relief system, is that the 12,000,000 unemployed Americans are not mentally competent to buy food for themselves when they are given cash instead of a food card.

To this slander we have only one answer—militant picket lines and demonstrations before the headquarters of the relief bureaucrats.

The unemployed do not need to wait until a bayonet is shoved through their entrails while "intelligently" fighting for capitalist profits to understand that the money which is theirs is now being diverted by Roosevelt into the war machine and that this is the real reason for imposing the orange and blue food cards on the unemployed.

End Capitalist Control!

The power of labor lies exclusively in its own organizations, its own methods of struggle, its own militancy, its disregard for all limitations imposed by the capitalists.

This great basic truth of the labor movement is clearly confirmed by examining the history of legislative and court struggles between the working class and the capitalist class.

The Sherman Anti-Trust Act was forced through Congress by a militant forward surge of mass revolt against the industrial monopolies. The capitalist courts promptly set about to twist and to "define," to "interpret" the Act. Naturally they did so in the interests of the capitalist class. They converted the Act into a powerful weapon against labor.

Then labor forced the Clayton Act through a

hostile Congress, specifically exempting trade unions from the provisions of the Sherman Act. When the militancy of the labor movement died down and the capitalist judicial machinery no longer feared that labor would strike back, the Clayton Act promptly went through a series of "definitions" and "interpretations" by judges who finished by converting the Clayton Act into another powerful weapon against labor.

Now we learn that the legislation being prepared by the LaFollette Civil Liberties Commission, which specifically condemns the employers' use of violence, terror, and blood-shed against the workers—will be turned into a new weapon against the workers!

A group of Senators have already announced that they will attempt to utilize this legislation—not against the employers—but against the unions, to restrict them, to place greater "responsibility" upon them instead of allowing the "regulation" to fall upon the employers."

When labor was militant, began demanding its just rights, and raised its mighty fist in reply to the violence of the employers, then investigations of the employers were held by Congressional committees, the truth about machine guns, tear gas, professional thugs and spies in industry exposed, and the capitalist courts were as silent over the legality of sit-down strikes as hangmen when a prison is torn down by an angry populace.

Now that the judicial and legislative arms of the capitalist class think that labor has gone back to sleep, they are again busily engaged in tying new nooses for labor.

The Supreme Court decision against sit-down strikes, the Apex case awarding the employers a monstrous sum for alleged damages by the union, the conversion of the LaFollette legislation into an employer weapon—all these open attacks against labor come because labor's militancy has subsided.

The laboring man has only one way of protecting his right to live as a human being and that is through the militant action of his own class.

The workers with the aid of the poor farmers must put into power their own government. That is the only way to smash forever the capitalist courts, the capitalist legislative bodies, and capitalist control of the lives of the workers.

Youth Has a Future

The frontiers of enterprise for American youth have reached their final development under capitalism and youth no longer has a future in capitalist America.

This in essence is the conclusion one may draw from the words of Dr. Caroline B. Zachry of the Progressive Education Association, who spoke at a luncheon meeting of the National Board of the Young Women's Christian Association on April 5 in New York City and made public the findings of her five-year study of American boys and girls.

American youth is apathetic, with a defeatist, hopeless feeling about their future, she stated. There is no place for youth in industry, in the professions, or in other areas. A grave situation has thus arisen; the boys and girls, afraid that they cannot be absorbed by society in a constructive capacity, are just shuffling along, without any sort of philosophy, without any hope for the future.

How very easy, she concluded, it would be for a Hitler or any one else who came along with a program involving youth to get hold of this group!

What Dr. Zachry says about American youth is absolutely true. And it does not take five years' study to discover it. Any college, any high school, any grammar school graduate can bear witness to the unutterable hopelessness of the future under capitalism, the unbearable dreariness of endlessly hunting for a place that does not exist.

All the expanding frontiers that capitalism once offered to youth with imagination, daring, and intelligence have finished expanding. Capitalism no longer needs youth, no longer wants youth for productive purposes. The boys and girls of America have become a major source of danger to the American profit machine. American capitalism under a Roosevelt democracy or under an American Hitler has nothing but death on a shameful battlefield to offer its youth.

The new frontiers which are opening up for youth are the frontiers of socialism. Socialism offers a new way of looking at the world, a new way of fighting for honor, for glory, for truth.

American youth, there is a place for your abilities! There is a future for you—in the great emancipating struggle for a new world!

In the revolutionary movement the greatest tasks ever to face the young people in history need all your intelligence, all your devotion, all your idealism, all your strength, all your courage and daring and self-sacrifice. Here there is a place for you. Here there is a future.

Shining banners stand at the head of the coming American revolution. Join its forces in hastening the victorious day! Join the revolutionary American workers in smashing capitalism and building a new society that does have a future!

Courts Invent Means To Break Strikes When Employers Cannot

The Apex Decision Is Only the Most Recent Instance In a Long Series of Measures Taken by the Judicial Arm of Capitalism to Handcuff Organized Labor Action

By FELIX MORROW

The decision of U. S. District Judge W. H. Kirkpatrick imposing nearly three-quarters of a million dollars as punitive damages against the Philadelphia hosiery workers, and the recent U. S. Supreme Court decision in the Pansteel case outlawing sit-down strikes, are undoubtedly the opening guns of a new battle of the judges against the labor movement.

But if this battle gives every sign of being a particularly murderous onslaught of the bereft gentry against the workers, the war itself has scarcely abated at any time since the railroad strikes of 1877 scared the wits out of the bosses and sent them scurrying behind the judicial skirts for protection.

Flagrant, indeed, has been the history of judicial strike-breaking. So flagrant, that even the eminently respectable and conservative authors, John R. Commons and associates, in that standard work, "History of Labor in the United States," describe it in these terms:

"When employers discovered that they could not place complete reliance upon the executive officers of the democratically controlled state, they turned to the courts for protection. The latter responded by developing a code of trade union law, which, having for its cornerstone a resurrected doctrine of malicious conspiracy as applied to labor combinations and, for its weapon, the injunction, proceeded to outlaw the boycott, to materially circumscribe the right to strike, and even to turn against labor the Federal statutes which had been originally directed against railway and industrial monopoly." (History of Labor, 1926 ed., Vol. II, p. 530.)

Damning as is this calmly worded indictment of the judiciary, the most sketchy outline of the actual events will show that it is an under-statement. THE FIRST PHASE: POLICE COURTS

When the workers first began to revolt against the slavery of the open shop in the 1870's and 1880's, the courts speedily came to the aid of the bosses. The first extensive use in labor disputes of such criminal charges as "inciting to riot," "obstructing the streets," "intimidation" and "trespass," dates from this period. "Convictions were frequent and penalties often severe." The use of criminal frame-ups reached a climax in the murder convictions and executions of the Haymarket martyrs in 1885.

But such ordinary criminal charges were not sufficient to hold back the growing labor movement. The willing judges proceeded to invent more complex and more effective weapons. For, of course, the bosses were not seeking to prevent violence, but to prevent strikes, picketing, and boycott. Since the right to organize and strike was already recognized, the judges had the problem of conceding the legality of trade-unionism while outlawing the actual substance of unionism.

HOW THEY USE THE SHERMAN ACT

3. To these two obviously judge-made weapons was soon added the one which has just been used in the case against the Philadelphia hosiery union. The Sherman Anti-Trust Act of 1890 was a law against industrial monopolies, adopted primarily as the result of agrarian discontent. To "apply" it to labor was and is the most arbitrary judge-made "law." The Sherman Act ostensibly sought

to curb monopolies under the Federal power to control interstate commerce; convictions were to be secured by finding monopolies to be "restraining commerce."

But during the great Pullman strike and boycott led by Eugene V. Debs in 1893, judges proceeded to issue injunctions by citing the unions as restraining commerce and therefore violating the Sherman Act! Thereafter this judicial "interpretation" became a basic anti-labor weapon.

In 1908 in the Danbury Hatters case, the judges first applied the punitive damage provisions of the Sherman Act to unions and union members, the life savings of several hundred members being attached to satisfy the staggering triple damages awarded by applying the anti-trust law. This is the precedent for the present case against the Philadelphia hosiery union.

THE "MAGNA CHARTA OF LABOR"

As the result of a national wave of labor revolt, Congress in 1914 passed the Clayton Act, expressly exempting unions from the anti-trust laws. Gompers hailed it as the "Magna Charta of Labor." But it made little change in the injunction racket, for the judges whittled it away by interpretation: the final proof of this was the Injunctions which Attorney General Daugherty obtained in 1922 against the railway shopmen's strike—the most sweeping injunction ever issued up to that time, absolutely outlawing the strike.

Every attempt of the trade unions to free themselves from the murderous onslaught of the judges, by securing new legislation, has been thwarted by brazen judicial "interpretation" of the "intent" of Congress or the legislatures. The legislators, of course, connive with the judges, providing loopholes in the writing of the laws. Actually there is a division of labor here: the legislators yield to labor's demand on occasion, with the assurance that the judges will go on as before on the basis of the ingenuity they have employed always in siding with capital against labor.

While, as every trade unionist knows from his own experience, it is tactically advisable in strike struggles to retain as much as possible the formalities of legality, the basic fact remains: the judges, tools of the bosses, define what is legal. Hence, to stake everything on legality means to give up the fight against the bosses. That is why labor must struggle on the basis of the conviction that the rights of the working class are higher than any judge-made law.

2. "Unlawful conspiracy." Even the new concept of property was not enough alone to justify injunctions, for it was well established in law that no redress can be had for losses due to the exercise by others (the unions) of that which they had a lawful right to do. If strikes and picketing were legal, the bosses had to suffer the consequences. To circumvent this simple truth, the judges proceeded to define either the object of the strike, or some of the means employed, as unlawful. For this purpose they dug up the old common law against conspiracies and proceeded by arbitrary definition to define either means or ends of strikes as unlawful conspiracies.

In many cases judges were crude enough to say that all interference with the business of employers constitutes conspiracy. More suavely, they declared that interference is prima facie unlawful but may be justified—i.e., if the union's demands were acceptable to the judge, then the strike was lawful, if not it was unlawful!

WORKERS' FORUM

MAKING IT TOUGH FOR FINKS

Editor: Back in the days when Tom Mooney was an organizer for the Moulders Union, he employed a swell idea for tracking down strike-breakers. Mooney would sit on a motorcycle outside a struck plant and wait until the scabs had quit work for the day. After watching them pile into a truck, he would follow it to the house which the bosses had provided. Mooney would then organize a picket line and have it parade in front of the boarding house until the landlady got sore enough to order the finks to get the hell out.

Well, here in St. Louis the unions have been using a similar tactic against workers who refuse to sign up. For the past few weeks, the United Electrical, Radio and Machine Workers and the Cosmetic and Chemical Local affiliated with the United Mine Workers, district 50, have been picketing the homes of delinquent and non-union workers. The Leather and Luggage Workers Union, affiliated with the Amalgamated Clothing Workers, sent out a notice that beginning March 6 it would picket the homes of non-union workers of the Herbert and Meisel Trunk Company, with which the union has a contract.

This angle in union organization has proved itself a big success. H. V. R. St. Louis, Mo.

THOMAS IS CONFUSED AGAIN

Editor: Norman Thomas is confused again. According to "La Voz" April 4, Thomas was trying to make clear his position on Puerto Rico's struggle against tyranny, at the Open Forum of the University of Indiana last Monday, when a Puerto Rican student named Jose Antonio Gonzalez impatiently interjected a demand for a clear answer: for or against independence?

Mr. Thomas, although capable enough at describing the horrors of Yankee imperialism, rule in the island, was at a loss when asked about just what action to take against it. The listeners must have felt their heads whirling when they heard Thomas answer: "If I were you, and were convinced that independence would not function adequately in these times, I would toss a coin between statehood and autonomy under the U. S. flag. I would rest content with the latter."

Anyone who calls himself a "Socialist," and a "leader," no less, and yet doesn't stand clearly and forthrightly for the unconditional freedom of the oppressed colonial peoples is either a miserable fool or a traitor to the toiling masses whom he professes to lead.

DIEGO MONTANEZ. New York

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To Honor Tresca On His Fortieth Year As Militant

(Special to the Socialist Appeal) NEW YORK—Friends of Carlo Tresca are celebrating his 60th birthday and the anniversary of his 40th year of service to the labor movement with him at a testimonial dinner and dance to be held on Friday, April 14 at Irving Plaza.

Everyone in the labor movement knows of his tireless struggle for civil liberties, and in the cause of trade unionism. Those who took part with him in the Lawrence, Paterson, and Mesaba Range strikes can never forget this fighter for the working class.

Always on the side of the oppressed, he threw himself wholeheartedly into the work in behalf of victims of capitalist persecution and the struggle for civil liberties. Hundreds of militants, framed-up by the capitalist courts remember that it was Carlo Tresca that was among the first to rally to their defense. Outstanding was his work in the Sacco-Vanzetti, Sacramento, and Greco-Carillo cases.

Among the sponsors of the dinner are John Dewey, Roger Baldwin, Albert Goldman, John Dos Passos, John F. Finerty, Arturo Giovannitti, James Rorty, Adolph Heid, George Novak, Benjamin Stolberg, Norman Thomas, Oswald Garrison Villard and Louis Waldman.

Reservations to wine, dine, and dance with Carlo Tresca may be made by mail through Vincent Alvano, banquet treasurer, at Room 414, 96 Fifth Avenue, New York City, at two dollars per person.

IN THIS CORNER By Max Shachtman

An interesting dispute arose during my recent debate with Mr. Joseph Shaplen, of the Social Democratic Federation, on the subject: "Has Bolshevism Failed?" It related to the trial of the twelve leaders of the Russian Social Revolutionary party who were convicted of counter-revolutionary activities by the Soviet court in Moscow, 1922.

In what I considered a hopeless effort to prove that the Stalinist regime differs in no essential from the Soviet regime of Lenin's time, Mr. Shaplen declared that the recent Moscow frame-ups against the so-called Trotskyists had their origin in "identical" frame-ups organized by Lenin and Trotsky in 1922 against the Social Revolutionary party leaders—Abraham Gotz, Eugene Timofeyev, Eugenia Ratner, Gendelman, Donskoy, Nikolai Ivanov and half a dozen others.

My reply was that the two trials had nothing in common. The S.R. leaders not only expressed freely and vigorously their irreconcilable opposition to the Soviet regime, and not only admitted—even boasted of—their armed struggle to overthrow it, and their intention to resume it whenever they considered it possible and expedient, but also admitted that they had worked together with the Allied imperialists.

The latter part of my reply was especially challenged by Shaplen, who imprudently stamped it a part of what he called the "Trotskyist school of falsification." He insisted on his challenge, even after I had called attention to my documentary reference, with which he was acquainted—if one may be permitted to draw such a conclusion after seeing a marked copy of the document in his hands during the debate.

Because it has an importance far beyond that of proving a casual debater's point, I shall quote the document here. It is not written by the Stalinists; it is not written by the Bolsheviks. It is an official publication of the Social Revolutionary party itself. The English edition is called "The Twelve Who Are to Die," and was published by the "Delegation of the Party of Socialist-Revolutionists" in Berlin, 1922.

Kautsky and Vandervelde Testify

Let us hear first from Karl Kautsky, who wrote an introduction to the brochure:

"The Social-Democracy was never averse to the use of violence in resistance against violent persecution. It simply made the advisability of the use of such violence conditional upon considerations of purpose and the possibility of success. If the Social-Democracy found itself in disagreement with the Socialist-Revolutionists in this regard, it was not from considerations of principle but of tactics." (p. 9.)

No comment.

Now let us hear from the late Emile Vandervelde, the Belgian social-democratic attorney for the defendants in the trial:

"The Socialist-Revolutionists (say the Bolsheviks) waged an armed struggle against the Soviet Government. The Socialist-Revolutionists admit this as an undeniable historic fact." (p. 62.) No comment.

S. R.'s Plead Guilty As Charged

But what about S.R. collaboration with the foreign imperialists in the attempt to overthrow the Soviet regime by force? Let us listen to defendant Timofeyev's court statement:

"They (the Kerensky government and the S.R.'s) regarded Russia's continued participation in the (imperialist) war as essential, and in basing their program upon socialist ideas of peace they hoped to wrest at the future peace conference conditions of peace acceptable to Russia. The Brest-Litovsk treaty, concluded in 1918, made continued cooperation with the Allies for salvation of our country from German imperialism, supported by the Soviet government, doubly essential. Our relations with the Allies continued up to the German revolution." (p. 65.) That is, up to November, 1918—at least!

And finally, from the official declaration in the brochure by the Foreign Delegation of the S.R. party:

"In the summer of 1918, the conflict of the Government against the people assumed the form of civil war. The S.R. party was on the side of the people (Ahem!). On the Volga and in the Urals, it organized peasants' and workmen's regiments, which fought against the Bolsheviks on the so-called Front of the Constituent Assembly. They were helped by the Czech-Slovak legions, formed from war prisoners, which Trotsky had tried to disarm on the demand of imperial Germany." (p. 114.)

Whatever Mr. Shaplen may assert 20 years later, it nevertheless remains true that the Social Revolutionists themselves did not even try to make a secret of the fact—denied by nobody at that time; denied today only by those who count on popular amnesia—that (1) they had taken up arms in the hope of overthrowing the Soviet regime, (2) they had worked as tools of Allied imperialism (Lloyd George, Poincare, Wilson and Co.) and its Czech legions, and (3) one of their aims was to drive exhausted, peace-thirsting Russia back into the imperialist war.

Workers' State Must Defend Itself

Under the circumstances, the S.R. party had as much right to Soviet legality and toleration as would a gang of British Tories who sought to open up headquarters in Boston and appeal for recruits and arms during the American Revolution.

A workers' state, governed by one or more parties, has no right to suppress other working class organizations for their political views. It has an elementary right and duty to act with the utmost vigor and rigor against any group, no matter what it calls itself, which takes up arms against it. Doubtless if the group in question works hand in glove, as did the S.R.s, with domestic or foreign capitalism.

Apart from incidental and secondary errors—which, of course, our good social democrats never commit—that was the course followed by the Bolsheviks in the period of Lenin and Trotsky. The record proves it conclusively. And no amount of stuttering or blustering can obliterate or record.