

Workers -- Read the Story

of the Biddle-Post Office attack on The Militant at the hearing in Washington last week, reported on this page. Read it and you will see that they want to silence this paper because it tells the truth and defends labor's rights. Read it and you will see they are trying to establish a precedent that can be used to stifle all criticism. Read it, tell your fellow-workers about it, and help us fight to preserve freedom of the press.

THE MILITANT

PUBLISHED IN THE INTERESTS OF THE WORKING PEOPLE

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FIVE (5) CENTS

BIDDLE AND POST OFFICE DEMAND THAT 'MILITANT' BE BARRED FROM THE MAILS

THE TRESCA MURDER

Antonini '95%' Certain Stalinists Are Guilty

By Felix Morrow

The bitter clash between the Italian-American labor movement and the Stalinists over the assassination of Carlo Tresca reached a climax last week when Luigi Antonini, head of the Italian-American Labor Council representing 300,000 New York trade unionists and first vice-president of the International Ladies Garment Workers Union, issued a statement to the press declaring:

"Carlo Tresca needs some one to square his account with the Communist Party. Naturally I cannot point my finger at his assassin, but if I had to choose between the Fascists and the Communists (Stalinists), I will give the Communists 95 per cent that they did it, and the Fascists 5 per cent because the Fascists at this time are running and it is not a good time to do anything

of the kind. And I think the Communists are in better position to do it in revenge on this man." (N. Y. Times, Jan. 22.)

Antonini's statement merely put in stronger language the position previously taken officially by the International Executive Board of the ILGWU, which demanded that "this not be another Krivitsky case" in which investigation is dropped. The Stalinists and the GPU have likewise been listed high among the assassin suspects by spokesmen of the Mazzini Society, the Socialist Party, the Confederated Hispanic Societies, etc.

A STALINIST FORGERY

Antonini's statement followed a week of strenuous efforts by the Stalinists to cast off suspicion from them by making the most of a fabricated "news" story. The story, floated first in the N. Y. Post on January 18 and then "reprinted" in the Stalinist press, quoted one Lee Falk, a Stalinist fellow-traveler in the Office of War Information, who asserted that in a conversation with him Tresca had agreed "not to make an issue" of inclusion of Stalinists in a government-sponsored "Italian-American Victory Council." This "fact" became the Stalinists' principal proof that they had no reason to murder Tresca.

This Stalinist-inspired "story"

(Continued on page 4)

Randolph Speech Cited As 'Evidence' At Hearing

Postal Authorities Object to Negro Leader's Statements

Excerpts from a speech made by A. Philip Randolph, national director of the Negro March-On-Washington Movement, to a conference of that organization held in Chicago last September and printed in the Oct. 3, 1942 issue of *The Militant*, were part of the "evidence" introduced by Post Office Department officials at the Washington hearing to consider revocation of *The Militant's* second-class mailing privileges.

The insertion into the record of the quotations from Randolph's speech was intended to show how *The Militant* had violated the Espionage Act.

For if *The Militant* can be

Disliked His Speech



A. P. RANDOLPH

charged with violating the Espionage Act today because it printed parts of Randolph's speech, can't Randolph himself be attacked tomorrow for making such speeches? If a labor paper can be banned from the mails for quoting the remarks of the leader of a militant Negro organization, won't the next step be to

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BIDDLE'S LETTER

(Printed below is the text of the letter sent by Attorney-General Biddle to the Postmaster General on December 28, 1942, written eight days before *The Militant* was notified to show cause why its second-class mailing rights should not be revoked. This letter proves that Biddle initiated the present attack on *The Militant*, just as he did in the frameup prosecution of 28 Socialist Workers Party and CIO members in the 1941 Minneapolis trial, and that he provided the excerpts to be used in the Post Office hearing held in Washington last week. . . Ed.)

OFFICE OF THE ATTORNEY GENERAL
WASHINGTON, D. C.

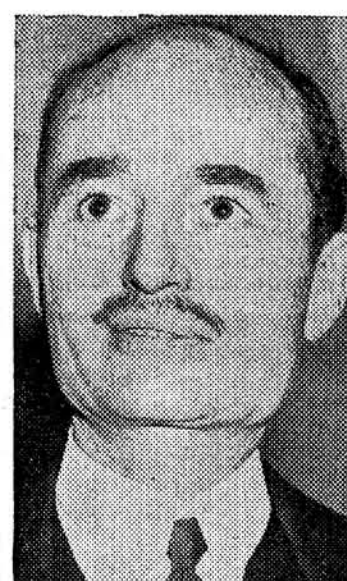
The Honorable
The Postmaster General
Washington, D. C.

December 28, 1942.

My dear Mr. Postmaster General:

As part of the joint cooperation which has existed between your Department and this Department in the enforcement of statutes in which both have a common interest, I am transmitting for your consideration information relating to *The Militant*, a weekly publication issued by The Militant Publishing Association, 116 University Place, New York, N. Y.

Starts New Attack



BIDDLE

appearing to be calculated to engender opposition to the war effort as well as to interfere with the morale of the armed forces. I am enclosing a memorandum consisting solely of excerpts taken from *The Militant* since December 7, 1941.

I suggest that you may wish to consider the issuance of an order to show cause why *The Militant* should not be denied the second-class mailing privilege. In this connection you will recall that in previous cases I called your attention to Section 3 of Title I of the Espionage Act of 1917 and to the decision of the United States Supreme Court in the case of *Milwaukee Publishing Company v. Burleson*, 255 U. S. 407 (1921), upholding the right of the Postmaster General to suspend or revoke the second-class mailing privilege of a publication which, over a period of time, consistently publishes seditious matter.

This department offers you its complete cooperation in any action which you may deem advisable.

Sincerely yours,

(Signed) FRANCIS BIDDLE
Attorney General

'Gravest Threat To Free Press In This War,' Says A.C.L.U. Attorney Fraenkel At Hearing

Authorities Do Not Challenge Truth of Statements in Paper, Goldman Shows Precedent Can Be Used to Stifle All Criticism

By George Breitman

WASHINGTON, Jan. 21 — Post Office Attorney William C. O'Brien, demanding suppression of the mailing rights of *The Militant* at a hearing in the Postmaster General's office here today, summed up the government's case when he flatly stated:

"We are not concerned here with questions of truth or falsity. It does not make any difference if everything *The Militant* said is true."

With these words the Post Office spokesman sought to dismiss the issue of the truth of the statements made in *The Militant* and cited by the postal authorities as reasons for rescinding the mailing rights of this paper. O'Brien had just been challenged to prove the falsity of these factual statements by Albert Goldman, attorney for *The Militant*, and Osmond K. Fraenkel, attorney for the American Civil Liberties Union, which has joined with *The Militant* to defend its rights.

This attempt to suppress *The Militant* was instigated directly by Attorney General Francis Biddle, it was revealed at the

opening of the three and a half hour hearing, when a letter from Biddle, urging the postal authorities to initiate this proceeding, was read into the record. The letter showed that the attack on *The Militant* represents a continuation of the government's attack on the militant labor movement initiated by Biddle in the Minneapolis trial of 28 Socialist Workers Party and Local 544-CIO members in 1941.

(The full text of Biddle's letter appears on Page 1 of this issue.)

THE PRINCIPAL ARGUMENT

Post Office Attorney O'Brien's principal argument on behalf of the government was that, though conscription is the main source of manning the armed services, there is still enlistment for certain specialist services and that *The Militant's* criticisms of Big Business, the government and the war tend to discourage enlistments. This asserted "effect," declared O'Brien, justifies rescinding the paper's mailing rights.

Answering O'Brien, Attorney Goldman showed that the acceptance of this argument would mean that EVERY criticism of government officials, no matter how mild or from whom it comes, could become the basis for revoking mailing rights, because all such criticisms might conceivably have the effect of persuading some individual not to enlist.

"Once you establish the precedent that the decisive factor is possible effect," Goldman declared, "then the danger is great that all the jails in the country will be filled."

Defended Free Press



ALBERT GOLDMAN

The ominous gravity of the government's move was underlined by Mr. Fraenkel, spokesman for the American Civil Liberties Union, when he declared:

"This effort to revoke the mailing rights of *The Militant* constitutes the gravest threat to freedom of the press that has thus far arisen in this war."

"Without the right to criticize there can be no freedom," he stated, "and that is the sole question involved in this case."

THE HEARING BOARD

The hearing was held in Room 3237 of the Office of the Postmaster General, before a Hearing Board of three appointed for the occasion by Postmaster General

Walker. The three were the Second Assistant Postmaster General, Smith W. Purdum, who acted as chairman; the First Assistant Postmaster General, Ambrose O'Connell; and the Deputy Fourth Assistant Postmaster General, Frank J. Buckley.

Their duties were simply to listen to the presentation of the evidence and the oral arguments, and to report their findings and recommendations to the Postmaster General, who makes the final decision on the case.

The case for the Post Office Solicitor's Department was presented by the Attorney in Charge of the Espionage Section, William C. O'Brien. As *Militant* Attorney Goldman entered the hearing room a few minutes before the proceedings were to begin, O'Brien greeted him by presenting him for the first time with "Exhibits B," a collection of 78 excerpts taken from issues of *The Militant* printed since Dec. 7, 1942.

An earlier collection of 27 excerpts, marked "Exhibit A," had been mailed to *The Militant* on Jan. 5. The 78 excerpts of Exhibit B covered 54 single-spaced typewritten pages. Yet Goldman was expected to study them and prepare to discuss them within four minutes!

O'Brien began the case by introducing into the record the order establishing the Hearing Board; the Jan. 5 order to *The Militant* to show cause why its mailing rights should not be revoked; and the letter from Biddle.

The Biddle letter was dated Dec. 28, 1942 and it enclosed a memorandum of excerpts from *The Militant* which Biddle found objectionable, and proposed the institution of proceedings to revoke *The Militant's* second class mailing privileges.

Thus Biddle, who instituted the frameup prosecution of 28 Socialist Workers Party and Local 544-CIO members in the famous Minneapolis trial held in the fall of 1941, had also instigated the current attack on *The Militant*. Biddle, who attempted in the Minneapolis trial to smash the Trotskyist movement and to destroy its influence in the labor movement, was now trying to silence its organ of expression.

Also explained by this letter was the presence in the hearing room of Henry A. Schweinhaut, special assistant to Biddle, who was prosecuting attorney in the Minneapolis trial. Schweinhaut used to be connected with the moribund Civil Liberties Unit of the Justice Department, and was in charge of the investigation of Mayor Hague's suppression of civil liberties in an investigation that was finally dropped to insure Hague support for Roosevelt in 1940. Now Schweinhaut appears to be working full time at the job of hounding the Trotskyists, and he was on duty at the *Militant* hearing.

Post Office Attorney O'Brien entered the 58 issues of *The Militant* since Dec. 13, 1941 as evidence, and then turned his atten-

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'Equal Rights' Bill Introduced Into the Senate

By LARISSA REED

The so-called "Equal Rights" amendment was introduced into the Senate last week as Senate Joint Resolution 25. In the last Congress this bill received open support from only five Senators and three members of the House. The ultra-reactionary character of the new Congress can be measured by the fact that already this bill has the backing of at least 24 Senators and 42 House Representatives, Republicans and Democrats alike, all calling for quick action on the bill.

A blow aimed against labor is seldom called its right name by the reactionaries. The so-called "equal rights" bill is no exception. Its sponsors claim that it will abolish "discrimination" against women in industry. This is nothing but fraud.

THEIR REAL AIM

They carefully conceal their real aim to do away with all the fed-

(Continued on page 3)

W. D. L. SECRETARY PROTESTS TO BIDDLE

"Have Americans the right to print the truth if it does not give military information to the enemy?"

That is the question raised in a protest sent to Attorney General Biddle by Morris Milgram, National Secretary of the Workers Defense League, who personally attended the hearing on *The Militant* held in Washington last week.

The full text of the letter follows:

January 23, 1943

Hon. Francis Biddle
Attorney General of the U. S.
Washington, D. C.

Dear Mr. Biddle:

At the January 21 hearings on the revocation of the second class mailing privileges of *The Militant*, instituted by Postmaster General Frank Walker upon your recommendation, an important question of civil rights was raised which needs your personal attention: Have Americans the right to print the truth if it does not give military information to the enemy?

Mr. William C. O'Brien, arguing for the Post Office Solicitor, stated that "The Post Office does not charge that the paper's statements are false." He argued that

it is a violation of the law to dwell at length on any incontrovertible facts—the law gave as examples the horrors of wounds, the restrictions of discipline—which would discourage enlistment in the armed forces.

His position was, of course, clear before the hearings, notice for which was accompanied by excerpts from this weekly dating back to December, 1941. The charges cover material alleging:

1. This is an imperialist war which Marxists cannot support.
2. Employers are making huge profits while workers are forced to make needless sacrifices.
3. Discrimination against Negroes continues in the armed forces and war industry.

Mr. Biddle, you know that point 1 is in the realm of opinion, not fact. But you also know that published facts do show a real case for point 2, and you do know that discrimination against Negroes in all phases of American life is terribly serious.

Two hundred Negro newspapers have been printing the same truth as *The Militant* on discrimination, and have painted it far more vividly, said it more often, and have reached far more Negroes whose enlistment might be discouraged by such news. Do you intend to recommend that the

Postmaster General inaugurate similar proceedings against the Negro press?

If you accept Mr. O'Brien's view that the truth must be sweetness and light about the war and our armed forces, or else can't be published consistently, then you will have to bring proceedings against hundreds of newspapers, and against many writers, who, like Pearl Buck, believe that this is not a war for freedom.

Where do you stand on printing the truth? Does a newspaper have that right, or doesn't it? If you stand for the right to print the truth, you can divert the energy of scores of Department of Justice workers to the problem of prosecuting those who make the truth as discouraging to enlistment as it is. For example, you'd have time to:

1. Prosecute those who, in violation of the Selective Service Act, which states "in the selection and training of men for the service, there shall be no discrimination on account of race, creed, or color," order discrimination against Negroes.

2. Prosecute those who, in violation of non-discrimination clauses in war contracts, are

(Continued on page 3)

They Want 'Militant' Barred From The Mails

(Continued from page 1)

tion to the excerpts in Exhibits A and B.

He read for a while from Exhibit A, which shows that The Militant had contained articles attacking Big Business; criticized domestic and foreign policies of the administration; criticized government officials for showing bias in favor of the employers and monopolists and against the in-

terests of the working people; opposed racial discrimination and urged the Negro people to fight for equality; opposed wage-freezing; demanded consumers' control of price control and rationing as the only means of preventing a black market; characterized the war on the part of all capitalist governments as imperialist and the inevitable result of the commercial rivalries fostered by capitalism, etc.

O'Brien complained that "The Militant has been conducting vicious anti-enlistment, anti-recruitment propaganda, and even preaching the doctrines of revolution."

"Thereby it has violated the Espionage Act, and has become non-mailable matter under the law."

O'Brien then read Section 3 of Title I of the Espionage Act:

THE ESPIONAGE ACT

"Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies."

"And whoever, when the United States is at war, shall willfully cause or attempt to cause insubordination, disloyalty, mutiny or refusal of duty, in the military or naval forces of the United States, shall be punished by a fine of not more than \$10,000 or imprisonment for not more than 20 years, or both."

O'Brien continued: "The Militant is not in favor of this war." O'Brien continued, "It regards the war as a struggle in the interests of the capitalist classes of the world, and not as a war for democracy. It declares that this war is benefiting the capitalists and businessmen, who are even accused of stretching their hands out to the leaders of the enemy nations, at the same time that our boys are dying on the battlefields. It continuously attacks the government and government officials and accuses them of operating in the interests of the businessmen."

O'BRIEN CONTINUES

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"That's no propaganda for enlistment—that's Hitler propaganda!"

"Look at what it writes about the armed forces, how it tells about the brutal discipline in the army, and the fact that the soldiers have grievances and how they can't get them adjusted. Look at what they say about 'the phoney admirals.' Look at how they keep telling the Negroes that they are discriminated against and 'kicked around.' Is that enlistment propaganda?"

QUOTES DECISION ON THE GENE DEBS CASE

O'Brien then quoted the Supreme Court opinion in the Eugene V. Debs case "that it was not necessary to show that Debs had spoken into soldiers' ears."

O'Brien argued that "What matters is that The Militant reached people at a time when the government was appealing for enlistments, and that its effect on the part of potential service-men would be to discourage enlistment. As a matter of fact, we can show that it reached at least one soldier."

"On Page 2 of the Aug. 8, 1942 issue of the paper appears a letter from a soldier. It is signed 'A White Soldier, Los Angeles, Calif.' and the heading over the article reads 'Protests Segregation of Negro Soldiers.'"

(O'Brien did not explain what effect The Militant had had on encouraging or discouraging this particular soldier from entering the armed forces.)

"Look at the back of every issue of their paper, under the masthead there, where they ask for 'military training of the workers, financed by the government, but under control of the trade union.' Financed by the government, mind you," he emphasized, "as though this were a monstrous crime."

have that effect, whose fault is it?

"Is it the fault of The Militant, writing about these conditions—or of the government authorities, permitting these conditions?"

JAMES P. CANNON'S STATEMENT ON THE WAR

"As I have said, the question of intent is very important. The intent of The Militant is not to obstruct the armed forces but to win supporters to its program of establishing a Workers' and Farmers' Government which would be able to destroy fascism everywhere in the world. Let me read now from a statement made by James P. Cannon, National Secretary of the Socialist Workers' Party, and printed in the Feb. 7, 1942 issue of The Militant,—and cited, I believe, by Mr. O'Brien. The Militant is not the official organ of the Socialist Workers' Party; but it closely reflects the views of the Socialist Workers' Party. Here is what Cannon wrote:

"Our program against Hitlerism and for a Workers' and Farmers' Government is today the program of only a small minority. The great majority actively or passively supports the war program of the Roosevelt administration. As a minority we must submit to that majority in action. We do not sabotage the war or obstruct the armed forces in any way. The Trotskyists go with their generation into the armed forces. We abide by the decision of the majority. But we retain our opinions and insist on our rights to express them."

"Now who, after reading that statement, can seriously claim that The Militant had any intent of 'sabotaging the war or obstructing the armed forces'? Read what it says: As a minority we must submit to the majority, but we retain our opinions and insist on our right to express them."

"Both that article and other articles cited deal with the need for democracy in the armed forces. The Militant has a perfect right to advocate democratic rights in the army and navy, and there is nothing in any law to prohibit it. Is it not self-evident that one of the results of democracy in the armed forces would be that the ranks of the soldiers and sailors would be able to weed out incompetent officers who needlessly place their lives in danger?"

"Similarly with regard to that excerpt about incompetence on the part of other admirals. That referred to certain naval operations in the Solomon Island last fall, and was based on revelations made by Hanson Baldwin, military expert of the N. Y. Times."

"This paper's intent is to let me read you another quotation, which makes the same point. Mr. O'Brien read from an article of mine, written on March 29, 1941 and reprinted in the Jan. 3, 1942 issue of The Militant. But he read only part of it. The article, which was written in question-and-answer form, also said:

"Question: But are you not helping Hitler win by not supporting the war?"

"Answer: Not in the least. All that we are doing now is educating the workers to our point of view. We are telling them the truth as to the character of the war and what to do to win the war against all capitalists. Both our members and the workers we influence must go to war and do what they are told by the rulers of this country. So long as we

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THIS PRECEDENT IS VERY DANGEROUS

"If you were to proceed on the basis of possible effect, what would you do with Miss Pearl Buck, the noted writer who said recently that this is no longer a war for freedom and that the Asiatic peoples would have to fight a new war before they obtain freedom?"

"What would you do with certain Republican opponents of the present administration, who have bitterly condemned various government policies?"

"What would you do with all the hundreds of newspapers and magazines which have criticized the government for its deal with the Darlan group in North Africa?"

"Is it not possible that the statements of these people, too, being read by some person, might have an effect in helping him make up his mind that he does not want to enlist? Once you establish the precedent that the decisive factor is possible effect, then the danger is great that all the jails in the country will be filled."

MINORITY MUST ENJOY DEMOCRATIC RIGHTS TOO

Goldman then turned his attention to various Militant excerpts

do not have a majority behind us we are in no position to do anything except obey orders."

WHOLE ARTICLES MUST BE READ

Goldman then warned the members of the Board that in each case they should read the whole article to get the real sense of an excerpt, "for it is easy to take excerpts which do not give the full and original sense. For example an excerpt referring to 'phony Admirals,' cited here by O'Brien, and while 'the main burden of complaint' was that the publication obstructed recruitment, there had been absolutely no evidence introduced to show any obstruction."

"Only one conclusion is possible: the publication has not violated the law; it has only expressed opinions which, while unpopular at the present time, it has a complete legal right to express."

"POSTMASTER HAS NO RIGHT"

Since expression of opinion is the sole question involved, he continued, "The Postmaster General has no right to revoke this publication's mailing privileges on such grounds. To do so would itself be a violation of the Constitution which guarantees freedom of expression."

At this point the ACLU attorney warned that "government officials have no rights other than those which are given them by the people," and that "the people have the right to sweep out of their posts officials with whom they are dissatisfied, just as they have the right to change or end traditions and customs and ways of life that have existed for decades."

Fraenkel called attention also to the stand taken by the American Civil Liberties Union in all cases involving expression of opinion—the "clear and present danger" doctrine enunciated by Holmes and Brandeis of the Supreme Court, and he urged that the Board conducting the hearing abide by that opinion.

"The American Civil Liberties Union," he concluded, "joins with The Militant in asking that this proceeding be dismissed."

"We are not concerned here," he declared, "with questions of truth or falsity. It does not make any difference if everything The Militant said is true."

"We believe that anyone who holds up and dwells on the horrors of the war, with the effect that enlistment is discouraged by readers. Look at the horrible pictures which The Militant prints of the war and the army. It is enough that this paper dwells on the wounds and the suffering and the blood, that it paints up the horrible discipline of the army and its officers, that it keeps telling prospective enlistees that they can't tell their officers to go to hell."

"Isn't their intention plain from these pictures that they paint, that they want to discourage enlistment? Yes, it is so plain that they are unable to conceal it and they can't conceal it in spite of all the wishy-washy statements that they may drag in here."

(This was a reference to Cannon's "Statement on the War," which O'Brien himself had introduced in Exhibit B as "evidence" against The Militant.)

"No," O'Brien continued, "they cannot conceal their intentions, which are to fight against fascism at home instead of fighting against what they call imperialism abroad. Don't they openly say that they want to 'abolish the capitalist system'?"

Attempting to answer ACLU Attorney Fraenkel, O'Brien declared, "The Post Office does not want to restrict freedom of speech, because freedom of speech is not involved here, but only a question of violation of law." To justify this distinction, he cited the decisions suppressing The Masses and the Milwaukee Leader in the first World War, thus confirming the fear voiced by the ACLU attorney that the Post Office was continuing in the same reactionary tradition as under Wilson.

"Mr. Fraenkel talks about 'clear and present danger,'" O'Brien said. "Well, we believe that there is a clear and present danger that people are discouraged from enlisting after reading The Militant. And," he concluded, "I am sure that we could find some examples to prove it."

GIVEN TILL FEB. 1

The Board then informed Fraenkel and O'Brien that they could have until Feb. 1 to introduce briefs containing citations of legal opinions in previous cases of a similar nature, and declared the hearing adjourned.

Revocation of second-class mailing rights in the past has always been tantamount to complete exclusion from the mails.

threat to freedom of the press that has thus far arisen in this war," he declared.

"The American Civil Liberties Union remembers what happened in the last war in this connection. Indeed there is still a feeling of universal condemnation for the steps which were carried out under Postmaster General Burleson and Attorney General Palmer." At this point Fraenkel reviewed the suppressions of labor, liberal and other critical papers that had marked the 1917-1918 period.

A.C.L.U. ATTORNEY FRAENKEL PROTESTS

Summarizing the main sections of the Espionage Act, Fraenkel emphasized that the question of intent was decisive, for "there can be no serious contention of falsity" in the excerpts cited by O'Brien, and while "the main burden of complaint" was that the publication obstructed recruitment, there had been absolutely no evidence introduced to show any obstruction."

"Only one conclusion is possible: the publication has not violated the law; it has only expressed opinions which, while unpopular at the present time, it has a complete legal right to express."

"POSTMASTER HAS NO RIGHT"

Since expression of opinion is the sole question involved, he continued, "The Postmaster General has no right to revoke this publication's mailing privileges on such grounds. To do so would itself be a violation of the Constitution which guarantees freedom of expression."

O'BRIEN SAYS 'TRUTH IS NOT INVOLVED'

O'Brien then began his rebuttal. Goldman and Fraenkel had presented the case so clearly that he had to come to grips with at least some of the issues involved. And it was precisely at this point that he made some of his most revealing statements.

"We are not concerned here," he declared, "with questions of truth or falsity. It does not make any difference if everything The Militant said is true."

"We believe that anyone who holds up and dwells on the horrors of the war, with the effect that enlistment is discouraged by readers. Look at the horrible pictures which The Militant prints of the war and the army. It is enough that this paper dwells on the wounds and the suffering and the blood, that it paints up the horrible discipline of the army and its officers, that it keeps telling prospective enlistees that they can't tell their officers to go to hell."

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Revocation of second-class mailing rights in the past has always been tantamount to complete exclusion from the mails.

"Without the right to criticize there can be no freedom," he declared, "and that is the sole question involved in this case."

The American Civil Liberties Union, he said, recognizes that there are certain limits to freedom of expression, especially in wartime.

"But," he emphasized, "these limits are defined by law, sharply defined by the law."

"So what we have before us is a narrow question—did The Militant violate the law?"

THE EXCERPTS CITED IN EXHIBIT B

Then O'Brien introduced Exhibit B. These 78 excerpts were an even more amazing selection than those of Exhibit A. They covered virtually every political, economic and social question that the labor press has ever dealt with.

Most astonishing of all, they included statements reprinted from other papers, and articles containing information based exclusively on statements and documents made public by government officials and bodies!

For example: James Peck, a member of the New York Newspaper Guild CIO, who disagreed with the no-strike stand taken by that union, wrote an article on the cause of the war, the experiences of World War I and the way Big Business used the war against labor.

Peck's article was printed in the Jan. 1, 1942 issue of the CIO union paper, *Guided Reporter*. In line with the policy followed by The Militant during the first months of the war, of reprinting statements on the war made by various tendencies in the labor movement, this paper reprinted Peck's article in its Jan. 24, 1942 issue.

O'Brien cited Peck's article as evidence that The Militant has violated the Espionage Act!

Similarly, O'Brien introduced into the record parts of a public speech made by A. Philip Randolph, President of the AFL Brotherhood of Pullman Porters, and printed in The Militant.

Another article cited by O'Brien was based on the findings of Hanson W. Baldwin, military editor of the N. Y. Times, who revealed last October that several U. S. warships had been "surprised like sitting ducks" and sunk off the Solomon Islands.

Baldwin's report charged that negligence by the naval command was responsible for the losses. Baldwin's estimate became the general opinion of an aroused public and Vice-Admirals Ghormely and Pye, who were directly in charge, were removed from command of the South Pacific.

Yet the Oct. 31 Militant article, "Military Experts Report Needless Loss of Life in Solomon Islands," was also cited by O'Brien as a violation of the Espionage Act!

Other Militant articles cited by Post Office Attorney O'Brien at the hearing included:

Comment on the report of the Roberts Commission investigation of Pearl Harbor, noting that the findings indicated that the attack on Pearl Harbor "was not the cause of the war, but merely the first step of the war."

Comment on a N. Y. Post article of Aug. 28, 1942 which revealed that U. S. businessmen in-

Shanghai were still doing business-as-usual with the Japanese long after Pearl Harbor and that U. S. government officials had made efforts to prevent publication of this information.

Attacks on the Standard Oil patent-pool conspiracy with the Nazi monopolists; and on the National Association of Manufacturers for its war against the American labor movement.

A charge that "British coal kings are deliberately sabotaging production to maintain high rates of profit."

Articles advocating independence for India, and aid to China and the Soviet Union.

Charges that there is no "equality of sacrifice" despite government speeches and promises to stop war profiteering.

Protests against the deals with Darlan, Otto of Hapsburg, Giraud.

An analysis of Pearl Buck's recent speech charging that "the war has ceased to be a fight for freedom."

Attorney General Biddle appeared to be particularly incensed at The Militant's defense of Negro rights. Among the excerpts he provided for the postal authorities were many dealing with the Negroes. Included among these were an appeal to the Negro people to support the Indian struggle for independence; and several reports of attacks on Negro civilians and soldiers in the South.

MORE OBJECTIONS

Among other Militant articles cited as "vicious" by Post Office Attorney O'Brien were:

The statement that "a victory for the United Nations will still leave the Jewish question unsolved. This question cannot possibly find its solution under decaying capitalism."

An article, "Old Enough to Fight? Old Enough to Vote!" demanding the vote for youth 18 years old.

An attack on the program put forth by the Stalinist betrayer of labor, Lombardo Toledano.

A memorial article bidding farewell to two members of the Socialist Workers Party, Ronald Tearse and Edwin Jaffe, 19 year old merchant seamen who were lost when their ship was sunk by a German submarine last year, and pledging to continue the struggle for socialism to which they had devoted their lives.

The chief difference between Exhibit A and Exhibit B was the emphasis placed in the second series of excerpts on articles dealing with undemocratic practices in the Army and Navy, the kind of discipline practiced, the methods used for selecting officers, etc.

ALBERT GOLDMAN ANSWERS O'BRIEN

Albert Goldman's 35-minute reply cut through the distorted picture presented by O'Brien like a sharp knife cuts through cheese.

"What is involved here," he declared, "is the question of violation of a criminal statute which prohibits the making of false statements with intent to obstruct the armed forces, and willful attempts to cause insubordination, disloyalty, etc., in the armed forces or willful attempts to obstruct enlistment in the armed forces."

"In other words, to show violation of the Espionage Act by a publication one must prove that its statements were FALSE and that they were made with the INTENT of causing insubordination or of preventing enlistment in the armed forces. It is precisely this which Mr. O'Brien has failed to do."

QUESTIONS OF OPINION

"The statement, 'this is an imperialist war,' is not like a statement, 'there are 30 people in this room,' the truth or falsity of which can be subjected to tests on which all of us can agree. The statement, 'this is an imperialist war,' is more a statement of opinion, for tied up in it are a thousand different questions connected with economic and political interpretations of history and the views of various authorities on these questions."

"Until recently, for example, there was general agreement that World War I was an imperialist war—until about three years ago, and then opinion on this question changed in many quarters. And while most people do not think that the present war is imperialist, it is quite probable that their

opinions may change in the future."

"It must be remembered that we are dealing with broad sociological questions, and that The Militant approaches these questions from a viewpoint that sees society divided into different classes with different and conflicting interests."

QUESTIONS OF FACT

On all questions of fact, The Militant could not seriously be challenged, Goldman declared.

"The Militant says that there is no equality of sacrifice, and the Post Office cites that as violation of the law. But who will say that a millionaire, even if his salary were reduced to \$25,000, is making the same kind of sacrifice as a worker who earns \$50 a week and is forced to give up \$10 or \$15 of that each week?"

"The Militant's articles on Standard Oil's conspiracy with the German capitalists are cited as not encouraging enlistment. But if there is any doubt about the truth of what The Militant wrote on this score, you will have to go to the Department of Justice which made public the information about Standard Oil's conspiracy with the Nazis, and you will have to go to Thurman Arnold and others in the government who revealed some of the other practices of the monopolists which obstructed the war program."

"Mr. O'Brien also cites articles in The Militant which reveal that Negroes are discriminated against and segregated in the armed forces, and which he claims would have the effect of discouraging Negroes from enlisting in the armed forces. But if they would

POST OFFICE ATTORNEY O'BRIEN'S ARGUMENT

Following the introduction of Exhibit B, there was a short intermission and then O'Brien began his oral argument.

"The government," he argued, "has relied not only on conscrip-

tion, but also on recruitment and enlistment."

[Enlistment is now limited to certain specialist services. All the armed forces are primarily manned through conscription.]

Some Sidelights On The Hearing

The Militant had a very able attorney to speak for it at the hearing held in Washington last week. But it also spoke for itself. One of the members of the Board conducting the hearing seemed to find something very interesting on Page 4 of the Jan. 16, 1943 issue of the paper, and on several occasions he held up the paper to look at that page. The result was that everyone in the room could see the top of Page 1, which declared in big black letters:

POST OFFICE WANTS TO SUPPRESS US BECAUSE WE DEFEND LABOR'S RIGHTS

Room 3237 of the Office of the Postmaster General, where The Militant hearing was held, was open to the public for the occasion. Although there were only about 25 or 30 seats available, they were all occupied in short order, and, from the conversations

I overheard, by people who seemed fairly well acquainted with The Militant and the case before the Board. One interested spectator was Morris Milgram, national secretary of the Workers Defense League.

Seated directly in front of me was Mr. Calvin Hassell, assistant to the Post Office Solicitor. On two or three occasions, he picked up and studied a letter on the table and I could not help observing that it was from the Massachusetts Branch of the Women's International League for Peace and Freedom. As so many other organizations and papers have already done, it was a protest against the Post Office attack on The Militant.

"I understand that only one paper in the entire country has endorsed this proceeding, and that was the Daily Worker," I heard

one observer say. "Yes," her companion replied, "and it's a wonder that they don't have a lawyer here sitting with O'Brien (the Post Office lawyer) in the same way that the American Civil Liberties Union has a lawyer intervening on behalf of The Militant." But it's not really a wonder. Somebody in the Post Office must have pointed out to the Stalinists that their support was very embarrassing, for they have not written anything on it since their original outburst, which applauded the Post Office attack and urged that the repression be extended to all the other working class opponents of the Communist Party.

The Stalinists weren't the only ones who weren't there. All the reporters for the capitalist press and press agencies stayed away too. It is quite obvious that the Post Office and the Department of Justice want as little publicity

as possible given to their "propagation of the laws." When they went after the fascists and the papers like Coughlin's Social Justice, they played it up big and had a battery of reporters and photographers present even though Coughlin didn't appear for the hearing. In the case of The Militant, someone seems to have told the capitalist press to play things down. Neither the Post Office nor the Justice Department has issued a single press release thus far on the moves to revoke our second-class rights. And the many press releases issued from our own office on the matter have all been ignored by the metropolitan press and news agencies. This blackout of publicity on the case makes it all the more necessary for our supporters to spread the news by word of mouth and through the labor press.

—B. B.

DEFENSE POLICY in the MINNEAPOLIS TRIAL

- 1—A Criticism by Grandizo Munis
- 2—An Answer by James P. Cannon

The policy of the defense in the historic trial of 28 members of the Socialist Workers Party and the CIO is analyzed and discussed from two points of view in this clear and illuminating polemic on Marxist principles and propaganda methods.

This pamphlet will be of especial interest to all who have read the two other Pioneer Pamphlets on the trial — James P. Cannon's "Socialism On Trial" and Albert Goldman's "In Defense of Socialism."

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Randolph Speech Cited At Hearing

(Continued from page 1)

attack the Negro organization itself?

The March-On-Washington Movement was formed in the early part of 1941, and was instrumental in inducing President Roosevelt to issue Executive Order 8802, which prohibits racial discrimination in employment policies in war industries, and to establish the Fair Employment Practices Committee, which was authorized to investigate discriminatory hiring policies.

THE CHICAGO CONFERENCE

In September, 1942, the March-On-Washington Movement, called a national conference in Chicago to consider its future policies and activities. The press was invited to attend and report the proceedings, but the only national newspaper to take advantage of this invitation was *The Militant*, which, although it has numerous differences with the leaders of the movement, regards the organization itself as a long step forward in the struggle of the Negro masses for equality.

The *Militant's* report of the conference told of the discussion and decisions of the delegates, and quoted and analyzed the keynote speech by Randolph which opened the conference.

It was this part of our story that the Post Office authorities selected as "evidence" that *The Militant* was violating the Espionage Act. Following is the excerpt introduced into the Washington hearing last week:

THE EXCERPT CITED

"While he opened his remarks with an expression of hope for the triumph of the United Nations, Randolph was immediately com-

pelled to characterize, at least by implication, the true character of the war: 'Unless this war sounds the death knell to the old Anglo-American empire systems which is the hapless story of exploitation for the profit and power of a monopoly capitalist economy, it will have been fought in vain. Of course, Randolph knows well that Churchill and Roosevelt are not fighting to sound the death knell to American and British capitalism, but to preserve it.

"Randolph was compelled, in fact, to attack the chief embodiment of the war aims of the Allied powers, the Atlantic Charter:

"We score the Atlantic Charter as expressing a vile and hateful racism and a manifestation of the tragic and utter collapse of an old, decadent democratic political liberalism which worshipped at the shrine of a world-conquering monopoly capitalism. This system grew fat and waxed powerful off the flesh and blood and sweat and tears of the tireless toilers of the human race and the sons and daughters of color in the underdeveloped lands of the world."

"... Hence, it is apparent that the Negro needs more than organization. He needs mass organization with an action program, aggressive, bold and challenging in spirit. Such a movement is our March-On-Washington."

"... As an example of the type of actions he had in mind, he stated:

"We must develop a series of marches of Negroes at a given time in a hundred cities or more throughout the country, or stage a big march of a hundred thousand Negroes on Washington to put our cause into the main stream of public opinion and focus the attention of world interests. This is why India is in the news."

WDL Secretary Sends Protest To Biddle

(Continued from page 1)

gully of refusing employment to qualified workers on account of their race, creed, color, or national origin.

3. Prosecute those employers who rig their costs in war contracts with the government by including huge advertising bills, designed to persuade the people that industrialists are the nation's great patriots, and to gently influence the press against labor.

4. Prosecute people like our Ambassador to Bolivia, Pierre Boal, who used his office to the detriment of Bolivian workers and the United Nations, by pressuring the Bolivian President to keep wages low and conditions bad.

I am personally much disturbed that a man with your liberal background should be the instigator of the present attack on the right to print the truth. I

Where You Can Get THE MILITANT

Boston—Adelman's Newsstand 284 Tremont St.

Chicago—Socialist Bookshop, Room 421, 160 N. Wells St.

Detroit—The Saturday Bookshop, Room 5, 3513 Woodward Ave., open Saturday evenings from 6 to 9 o'clock.

Minneapolis—Shinder's News Agency, Hennepin Ave. and 6th St.; Pioneer News Agency, 238 2nd Ave. South,

Newark (Downtown)—Newsstand, 11 Springfield Ave., near Court House.

New Haven—Nodelman's News Depot, 106 Church St., near Chapel.

New York (Harlem)—Newsstands north west corner of Lenox Ave. and 125th St. and at the northeast corner of Lenox Ave. and 135th St.

New York (Garment Area)—Newsstand, corner of 38th St. and 7th Ave.

New York (Manhattan)—14th St., between 4th and 7th Aves.; Newsstands on 42nd St., between 4th and 5th Aves.

Rochester—Newsstand, Main St. and Clinton Ave., southeast corner.

San Francisco—Duncans Smoke Shop, 1986 Sutter St. Ray's Smoke Shop, 1174 Sutter St.

MacDonald's Book Shop, 867 Mission St. Golden Gate News Agency, 81 Third St.

Fitzgerald News Agency, 21 Fourth St.

Seattle—Eckhart News, 102 Washington Street,

would be deeply grateful to be set right on this matter if I am wrong.

Sincerely yours,
MORRIS MILGRAM
National Secretary
Workers Defense League

'Equal Rights' Bill Entered Into Senate

(Continued from page 1)

eral, state and local legislation achieved for the protection of women after years of hard-fought struggles. These labor laws are based upon the fact that women are biologically different from men. "Not all differences are discrimination," as Bulletin 157 of the Women's Bureau of the Department of Labor correctly points out.

Every woman knows that the biological differences between women and men must be taken into account wherever women work in industry. To a limited degree this has been achieved by specific legislation.

Some of the existing statutes provide a 48-hour week for women; not more than a 8 or 9-hour working day; mothers' pensions; rest-rooms and periods of rest; avoidance of lifting of heavy weights; protection of pregnant women from contact with dangerous substances, such as lead, mercury, arsenic, etc.

As wartime industrial expansion is proving, women can

do the tasks of men, but they must be provided with sufficient safeguards for their health.

THE SPONSORS

The original sponsor of this bill, the National Woman's Party, is composed of wealthy, reactionary-minded women who do not work in factories and who have plenty of servants to take care of their domestic chores, as well as doctors and nurses to care for them during and after pregnancy.

They make no mention that women in industry carry a double burden. In addition to a hard day's work in a shop or factory, working women must cook for themselves and their families, clean, wash, sew, bear children and take care of them afterwards. The laws which the bill would abolish are for the protection of not only the working women themselves but of their children as well.

Speaking for his co-sponsors, Senator Nye declared, on Jan. 21: "Very often so-called protective legislation proves to be an obstacle to women. Hours of employment of women are often discriminatory."

An 8 or 9-hour day is not enough

WILLIAM HENRY CHAMBERLAIN HITS POST OFFICE PROCEDURE

In an article, "Civil Liberties—Slogan or Reality," printed in the Jan. 13 issue of *The Christian Century*, the well-known author and journalist, William Henry Chamberlain, raises the question of Post Office censorship, and criticizes the procedure followed in the case of *The Militant*.

"An objectionable feature of American wartime censorship is the extension to the political field of the post office practice of declaring publications to be unlawful. There may be some justification for the exercise of this right when indisputable gross obscenity is involved, although one postmaster general whose personal life, by common report, was not that of a Puritan, had the affront to proscribe Tolstoy's *Kreutzer Sonata* as 'obscene.'

"But where the question involved is one of political or economic criticism no publication should be suppressed except on conviction under some definite statute in a

court of law. Wartime judges and juries are seldom inclined to err on the side of leniency. But the requirements of formal court procedure afford some protection against bureaucratic arbitrariness.

"A good example of such arbitrariness is the recent systematic persecution of *The Militant*."

"One issue, for November 7, was ordered destroyed and many others have been declared unavailable. The November 7 issue contained an article critical of Roosevelt's labor policy and several articles sharply critical of Stalin. Since the government's labor policy has been freely and generally criticized it may be assumed as probable that the suppression of the issue was inspired by a desire to suppress criticism of Stalin. With all our sympathy for the Russian people in their struggle against invasion, it is to be hoped that we are not obliged to follow Stalin's own summary methods of eliminating critics."

WATERBURY, Conn., Jan. 24—Stalinist domination of the CIO International Union of Mine, Mill and Smelter Workers has been challenged by a sizeable number of locals, which claim to have the support of 60% of the union membership.

Lined up solidly against the Stalinists are the bulk of brass fabricating workers in this area who compose some 40% of the International's membership. All the major fabricating plants in Connecticut are in open revolt against the Stalinists and are actively participating together with Pennsylvania locals in a "Save the Union" Committee.

Last week representatives of this insurgent group went to Pittsburgh to consult with CIO President Philip Murray and to tell him that they could no longer pay dues to their International Union office because the Stalinists had gerrymandered the recent election and thrown out legitimate votes in order to declare Reid Robinson re-elected as president.

REASONS FOR REVOLT

Actually the present revolt against the Stalinists dates back to June, 1941, when they began to give up union conditions and gains in the interests of pushing the war program. As far back as August, 1941 the Stalinists waived the double time provisions in an agreement with the Lux Company in Waterbury. This brought an immediate wave of resentment from the workers and spread throughout the Brass Valley. The only defense of the Stalinists was to wave the flag and accuse their opponents of "un-American activities."

Having once made the move in the direction of cutting working conditions, the Stalinists proceeded to carry out the party line to the bitter end. Grievances became nuisances, grievance committees became production committees; a local's accomplishments were measured not in the strength of their contract and the standards of their working conditions, but rather in how many of the workers were buying war bonds, how many of the workers were show-

ing perfect attendance records, etc., etc.

It didn't take the workers long to ferret out these new emissaries of the speedup, even though they conducted their campaign to the tune of the Star Spangled Banner.

And by December, 1941, the Stalinists were definitely in a defensive position.

ROBINSON INTERVENES

As could be expected, a fight among such a large section of the International membership could not long be localized. Reid Robinson, International President, was forced to intervene on behalf of his Stalinist appointees. He was met with the same opposition.

On more than one occasion when Robinson got up to speak at a meeting, he found himself speaking to the backs of the workers on their way out of the hall and a handful of Stalinist organizers sitting down. At a recent meeting held in Waterbury, Robinson was booed off the platform before he could speak. Such is the temper of the brass workers after 18 months of the Stalinist "new line."

IUMM & SW was founded by Bill Haywood and on necessary occasions the full power of this fine tradition was unfurled by the Stalinists. Up to the present, it could be considered one of the most democratic unions in the country. "Up to the present" because the Stalinists have distorted the democracy of the International Union in the same way that they distort Bill Haywood's views today.

THE ELECTIONS

The recent International elections, conducted by referendum vote of the membership, brought about the defeat of Robinson by over 3000 votes. John J. Driscoll of Waterbury, and the spearhead of the anti-Stalinist forces in the Union, was elected over Robinson.

However, Robinson counted the vote. The published results showed Robinson the victor by some 2000 votes and thousands of Driscoll votes declared void because the vote had been held on company property, as had been

the custom in the union for years.

An interesting thing about the recent election was the fact that Robinson ran a poor third (out of three candidates for president) in his own local, the Butte Miners. From this it can be seen that the developments in Waterbury are not isolated.

The Waterbury situation is considerably confused by the intervention of representatives of the Catholic Church against Robinson and his Stalinist henchmen. To an extent, the C. P. has been able to use this intervention

against the opposition, but underneath all of the smoke of the internal battle remains the fact that these same representatives of the Church were first brought in contact with the union by the Stalinists who used them at shop-gate meetings, etc., and the fact that the first sign of differences between the Stalinists and the rank and file revolved about the Stalinists' waiving of the double time provisions in agreements.

(Next week: Stalinists Defeated At Connecticut CIO Convention, Lose Ground In UE Locals.)

Army Treats Bosses Differently Than It Treats The Workers

By J. THORNE

FLINT, Mich., Jan. 23—Protesting layoffs, pay cuts and "a multitude of aggravating conditions," Flint Chevrolet local, United Automobile workers, CIO, voted unanimously last week for strike action and on last Wednesday staged a demonstration march of 1,000 men from the union hall to the personnel office of Chevrolet Division of General Motors. Demands of "We want work" rent the air for 15 minutes.

Terrell Thompson, president of Chevrolet Local, declared to the press that since the Jan. 26, 1942, shutdown for war conversion, employment has never been much more than half the pre-war normal of 15,000. Men have been forced to return from other jobs, under threat of losing their seniority, only to be soon laid off or reduced to two, three or four days work a week. Thompson said more than 600 have been laid off in the last three weeks, a few at a time.

Besides that, men who are

working four days are required to return to the plant the fifth day for their pay—doubly an imposition under gasoline rationing.

SIGNIFICANT CONTRAST

Army brass hats paid a hand-shaking ballyhoo visit to the plant management on the day of the union demonstration. The army ordnance department posted on bulletin boards a white-washing letter of explanation, seeking to exonerate the corporation. Curtailment of certain Chevrolet production, said the letter, was the result of the allocation of materials to more urgent production in other plants.

That alibi failed to convince the workers, who know Chevrolet has never been more than half-changed over to war production, although the government is building a huge new Chevrolet plant here.

Many unionists noticed also the contrast between the army's action in this instance and in the Buick Aluminum foundry strike here a few months ago.

For the two-day strike at Buick the army banned two union leaders from any war production. Although this illegal and flagrant edict was later withdrawn by the army, the men are still banned by Buick management. Now the army tries to whitewash the corporation whose failure to get into full production has been a major local scandal for more than a year.

Chevrolet workers will not soon forget the difference between the treatment of workers forced to hold up production two days in order to correct unbearable working conditions, and the treatment of the corporation which cuts production down month after month, apparently to keep an automobile plant ready, just in case.

CP Covers Up Sponsors of the Anti-Labor Bill

"Defeatists Back 'Equal Rights,'" said the Daily Worker on Jan. 22, in an obvious attempt to conceal the fact that all sections of the Democratic and Republican Parties, including the most rabid New Deal Congressmen, are supporting the anti-labor "equal rights" for women amendment.

And so their story of the introduction of the amendment into the Senate last week listed as sponsors a number of Congressmen whom the Stalinists dislike and label as "appeasers."

But a significant omission from the Daily Worker list was the name of a Senator who even took the floor to praise the anti-labor amendment—Claude Pepper of Florida.

The Daily Worker of Sept. 28, 1942, praised Pepper as the "Best Man in the Senate."

For a Rising Scale of Wages to Meet Rising Living Costs

Why Does Biddle Want To Ban 'The Militant'?

Why is he helping the Post Office to revoke our mailing rights? For the background to the present attack on freedom of the press, you should learn how and why he tried to frameup 28 members of the Socialist Workers Party and of Local 544-CIO in the famous Minneapolis trial of 1941. Read:

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The Beveridge Plan And Britain's Future

By M. MORRISON

The English and American liberals who have recently suffered such painful blows in the deal with Darlan and Stimson's letter to "Otto of Hapsburg" are certainly grateful for the report which Sir William Beveridge made on social security. It is after all necessary to be able to point to something concrete as evidence that this war is really being fought for democracy. To sustain one's faith in an ideal some consistency is required between action and words.

If there were only deals with Darlan, friendly approaches to Franco, letters to Otto of Hapsburg and refusals to grant independence to India, it would be exceedingly difficult to get oneself to believe that this is really a people's war.

One is sorely tempted to advise the harassed liberals to give up the theory that this war is for democracy and to support it, if they desire to do so, on the simple ground that British and American capitalism are to be preferred to fascist capitalism. The former permits the liberals to exist and criticize to some extent, while the latter, unable to afford such a luxury, deals with them in the same manner as it deals with revolutionists. Without the theory that this is a war for democracy liberals would have less difficulties to overcome. But it is not our task to offer advice to liberals and so we refrain.

The Beveridge report in favor of broadening the social insurance scheme so as to assure everybody a minimum subsistence under all circumstances is thus far the best that the liberals can point to as confirmation of the contention that this war will bring benefits to the masses and is therefore a people's war.

It is difficult to see how a plan which has not been adopted, and which has not even received the approval of the English conservative leaders, can be considered as proof that this is a war for democracy. At best it is proof only that some well-intentioned people believe that it is and would like to act accordingly. Incidentally it can be pointed out that the fascists, even officially, are also capable of presenting plans for social security to be put into effect in the indefinite future.

Hailed as "revolutionary" in character prior to its actual appearance, the report, when made public, brought sighs of relief from the liberal section of the capitalist class. It simply proposed an extension of the social security program in existence in England for many years—an extension in the form of a small increase in the benefits and in the number of people to be insured. A large share of the cost is to be borne by the workers, thus reducing their standard of living.

The significance of the plan lies mainly in the fact that it recognizes the principle of economic security and in doing so it unintentionally serves the interests of the socialist movement.

On the one hand the report is an indication that the English working-class movement has reached a point in its political development where a non-socialist accepts a principle fought for by the most advanced sections of the workers. On the other hand it serves to impress that principle in the minds of the workers, thus tending to make them more determined than ever to find a way for its realization in life.

It is by no means certain that the Beveridge report will be enacted into law even after the war is over.

Mention has frequently been made of the large number of members of the English Parliament, who are connected with the big insurance companies. These representatives do not take kindly to any scheme that in any way interferes with the private insurance business. The capitalist class in general looks askance at any proposition threatening to reduce its profits. The "incentives to production and success," as the N. Y. Times editorial writer puts it in discussing the report, must be given their due consideration, as well as the necessity of economic security.

That the more reactionary section of the capitalists will come

out flatly against the Beveridge plan can be taken for granted. But not at present, while the war is on and victory is not yet assured.

The reactionaries must still be careful not to oppose openly any scheme promising some improvement in the conditions of the masses, for any such open opposition may cool the enthusiasm of the masses for the war. But just as favorable developments on the military front made the British ruling class more aggressive in its attitude of opposition to the independence of India, so will a victorious conclusion to the war make it revert to its old position of conceding nothing unless absolutely compelled to do so.

The English workers will not oppose the Beveridge report. They may in fact have to struggle for its acceptance, against the capitalist class. Should it be enacted into law they will find that it will not give them the economic security they long for. Beveridge admits that his plan is no cure for unemployment and that it cannot work in a severe crisis. The premise for the functioning of the plan is the "normal" operation of the capitalist system.

There must be sufficient employment to assure the payment of insurance premiums both by workers and employers, the former from their wages and the latter from their profits. A crisis throwing millions of workers out of employment for a long period of time knocks the props from under the whole scheme.

Another reason why we can confidently expect the Beveridge plan to be ineffective is the inability of English capitalism to assure any kind of security to the workers, even the very modest kind proposed by the plan.

British capital investments are constantly being depleted. For the capitalists of the United States the huge cost of the war does not mean any diminution in their capital assets. For the monopoly capitalists controlling the war industries it means an increase. But the British capitalists, being unable to produce all of the armaments necessary within their own empire, must actually dig into their capital assets to defray part of the expenses involved in the terrific destruction of life and property.

English capitalism depends to a large extent on the wealth it derives from its colonies. Even if Hitler is defeated the English colonies will never be the source of profits to the English capitalists that they once were—assuming that India, Malaya and the other colonies will remain tied to the British Empire. The super-profits extracted from the colonial peoples constituted the basis for the higher standard of living enjoyed by the upper section of the English working class.

These factors, together with intensified American competition, justify the prediction that English capitalism will fight to the last ditch to prevent being burdened with a Beveridge plan.

Before its decline English capitalism could easily have absorbed a Beveridge plan. But before its decline it did not have to consider any plan to conciliate the masses. The working class was not so powerful and demanding and the English capitalists, rulers of the world, had unbounded confidence and arrogance.

In its period of decline English capitalism might want to make concessions in order to mollify the working masses but the serious question is whether it can afford to do so.

In their struggle for economic security the English workers are bound to come up against the stone wall represented by an English capitalism in decline. They will find that even the modest security provided for in the Beveridge plan will be extremely difficult, if not impossible, to achieve without the destruction of that stone wall. If they permit English capitalism to exist they will have no Beveridge plan nor any other plan for social security.

To achieve real security the British workers will have to take the lead in the struggle to replace a decayed capitalism with world socialism.

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To defend the USSR as the main fortress of the world proletariat, against all assaults of world imperialism and of internal counter-revolution, is the most important duty of every class-conscious worker.

— LEON TROTSKY

JOIN US IN FIGHTING FOR:

1. Military training of workers, financed by the government, but under control of the trade unions. Special officers' training camps, financed by the government but controlled by the trade unions, to train workers to become officers.
2. Trade union wages for all workers drafted into the army.
3. Full equality for Negroes in the armed forces and the war industries—Down with Jim Crowism everywhere.
4. Confiscation of all war profits. Expropriation of all war industries and their operation under workers' control.
5. For a rising scale of wages to meet the rising cost of living.
6. Workers Defense Guards against vigilante and fascist attacks.
7. An Independent Labor Party based on the Trade Unions.
8. A Workers' and Farmers' Government.
9. Defend the Soviet Union against imperialist attack.

10 Years Of Hitler

This week marks the tenth anniversary of Hindenburg's appointment of Hitler as Chancellor of Germany. It would be well for us to re-examine Nazism on this anniversary, and clarify just what it is.

Fascism is nothing more or less than the naked dictatorship of Big Business out to smash anything that stands between it and profits. Hitler was elevated to power by the German industrialists who gave him two main tasks; first, to smash the workers' organizations thus freeing the bosses from any threat at home; second, to prepare to fight Germany's capitalist rivals for the re-division of the world. Hitler accomplished both tasks.

Today the "democrats," including the Stalinists, blame the German workers for letting Hitler come to power. What a monstrous distortion of the facts!

After the war the German workers fought for 15 long years to free their country, not only from Hitlerism, but from the breeder of fascism—capitalism.

They fought on the barricades in 1918, in 1921, and in 1923. They fought at every opportunity and with whatever weapons they could lay their hands upon. They died by the hundreds of thousands in the concentration camps. The heroism and self-sacrifice of the German workers is legendary. No one can lay the rise of Hitler to their lack of militancy.

Hitler came to power because the German workers were betrayed by their leaders—the Social-Democratic and Stalinist political parties.

The Social-Democrats, having no confidence in the workers' power to achieve victory by revolutionary struggle, depended upon the "democratic" capitalists to prevent Hitler from seizing power. They prevented the workers under their influence from launching an independent struggle against the fascist gangs and they bound the workers to these false "allies" who subsequently double-crossed them and put Hitler in power.

The Stalinists, following the ultra-left line laid down by Stalin, identified Social-Democracy and fascism as "twins"; their disruptive tactics prevented the German workers from achieving the anti-fascist united front action needed for successfully resisting the fascists.

Divided and lacking a program for unified and independent class action, the German workers were

defenseless and Hitler smashed them immediately upon coming to power.

Today, ten years after the launching of the "new order" which he boasted would last a thousand years, Hitler faces the possibility of defeat on the military fronts of the war. A military defeat will no doubt result in the removal of Hitler as an individual. But a military defeat will not destroy fascism unless it also results in the destruction of capitalism, the system which handed Hitler power and which will in the future try to hand it to some equally brutal successor once Hitler is eliminated.

German capitalism can be removed only by the German workers, and in this task they must have the aid of their class brothers throughout the world.

One of the factors which has acted as a brake upon the militancy of the German workers is the fear that the overthrow of Hitler may give the British and American imperialists an opportunity to march in and impose another Versailles Treaty upon Germany. It is up to the British and American workers to see that this threat is removed by the creation of Workers' and Farmers' Governments in their own countries and the extension to their German class brothers of the material aid needed for the task of smashing Hitlerism.

One lesson must be learned by the American workers from the experiences of the German workers: Decaying capitalism inevitably turns to fascism as a means of prolonging its life. The workers in this country must act in time and replace capitalism with socialism. The last ten years in Germany have taught us how costly any other course would be.

Ominous News From Detroit

One of the gravest threats to labor to grow out of this war thus far has made its appearance in Detroit—it is the automatic intervention of the U. S. Army into all disputes between employers and auto workers in aircraft production.

The Army has become an "adjunct" of the War Labor Board and is directly disciplining any worker or labor leader who has not been housebroken by the war machine.

Col. George E. Strong, who carries the title of Chief of Plant Protection for the Army Air Forces, is permanently established in Detroit and injects himself into every disagreement between management and labor, every controversy, every stoppage or threat of stoppage.

Strong has already smashed three Detroit strikes recently. In the Flint Buick plant he denounced strikers and directed the plant to fire two committeemen, which was done. At the Bohn Aluminum plant he directed the company to fire eight strikers, two of whom were chief stewards. He then barred these men from employment in any plant holding Air Corps contracts. The third case was a walkout at Ford where he drove the men back to work with the threat to bar them from all war work—which today means about every production job in the country.

The entrance by the Army into labor disputes constitutes the gravest sort of threat to the independent existence of the trade unions. The Army officer caste cares little for the merits of any worker's grievance; its only function in these cases is to keep the men at their machines at any cost.

The fact that Col. Strong has been intervening in disputes automatically, without even waiting for the War Labor Board to go through the motions of arbitration, makes a mockery of the entire machinery set up by the government—to settle labor controversies—the machinery which the authorities want the workers to respect. But more important, it threatens to abrogate the function performed by trade unions—that is, to bargain collectively with the employer and to protect the interests of the workers.

Labor must close ranks in the face of such ominous developments. It must withdraw all support of, and participation in, government agencies responsible for anti-democratic, anti-working class acts.

The War Labor Board has openly sponsored the intervention of the army. Labor has representatives on the War Labor Board who are either unwilling or unable to prevent this development, but whose continued membership on the Board lends a bit of labor covering to the army's anti-labor intervention.

All labor's representatives should resign from the War Labor Board at once. Otherwise, they will find themselves faced with greater and greater offensives against the living standards of the workers and the security of their unions.

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Litvinov 'Entertained' By Davies' Movie Script

By JOHN BATES

Stalin's Ambassador to the United States has seen and been "entertained" by the movie script of "Mission to Moscow." This was revealed to Hollywood reporters last week by Joseph E. Davies, ex-Ambassador to the Soviet Union, author of the book and unofficial government adviser to the movie people who are making the film.

For Litvinov to be pleased with the film means that Stalin is pleased that the truth concerning Stalin and his crimes against the old Bolsheviks has been outrageously distorted. One whole reel of the picture is devoted to the infamous Moscow trials and, according to advance reports, will portray Trotsky and other co-workers of Lenin as agents of Hitler plotting to overthrow the Soviet Union.

That this distortion of history

is a State Department move to appease Stalin was confirmed when Davies told reporters that the picture "had government blessing."

Davies himself has frankly admitted that the purpose of the picture is to "erase antiquated convictions" concerning the trials. These "antiquated convictions" shared by Davies himself before Hitler attacked the USSR in 1941 — were that the Moscow Trials were frameups arranged for the purpose of eliminating those who opposed the Stalinist bureaucracy's betrayal of the program of Lenin.

RESEMBLANCES

The film version of "Mission to Moscow" is receiving a prodigious build-up prior to its release, for the government is anxious to obtain the maximum political benefit from it. Much publicity is given the fact that the director of the picture spent months ferreting out actors who resembled the original characters.

The Jan. 17 issue of PM ran a full page of pictures comparing Stalin, Litvinov, Molotov and Kaulin with photos of their movie doubles and pointing out the likeness.

Perhaps the movie actors bear a resemblance to the original characters, but the doctored story certainly bears no resemblance to the original facts.

Workers who are looking for the truth about the Moscow trials will not find it in the Davies' movie. But they will be able to find it in the two books issued by Harper & Brothers, "The Case of Leon Trotsky" and "Not Guilty," the findings of the international investigating commission which included John Dewey, Carlo Tresca, and others.

THE TRESCA MURDER

Antonini '95%' Certain Stalinists Are Guilty

(Continued from page 1)

was given the lie by Tresca's close associate, Dr. Humberto Gualtieri, who stated:

"There is no question about it. The OWI insisted on the inclusion of Communists and also of the newly reformed Fascists. Tresca was absolutely against it and planned with me at midday of the day he was killed to walk out of the OWI meeting that Thursday if the OWI carried out its insistence."

It was while corroborating Gualtieri's account that Antonini made the statement we have quoted. Tresca's widow, Margaret de Silver, has also corroborated the facts cited by Gualtieri.

ITALIAN STALINIST LINE

The Stalinist Italian weekly, L'Unità del Popolo, which gave just three short paragraphs in an obscure spot to the story of Tresca's assassination in its Jan. 16 issue, devotes most of pages 1 and 4 in its Jan. 23 issue to hysterical denials that the GPU killed Tresca.

Writing for an audience which knows very well the deadly enmity existing between Tresca and the Stalinist-GPU murder gang, L'Unità del Popolo seeks to absolve in particular the notorious Sormenti (known in Spain as Carlos Contreras) by the following argument:

"That Tresca, at one time a very dear friend of Contreras, had attacked him virulently is a fact. . . But who, at one time or another, has not been attacked by Tresca in this manner?"

This "clever" argument glosses over the following facts:

1. Tresca was friendly to Sormenti up to 1927. Sormenti was then a Communist — not a Stalinist — and for about a year was active in this country in the Italian Communist Federation.

In those pre-Stalinist years Tresca, although as an anarchist differing politically with the Communists, collaborated closely with them on many issues, for Tresca always stood for genuine unity of the labor movement against the class enemy.

In those years Tresca was par-

ticularly a tower of strength to the International Labor Defense, then headed by the Communist James P. Cannon. And in the ensuing years he continued to collaborate closely with those Communists like Cannon who remained true to communism and stood with Trotsky against Stalinism. Undeviatingly until his death Tresca was a firm comrade in arms of the Trotskyists — the Socialist Workers Party — against the Stalinists and the class enemy. The attempt of L'Unità del Popolo to picture Tresca as a man who "at one time or another" attacked everybody in the labor movement is a deliberate falsehood.

SORMENTI'S GPU RECORD

2. Sormenti (Contreras) was deported from this country early in 1927, and went to the Soviet Union. He arrived when the pogrom against the Trotskyists was assuming mass proportions. Sormenti was soon compelled to choose between remaining true to Communism and undergoing persecution with the Trotskyists, or becoming a Stalinist. He became a Stalinist and for nearly ten years served in the Stalinist apparatus in the Soviet Union. Hence, when he turned up as "Contreras" in Loyalist Spain, it was as a hardened Stalinist apparatus-agent ready for any crime.

3. Tresca "attacked" Sormenti not primarily as a political opponent but as an ASSASSIN. He charged Sormenti with the murder, among others of Camillo Berneri, famous Italian anarchist who was living in Barcelona.

During the last period before his death, Tresca accused Sormenti, residing in Mexico, of being in charge of the international Stalinist campaign to smash the Mazzini Society, of which Tresca was a leader.

Of Sormenti's threats in a letter which Tresca intercepted, Tresca wrote in the May 14, 1942 II Martello:

"The GPU does not joke. When the GPU, by the mouth of Sormenti, says: 'This means war,' the significance of this threat is clear."

4. L'Unità del Popolo dares to

ask: "But who, at one time or another, has not been attacked by Tresca in this manner?"

Tresca attacked nobody in this manner except the Stalinist and the fascists. "In this manner" Tresca never dealt with anybody in the labor movement, no matter how strongly he disagreed with him, except the Stalinists. Tresca was on the friendliest terms with every tendency in the labor movement — except the Stalinists. For "in this manner" Tresca attacked only those who were ASSASSINS — the fascists and Stalinists.

The Stalinist answer to Antonini's statement has been a monstrous barrage of filth filling many columns in the Jan. 23 and 24 Daily Worker. Perhaps the outstanding gem is an article by Joseph Starobin, entitled "What Is Antonini Up To? Starobin charges Antonini with nothing less than an 'Italian Darlan scheme,'" Starobin writes:

"... powerful State Department circles decided to drop Sforza (head of the Italian-National Committee) in order to make contact with potential Admiral Darlans in Italy itself."

"Luigi Antonini understood. He was not going to back the wrong horse."

WHY THEY DO IT

Do the Stalinists really expect anyone outside their own ranks to believe such fabrications? Not really. But such vile charges serve several purposes: (1) They harden believing Stalinists into accepting anything — including whatever further happens to Antonini or anyone else, especially the Trotskyists. (2) They serve as a warning to all others: "if you dare join Antonini in such statements we Stalinists will bury you in slander, for our press and forces can outshoot — and outdo — any other group."

These dividends are the by-product of the skill and sweat of the workers, and it belongs to them, not to the parasite who makes no contribution to the finished product.

According to the Times' figures, G. M. paid over 20% of its alleged total net income to the stockholders. In other words, one dollar in every five was taken out of the wages rightfully due the workers who are at this very moment deprived of necessities because they can't pay the high prices.

We don't think the Times has much of a case. Only the capitalists could be interested in preserving a system which keeps those who own capital in luxury, and those who produce the wealth in poverty.

Anti-Semite Peyrouton Made Governor of Algeria

By R. FREEMAN

On Jan. 19 Marcel Peyrouton was appointed governor-general of Algeria. This constitutes another victory for those French capitalists who hope to keep possession of this valuable colony and defend their vested interests, not only against German and American imperialism, but against the French anti-fascist workers and the Algerian natives as well.

Peyrouton is the ideal man for the job of safeguarding the interests of French imperialism against colonial revolts, for he has a long record of crimes against the French working class and North African natives. He is a reliable hatchet man for the bosses.

Peyrouton is what Washington calls "an experienced colonial administrator." In 1935-1936 he governed Tunisia and Morocco in turn. He smashed the trade unions, suppressed in blood the slightest resistance on the part of the natives, and openly praised Mussolini and "the creative spirit of fascism."

When France fell in 1940, Peyrouton was elevated to power, becoming Minister of the Interior in Petain's cabinet and director of Petain's bodyguard troops.

Peyrouton instituted the German anti-Jewish laws in France and established the first concentration camp on French-controlled soil. He fell from power because he backed the wrong horse at Vichy — he led the anti-Laval group within Petain's cabinet.

Peyrouton brings to his new job in Africa years of experience in smashing workers' organizations and colonial uprisings. As he takes office there are 20,000 Spanish Republicans, 10,000 Jews and 15,000 anti-Nazi European refugees in African prisons. Peyrouton can be counted upon to fight to keep them there.

This butcher of the French workers could not have received his new appointment without the approval of the U. S. State Department, which arranged for his passage from South America. When questioned last week as to the possibility of repealing the anti-Jewish laws in North Africa now that Peyrouton was in power, Secretary of State Hull became extremely irritated and told reporters that he wished people would pay more attention to the war and less to political questions.

He means that he wishes the American workers would be so blinded by their hatred of Hitler that they would be unable to see the anti-democratic acts and the deals with fascists which are being arranged in the name of a fight against Hitlerism.

The American workers hate fascism all right, but they are not blinded, and a good many of them see in the Peyrouton appointment a signpost clearly marking the nature of the post-war world desired by powerful sections of the ruling class.

'Times' Attempts to Sell Capitalism to Workers

In an editorial on Jan. 24 the N. Y. Times attempts to prove that "the workers of the country have a far larger interest in the preservation. . . of big business than the 'capitalists' have."

As proof the Times offers the 1941 financial statements of several large corporations which show that workers get more wages than stockholders do dividends.

Thus, in 1941 General Motors paid out 670 millions of dollars in wages while only 172 millions went into dividends.

What do these figures show? To begin with, the sum of 172 millions paid out in dividends by no means exhausts the profits of G. M. Other millions were socked away as "reserve," "depreciation," etc. Moreover, the figure of 670 millions of dollars in wages includes the fancy salaries of the high priced executives — and these add up to no small figure.

But even assuming that all the wage money went to the workers, what possible interest could they have in a system which diverts 172 millions for dividend payments? This money went to people who did not earn it and who performed absolutely no function in the process of production. They merely owned stocks.

These dividends are the by-product of the skill and sweat of the workers, and it belongs to them, not to the parasite who makes no contribution to the finished product.

According to the Times' figures, G. M. paid over 20% of its alleged total net income to the stockholders. In other words, one dollar in every five was taken out of the wages rightfully due the workers who are at this very moment deprived of necessities because they can't pay the high prices.

We don't think the Times has much of a case. Only the capitalists could be interested in preserving a system which keeps those who own capital in luxury, and those who produce the wealth in poverty.

Slanders Lay Ground for Attacks On Negro Press

The attack on the Negro press printed in the January issue of Readers' Digest was not, as The Militant pointed out a few weeks ago, an isolated event.

Since then the Atlantic Monthly has carried another scurrilous attack on the militant Negro newspapers, blaming them for imminent "race riots," etc.; this article was by a "Southern liberal," Virginia Dabney, editor of the Richmond Times Dispatch.

And that so-called "great friend" of the Negro people, Eleanor Roosevelt, has come out with a full-fledged endorsement of the slanders in the Readers' Digest.

The Negro weekly, Pittsburgh Courier, appears to be 100% correct when it says: "Apparently there is an understanding among certain influential white people to keep shooting at the Negro press in order to discredit it, to lessen its influence and to 'ready' it for suppression."

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