
Appeal of the Minority Members of the CEC of the Communist Party of America Against the Policies of the CEC on the Question of the Formation of a Legal Political Party in the United States. [Circa December 1921]

A document in the Comintern Archive, f. 515, op. 1, d. 128, ll. 32-36.

In formally appealing to the EC of the CI against the decisions of the CEC of the CP of A the undersigned members of the CEC make the following declaration:—

After serious consideration of the Theses on Tactics and Organization, adopted by the Third Congress, we declare ourselves to be in complete agreement with the position of the Comintern as set forth in these Theses. The origin, development of, and the controversies within, the American Communist Parties are well known to the Comintern and constitute too large a subject to be treated herein, but in any comprehensive criticism of the American communist movement these facts must be taken into consideration. The criticism of the American movement, as contained in the Theses, is valid, and we accept the obligation imposed upon the CP of A to more extensively carry on an open, legal communist work in order to unite the exploited masses politically in their struggle against American capitalism.

The reports received here of the conference of the American delegation with Comrade Lenin were conflicting, especially in reference to the formation of a legal political organization, but we believe that it is Lenin's opinion that some such organization is necessary for the purpose of carrying on legal political work, and we agree that this advice to the American delegation should be carried out in practice as soon as the disturbed conditions within the CP of A will allow

and in conformity with the general political conditions in the USA.

We are convinced, however, that the majority members of the CEC misinterpret the advice of Comrade Lenin on the question of organizing a LPP and that their understanding of the Theses of the Third Congress is erroneous and that therefore if the plans and policies based upon these misconceptions were to be carried into effect by this majority it would result in the liquidation of the Communist Party of America and cause the greatest harm to the American communist movement.

The question of legal political work was not taken up or discussed in the Joint Unity Convention of the former UCP and CP held last May, 1921. There were two separate reports prepared and in neither of these was there any mention of a LPP [Legal Political Party]. These reports were referred to the present CEC without recommendation by the convention. When these reports were considered in the CEC it was decided to organize all legal organizations then under party control into a central legal organization. (The original plans and the name of this organization can be had from the American representative; in this statement we shall refer to it as the "A.")† The [ALA] was to have had no dues-paying membership and no organization was to have been permitted to join without approval of the CEC. The entire membership was at the same time expressly informed that under no circumstances would the [ALA] become a political party or even conduct or

†- Reference is to the American Labor Alliance for Trade with Soviet Russia, commonly known as the ALA. The connection of this organization with the Communist Party was for some reason regarded as a great secret during the CPA's underground period; it is doubtful that Department of Justice sleuths were fooled for more than thirty seconds about this fact. For the sake of clarity, all subsequent references to the "A" in this document will be replaced by a bracketed [ALA].

enter the parliamentary elections. As a matter of fact, for this purpose a separate organization was created by the CEC which is now conducting the elections in several places.

Comrade Marshall [Bedacht] arrived in the States at about this time and reported to the CEC that he had specific instructions from Comrade Lenin and the EC of the CI to the effect that the CP of A must IMMEDIATELY organize and launch a LPP. Comrade Marshall [Bedacht] further reported that if the CEC did not at once comply with this demand that he (Marshall [Bedacht]) was authorized to go before the membership of the CPA for the purpose of getting a party congress to decide this issue, but that if the CEC immediately carried out the instructions that no party congress was necessary. Comrade Marshall [Bedacht] presented to the CEC a thesis on legal activities together with a plan for the organization of a LPP which he (Marshall [Bedacht]) said was endorsed by both Comrade Lenin and the EC of the CI.†

Upon the basis of this information, conveyed to the CEC by Comrade Marshall [Bedacht], the CEC at once decided to change the [ALA] into a LPP with dues-paying membership; that the entire membership of the underground party — the CPA — shall immediately become members of the [ALA] through the open affiliation of all the underground branches of the Communist Party. An open congress of the [ALA] was then to be held at which the [ALA] is to be launched as a LPP. (The entire details of this plan can be seen from documents which the American representative on the EC will submit).

This plan was immediately opposed by the undersigned minority of three on the following grounds:

(1) It is impractical in that it endangers the whole underground party machinery and all its connections by immediately exposing the whole membership to government persecution.

(2) Because the [ALA] would have practically no other membership than the members of the CP of A and by immediately throwing the entire membership of the illegal party into open, legal branches of the [ALA] the functions of the legal party and the illegal party would be insufficiently differentiated. The

branches of the illegal party would be, at one and the same time, the branches of the legal party. The branches of the legal party would be identical with the branches of the illegal party. It is ridiculous to suppose that these branches would first meet underground to decide policies that they themselves would carry out in the legal party branches. It does not require extensive argument to prove that the present plan of the CEC, if carried out, would liquidate the underground Communist Party by paralyzing its functions and activities.

NOTE:— It must be distinctly understood that the [ALA] has no masses organized or prepared for legal communist work; that it has at present no actual membership; that the branches and membership of the present illegal CP of A will be the ONLY membership in the [ALA]; that the [ALA] was projected for entirely different purposes than those of a LPP; and that since its creation the [ALA] has lain dormant — functionless and inactive. To attempt to resurrect this stillborn organization, to try to galvanize it into life as a LPP is the height of folly.

The CEC majority denounced any and all criticism of its plan for the formation of a LPP as “sectarian” and “leftist” and dishonestly interpreted such criticism as opposition to all legal work. The membership of the CPA were made to understand that the detailed plan of the CEC had the unqualified approval of the EC of the CI, and the weight and prestige of Comrade Lenin’s name was used to put the CEC proposal across without discussion. All opposition to any of the details of this plan for a LPP was at once denounced as opposition to the Comintern and a violation of the specific instructions of the EC of the CI. Through the “reorganization” of the CEC into two main committees, from which the undersigned minority were excluded, no adequate opportunity was offered for debate or amendments to the plan and the whole important step was rushed through the CEC by caucus vote of the majority. No opportunity was given to the minority to express its opinion in the party press previous to the decision of the CEC and the minority now faces a *fait accompli*. Our members were naturally confused by the sudden and rapid changes in

†- Historians should take the Central Caucus faction’s representations about just what Bedacht said with a grain of salt. Bedacht’s letter to the CEC explicitly stated “The [ECCI] itself did not take up the question of instructions to America. It never deals with such questions. The sessions of the small bureau are secret...” [See: Comintern Archive f. 515, op. 1, d. 56, ll. 8-11.]

policy on legal work, are failing to respond to the orders of the CEC, and are rapidly losing confidence in their directing body. The minority, shut out from all active participation in party work, have been unable to influence or restrain our members. As a result of the failure of the CEC to properly explain to and instruct the membership of the CP, the utmost confusion exists throughout the party rank and file on the question of a LPP. The opinions of the comrades in the ranks range from opposition to any kind of a legal political organization to the notion that the Comintern desires the abolition of the underground party altogether. The Theses on Tactics and Organization has not yet been distributed to the membership so that they do not know and have had no opportunity to understand the attitude of the Comintern on any of the important questions treated therein.

It must be clearly understood that the former UCP and CP have only recently united. The bitterest factional feeling existed between these two parties for nearly two years. While formal unity has been achieved the actual process of unification is still going on and requires sympathetic and skillful treatment by those in control. This preexisting condition within the party has now been further accentuated by the sudden projection of the question of the immediate organization of a LPP. Due to the fact that the CEC majority has failed to prepare the membership to understand this important question, the greatest factional strife now exists within the party. These factions are of about equal strength and the CEC majority has attempted to crush all opposition by applying the sternest discipline. This has resulted in the suspension or expulsion of many active members and of large units. Since unity within our own ranks is essential for engaging in any major activity, the undersigned minority considers this situation in the party deplorable and intolerable. We have urged the CEC majority to call a convention of the party in order that the questions now agitating the membership may be solved through intelligent discussion and action. This the CEC refuses to do, claiming that it is acting under direct mandate of the EC of the CI with the result that affairs in our party are becoming more and more critical. We submit to the judgment of the EC of the CI the fact that these conditions within the party are unfavorable to the IMMEDIATE launching of a LPP, and that hasty and ill-

considered action will disrupt the CP of A and cause more harm than good to the movement in America.

A survey of the general political conditions in the US would indicate that careful planning and extensive preparation is necessary for the successful launching of a legal political party of communism in this country. Political parties cannot be "made to order." Our comrades on the EC are undoubtedly impressed and influenced by the fact that there are at present 6 million unemployed workers in the US; by the armed revolt of the miners of West Virginia; by the unrest and dissatisfaction of 2 million railway workers culminating in their threat of a general strike (which was called off because their leaders said, "We cannot fight the government"); by the many signs of growing disaffection and rebellion on the part of the exploited workers in America. In these circumstances, it would seem that a legal, open, revolutionary workers' party ought to immediately attract large masses of discontented and rebellious workers. But a more intimate view of American conditions would disclose the fact notwithstanding the apparently favorable situation enumerate above, extensive and intensive preparatory work will be required before any considerable number of even the advanced workers will be ready to engage in legal communist work as members of a LPP. Our comrades on the EC must bear in mind that the American workers have as yet no sense of orientation; their class-consciousness is relatively the lowest of any capitalistically developed country; they are as yet before the simplest task of building up, on the economic field, [an] effective centre of resistance to their exploiters. The workers organized in the trade unions are in the grip of the most reactionary leaders in the world. The bureaucracy in these unions is all-powerful. No "left wing" movement has developed to any considerable proportion and the "left wing" elements are as yet unorganized. The workers of America have no revolutionary traditions and have had no revolutionary experiences. On the political field the trade unions are only just beginning to make the first feeble attempts to organize a labor party. The American workers are still under the influence and the spell of more than a hundred years of training in the ideology of bourgeois democracy. The American capitalist class is, on the contrary, the best organized and the most powerful in the

world.

The Communist Party has little or no contact with the most powerful unions, such as the miners and railway workers, etc., and its strength and influence in other unions is comparatively small. It is imperative that the underground organization shall more extensively organize CP nuclei in all workers' organizations and through these nuclei carry on the necessary work in order to prepare the masses for the struggle against capitalism and their more advanced elements for legal communist work. The all-important work of the underground organization — the CP of A — must not be minimized. Nowhere in the world is it so necessary that clarity of program and of purpose be kept in the foreground than in America. Nowhere in the world will more dangerous centrists appear on the political arena than in America. Nowhere in the world is it more essential that a compact, well-organized, and disciplined underground communist party be maintained than in the USA. The capitalist class of America has entered upon a period of aggressive imperialism. The Communist Party is an outlaw party in the US, In nearly every state in the American Union mere membership in the CPA is a crime punishable by from 10 to 20 years imprisonment. The Federal law makes such membership punishable by deportation or imprisonment for non-citizens. The American capitalists will brook no opposition to their rule and the laws will tend to become more and more oppressive rather than the reverse. Under these conditions the Communist Party is, and will continue to be, an illegal, underground organization and any attempt to liquidate the party, whether intentional or unintentional, is a blow struck at the heart of the communist movement in America.

The labor press (exclusive of purely trade journals) is privately owned and is without vision or influence. Even the largest unions maintain no propaganda press. Revolutionary organs have had very limited circulation. The revolutionary movement in the US has never been able to maintain an educational and theoretical organ for the scientific training of class-conscious workers in Marxian principles. The AF of L, with 4 million members, has not national propaganda paper. Consequently the workers here are ignorant of the first principles of the class struggle, and one of the most important means for preparing any considerable

numbers of the advanced workers for legal communist work as members of a legal political organization is the legal communist press. For this purpose it is absolutely necessary to establish a legal daily newspaper, so conducted as to become the leader and the spokesman of the exploited masses in their daily struggle against the ruling class, as well as such other legal weekly propaganda papers as can be maintained in the larger industrial and political centers. To establish and maintain this press will be in itself a major task for the American Communist Party.

The undersigned members of the CEC are not opposed in principle to the organization of a LPP under the unquestioned control of the underground party. We insist, however, that all the conditions surrounding its organization shall be taken into consideration. We have further insisted that, this question being of such importance, it must not be made the occasion for factional struggle and dispute within the party, since a necessary condition for the successful building of a legal political organization is the unity and discipline of the underground organization. Since we are appealing to the EC of the CI against the present plans of the CEC majority it may be expected that we are ready to submit counterproposals. No detailed plans can be submitted in a statement of this nature, but we make the following suggestions:—

(1) A convention of the CP of A to be called to which shall be referred the whole question of the formation of a legal political organization. This question to be placed upon the agenda and included in the call so that every unit of the party shall thoroughly discuss and understand it and the delegates elected on this issue. Such a party congress would also help to allay the factional strife and unite our forces, and adopt the principle and general outline of the form and structure of the legal political organization. It would select a CEC which would have the support and confidence of the membership. This CEC would be charged with the duty to work out details and initiate the legal organization which must be done with the greatest care and secrecy.

(2) Intensive and extensive preparatory work to be carried on in order to insure the affiliation of advanced elements of the working class. This work to be conducted through CP nuclei in the unions and other workers' organizations and through the legal party

press. A daily newspaper is necessary.

(3) The legal political organization may be initiated by forming skeleton branches composed of CP members, such branches to be formed with ONLY A PART of the membership of the corresponding underground CP branch, these skeleton branches to be filled up with NON-PARTY elements previously prepared for engaging inn legal communist work.

(4) The legal political organization to [be] under the control and direction of the illegal CP of A. This control should be exercised through the control of the machinery of the legal organization rather than by the numerical strength of CP members in the legal organization in proportion to the non-party elements.

(5) Provisions to be made for the exclusion of undesirable elements, such as: bourgeois intellectuals, petit bourgeois, and known centrist leaders.

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Since the majority members of the CEC claim to be acting upon specific instructions of the EC of the CI, a higher authority than either the Joint Unity Convention or the Constitution of the CP of A, we, the undersigned minority members of the CEC, formally appeal against the decision of the CEC of the CP of A to (1) immediately organize a LPP upon a plan and policy which must result in liquidating the underground CP of A, and (2) for refusing to call a party congress.

NOTE:—

While the above forms the basis of our appeal we conceive it to be our duty to acquaint the EC of the CI with the fact that the present CEC has failed to carry on any communist work in this country, and is daily demonstrating its total inability to do so. In this connection we repeat that the undersigned minority has been excluded from active participation in party work.

(1) *Agitation in Army and Navy:* Although pledged to carry on this work by [the] 21 points it is completely ignored. We brand this inactivity as treason to communism. Numerous opportunities allowed to pass: (a) Soldiers' bonuses; (b) neglect of crippled and wounded ex-soldiers; (c) rape of Haiti, Santo Domingo; (d) *American Imperialism:* Mexico, Pacific,

Mesopotamia — “building strongest navy in world;” Japan; Limitation of Armament Conferences; etc. etc. Splendid opportunities for propaganda in military and naval forces completely ignored. No attempt to establish connections in ex-soldiers' organizations or in army.

(2) *Participation in Mass Struggles:* Lot of talk about “contact with masses” but nothing done. Opportunities for propaganda criminally wasted: (a) open shop fight; (b) general reduction of wages; (c) Sacco-Vanzetti Case did not interest CEC although appealed to for aid; (d) coal miners' strikes in West Virginia, Ohio, Kansas, no organizers sent — party members available from coal fields in Pennsylvania — while CEC organizers touring country building up party faction and urging legalizing of party; (e) railroad workers' general strike situation — workers split up in craft divisions — treacherous reactionary leaders — 2 million workers involved — CEC not interested — no appeal for solidarity — splendid opportunity lost.

(3) *Shop Problems:* No leaflets for individual shops and factories; on strikes, wage cuts, brutal overseers and foremen, sanitary conditions, etc.

(4) *Unemployment Situation:* Nothing doing by CEC. Party should take lead in organizing 6 million scattered masses for effectual resistance and protest against capitalist exploitation. CEC failed to formulate necessary slogans for action while bourgeois philanthropist sells ex-soldiers as slaves on Boston Common.

(5) *Legal Party Press:* CEC abolished two well-established legal propaganda papers and replaced them by one nondescript weekly magazine (“intellectual”). No other literature for members issued. Theses of 3rd Congress not out. The CEC has done nothing to establish a daily paper.

(6) *Centrists:* Workers who have been bolsheviks for years are expelled while bourgeois liberals are invited and accepted as members of party.

(7) *Crushing Policy:* Has resulted in disruption and disorganization of party units and is in flagrant violation of spirit and letter of Theses on Organization of Communist Parties. This policy has brought about financial crisis in party so that present CEC is unable to meet its most pressing needs. Whole financial policy of CEC unsound.

(8) *LPP:* Under control of present CEC no

masses will join; only small number of centrists and intellectuals who are opposed to any underground work or organization; ninety percent of LPP membership will be present members of CPA who have been ordered to “come out in the open” from underground branches.

(9) *Workers Council*: Attached to this appeal is a memorandum upon this subject (under separate cover).

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We have stated our position and indicated the bases of our opposition to and appeal against the plans of the CEC majority on the question of a LPP. We expect the EC of the CI to seriously consider this appeal which we bring before it and we pledge ourselves and the membership whom we represent to abide by and carry out the rulings and decisions of the EC of the CI on the issues raised herein.

Yours for communism —

John Moore (Curtis) [John Ballam]

C. Dobin (Dow) [Charles Dirba]

George Henry (Kelly) [George Ashkenudzie]

Members of the Central Executive Committee
of the Communist Party of America.

Edited with a footnote by Tim Davenport.

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