

The American
Socialist

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by Victor Rabinowitz

**Slow Down
for the
Witch-Hunt**

**The
New
America**

Symposium:

**Rethinking
Socialist
Policies**



***The Speech
that Shook
the World***

CLIPPINGS

ONE of the important recent labor events is the vigorous broadside against the witch-hunt fired by the Amalgamated Clothing Workers at its convention in Washington. Nothing like it has come out of the labor movement in years.

The resolution called for the repeal by Congress of the Smith Act, the McCarran Internal Security Act of 1950, and the Humphrey Communist Control Act of 1954; vigorously opposed the enactment of any law which would permit the states to overturn the Supreme Court decision in the Nelson case and legalize state "sedition" laws; spoke out sharply on the Congressional "investigation" craze ("we must insist the power of Congress to investigate be exercised within the bounds of its legitimate objective—fact finding in connection with proposed legislation. It must not be used to smear individuals or organizations, or to subject them to prosecution. It must not be perverted into an instrument of political repression."); called for an "overhaul" of the government security and loyalty systems, and gave detailed proposals for safe guards to the rights of individuals; struck out against "loyalty oaths and political tests in the selection of teachers"; and demanded the abandonment of the Attorney General's list of "subversive" organizations. While pointing to recent hopeful signs, the resolution asserted that there has been thus far only a "partial restoration of reason and sanity."

A CARNEGIE HALL symposium in New York on May 27 brought Norman Thomas, Eugene Dennis, A. J. Muste, and W. E. B. DuBois to the same platform to discuss "America's Road to Democracy and Peace," and attracted an audience of about 2,500. The forum was arranged and sponsored by Rev. Muste's Fellowship of Reconciliation, and was chaired by Roger N. Baldwin, longtime director of the American Civil Liberties Union.

After the main presentations, in which the various individuals presented their well-known points of view without significant variation from their previously published stands, the discussion developed into a snappish exchange, mainly between Thomas and Dennis, on the record of the Communist Party. The meeting achieved very little in the way of clarification, but marked an important step toward the re-opening of free debate in the United States.

The thirtieth national convention of the Norman Thomas Socialist Party, attended by about 100 delegates, decided to put on a limited campaign behind a Presidential ticket in the coming national elections. A discussion was held also about the possibility of "reunification of the democratic socialist forces in the U.S." Opposition was expressed to "sectarian attitudes," and attempts will be made to unite the Socialist Party with the Social Democratic Federation and the Jewish Labor Bund. But a unity conference which the SP expects to call will bar "Leninist organiza-

AFTER a 112-day strike marked by police attacks on the picket lines, a court injunction and mass arrests, the International Association of Machinists scored a definite victory against Republic Aviation on Long Island. The union victory came after a last-ditch back-to-work drive on the part of the company failed. Up to that point, the company had held firm on a five-cent offer. The settlement terms included a seven-cent increase now and another seven on April 1, 1957, three cents additional in hospitalization and medical benefits, an improved vacation clause, and a provision for at least two days notice of layoffs enforced by a two-day severance pay should the company fail to give notice, making a package of 17½ cents over the two-year life of the agreement.

An estimated 6.2 million man-days of shut-down due to strikes in the first three months of 1956 is reported by the Labor Department. This is more than for any first quarter since 1950. Meanwhile, settlements in wage negotiations have been running consistently higher during the same period. The men's and boy's clothing industry settled with the Amalgamated Clothing Workers of America for a total of 16½ cents, 12½ cents in direct wage rises. In the textile industry, wage increases this year have averaged 8½ cents in cotton, from 12 to 15 cents in woolen and worsted mills. In aircraft, increases for this year have averaged 11 cents, and in oil a minimum of 15 cents. The overall trend is toward settlements in the 12-15 cent range as contrasted with the 5-8 cent range last year.

New York State has more union members than any other state, the National Bureau of Economic Research reports, but it ranks

far down on the list—fifteenth—among the states in the percentage of workers organized. Only one-third of the industrial and office workers of the state belong to unions.

IN a 6-3 decision handed down on June 11, the U.S. Supreme Court held that President Eisenhower had violated the law when he set up a "security" program applying to all Federal employees. Under the 1950 statute on which the purge procedure was based, the governmental inquisition may be applied only to holders of "sensitive" jobs "concerned with the national safety," the court ruled.

This means that about half of the many dismissed from government employment on security-risk charges were fired illegally. They may now sue for reinstatement in their jobs, and for back pay, which they may demand, under Court of Claims rules, for six years from the ouster.

Assistant Attorney General Tompkins, in an interview a few days after the decision, said that the Justice Department would "comply fully with the spirit of the decision." According to him, all government agencies have been instructed not to use security-risk charges against persons holding non-sensitive jobs in the future, and to restore to duty all who are at present suspended from such jobs under security charges. It should be noted that the government has other statutory means of dismissing persons for political reasons, such as the laws prohibiting any political activity by federal employees, etc.

Recent Supreme Court decisions have aroused a fury among the reactionaries in Congress. Particular targets of Byrd, Eastland, and McCarthy are the rulings in the Nelson case, invalidating state "sedition" laws, the Supreme Court decisions on racial segregation, and the decision on the government security program. About 70 measures now pending in Congress are aimed at curbing the powers of the Court and the tenure of the judges.

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The Speech that Shook the World

THE *N. Y. Times* published Khrushchev's "secret" speech on June 5, several months after its main contents had already been exhaustively dealt with in the world press. It was a blockbuster, nevertheless. We have no hesitation in saying that there has never occurred anything quite like it in the course of human history. The books record how the Stuarts denounced Cromwell, and how the Bourbons hurled their anathemas at Napoleon, but the world is still stunned at the spectacle of the disciples, co-workers, co-adjutors, co-factionalists of Stalin turning on him to destroy the legend that they helped create for a quarter of a century, toppling Stalin's statues and grinding them into dust, and converting his name into a curse and a by-word.

Just as an atomic explosion releases tremendously greater energy than conventional dynamite, so the Russian revolution of 1917 released a human explosive force far in excess of the revolutions of the eighteenth or any other century. It is a testimonial above all to this towering fact that Soviet Russia could survive two decades of Stalin's bloodletting, could stand up to and eventually vanquish the Nazi armies in the teeth of Stalin's bungling, miscalculations and willful destruction of the flower of its military general staff, and that the country's rulers can today carry on, if not with aplomb, at least with confidence, after this annihilating self-exposure that the whole leadership for a period of twenty years was part and parcel of a regime of frameup, murder, provocation, and crime. History has seen all sorts of curiosities, aberrations, and abnormalities. But none of the socialist pioneers in their wildest nightmares had conceived that the first experiment in

building socialism would witness a marriage between Cesare Borgia and the ghost of Karl Marx! Socialism must be an even sturdier organization of society than its founders suspected to be able to take this much punishment and damage from the inside and still survive.

The Soviet Union has no usable history books after the Twentieth Congress, and we understand that the teaching of modern history has been suspended until the Russian savants have completed drawing up new texts. Khrushchev gave the outlines of the new pitch, but we do not uncritically accept his version of Soviet history any more than we accepted the Stalin version in the past (although the Khrushchev rationale probably corresponds to historical truth several thousand percent closer than the previous one). Like all historical accounts, this will have to be checked against the writings of Western scholars, and Stalin's Left opponents, government documents, official texts of laws and decrees, minutes of gatherings, etc. After all, the new regime is not headed by disinterested historians but by politicians who labor under the special necessity of justifying their own past conduct, legitimatizing their political origins, and establishing their right to rule over a great nation of 200 million people.

ACCORDING to this latest exegesis, Stalin was doing great for the first ten years when he was fighting and destroying (not always with over-refined methods, according to the record) the Trotsky and Bukharin factions. But as soon as he had these oppositions out of the way, he hoisted himself above the party and government, and began running the show as a one-man

tyrant by means of sustained and ruthless terror. We will leave the accuracy of this version aside for the time being. We have long ago come to the conclusion that the future American socialist party has no need to adopt an official pronouncement on the political merits of the Stalin-Trotsky-Bukharin struggles; although, like all important international events and experiences of socialist history, these will, from time to time, be referred to where they can shed some light on problems that we may face in this country. But already the march of events has, in our opinion, conclusively resolved several enigmas, or mysteries, or questions, or doubts, that have perplexed political analysts for the past quarter century.

One is the question of the long series of purge trials in Russia. Did Stalin's opponents really consort with Hitler and the Mikado, and other foreign espionage agencies? And, furthermore, why did Stalin's victims confess? We all remember the lugubrious, oily, pseudo-Dostoyevskian explanations, whose number was legion, about the so-called "Russian soul," and how the old Bolsheviks, confronted with the consequences of their nefarious plots, could not do otherwise than break down in remorse, flagellate themselves with insults and abuse, and beg their prosecutors and tormentors for obloquy and death. The mystery that was never a mystery is now solved. Khrushchev, documents in hand, has told all. The old Bolsheviks confessed—because they were subjected to inhuman and unspeakable torture! ("No longer able to bear barbaric torture, they charged themselves [at the order of the investigative judges—falsifiers] with all kinds of grave and unlikely crimes.")

KHRUSHCHEV admits that even the assassination of Kirov in 1934, which set off the five-year wave of terror, was most likely engineered by the secret police. ("It is an unusually suspicious circumstance that when the Chekist [secret policeman] assigned to protect Kirov was being brought for an interrogation on December 2, 1934, he was killed in a car 'accident' in which no other occupants of the car were harmed. After the murder of Kirov, top functionaries of the Leningrad NKVD were given very light sentences, but in 1937 they were

shot. We can assume that they were shot in order to cover the traces of the organizers of Kirov's killing.") Nor did this wave of terror result from the secret police getting out of hand on their own. The "genial" Stalin himself directed the performance, as the Stalin-Zhdanov telegram indicates; the directive which, according to Khrushchev, "directly pushed the NKVD workers on the path of mass arrests and executions." Equally frightful is the coded dispatch justifying torture which Stalin sent out in 1939 (see box).

The investigation preceding the Twentieth Congress determined "that of the 139 members and candidates of the party's Central Committee who were elected at the Seventeenth Congress, 98 persons, i.e., 70 percent, were arrested and shot (mostly in 1937-38. . . . The same fate met . . . the majority of the delegates of the Seventeenth party Congress. Of 1,966 delegates with either voting or advisory rights, 1,108 persons were arrested on charges of anti-revolutionary crimes, i.e., decidedly more than a majority." In a word, after devouring the oppositions, Stalin and the secret police began devouring the Stalinist bureaucrats and administrators themselves. In the circumstances, the survival of the regime is practically miraculous.

In his opening speech to the Twentieth Congress sessions, Khrushchev still spoke of the Trotskyists and Bukharinists as "enemies of the people." Several days later, in his report to the closed session, a metamorphosis had taken place. He had by now reached the point in the restoration of Soviet



TOGLIATTI AND TITO: Palmiro Togliatti, leader of Italy's Communist Party (left), meets with Marshal Tito in Belgrade just before Tito's departure for visit to Russia. Not long ago Togliatti was hurling cries of "fascist" at Tito. Khrushchev's speech relates how Stalin was going to destroy Tito with a "shake of his finger."

reality where it was admitted, in effect, that the Trotsky and Bukharin oppositionists were not plotters against the Soviet state, were not enemies of the people, not to speak of fascist scum and vomit, but simply political opponents of Stalin's. Their policies (according to Khrushchev) were wrong, and their defeat was required. But he now maintains, had Lenin lived, repressive measures would not have been employed against them. ("Our party fought for the implementation of Lenin's plans for the construction of socialism. . . . This was an ideological fight. Had Leninist principles been observed during the course of this fight

. . . we certainly would not have had such a brutal violation of revolutionary legality and many thousands of people would not have fallen victim of the method of terror. . . .") The *Daily Worker* is now dutifully falling into line on this score, as it already had before on other counts.

ANOTHER proposition of a different order that historical events have pretty well cleared up relates to the slave-labor camps. The anti-communist theorists maintained that Russia was a new slave society, and that Stalin's forced labor camps were an indispensable component of the Soviet economic setup. They concluded that the progress recorded under the five-year plans was completely dependent on this slave system of labor. But today, when the Soviet leaders are half-surreptitiously closing these camps, it is becoming clear that the institution was a component primarily of Stalin's system of terror, and not of the planned economy. Those analysts who pointed out that even at its height the forced labor camps had no more than peripheral importance in the Soviet economy are demonstrated to have been correct.

It was a difficult thing at the height of the Stalinist infamy to maintain one's faith in the superiority of the socialist type of organization, and to recognize

Stalin Orders Third Degree

The following telegram was dispatched in code to committee and party secretaries, People's Commissars of internal affairs, and heads of secret police organizations all over Russia by J. Stalin on January 20, 1939, and was revealed for the first time by Khrushchev in his closed-session speech:

THE Central Committee of the All-Union Communist Party (Bolsheviks) explains that the application of methods of physical pressure in NKVD practice is permissible from 1937 on in accordance with permission of the Central Committee of the All-Union Communist Party (Bolsheviks). It is known that all bourgeois intelligence services use methods

of physical influence against the representatives of the socialist proletariat and that they use them in their most scandalous forms.

The question arises as to why the socialist intelligence service should be more humanitarian against the mad agents of the bourgeoisie, against the deadly enemies of the working class and of the collective farm workers. The Central Committee of the All-Union Communist Party (Bolsheviks) considers that physical pressure should still be used obligatorily, as an exception applicable to known and obstinate enemies of the people, as a method both justifiable and appropriate.



TOGLIATTI AND TITO: Palmiro Togliatti, leader of Italy's Communist Party (left), meets with Marshal Tito in Belgrade just before Tito's departure for visit to Russia. Not long ago Togliatti was hurling cries of "fascist" at Tito. Khrushchev's speech relates how Stalin was going to destroy Tito with a "shake of his finger."

that beneath the dross and crime of the regime, a superior economic system was still at work—and the fanatical blindness, the unbelievable obtuseness, and in some cases the unabashed cynicism, on the part of the professional apologists for Stalin did not make the task any easier. Today, with the pendulum slowly moving in the democratic direction, we can more easily see that Stalinism was an incubus, not the crowning glory, of the new socialist society.

Many commentators have expressed dissatisfaction with Khrushchev's explanation, or more correctly, lack of explanation, for the rise of the Stalinist tyranny. The *N. Y. Times* sternly lectures us that in the opposition aroused by breakneck industrialization and forced collectivization "we may find abundant objective reasons for Stalin's reign of terror, and we have no need for the paranoia hypothesis that Khrushchev advances." Others find the original sin embedded in Lenin's authoritarian system of organization. Of course, there is a germ of truth in both conceptions, but these can easily become gross misconceptions unless they are properly fitted into the framework of the larger reality. We have long ago pointed out that backward agricultural countries rushing headlong to industrialize and impatient to break into the twentieth century cannot become ideal breeding grounds for democracy. Even with these types of countries, there are gradations, however. So far as we are aware, China, although a one-party dictatorship with all that that implies, is following in the economic footsteps of the Russia of the thirties without the worst of Stalin's excesses. It is also true, on the other count, that the 1921 Communist Party decision under Lenin to outlaw factions, became the starting point for Stalin's later outlawing of the Trotsky and Bukharin factions, and still later, for the blood purges of all and sundry. But Lenin never considered either the outlawing of factions, or the one-party regime, as part of his ideology for either Soviet party or governmental organization, but as extraordinary measures dictated by the civil war conditions.

WHETHER even Lenin's suppression of the earlier oppositions was justified by sheer necessity for survival,

or was unnecessary, historians will have to determine. Whether Lenin's conception of party organization has applicability or validity under Western conditions is a question.

We stand for a socialist setup in America which will not only rest upon but extend the political freedoms embodied in our Bill of Rights. (See *American Socialist*, "Socialism and Democracy," December 1955.) Of course, we understand, paper parchment guarantees, while very important, go only so far. A country's constitution and laws govern to the extent that they reflect the real relationship between classes, and correspond to the effective aspirations of its people. George Bancroft, the great American historian of a past generation, wrote that it is all right to preserve freedom in constitutions, but when the spirit of freedom has fled from the hearts of the people, then its matter is easily sacrificed under law.

But what became a veritable monstrosity was when Western Communists or fellow-travelers pictured the worst deformations and crimes of the Stalin era as models of socialist administration which all countries were called upon to emulate. This created havoc within the working class movement and set back Western socialism by many years.

Where juridical guarantees may not be absolute in their worth, the avowed embracement of a system of frameup, terror and dictatorship meant that Western Communists had gone berserk, and of course, they thereby harmed the socialist cause.

The American Communist Party leaders have finally had this shattering truth borne in on them. As a matter of fact, they cannot escape it in a country like the United States. In two abject editorials, they ask forgiveness for their cardinal sins, and promise to do better next time. The June 7 *Daily Worker* declares: "We were wrong, terribly wrong. We extended the proper and laudable sympathy for the world's first socialist state, and its defense against the monopolists and fascists who would destroy it, to a stupid and arrogant condemnation of those who told the truth about the violations of justice in the Soviet Union. We did not want to believe these crimes could occur in a socialist state and so we refused to believe. What was unforgivable and inexcusable was the manner in which we passed judgement—harsh and sometimes vindictive in tone—on many of our fellow Americans based solely on their criticism of the Stalin rule. We thus helped to force many to equate these injustices with socialism itself,

"Two Fragments" — by Adam Wazyk

[This poem is by a leading Polish poet, translator and critic. His earlier, and widely republished work, "A Poem for Adults," was one of the most striking documents of the current ferment in Poland, and was attacked violently by the official press. This lesser work appears to be the first poetry by Wazyk since "A Poem for Adults," and it is accounted significant that its publication was permitted after the stir caused by the last poem.]

II

A woman, not yet old,
an old Communist,
puts out her arms and cries:
take them off me, these rags of dogma,
give me a simple overcoat.

She awoke, her body
marked like the body of stigmatics,
the blood of those murdered
in the basements of bureaucracy
flows from her forehead.

We will not be cured by balsams.
I bring you the simple overcoat
and the ordinary catharsis.

Still miserable
she cries:
a farce!

V

They lived off the dawn
and brought the night.

They lived off the idea
and lost the language of men.

They lived off the dream
and the lie became their daily bread.

From medieval eyes,
from medieval ears,
from medieval suspicions,
from medieval brains,
from medieval methods,
the Party will liberate the sense of
revolution
until it is again as Lenin saw it.

and to create disillusionment in the noble ideas of socialism." In another editorial, they explain that the party's "decisions and policies must be independent ones and must arise from the needs of the American working people" and they promise to "prove, anew, our right to be heard with respect. . . ."

PEOPLE have asked us, "Do you think the Communists are sincere? Do you think we can trust their declarations this time?" In our opinion, that is not what is at issue. The Communist Party is an institution whose leadership has been selected on a certain basis over a period of many years, and which has been hardened into a certain mold during the Stalin era. It is no more capable of jumping out of its political skin than a leopard can change his spots by incantation, or prayer, or New Year's resolutions. Furthermore, it has lost its moral authority before liberal and radical public opinion, and so far as we can see, that is irrevocable. Frederick Engels once wrote that a party that makes a big enough mistake is wiped off the stage of history. In our opinion, that is the situation with the American Communist Party. It is not a matter of morally excommunicating CP members or leaders. Some of them, maybe many of them, will possibly be able to change and as individuals contribute notably in a new moment. But the CP, as an organized machine with an established hierarchy, is thoroughly discredited, and will not be granted a new hearing in the radical and liberal public. It has too many strikes on the ball. That is the fact.

Some have tried to find consolation in the thought that the Communist Parties of France and Italy, which have followed the same policies as the American party, seem to be surviving the blow satisfactorily. The analogy is illusory. Even these parties will not avoid crises of leadership in the days ahead. But they represent immense mass parties, and therefore special laws of organization and politics come into play in their case. The American party is an isolated propaganda group, and it simply lacks the moral capital with which to make a new appeal to the people.

A new start is called for and has to be made. It has to be made on a new basis, by new people. The new begin-

ning may be modest at first, but if it is sound in its program, clean in its methods, realistic in its approach, and energetic in its purposes, it can rally again the great numbers of independent

and unaffiliated radicals throughout the country, and with their support, press the socialist challenge in the American political arena where it has been absent for so long.

Warning Signs in the Economy

THE important shift in the economy in recent months is this: a weakening of the consumer market and a growing dependence upon expansion of plant and equipment. Retail sales to consumers have leveled off, and in some important fields such as housing, farm equipment, and autos, they have fallen quite sharply. At the same time, capital goods expenditures have become the chief counteracting force still keeping the economy at a high level.

A few months ago, in an article anticipating this trend, the *American Socialist* pointed to the serious consequences which would be sure to develop, in time, from such a situation. An expanding capitalism with a stagnating market for its goods is surely riding for a fall—this pattern has been repeated in advance of every depression. The most conservative business circles are now beginning to sense the danger. The *Guaranty Survey* of the Guaranty Trust Company of New York, for example, cautioned in its June issue: "This relatively dull pattern of retail trade is somewhat difficult to reconcile with the enormous capital-spending plans of American business."

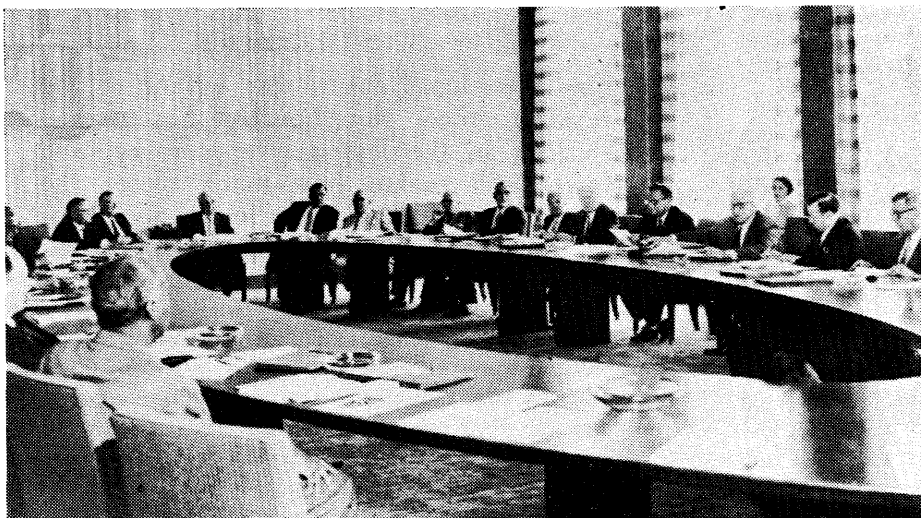
The weaknesses in the economy, in auto and elsewhere, are more than mere local troubles. They are warning signs of the first magnitude. In auto, the predicted decline of sales from 7.4 million passenger vehicles in 1955 to 5.8 in 1956 may be more than a serious one-year dip. It has been suggested that this is not a temporary situation at all, but a more or less permanent adjustment to a much lower level of sales. The fact that auto credit is extended to the point where a further burst of credit sales such as marked 1955 is almost impossible, backs up this view. An auto dealer—and those are the people in a position to know—suggests that "What the business needs is to shut down production for about a year."

The failure of the spring boom in

auto sales to materialize has had drastic human consequences. Twenty percent of the auto industry's over one million workers are out of work. In Detroit this means fully ten percent of the labor force. And it is actually worse than that. Now that union research teams have access to the corporations' precise wage-payments figures through the new Supplementary Unemployment Benefits plan, they can keep track of exact hourly employment and can thus assess part-time layoffs as well as full-time. And the figures are smashing: Where General Motors claimed to have laid off 60,000 workers, the union was able to show that, considered on the basis of 40-hour weeks lost, the equivalent of 76,859 workers had been laid off. In Ford, 18,000 workers were dismissed, but short work-weeks are so prevalent that it is as though 48,677 workers had been sent home.

AS the crisis deepens in auto, this is a good time to assess the effects of Reuther's Supplementary Unemployment Benefits plan. Over the past five years, auto employment has shown deep valleys and high peaks, fluctuating in a fantastic range of over 300,000 workers. If Reuther's scheme is now weighed against recent experience, it obviously has not changed that feature of the auto worker's life, which is precisely the one it was supposed to correct. The adoption of SUB was immediately followed by the most feverish of swings in the employment chart: A terrific high-pressure production drive led to the present deep cutback.

Nor has SUB cushioned the worker against the layoff—not this time, anyway. Of the 200,000 or so unemployed auto workers, only about 20,000 will be eligible for the benefits. Those who are eligible will receive an average of about \$10 a week for four weeks. While future layoffs ought to see larger benefits for longer periods of time, it is



AFL-CIO EXECUTIVE COUNCIL

clear that SUB amounts to a limited supplement to unemployment insurance, and nothing more.

But the real test of SUB will come late this year, when auto production picks up again. There is every reason to believe that the auto magnates will try to stabilize the labor force at a lower level, as a result of automation, speed-up, and other causes of a rise in productivity per worker—in addition to the lower car production which will probably be needed. If this turns out to be the trend, and SUB proves to be a slight bettering of conditions for an ever-smaller union, then it will not have met the basic needs of the workers.

There is hardly any sign that the union leaders have yet learned the meaning of the crisis which automation, speed-up, and restricted markets are preparing in American industry. They are going ahead with the thoughtless unconcern that seems to be the hallmark of their breed. A new office building has just been opened by the AFL-CIO in Washington, and the federation proudly reports that its big oval table will seat the entire Executive Council, but on the automation threat, it doesn't have much progress to report.

The current steel negotiations illustrate the absence of bold new approaches, despite some notable demands being pressed by the union. The demands for a rise in wages, SUB for the steelworkers, and premium pay for weekends, are fine as far as they go. But with the union program limited to these demands, the union is still

bound by routine thinking—although the steel organization still retains from Murray's day one of the best research and planning staffs in the union movement.

Notably absent is the demand for a drastically shortened work week at no reduction in pay, which is just about the only big demand on the horizon that can make a dent in labor's biggest problem.

IT is true that Reuther called for the inclusion of the 30- or 35-hour week demand in the auto union's contract negotiations in 1958 at a recent GM conference, but as this date is still two years away, it is hard to say how much his remarks were meant in earnest and how much represents placatory talk directed against the oppositionists who had raised that demand in the first place. Meanwhile, a very unfortunate twist is being given to union anti-unemployment programs. Frank Marquart, educational director of Local 212 of the auto union, writes in an article in the *Socialist Call*:

Michigan CIO News informs its readers that Detroit area Studebaker-Packard workers voted unanimously at a special meeting to request the federal government to place defense orders with the S-P corporation. Anyone who doubts that American unions have a stake in our permanent war economy would do well to make a case study of the UAW in relation to current mass layoffs. There was a time when the UAW advocated converting idle plant facil-

ities to the production of pre-fab houses, but this issue is never raised anymore. Significantly, the very first proposal in the Union's 1956 legislative program calls for more increases in defense spending.

We have emphasized many times that the most serious inroad which American labor can make upon its problems is along the lines of a substantial reduction in the length of the working week. The history of the economy bears this out. In 1880, average weekly hours of work were in the neighborhood of 70; in 1900 about 57; in 1920, about 50; and in 1940 about 42. But now we are getting close to 1960, and the length of the average working week has hardly changed in these two decades. The pattern of the past has been broken. And this, moreover, in a period when labor's hourly productivity has been rising at least as fast, if not faster, than ever before.

In the face of this situation, the trouble with SUB is that it has been just an evasion, and that outweighs its good features and small advantages for the labor movement. Reuther's reputation for "boldness" is belied by this fact. His plan may have been called "social engineering" or other fancy terms, but it represents a timid substitute—costing the corporations only five cents an hour and therefore not too bitterly opposed by them—for labor's real struggle, which must be a march towards a much shorter work week.

Alarming as the halt in labor's traditional march towards shorter hours is, there is another feature which is even more alarming. Labor has been so badly sidetracked, first by the war and then by over-slick schemes, that there is no strong body of opinion left in the unions rallied around the 30-hour-week demand. Even the Ford local, long the seat of UAW agitation on this issue, has quieted down. But coming contract negotiations must see this demand once again take first place if labor is to begin to catch up, and if a massive creeping unemployment is not to develop even without a depression. And that means that the thinking unionists have got to begin to concentrate once more on the 30-hour week, and to restore it to its proper position in labor's program of action.



Few Americans realize the extent of the transformation this country has passed through in the last quarter century, and fewer still realize how much closer the American mind has drawn to the postulates of socialism. Radicals will meet a new America when they get their next chance to talk to the nation.

The New America

by Harry Braverman

FOR a couple of decades, Americans who rejoice in the vague label "left-of-center" have waged a war of ridicule against the dinosaur Right and its fears of "creeping socialism." There has been plenty of the ludicrous in the women's club orators who saw the specter of communism in every collar less stiff than Hoover's and any social policy softer than McKinley's. We all made fun of the textbook censor who wanted to stop all teaching about Robin Hood because "he stole from the rich and gave to the poor," and of those who saw in every union advance or free school-lunch program the menacing tread of the socialist juggernaut. Yet, despite the laughter and the sarcastic polemics, the conservatives may have been more right than they are generally credited.

America is a changed land over the past quarter-century, the people are changed in their organizations and their thinking. And the changes have prepared the road for a great rush of socialism when conditions favor. What counts here is not just the increased trustification of industry, the growth of the working class, and the bigger part played by government in our everyday lives and in our economy. Most of that was under way in the twenties, and what we've been getting is plenty more of the same. Even more important has been the maturing of the American mind, which has emerged from three decades of great events with a lot of the old flippancy, insular narrowness, chauvinistic nastiness, and callow illusion squeezed out of it, and has enjoyed the beginnings of a new birth of humanism. The American people have been growing up even while their juvenescent leaders still occupy the center of the world stage.

The biggest events that have shaped this development have been two world wars, the Great Depression, the New Deal, the organization of labor into mass industrial unions, the postwar rise of world socialist and colonial revolt, and finally and most recently the growing American Negro

revolt for equality. These major happenings have created a new America and a new climate of opinion, thought and culture.

AMERICAN labor has marched from a bedraggled force of less than three million unionists in the twenties to a present powerful and confident seventeen millions, winning in the process a body of social legislation which might have been greater had the labor leadership been firmer and more independent, but is still not to be sneezed at. The Negro people have built from modest beginnings to a national movement of impressive skill, militancy and impact. Industrial and population changes have broken the long-time stranglehold of hickdom in politics, culture, religion and morals, and changed millions from provincial farmers to wised-up city workers no longer so easily manipulated by demagogues. The speedy out-thrust of low-grade entertainments via radio and television has homogenized the best that the metropolis has to offer throughout the nation so that, while there may not be much cream in the bottle, it is well diffused and its advantages widely shared. Many millions of youths in the armed forces got a look at the world and turned out none the worse for finding there is more to it than Mrs. Wiggs' cabbage patch. And through depression and war, unemployment and factory life, the rapid changes in the temperatures of existence have put a new temper to the popular mind and made it a keener and more skeptical instrument.

We wax properly indignant today when we talk about the shortcomings of the organized labor movement, its lack of democracy and jurisdictional obsessions, its sluggishness in organization work, its extremely mild economic program and mossback, narrow-minded leadership, its pathetic timidity in political matters and its overall sleeping-giant repose. But it at least is a genuine sleeping

giant, with great muscled strength capable of major deeds. In numbers, in diversity of activities, in organized power and consciousness of power, in technical excellence and in mastery of the sophisticated techniques of modern social conflicts and public relations it is so far above the movement of the twenties as to constitute a revolutionary advance.

DURING the twenties America had little that could be properly called a *labor movement*. It had a thin layer of organized skilled workers incorporated in bodies which reeked of the commercial job-trust atmosphere. The mass of industrial and immigrant workers were scorned, and such more militant industrial organizations as the needle trades unions were lonely exceptions. Even the most impressive industrial union of early American labor history, the United Mine Workers, had degenerated under bureaucratic domination and declined into a pitifully weak body in danger of its very life.

The infectious spirit of business America had permeated the unions, not just in the traditional forms of business unionism and Civic Federation collaboration with the employers, but in the more direct outcroppings of union leaderships catching the get-rich-quick fever and staking entire union treasuries upon the Florida land boom, or stock-market speculation, or risky wildcat banking, or even setting up business enterprises operated by scab labor. While many unsavory practices and individuals remain today, they are not the primary business of the unions as they were becoming in the twenties, but are submerged in a vast structure with great social interests and responsibilities. And the newer industrial unions do not offer the same opportunities for crooked abuse as the once dominant craft unions.

Where labor was a comparative political non-entity in those days, it is now a real force in politics. We can rail all we like about the threadbare policies and inadequacy of the union leaders in the political arena—and everything we say is true—but the fact remains that the advances have been enormous. In a thousand localities labor holds the balance, and while it may not use it except to choose between candidates advanced by the various business interests, it holds it nevertheless. Even in its victory, the Republican Party has had to accommodate itself to most New Deal legislation; it was forced, in fact, to become practically indistinguishable from the Democratic Party.

Labor did not impinge very heavily upon the mind of America in the earlier part of the present century. It is true that the radicals, the social reformers, the uplift set and a number of novelists had discovered labor, and they were crying their discovery to the nation. But despite this, and despite the large Socialist Party vote, the impact was still restricted; there is no comparison between the sweep of the labor struggles of that day and now. The industrial working class was neither educated nor articulate; being largely immigrant it was then living on the darkened fringes of American life. Occasionally it broke out in a revolt of desperation, usually led by IWW or socialist radicals, and more often than not, beaten back.

THE AFL leadership thought the industrial workers unorganizable, and had no desire to try. William Z.

Foster, the outstanding industrial-union organizer of the World War I period and the finest trade-union mind among the early communists, fully expected industrial unionism to come about mainly as the result of a gradual process of the amalgamation of existing and newly formed craft unions into larger and more-industrial unions, and had shaped a program to that effect. But when industrial organization came with a rush in the thirties, and millions flocked to form powerful unions, the greatest expectations of the past were far exceeded.

What happened in the heart of industrial America was nothing short of a revolution. Indeed, in many industrial cities and towns, it took a literal revolution, complete with pitched battles, to effect the change. And, in those cities the worker won not just freedom for his union to exist, but a predominant place for it in the community. Where, in the twenties, the tone of the Midwestern city was set by Babbitts, brokers, and business, today the unions stand astride the towns, make many daily news headlines, run the biggest meetings and affairs, and have set up a competitive pole of social attraction which vies with the middle-class luncheon club and the upper-class country club for the central place in the community.

The change in thinking has flowed in the channels cut by the new movements. During the recent period, two of Eisenhower's appointees tossed off light-minded cracks about unemployment: Wilson spoke of preferring bird dogs to kennel dogs, and Howard Pyle opined that "the right to suffer is one of the joys of a free economy." Within hours after each remark, both men were compelled to make abject apologies. During the twenties, they would have been expressing the common creed, and would have been applauded on all sides. Not only business leaders but labor leaders as well held such sentiments as above reproach. As late as 1930 and 1931, AFL conventions were still setting a face of flint against all government measures to fight unemployment, and denouncing unemployment insurance—then backed almost exclusively by socialists and communists—as a "dole" which "subsidized idleness" and would be "degrading to the dignity of the American workingman." There is not an individual prominent in American life today who would dare subscribe in public to these sentiments of the labor officialdom of only 25 years ago—that alone is a measure of the distance traveled.

IT is hard for the younger American, grown up in the midst of an increasing governmentalization of the economy and a more sophisticated awareness of economic and social realities, to look back and read the mind of America as recently as twenty years ago. Horatio Alger Jr. died at the turn of the century, but his spirit was very much alive thirty years later. The ideas of unions being "wrong," wealth being the "reward of virtue and perseverance," and every American living out his days in a process of "working up" to business status were not the jokes they have largely become today. The worker had not yet turned his mentality to conform with the new industrial America.

Without venturing to say how many workers thought unemployment was the unemployed worker's own fault, we may be sure that many did. Some of the greatest personal tragedies of the early depression days were played out

around that theme, with workers, salesmen, even sophisticated professionals and know-it-all small business men failing for some years to comprehend the idea of a general breakdown in business and employment, and blaming their families' destitution on their own shortcomings. Far from meeting the depression with militant and organized action, many spent the first few years in pathetic efforts to conceal their poverty from their neighbors—who were likewise occupied. It is hard to say how many American workers agreed with the AFL leaders that unemployment insurance would be degrading, but that many had the idea—or pretended to hold it in a show of pride—is certainly a fact, as radicals of the middle thirties will recall from strenuous street-corner arguments.

Today, all of that naive, outmoded, and foolish incubus is discarded. Workers—the whole nation—comprehend very well precisely what a depression is, roughly what causes it, and that something can be done about it. They will come charging out of their corners fighting mad if the bell ever clangs again for a new round of mass unemployment, and they will know just who and what they are mad at. Nor will there be any hesitancy about demanding massive government action, as the old shibboleths of "individualism" are pretty well squashed.

The academic sociologists who have tried to peer into the mind of the American worker in recent years have largely misconstrued it, or have seized upon secondary features. Most of what has been written revolves around two thoughts: 1) The worker has been conservatized by a higher and steadier income. 2) The worker is threatened by a trend towards the "mechanized mass man," the individuality and skill of his occupation is being destroyed by the machine, and his habits are being stamped to a pattern both at work and at play so that we are in danger of becoming a race of automatons.

BOTH thoughts have an element of truth, but they give a one-sided picture. The worker has been conservatized by his higher standard of living, but it is a surface change which can be sloughed off with great rapidity when he realizes his income is threatened. Moreover, the worker by and large has not too much real confidence

in this prosperity as a permanent affair—not because he is an economist but because the conditions of the factory with layoffs and rumors of layoffs even in the best years, and the basic insecurities of a proletarian life constantly refresh his recollections.

As to the second idea, it is less of an obsession with the worker than with the sociologist. While it is true that a factory is not exactly a breeding ground for Thoreaus, the increased leisure and purchasing power of the worker have enabled him to develop new and satisfying interests. A horizon promising the kind of automation in factories which can turn workers into semi-engineers and technicians and give them still more leisure and far greater incomes surely holds the hope that later generations will find the answer to fears for the "industrial man."

But the sociologists, while trying to look too deep, have missed perhaps the most important change in the worker's mentality. At the very moment when the "end of classes" is being proclaimed in America, the workers have reached a greater consciousness of class than ever before.

The American working class was rapidly and brutally assembled from the farms and villages of two continents, and much was too fast and too new for him. He had been an East European peasant and he had suddenly become a Pittsburgh steelworker or a Chicago hog-sticker. He had no measuring rods of experience, and was living out his appointed round of work in a semi-daze, so far as his social thinking was concerned. The immigrant worker was inarticulate and stupefied; the native American worker was still obsessed with the illusion of the job as a way station to a truly "American" status.

The worker did not know what he was, but now he knows. He knows that he is an interchangeable part in mass industry, and nothing else. His car and house don't change that in his mind, and in that respect his illusions are modified. The change shows itself in union solidarity, a considerable sharpness about capitalism, and a clear tendency to vote as a class. This, the first mass awakening of the worker, is perhaps the deepest and most significant change in the mind of America.

IF we broaden the frame of the picture beyond the workers to the national culture as a whole, the change is also apparent. In the twenties, the business ethic had America so securely by the throat that even the old log-cabin myths of the politicians went by the board. Observers acute enough to be trusted have testified that the background of great wealth of such figures as Hoover and Mellon, far from being a handicap, was an actual asset in politics. In 1924 a boom was started to make Henry Ford President, and it would have fitted the times perfectly had it succeeded.

The Germans called it *Fordismus*, and it was everywhere. Churches were selling "preferred stock in the Kingdom of God," and an insurance company pamphlet on Moses explained him in American terms as "one of the greatest salesmen and real-estate promoters that ever lived." Aside from the serious business of making money by exploiting labor or the credulity of suckers, there was not too much else that was given a serious status by official opinion of the time. American thought was largely insular, narrow, uncultured in any real sense and often





fake where it pretended to culture. Indifference to poverty and cruelty was great even among the intellectual classes; the plight of the ten-percent Negro minority, frightful beyond anything Europe at its worst could offer, was met by calloused disregard—"everyone" believed in and flagrantly propagated the notions of racial superiority without giving a second thought to the matter. The social conscience was weak, and the voices of American humanism brought back little echo to the few thoughtful individuals.

Nor was the much-touted revolt of flaming youth and Greenwich Village intellectualdom much of a relief. In part, it represented a try at individualistic revolt against capitalism, but it also partook heavily of the flippant and the fraudulent. Artistic and intellectual circles were often more concerned with shocking Main Street than enlightening it. Various imported and home-grown cubisms and dadaisms had a vogue more for the chance they offered to stick a tongue out at convention than for more serious reasons. Others managed the same feat with bathtub gin and sex.

Of course it is possible to paint the picture too dark, as America, a great and variegated land, offered new forces in seed. The beginnings of a virile literature were being made by Hemingway, Dos Passos, Sherwood Anderson, Sinclair Lewis, Upton Sinclair, Theodore Dreiser, Willa Cather and others. Among the social thinkers, Dewey, Beard, Veblen were adding new dimensions to academic thinking. But these elements were in the back-

ground, never breaking through the essential frivolity of the flapper era.

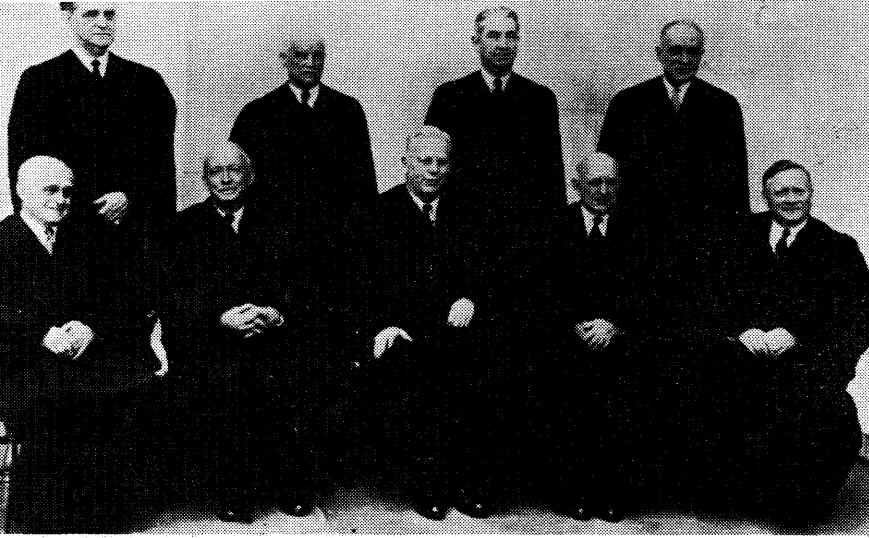
TODAY, much that was missing from America has sifted down through the mass. Labor's new role in the national consciousness has already been mentioned. Beyond that, a certain body of elementary ideas about race, politics, cooperation, sex and women's rights, our heritage of freedom and independence, civil liberties, art, culture, humanism, and the promise of the future have seeped through the land—unevenly, vaguely, and in still limited doses, but noticeably. The unions, the New Dealers, the last generation of radicals all had a lot to do with it. But even the regulation instruments of information and culture—the newspapers with their reports of strange new events around the world, the flood of paperback books, some motion pictures, increased secondary and higher education especially for veterans, and so forth—had a hand in the gradual change. The result has been a considerable and growing body of humanism, toleration, sophistication, cosmopolitanism, and a general spread of a more mature mood and approach.

It means a great deal that when you hear someone sound off today against racism you don't immediately figure him for a socialist or communist—which would have been a first-class guess twenty-five years ago—but can mark him down as either a) an educated unionist, b) a liberal, c) a member of a church that has been getting a weekly harangue on the subject, d) someone who read one of the hundreds of recent "problem" novels by accident the week before, or perhaps e) just another guy who has been reading the papers. When this new awareness is translated into a dozen or more other important social issues and multiplied by literally millions of Americans, it means that a broad foundation of enlightened thinking is being laid.

While all of this doesn't supply the current American socialist movement with anything that can be cashed right away at the nearest teller's window, it does have transcendent importance. That is why it is wrong to get too exclusively preoccupied with the problems and harassments of the moment, to the point where the big and slow-moving changes are forgotten. If we study our country and understand it right we will know that a great future is being prepared for socialism in America. Future crises will be met by a generation unlike any that came before, better prepared in many ways, and able to move forward to great progress in short periods of time.

WE do not ride on the railroad; it rides upon us. Did you ever think what those sleepers are that underlie the railroad? Each one is a man, an Irishman or a Yankee man. The rails are laid on them, and they are covered with sand, and the cars run smoothly over them. They are sound sleepers, I assure you. And every few years a new lot is laid down and run over; so that, if some have the pleasure of riding on a rail, others have the misfortune to be ridden upon. And when they run over a man that is walking in his sleep, a supernumerary sleeper in the wrong position, and wake him up, they suddenly stop the cars, and make a hue and cry about it, as if this were an exception. I am glad to know that it takes a gang of men for every five miles to keep the sleepers down and level in their beds as it is, for this is a sign that they may sometime get up again.

—Henry David Thoreau



The Supreme Court decision in the Nelson case has limited the scope of repressions, but the fight to repeal all sedition laws, state and federal, still remains ahead.

Slow Down for the Witch-Hunt

by Victor Rabinowitz

THE echoes of the decision of the Supreme Court in the case of *Pennsylvania v. Nelson*, decided April 6 of this year, are still reverberating in the halls of Congress and in almost every state capitol. Except for the desegregation decision two years ago, there has been no holding by the Court in recent years which caused more distress to the witch-hunters in state and local governments through the nation; those who would defend the First Amendment to the Constitution as the bulwark of our American liberties regard the decision as an important check on the forces of repression, though hardly a panacea to all our ills.

The Supreme Court held, in the Nelson case, that all state sedition laws are unenforceable because the field of sedition had been occupied by the federal government when it passed the Smith Act in 1940. The initial reaction to the decision was one of stunned surprise. Although the Pennsylvania Supreme Court had decided the issue the same way a year earlier, it is doubtful whether very many state and local prosecutors anticipated that the United States Supreme Court would affirm. Not only did Pennsyl-

Mr. Rabinowitz of the law firm Rabinowitz and Boudin was counsel in the Nelson case.

vania appeal to the United States Supreme Court from the decision of its own Court, but in that appeal Pennsylvania was supported by the Attorneys-General of almost every state in the country as well as by the Attorney General of the United States, who told the Court in forceful language that enforcement of the state act was a help and not a hindrance to the enforcement of the Smith Act by the federal government.

Despite this massive support, the Supreme Court found otherwise.

IN a clear and concise opinion the Court, speaking through Chief Justice Warren, held that the crime of sedition, in its very essence, was the concern of the national government, and that when Congress passed the Smith Act, it superseded all state laws on the subject.

The Court found further that, contrary to what Attorney General Brownell had said, enforcement of local sedition acts must necessarily interfere with the enforcement of the Smith Act by the national government. The Court cited speeches by President Roosevelt and Federal Bureau of Investigation Director J. Edgar Hoover, which emphasized the fact that local prosecutions must not interfere with national government in its enforcement of the law. Similar speeches by Presidents Truman and Eisenhower could have been added.

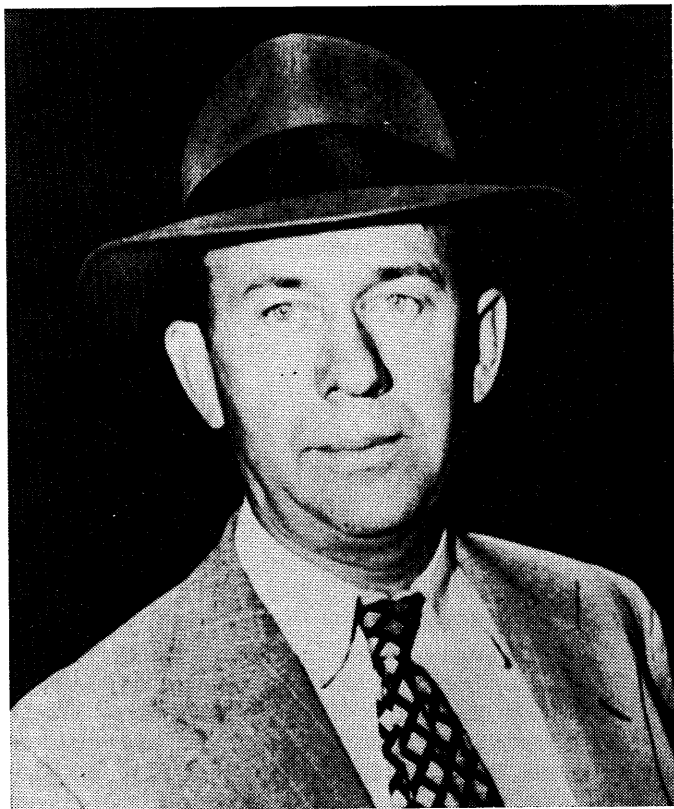
The surprise of local prosecutors was undoubtedly deepened by the fact that for scores of years, dating back to early days of the twentieth century, state sedition acts had been on the books and had been enforced without serious question, regardless of whether there happened to be, at any particular moment, a federal sedition act in effect.

Thus, in the frantic red-hunts after the first World War, Gitlow, Whitney, and many others had been convicted under state statutes although a federal sedition act covered the same offence. In the twenties and thirties there had been, in Pennsylvania and elsewhere, many prosecutions under state acts, and even while the Nelson case was following its course through state and federal courts, state sedition prosecutions were commenced in Kentucky and Massachusetts and were threatened in Florida, Ohio, Michigan, New Hampshire, Texas and elsewhere. Small wonder then that the decision caused state prosecutors, intent on

making political hay out of the current hysteria, tremble with frustration.

It would be absurd, of course, to urge that the Supreme Court decision offers, in any sense, a fundamental guarantee of our civil liberties. The decision is important and is a good decision only in the context in which it appears—the context of the prior decisions upholding the non-Communist oath of the Taft-Hartley law, the Smith Act, loyalty screening in government jobs and all of the other trappings of our present-day hysteria. Obviously it would have been much better had the Court held the Pennsylvania sedition law unconstitutional because it violated the concepts of free speech and free assembly provided by the First Amendment. Such a decision, however, would require the reversal of the Dennis case upholding the constitutionality of the Smith Act, and of the many other rulings of the Court since that time which have provided judicial approval for the fundamental premises of the government's present attack on radicals of all persuasions.

BUT in context—the context of thought control, of criminal prosecution for free assembly, of widespread loyalty purges—the Nelson decision provides some evidence that the Court may have come to feel that further extension of the demagogic fight against “sedition” should not be permitted. Potentially, the decision of the Court may have wide repercussions in fields other than sedition. It has correctly been regarded by commentators as an important decision in the conflict, as old as our nation itself, between expanding federal power and states rights. As such the decision has implications as yet undetermined in connection with state control over labor relations, Negro



STEVE NELSON

rights under state laws, and in many other areas. Realization of this fact no doubt is responsible for much of the violent opposition which has greeted the decision.

The evils of federal prosecution for sedition are, by this time, evident to all who respect freedom of thought and speech. Beginning with the Dunne prosecution in Minneapolis, and continuing with the many prosecutions against both leaders and rank-and-file members of the Communist Party in the past eight years, we have become only too familiar with the characteristics of such trials. The excitement whipped up by the public press, the parade of FBI informants and stool pigeons, the lengthy trials before a jury which is ninety-percent convinced before a word of testimony has been offered—all of these have unfortunately become a part of common experience.

But evil as the Smith Act prosecutions are, they cannot compare with the horror of the usual state prosecution. Here hysteria really runs rampant. Local prosecutors with their eyes fixed on some high state office; local judges who hope to be governors; local politicians who seek to stir up popular passion for their own personal ends; all these take hold, and the consequences are fearful indeed.

SPACE does not permit any extensive discussion of the proceedings in the Nelson case, which, unfortunately, were typical of a state prosecution. Eight months before Steve Nelson was indicted, the local press had had a series of field days centering around the testimony of Matthew Cvetic, an undercover FBI agent who, before a Congressional committee, had named hundreds of his former associates as alleged members of the Communist Party. In August 1950, Judge Michael A. Musmanno, then a judge of the Court of Common Pleas of Allegheny County, personally filed information charging Nelson with sedition (although he had never met Nelson at that time); simultaneously, Judge Musmanno, accompanied by Cvetic and the city police, made a raid on the Communist Party office and book shop, seizing thousands of books, pamphlets and other documents. Needless to say, such a raid, carried out by one of Pittsburgh's noisiest politicians, achieved appropriate press coverage.

A few weeks later, Nelson was indicted together with James Dolsen and Andrew Onda, who like Nelson, were local officials of the Communist Party. The indictments in all three cases were identical. Many of the counts charged Nelson with conduct designed to bring the Government of Pennsylvania into hatred and contempt. The language was, as Chief Justice Warren pointed out, “strangely reminiscent of the Sedition Act of 1798.”

Such was the fear among local members of the bar that Nelson was unable to secure counsel in Pittsburgh. Several out-of-town attorneys were prepared to appear for him if a 30-day adjournment were granted, but the court refused, and Nelson was forced to trial without attorney. The trial lasted about a month. The principal witness for the prosecution was Judge Musmanno who, in the intervening time, had been an unsuccessful candidate for Lieutenant Governor and a successful candidate for Judge of the Supreme Court of Pennsylvania. In fact, his testimony was interrupted so that he could be sworn in as Judge of the state's highest court.



ATTORNEY GENERAL BROWNELL

Despite his high judicial position, Judge Musmanno's conduct on the stand was hardly consonant with the attitude we would normally expect of a judge. He made long speeches from the stand, engaged in irrelevant discourses on political philosophy, and behaved so outrageously that the trial judge was constantly required to call him to order. From his place on the witness stand he called Nelson a skunk and a traitor, and engaged in a continuous political diatribe extending over a period of a week. He excelled in the vituperation of Nelson only by the prosecuting attorney. The trial judge was an organizer of a local organization called "Americans Battling Communism" which had publicly advocated Nelson's indictment, and whose president had supplied the evidence on the basis of which he was indicted.

The trial itself was typical of the usual sedition case, only more so. In the average Smith Act case, much of the testimony is devoted to reading to the jury passages from so-called Marxist classics, which are intended to show that the Communists believe in the advocacy of force and violence. In the Nelson trial, the prosecution read a few such passages; it then introduced almost 70 volumes on many subjects without referring to any particular portion of each. Nelson's protests were of course in vain; he said: "Why don't the prosecution put it on a scale . . . do it by the pound?"

OTHER witnesses against Nelson were professional FBI informants who had known Nelson ten or twenty years before the indictment. Their testimony was introduced by way of "background." As in all sedition cases, the "background" played a major part in the closing address of the District Attorney to the jury, and generally colored the thinking of the jury.

Of all of the witnesses for the prosecution, the only one who was able to give direct testimony as to any of Nelson's activities during the period covered by the indictment was Cvetic. His testimony was short and actually quite innocuous. He quoted Nelson as having made a few remarks which showed his sympathy for the Soviet Union and his sharp disagreement with the policy of this country. The remarks attributed to him may be considered foolish and in bad taste by many, but they certainly did not amount to advocacy of the overthrow of any government by force and violence.

Nelson was, of course, convicted. He received a sentence of 20 years. No defendant in a federal prosecution of a similar type has ever been sentenced for more than 5 years.

Neither the Supreme Court of Pennsylvania, nor the Supreme Court of the United States, ever reached any of the questions raised by the conduct of the trial. At the very outset both Courts found that the State Court had no jurisdiction over the crime so long as the Smith Act remained in effect.

Since the decision has come down, neither the reactionaries in Congress, nor those in the various state capitols, have been silent. The Senate Judiciary Committee has already reported favorably on two bills—the first, which has Administration approval, would declare that the Smith Act did *not* intend to supersede the state sedition laws, and thus seeks to restore the operation of the state sedition laws, at least for the future. The second bill, sponsored by the Senators Eastland, Dirksen, McCarthy, Jenner and other defenders of our civil liberties, is a general statement that no act of Congress shall supersede state legislation unless the law specifically so states. This bill has been disapproved by the Administration and is not likely to pass. Other similar bills are pending in the House.

In the various states, prosecutions have been seriously hampered. Massachusetts dismissed state sedition prosecutions, holding that the Nelson case prevented the enforcement of the state law; in Kentucky the State Court is still considering whether or not to dismiss the conviction of Braden, convicted for alleged violation of the state sedition law; in Michigan a state court has thrown out most of the State Communist Registration Act on the ground that control of communists generally has been taken over by Congress.

Even the limited advance manifested by the Nelson decision cannot be held without a fight, and the effect of the decision may be lost if Congress passes any of the bills designed to overturn the Supreme Court decision. In any event, the major fight for restoration of our civil liberties and for the repeal of all sedition laws, both state and federal, remains ahead of us.

Just what changes have been made in the Soviet legal code? And what provisions or principles of the old code remain the same? A skilled journalist probes one of the top questions of the Soviet thaw.

Russia's Criminal Code:

Test of the New Regime

by I. F. Stone

Among the aspects of Soviet life of greatest concern to socialists everywhere is the reform of the criminal code. From the early days after Stalin's death, information on this crucial subject has been meager. News of reforms in this sphere has trickled through with great difficulty. There appears to be little disposition to advertise such reforms as were instituted, possibly out of fear that publicity might stir Russians into too great an interest in this subject and start a snowballing process that would be hard to halt. Even when, in recent weeks, the Ministry of Justice was abolished and its functions spread among the individual republics, no hint was given as to the import of this decentralization.

I. F. Stone, who has just returned from a trip abroad which included a stay in Russia, has written what appears to us to be the best inquiry into this subject that has, to our knowledge, appeared in English. Mr. Stone has a flair for digging out hidden stories, and has often demonstrated this in his Washington work; now he has done the same in Moscow. Because of the importance of this story, we reprint it here in full from *I. F. Stone's Weekly* of May 21, with Mr. Stone's permission.

IN his History of Russia, Bernard Pares tells us that the efforts of Nicholas I to help the peasantry "were prejudiced from the outset because the work was wholly entrusted to the bureaucracy and kept secret from the population, whose support was therefore never enlisted." The bureaucracy was hostile to the reforms and Nicholas "met with continuous resistance, which even went so far as the omission from new editions of such statutes as established peasant rights." This passage comes to mind when one discovers how secretive the present regime is about reforms in the criminal code.

One of the most important things one learns in the Soviet Union today is that the average Soviet citizen is considerably less informed than the foreign visitor about the changes being made in Soviet criminal law and procedure. The most striking instance of this is the abolition of the dreaded "Special Board" of the MVD.

When I interviewed Professor Sergei A. Golunsky, a member of the commission now at work on the revision of the Soviet criminal code, and asked him what changes had been made to give Soviet citizens greater protection against the secret police, the first thing he cited was this abolition of the Special Board. This Board had power to condemn without trial, on the basis merely of documentary charges by the MVD and without even seeing the accused. Professor Golunsky said this had been abolished in September, 1953.

What I did not learn until later was the extraordinary secrecy in which this reform was shrouded. It first became known to outsiders last August when Professor Harold J. Berman of the Harvard Law School visited the Soviet Union. When he asked Soviet jurists about the Special Board they told him it had been abolished but that the decree had never been published. Professor Berman said no one could explain why the decree was kept secret. He mentioned abolition of the Special Board in a talk he was invited to make before the Institute of Law in Moscow. But when newspaper correspondents tried to report the abolition in their dispatches, the censor refused to permit transmission of the news.

ALTHOUGH Professor Berman on his return wrote of this decree in last December's issue of the *Harvard Law School Bulletin*, it was not until this month that the Soviet censor allowed mention of the abolition of the Special Board. On May 4, in describing a talk which a group of visiting French Socialists had with Anatoli Votin, president of the Soviet Supreme Court, correspondents were allowed to report that Votin read the text of this decree to the visitors and that it had never been published in the Soviet Union. The only known news of it in the Soviet Union was a two line reference in last January's issue of *Sovetskoye gosudarstvo i pravo*, the monthly law journal published by the Institute of Law of the Academy of Sciences. This is, of course, a technical not a popular publication. Even there, despite the intense interest the reference must have aroused among Soviet lawyers, the text was not published.

As striking an example of the failure to inform the ordinary Soviet citizen of the changes being made or considered in criminal procedure occurred a few days before my interview with Professor Golunsky. This same law journal, *Sovetskoye gosudarstvo i pravo*, in its April issue carried an editorial criticizing Vishinsky and convictions by confession. A kind of grapevine seems to operate in Moscow when the regime wants it to, and this editorial in an obscure legal journal at once found its way into the hands of foreign correspondents. I raised the question with Professor Golunsky. I said the editorial was very encouraging and that full accounts had been cabled abroad where millions would read about it but that the average Soviet citizen would not know about it since the story had not been carried in the Soviet press. He had no explanation to offer.

By any standards, both these stories were sensationally important news. Only two months earlier, in his speech to the 20th Communist Party Congress, Voroshilov had declared that "a big role in the struggle for socialist law belongs to our press" and urged the need "for widely

propagating Soviet law among the entire population." Even without such urging, "Special Secret MVD Board Abolished" and "Vishinsky Technique of Conviction by Confession Attacked" would have been legitimate eight-column lines across page one of *Pravda* and *Izvestia*. Since these are papers closely controlled by the Soviet government and the Communist Party, one wonders why neither story was printed. Are these changes in law and attitude encountering the same undercurrent of resistance in the Soviet bureaucracy that the peasant reforms of Nicholas encountered in the Czarist bureaucracy?

ONE of the principal reasons I wanted to visit the Soviet Union was to learn what had happened to the revision of the criminal code promised after Stalin's death and whether new safeguards were to be enacted to make the excesses and injustices of the Stalin period impossible. I want to try and picture the situation as it appears to the ordinary thoughtful Soviet citizen. The newspaper reader abroad sees frequent stories about reform of criminal procedure in Russia based on articles like that in *Sovetskoye gosudarstvo i pravo* and in interviews accorded foreign visitors. But these articles and interviews do not reach the ordinary reader in the Soviet Union. He must judge by what he reads in the press and the picture as his press reports it is a confusing one.

More than three years ago, on March 27, 1953, after the death of Stalin, a general amnesty was declared. The same day it was announced that the Ministry of Justice had been "instructed to draft appropriate proposals" for the reform of the criminal code and to present these to the Presidium of the Supreme Soviet within 30 days. Since then, beginning with Beria's exposure of the "doctors' plot" as a frameup and culminating in Khrushchev's recent "secret" speech attacking the crimes and injustices which occurred under Stalin, there have been a series of exposés. Excesses by the secret police have been denounced and victims rehabilitated, but that promised revision of the criminal code has not yet been forthcoming, and the outlook for the law reforms is still confused. There is much talk of reform, but the emphasis is on a shakeup in the personnel of the secret police and in providing stricter supervision from above rather than in attacking the problem by providing new specific guarantees for accused individuals. The Soviet citizen hears attacks on Beria and Stalin and on "the cult of personality" but he hears little about concrete reforms to provide new checks on the secret police. On the contrary he still hears much that stresses the need for continued security surveillance and builds up that same atmosphere of suspicion on which police excesses thrived during the Stalin years.

An example is provided by Khrushchev's speech to the Young Building Workers on April 11. "The capitalists," Khrushchev said, "are well able to defend their capitalist world and its exploiting order of things. They know how to organize their intelligence service and smuggle their spies and saboteurs into our country. . . . We must be able to recognize the enemy, to see through all his tricks in good time." If capitalist spies and saboteurs may be lurking everywhere, a vigilant and powerful secret police is necessary. This was Stalin's view. Khrushchev's does not seem very different. In that same speech to the young

building workers, immediately after this reference to "tricks," Khrushchev said, "We must strengthen in every way the security of our state, be vigilant and n'p in the bud all enemy activities. In criticizing the weaknesses and errors that have been made in the course of our advance, we must first of all see to it that this criticism strengthens the Soviet system." Criticism must be "constructive" but who is to determine whether a specific criticism is constructive or only an enemy activity "in the bud"? Khrushchev went on, "Our enemies hope that we will relax our vigilance and weaken our state security service. No, this," he said, "will never happen! The proletarian sword must always be sharp, must always ably protect the gains of the revolution, the working class, the working people. (Prolonged applause)." This sounds remarkably like Stalin.

UNDER Stalin differences of opinion were constantly being translated into this kind of melodrama. It was in this atmosphere that the excesses and injustices now exposed were bred. But let us listen again to Khrushchev, this time in his speech to the 20th party Congress, and the same accents may be heard. "The imperialists," Khrushchev told the Congress, "had placed special hopes on their old agent, Beria, who had *perfidiously wormed* his way into leading posts in the Party and the Government." (The italics are mine.)

If the "imperialists" are so devilishly clever that they can put an agent into the very highest circle of Soviet government, how can one live at peace with these imperialists, how can one trust them, indeed (for this kind of poisonous nonsense boomerangs) how can one trust the highest officials of the Soviet government itself? This picture of Beria "*perfidiously*" *worming* his way "into leading posts in the Party and the Government" is not calculated to create that calmer atmosphere in which a repetition of Stalinism may be avoided.

But let us listen again as Khrushchev continues. "The Central Committee," Khrushchev declared, "resolutely put an end to the criminal conspiracy of that dangerous enemy and his accomplices. . . the destruction of this gang of contemptible traitors helped further to strengthen the Party. . . The Party has become still more monolithic." Wasn't the Party already too monolithic for its own good? Might not the abuses of the Stalin period have been avoided if it had been a little less monolithic? "The party's unity," Khrushchev went on, "has been built up over the course of many years and decades; it grew stronger in battle with a host of enemies. The Trotskyites, Bukharinites, bourgeois nationalists, and other malignant enemies of the people, the men who would restore capitalism, tried desperately to undermine the Party's Leninist unity from within—and all of them broke their necks." This is the same kind of rhetorical hydrophobia which marked the party speeches and encouraged the party witch hunt during the Stalin era.

For more than 20 years, according to Soviet leaders themselves, their secret police apparatus has been headed by a series of traitorous monsters. Yagoda, Yezhov, Abakumov and Beria in turn were removed, disgraced and executed as foreign agents and frameup artists. As each man fell there were shakeups in personnel, victims were re-



ANDREI VISHINSKY was the most important theoretician of Soviet legal methods in the Stalin era. At first an opponent of the Russian revolution, he swung over when the regime was consolidated, and went on to become prosecutor in the famous Moscow trials of 1936-38. In this scene, as Soviet foreign

minister, he is shown addressing members of the UN General Assembly in 1949, and accusing Judge Harold R. Medina of having "deprived the defendants of the right of permitting counsel to speak for them" in the first Smith Act trial of U.S. Communists.

habilitated, reforms were promised. Yagoda came in as a reformer in 1934 when the old OGPU was abolished and the NKVD established; this was supposed to symbolize a shift from the older system of revolutionary terror to one of "socialist legality." In 1939 Beria was assigned to "purge the purgers" and to correct wrongs done by the NKVD under Yagoda and Yezhov. The new leaders have executed Beria and told their people that during the last twenty years of his life Stalin was responsible for monstrous crimes. The main instrument of their crimes was the secret police, operating in a legal system which gave their victims none of the elementary safeguards we know in the West.

IN any country where public opinion could express itself freely the result would be the abolition of the secret police and a reform of the whole legal system. But in Russia today, when one really tries to find out what is happening, the results are still vague and meager. The highest officer of the new regime, the new party leader, Khrushchev, is ambiguous on the subject. "Experience has shown," he told the 20th Congress, "that the enemies of the Soviet State attempt to use the slightest weakening of socialist law for their foul, subversive activity." He wants to "raise revolutionary vigilance among the Soviet people and strengthen the State security agencies."

Khrushchev's speech was the official report of the Central Committee and therefore the most important and authoritative address at the Party Congress. A section of the report is subtitled, "Development of Socialist Democracy, Improvement of the State Apparatus, Strengthening of Socialist Law." But Khrushchev does not mention the promised revision of the criminal law. He talks as if the

terrible things which happened were the results of faults in personnel (including, as it turned out from his later "secret" speech, Stalin) and not in the system itself.

After discussing the frameups in the Leningrad case, which he blames on Beria, Khrushchev said, "The Central Committee has drawn important conclusions from all this." But among these conclusions he does not list the need to strengthen the rights of accused persons, to revise the hideously sweeping law against "counter-revolutionary crimes," or to cut down the powers of the secret police. His emphasis is on better supervision from above, and better personnel. "Proper control," he went on, "by the Party and the Government over the work of the State Security agencies has been established. Considerable work has been done to strengthen the State Security agencies, the courts and procurator's offices by putting in tried and tested people. The supervisory powers of the Procurator's Office have been completely reestablished and strengthened."

To listen to Khrushchev was to believe that while Beria was a monster the security system was essentially sound and the secret police on the whole good fellows. "It should be stated," he told the 20th Congress, "that because a number of cases have been reviewed and set aside, some comrades have begun to manifest a certain distrust for the workers of the State Security agencies. That, of course," he emphasized, "is incorrect and very harmful. We know that the overwhelming majority of our State Security personnel are honest people devoted to our common cause, and we trust them."

DISCUSSION of the promised new criminal code at the Party Congress was left to the much less important

speech made by Voroshilov, and he devoted only five paragraphs to it. He said that a new criminal code and a new code of criminal procedure were being drafted which would help to "safeguard the rights of citizens." But although Voroshilov spoke of the need for "immense activity in educating our cadres" in socialist law, he did little "educating" himself. He did not touch on any of the rights to be safeguarded—on the right to counsel, on the right to know why one was arrested, on the right not to be subjected to prolonged interrogation in prison pending trial. Nor did he speak of the need for revising those terrible areas of Soviet criminal law in which treason and counter-revolutionary crimes are so broadly defined as to invite injustice and make dissent of any kind dangerous. Like Khrushchev he was specific on only one point, and that point stressed better supervision from the top.

"In accordance with the directives of the Central Committee of the CPSU (Communist Party of the Soviet Union)," Voroshilov said, "the Presidium of the Supreme Soviet of the USSR has approved a new Instrument of the Procurator's Office in the USSR. Based on the Leninist teaching on the role and tasks of the Soviet Procurator's Office the Instrument is a clear program of activity for the Office, confronts it with the task of being principled and irreconcilable in the struggle for strict observance of law by all establishments, responsible persons and citizens of the USSR."

This bit from Voroshilov is Communist gobbledegook, and will be recognized as such by intelligent Soviet readers. Judging by past history, the Procurator's office is no substitute for a good criminal code. The Procurator's office is a peculiar Russian institution, founded by Peter the Great. The Prosecutor General was intended to be the cleansing arm and inspecting eye of the autocratic sovereign, an Inspector General with power to inquire everywhere and to punish whatever infractions of law he uncovered. The institution reflects the desire of a centralized autocracy for efficiency in administration—that, rather than justice for individuals, has been its emphasis under the Communists as under the Czars before them. All the excess of the last 20 years occurred not only in spite of the Procurator General but with his fervent collaboration. Vishinsky was Procurator General during the worst of the 30's and one need only go back and read his idyllic description of the office in his "Law and the Soviet State" (1938) and check it against what we now know, to see how little confidence can be reposed in assurances that the powers of the Procurator have been "restored."

It is, for example, worth recalling that the Procurator was represented on the "Special Board" which has just now been abolished and that in 1934 when it was established the answer to those who feared its potentialities was that the Procurator would have a veto over its actions. It is also worth comparing Vishinsky's description in his book of the way any citizen may have his rights vindicated by complaint to the Procurator with Voroshilov's description at the Congress of how complaints generally are being handled. Voroshilov spoke of an "inattentive, harmful attitude to applications and complaints" and said it was "necessary resolutely to put an end to the bureaucratic attitude toward the complaints of the working people." Reliance on the Procurator General is no substitute for a

system in which accused persons through private counsel and within the framework of strictly defined crimes can defend themselves in open court.

EVERYTHING about my interview with Professor Golunsky was charming. I was even charmed with the nice lady at VOKS who arranged it after telling me that the Soviet Union did not have a secret police "not in the sense that you foreign newspapermen think" and after explaining to me that while the new government had admitted many "mistakes" in this field it had not said that past policy was wrong. (It was not till later that I began to realize how faithfully these fine split hairs actually conformed to the official line.)

Professor Golunsky gave me no such double talk. He turned out to be a tall, slim, aristocratic looking man in his fifties, a legal scholar with a cosmopolitan outlook and a thorough grasp of British and American law. He teaches law at Moscow University and it must be a privilege to be one of his students. I listened to him with pleasure and I came away with respect. If Russian scholars of his type had a free hand I believe one would see a welcome evolution within the framework of socialism back toward freedom of expression and a fundamentally safeguarded criminal law. And I am not at all sure, in the light of the swift and sensational developments since Stalin died, that there may not be a clean break in this direction one of these days. I think we Western intellectuals can help that process by resolutely refusing to mistake shadows for substance, and by insisting on real changes as the price of the rapprochement the new regime desires with the liberals, socialists and independent Leftists of the West.

But what my interview with Professor Golunsky showed me was that the Soviet Union still has a long way to go. The only two concrete reforms he could name were the abolition of the Special Board and the newly revised law of last year "strengthening" the Procurator's Office. The new code of criminal law and procedure still seems to be bogged down. In March, 1953, definite proposals were promised in 30 days. Last fall Professor Berman was told the new law would be ready "about February." It is now May of 1956, and it was clear from my talk with Professor Golunsky that many good decisions were still in abeyance but that at least one bad one had already been made. The bad one is that there will be no revision of the notorious law of counter-revolutionary crimes.

The day the Soviet Union repeals this law will be the day the world will know that the new regime really means business. The first paragraph is enough to give its flavor and show the blank check it gives the police. "Any action is considered counter-revolutionary," the law says, "which is directed toward the overthrow, undermining or weakening of the authority of the Workers' and Peasants' Soviets, or of the Workers' and Peasants' Government (whether of the USSR or of a constituent or autonomous republic). . . or towards the undermining or weakening of the external security of the USSR or of the fundamental economic, political and national gains of the proletarian revolution." This is sweeping enough to put any critic in jail, or frame any opponent.

AMONG the questions still in abeyance is whether accused persons shall have the right to have counsel present during their interrogation before trial. The question of the point at which private counsel may participate is not yet settled, though it will be an improvement over present practice where the counsel does not appear until the case is brought into open court. The question of when a man can have counsel is important. As Professor Golunsky explained, in ordinary cases the police will still be able to hold a man for 30 days before trial and in extraordinary cases for three months. This will also be an improvement since in practice the secret police have been able to hold a man as long as they liked without trial. But even one month, much less three, of unrestricted interrogation may be enough to break a man or force a false confession *a la* Vishinsky. (The new Yugoslav code provides for eight hours uninterrupted rest during every 24 hours in which a prisoner is held for interrogation by

the police.) All trials will be public except those involving sexual crime or military or diplomatic secrets—the latter may prove a dangerous exception.

The new criminal code will be a test of the new regime. To make vindication of injustice depend upon the Procurator General will be to allow the central autocracy to decide what rights shall be enforced and who shall get justice. To grant greater rights to the individual would be to weaken the central power and to make it possible for individuals unjustly treated to enforce their rights in the courts against the State as they can in Western countries. Without revision of the definitions of treason and counter-revolution, freedom of discussion will not be achieved. The Soviet bureaucracy and leadership are obviously reluctant to go that far but ferment at home and criticism from abroad may yet force them toward fundamental reforms.

International Society for Socialist Studies

by G. D. H. Cole

THE International Society for Socialist Studies was founded at a conference held in Paris in March 1956. Its purpose is to bring about closer contact between those socialists, in all countries, who regard socialism as in its essence a world movement transcending national boundaries and are desirous of working together in the re-thinking of basic socialist ideas in the light of this international approach. Its aim is to bring such socialists into a combined effort to find solutions for the problems of constructive socialism, taking account of the varying situations of the different countries, but seeking ways to united action on a world-wide scale.

ISSS consists of individual members, and is not a federation of national socialist parties or of national bodies of any sort. Its members are free to form groups, locally, nationally, or on any geographical basis that may be convenient; and both the ISSS and its groups will gladly receive subscriptions from any socialist body that wishes to help them. But ISSS does not accept affiliations from other bodies, or give bodies which subscribe to its funds any vote or control in its affairs. It is governed by its individual members, any of whom has a right to attend and vote at the periodic conferences which it expects to convene in due course.

ISSS has been established as a means of promoting the intensive study of socialism with a practical end in view. It hopes to make its members—and through them the movements with which they are connected—more fully aware of what is being thought and done by socialists in other countries, and to put them in a better position to exchange ideas despite the barriers of distance and language. For the present, its principal activity will be the circulation of memoranda written by members for discussion and comment among its members throughout the world. The members will be asked to send in their comments on these memoranda, to discuss them where possible in their own groups and, where so disposed, to submit memoranda for circulation, either direct to ISSS headquarters or in the first instance to such groups.

The memoranda selected for general circulation will be translated into as many languages as possible; and where headquarters is unable to provide a translation into a par-

ticular language, the group in the country concerned will be invited to make its own translation for local use. The comments received will be collected and will be used as material for discussion at the conferences of ISSS. It is hoped in this way to build up a body of basic socialist thought which each country will be able to apply to its particular conditions and opportunities for action.

ISSS has at present no general statement of principles or doctrine. It cannot have; for such a statement could only emerge as an outcome of the discussion it is setting on foot. Those who have taken part in its establishment have, however, in common certain key ideas which they feel must go to the making of the general statement at which they hope to arrive. These ideas, stated in the broadest terms, are as follows:

1. Socialism is essentially an international, world-wide movement, with a message for all peoples resting on a belief in the fraternity of all. It therefore excludes and rejects every form of racial or national discrimination, and takes its stand against every manifestation of colonialism or imperialism, wherever found.

2. Socialism involves much more than the establishment of a "welfare state." It involves the structural transformation of capitalist or feudal societies, leading to the complete elimination of class differences and to the institution of a classless society.

3. Socialism, as it stands for the fraternal cooperation of all peoples, is opposed to war and to all power blocs which divide the world into hostile armed camps which waste the peoples' substance in preparing for war. It involves breaking down the barriers which divide man from man and people from people, and the establishment of free intercourse and free association across national frontiers.

These three affirmations of principle accepted at the Paris conference are only in provisional form. They need to be amplified and better expressed as an outcome of further discussion. In the meantime they are put forward as an indication to potential members of the motives that have gone into the formation of ISSS and of the spirit in which ISSS intends to pursue its studies.

The countries represented at the Paris conference included Great Britain, France, Italy, Germany, Switzerland, Spain, Yugoslavia, Sweden, Lebanon and Jamaica. Members have also been enrolled in the United States, Egypt, Scandinavia, and a number of other countries.

Prof. Cole is the internationally known scholar and socialist historian whose history of socialist thought is being reviewed in these pages as the volumes appear. For the information of our readers, we print this communication from him on the subject of a new international grouping which he and others have recently formed.

During May, we sent out to a number of persons an invitation to write their opinions for this magazine on the following question: "Are there new opportunities for American socialism in the light of the policy changes announced by the 20th Congress in Russia?"

We print below the replies we have thus far received. All readers are invited to contribute their views on this subject.

Rethinking Socialist Policies

by Arthur K. Davis

THE 20th Congress in the USSR has sharply accentuated the already strong movement toward rethinking socialist policies and prospects everywhere. This is a new opportunity for American socialism. Not for 25 years have the possibilities for political ferment been so favorable. But let us remind ourselves that these ideological debates primarily signify changes—or rather, our recognition of changes—in the underlying social forces of the age.

To take the attack on Stalin at face value is unrealistic. Acknowledging that some of the Soviet policies associated with his name were blunders is all to the good. His place in history, however, seems secure enough to ensure his eventual rehabilitation. Meanwhile we are afforded the interesting spectacle of people who only yesterday were lambasting every Kremlin pronouncement now eagerly seizing upon the Soviet attack on Stalin as gospel truth.

What basic forces produce the political ferment evident on both Left and Right? Among them are the emergence of the Soviet Union as a great industrial and atomic power; the success of the Chinese revolution; the collapsing of Western colonial imperialism; and the impending reappearance of capitalism's inherent domestic tensions which the slackening of the cold war must intensify. Aggressive capitalist encirclement of the single socialist state, which sums up international relations since World War I, has now given way to the co-existence of two equal blocs. That socialist encirclement of capitalism is fast approaching follows from the decisively greater capacity of the socialist bloc for economic and social growth.

Barring war, these changes should dominate American politics for a generation. Even now, our war-oriented "prosperity" fails to mask serious difficulties in agriculture and in certain industries, not to mention the accumulating shortages in social services.

What may this mean for the American Left? One of our main tasks will be to show that the existence of capitalism and socialism need not mean war; that peaceful competition of the two blocs will end in the victory of socialism; and that the measures necessary to keep us running in that competition must amount to nothing less than socialism itself, American style. The entire transition to socialism in America may well be relatively peaceful, because we shall not have to contend with a hostile international environment or with a socially backward society—the two conditions accounting for most of the excesses attending the Soviet case. We must remind people that large-scale violence in modern revolutions is precipitated, not by the Left, but by the refusal of popularly rejected old regimes to accept their rejection. Our own history is instructive on this point. The agrarian slave capitalism of the South started the Civil War *after* northern industrial capitalism based on free labor had won control of the federal government *by legal methods*.

AS more people become aware of these realities, American politics should become more volatile. Despite effective reinforcement by the witch-hunt, the Right's ace formula against social reform—the red-baiting identification of change with communism, and of both with Russia—has not prevented change or agitation for change. Even the two parties are beginning to sense the negative emptiness of America's anti-communist foreign policy and the growing domestic concern over racism, economic soft spots, and such issues as the social crisis. But those parties, which divide and rule their potential opponents by cutting across rather than following class lines, cannot solve those problems and still serve the Big Business interests that dominate both of them. A labor party for the common man must emerge sooner or later. By force of circumstances it will become a socialist party.

In this perspective the Left has two jobs—drafting and publicizing programs, and helping build organizations. We are now capable of drawing up tentative yet fairly specific socialist solutions for most of the major problems confronting our society—economic planning, education, health services, city planning, housing delinquency, agriculture, and so on. We should get on with this work at once.

About organization one feels less confident. A mass labor party must emerge from the experience and conflicts of the people. It cannot be imposed by fiat. It cannot be anticipated to the extent that programs can be anticipated.

The only Left group that has gone in for anything like systematic organizing has been the Communist Party. One effect of the Stalin demotion has been to stir up some much-needed ferment in and about the CP. So far, so

good. But it would be unfortunate if such criticism is not more constructive than "I told you so."

THE CP has been successfully ambushed by the Right and isolated from the American people for at least two reasons. One is its vulnerability to charges of secrecy and of undue dependence on Soviet models. Playing down its own socialism during recent years has probably increased that vulnerability, which is due partly to CP blunders and partly to scapegoating and other forces beyond its control. This can be said without swallowing the capitalist myth that CPs everywhere are mere Kremlin conspiracies. That the one successfully functioning socialist state should have had an inordinate, even hypnotizing, influence on struggling Leftists elsewhere is only natural. With the rise to power of additional Communist movements, the monopolistic spell of the USSR was bound to be broken. The great lesson of the Yugoslav and Chinese revolutions, underscored by the Stalin demotion, is: "Think for yourselves." That each country must adapt and develop Marxian principles in the light of its own more or less unique conditions has been the teaching, though not always the practice, of every great Marxian leader, from Marx to Stalin and Mao.

The other reason why the American CP has been so persecuted has been its potential threat to capitalism. Unlike most other radical groups, the CP went out and organized people. It taught militancy to the rank and file. Our ruling circles know their enemies well enough.

Mergers, or at least confederations, seem to be the order of the day in business, labor, and religion. Perhaps this is the time to set up a liaison organization for forming a United Socialist Action. This united front should openly espouse and develop the strategy and tactics of a democratic American version of Marxian socialism. It should be open to all interested individuals and progressive groups. It should, where relevant, learn from and criticize socialist movements abroad, but it should not combat them. Fighting communism abroad is the policy of capitalism, not socialism.

Whatever the solution to the perennial problem of developing good theory and effectively practicing it, a revival of the American Left appears to be brewing.

No New Opportunities

by George Olshausen

IDO not believe that there are any new opportunities for American socialism in the light of the policy changes announced by the 20th Congress in Russia.

The progress of socialism is determined by the state of development of the respective countries when they first have major contact with socialism. It follows Trotsky's formula of "overstepping" by which he explained the victory of socialism in Russia. When backward nations finally advance, they not only catch up, but pass the previously advanced nations. The latter do not make any comparable advance. In his "History of the Russian Revolution," Trotsky says:

The privilege of historic backwardness—and such privilege exists—permits, or rather compels, the adoption of whatever is ready in advance of any specified date, skipping a whole series of intermediate stages. Savages throw away their bows and arrows for rifles all at once without traveling the road which lay between those two weapons in the past. . . . The fact that Germany and the United States have now economically outstripped England was made possible by the very backwardness of their capitalist development. On the other hand, the conservative anarchy in the British coal industry. . . is paying up for the past when England played too long the role of capitalistic pathfinder. The development of historically backward nations leads necessarily to a peculiar combination of different stages in the historical process. (p.5)

Each of the great revolutions marked off a new stage of the bourgeois society, and new forms of consciousness for its classes. Just as France stepped over the Reformation, so Russia has stepped over the formal democracy." (p.15)

So the United States, as the country with the most highly developed capitalism, will probably be the last to go socialist. And that is true regardless of what developments take place in countries which have become socialist earlier.

THIS conclusion is borne out if we understood just what has happened in Russia. The policy changes in the 20th Congress may be termed the End of Revolution, or socialism's coming of age. Russia has finally passed from a state of post-revolutionary civil war to a peaceful and stable community, in which people can express differences of opinion without upsetting the apple cart. From this standpoint, the new developments are a normal and necessary (and predictable) step in a country which has achieved socialism by revolution. (The time before such stabilization is reached seems to be in inverse ratio to the time needed to overthrow the old regime. The United States had seven years of revolutionary war, then six years of instability until the Constitutional Convention in 1787. These six years of instability included one small rebellion—Shays' in 1786. Two other minor rebellions followed—the Whiskey Rebellion in 1794 and the Aaron Burr conspiracy in 1807. France took four years before the Bourbons were overthrown—1789-93. Cromwell's England had taken at least three—1642-45; if instability be reckoned to the execution of the King, then seven—1642-49. In Russia, on the other hand, the Czar was overthrown in a week, and even counting to the Bolsheviks' conquest of power, the whole time was only nine months. The subsequent period of intra-party violence lasted correspondingly longer.)

Since socialism in Russia is merely running its normal course, there is no reason to believe that its latest turn will have any effect on socialism in the United States, which is dependent on conditions within the United States.

Finally, the proceedings of the 20th Congress are not the type of events which would influence the American people. The people of the United States are untheoretical,

and, at present, not historically minded. They may almost be termed non-political, except at the local level. They are interested not in ideas, but in short-term results. If any Russian performance could further socialism in the United States, it would not, to my mind, be the 20th Congress proceedings, but the Russian Olympic Games successes.

Entirely New Path

by Clifford T. McAvoy

THE most important question before the people of the world today is peace between the United States and the Soviet Union. A lasting peace will bring an end to the cold war with consequent reduction of the crushing burden of armaments, abolition of nuclear weapons and the H-Bomb, the flowing of trade and cultural interchange between all peoples. Only in such atmosphere can there be any hope of the growth of socialism in the United States.

It seems incontestable to any fair-minded observer that the Soviet Union has already made a number of positive steps toward bringing about the possibility of a settlement in the cold war. The belligerent attitude of Stalin, Vishinsky and Molotov has been replaced by an intensive effort on the part of Khrushchev and Bulganin to win confidence and friends among the various peoples, especially in France, Great Britain and the United States, the leading capitalist powers. It seems futile to speculate on the motives of the Soviet leaders. Their actions certainly lead in the direction of peace.

Many steps have also been taken by the Bulganin-Khrushchev leadership, especially since the 20th Congress, to restore some semblance of democracy to the Soviet people. The repudiation of the Stalin cult, the admission that many of the purge trials in the 30's were frame-ups, and the beginnings of a relaxation of the police-state dictatorship certainly point to the possibility of freedom of speech, press and assembly at some future date in the Soviet Union. The more these ideals, which correspond to American principles, are approached, the more possible it is that Americans will begin to have confidence in an American socialist movement based on the great principles of freedom enunciated in our Declaration of Independence and Bill of Rights which have yet to be realized in practice.

IT is too early to tell whether the great changes taking place in the Soviet Union since the death of Stalin will have any permanent effect on the American Communist movement. For more than thirty years the American Communist Party, in the name of democratic centralism, has ruthlessly stamped out any genuine inner-party democracy and has poured a withering fire of scorn and slander against socialist dissenters outside the party. There has been some evidence of a change of heart in party ranks in the last three months since the 20th Congress, reflected in the columns of the *Daily Worker*. Whether or not this will result in genuine inner-party democracy, time alone will tell.

American socialism can only grow and gain public confidence in an atmosphere of freedom of speech and thought completely free of domination by any sectarian or factional clique. Needless to say, American socialism cannot grow at all if those who profess socialist ideas persist in following the political doctrine of "the lesser evil" and supporting policies and candidates of the Democratic Party.

There will be new opportunities for American socialism if a sufficient number of Americans have the courage to strike out boldly and independently along an entirely new socialist path and reject the clichés, conformity, "coalitions," the undemocratic practices and stale sectarian disputes of the past thirty years.

We Can All Stand Straighter

by David Herreshoff

THE news from Russia is good for American Socialists but its impact on us can be bad if its meaning is misinterpreted.

Stalinism has been a millstone around the necks of the entire American Left—including that part of it which has never looked up to Stalin. Freed from this burden we can all stand straighter than before and proclaim with renewed confidence that socialism is not the nemesis but the friend of liberty.

I see two dangers of misinterpretation which the Left will have to avoid if it is to profit from the debacle of Stalinism. One of them bears on the nature of socialist organization and the other relates to the conditions for the transition from capitalism to socialism.

1. Stalinism, in its organizational essence, is the capricious and arbitrary manipulation of a socialist organization by a despot or a small group of despots. It is the abuse of a good principle—the principle that socialists need a disciplined organization with a coherent policy. Reacting against this abuse of the principle of centralism, we are in danger of rejecting the principle itself, and not just the Stalinist distortion of it. We would then be following in the footsteps of anarchists, syndicalists, and many socialists of 50 years ago who revolted against the bureaucratic rigidity of the old socialist parties and discarded centralism in favor of loose, federalist forms of association. The Debs Socialists and the Wobblies were splendid in their spirit of combat and their trust in the masses; their organizational notions, however, were a reaction to, but not an improvement on, the despotic centralism of De Leon's Socialist Party. I hope that the Left this time will know how to react against the evil of centralized bureaucracy in the socialist movement without becoming converted to the view that anarchistic formlessness is an ideal characteristic of socialist organization.

2. Socialism comes naturally to any country as a fruit of the ripening and decay of capitalism. It comes when a majority senses that the system has failed to justify its continued existence. It has not—and probably never will—come as a response by the majority to a simple appeal to reason. I say this not to disparage appeals to reason. With-

out them we will never get socialism. But the appeals to reason which we call socialist propaganda can, at most, win and organize a thoughtful minority among the workers, youth, national minorities, and rural and urban middle class. This alert, radical minority can lead millions only under crisis conditions. (I suggest to those left-wingers who wish to become leaders of masses under conditions of economic and social tranquility that one of the first steps toward sharing the limelight with Reuther and Meany and Stevenson is to start thinking and talking like those gentle-



men. They are the kind of leaders who are appropriate to a season when a majority do not sense that capitalism has failed.

AS I see it, the impact of deStalinization in Russia on American Left thinking about the transition from capitalism to socialism has one possibly negative aspect. The Russians are taking a great stride toward realizing the socialist ideal of freedom and abundance. I fear that this fact will lead some of us to suppose that the increasing attractiveness of Soviet life will one day be the key to winning the American people to socialism. I agree that what is now going on in Russia will make the work of consolidating an American socialist movement easier. But I am convinced that what happens in Russia will never transform capitalist America into socialist America. The cause of that transformation will be American capitalism. It is experience with American capitalism, not visions of socialist progress abroad, which will set masses of Americans in motion toward realizing socialism at home.

Act on Own Convictions

by Kermit Eby

AT the outset, may I make perfectly clear that I do not care for the proposition as stated: "Are there new opportunities for American socialism in the light of the

policy changes announced by the 20th Congress in Russia?" Once more it seems to me that we are guilty of indirectly attaching our policy or lack of policy to external factors. For years, I have been disgusted by the tendency on the part of both Left and Right to gear their action or inaction by what the Russians do. I would like to live, for a short time at least, in a period of history in which Americans act upon the firmness of their conviction. Or, as I tell young ministers from time to time, "It is about time that the Communists started looking under the bed for you!"

I am sick to death of the argument from expediency in such things as race and minority religions, for example. These arguments are posited both by politician and minister. The argument states that we should treat our own racial and religious minorities justly simply because we need their support in case of war with the "anti-Christ." Or the argument runs that our foreign policy should contradict our history in order to keep alliances intact. Or again, that moderation is forever an end.

It seems quite contradictory to say on the one hand that no one can possibly use the bomb, and on the other hand, to go on making bombs.

Certainly, the Democrats offer nothing today more real than an increase in the armaments race (and, whenever recession threatens, an increase in inflation). Is there no other way of pulling South Bend out of the economic doldrums except by increasing defense orders? (I just saw in the morning papers that Secretary Wilson is going to give Studebaker's problem special attention.) Sometime, I would like to join a party which could spell out what \$33,000,000,000 would buy in social services. Or are we demobilized there, too?

Finally, there is the endless piling of debt: personal, real estate, and governmental. And the everlasting financing costs. Is it possible to estimate the human cost of this ever-mounting load? What about the impact on the families of working mothers? Once the churches were interested in usury. If 12 to 14 percent (the current rate demanded by finance companies) isn't usurious, I don't know what is.

I might go on and discuss Revlon and Hazel Bishop, but enough is enough.

Plight of U.S. Socialism

by Scott Nearing

STRICTLY speaking, the question: "Are there new opportunities for American socialism in the light of the policy changes announced by the 20th Congress in Russia?" must be answered in the affirmative. Yes—just as a stone, thrown into a pond, disturbs the surface over a wide area, so any change, pro or con, in any part of the world, modifies the situation elsewhere. At the moment Russia is an influential segment of the world community. Consequently, any happenings there will have world-wide consequences.

Practically, however, nothing that has happened in the Soviet Union during and since the 20th Congress can extricate United States socialism from the plight in which it finds itself. Half a century ago, when United States socialists were strong in numbers and getting stronger,

the policy-makers of the movement were called on to decide a program which emphasised social revolution and one which stressed social reform. The social reformers won this battle, opening the way for a line of liberals, beginning with Theodore Roosevelt and extending through Robert LaFollette, Franklin D. Roosevelt, and Henry Wallace, to use the reformist planks of the socialist platform as a basis for their "progressive" capitalism.

Consequently, for forty years, one of the most significant struggles in the United States has been between the socialists, who promised reform and the progressive capitalists who promoted and provided it. It has been the capitalists, not the socialists, who filled the pots with chicken, built the highways and the two-car garages, and furnished the electric toasters and television sets.

Having accepted battle on the reformist field, the forces of socialism condemned themselves to defeat, rout and near-extirmination. They likewise opened the way for the concentration of wealth and income in the hands of the job-owners; the big business take-over of government and the channels and agencies of communication, education and propaganda; the spectacular rise of the military to its present position of ascendancy in national affairs; the united front from the Right which is presently leading the United States to economic disorganization, political isolation and military encirclement; the effective crushing of opposition, particularly that of the Marxists, and the mis-education of an entire generation (those born since 1925) which has been taught to look upon socialism with contempt and abhorrence.

UNITED STATES socialists, facing this catastrophic situation, must rally their scattered forces, sorting out friends, rejecting enemies, spotting police spies. They must work out a formula for the theory and practice needed for the establishment of a collectivist North America. Then

they must take an active part in the day-to-day struggle of the peoples of North America.

Actually, the decisions of the 20th Congress in Moscow have had a more immediate effect on the United States Oligarchy than on United States socialism. The Oligarchy, making policy in terms of a conception of the Soviet Union which is now quite out-dated, is having to modify and reorient itself in order to carry out its program of strangling collectivism, driving the straying colonial peoples back into the imperialist fold, and re-establishing the world supremacy of Big Business.

Will the Left Unite?

by Michael Baker

IF common sense will prevail among the groups which make up the American Left, we can revitalize the meaning and practice of socialism in the U.S.

By achieving some unity among those who now favor socialism we can strengthen the entire effort, leading to rapid growth and widespread acceptance of the socialist idea in the political arena from the large group of Americans whose lives are now socialized in ways of production and otherwise, in the "mixed economy" of today.

The events abroad make even more clear the need for building a socialist movement in the U.S. which looks at America and its people as its base and works accordingly. We can begin now where Debs left off—using the New Deal and other forward activities since the twenties as later guide posts.

Will the Left unite? There are few signs that old habits are changing. Everyone seems to feel that only he has the correct approach. None do and all must begin anew. Will we?

"I Cannot Deny My Obligation"

The following letter, which appeared in *Jewish Life* for June 1956, indicates the attitude of many former supporters of Communist periodicals.

* * *

Editors, *Jewish Life*:

YOU appeal to me for a contribution to *Jewish Life*. So I write to you.

Left-wing leaders, whether they published a magazine or held office in a political party, have had rough going of late. It took courage to stand up to McCarthy while living on short rations.

But that was done out of their own convictions. For that we honor them as we do the simple trade unionist who sacrificed his job and his community status rather than sell himself to Mr. Ellender.

Were this trade unionist to pull a boner, however, he would most likely abide by the quaint custom we have in America of apologizing for it. He would even try to make amends for the damage done.

Yet when certain leaders make the most monstrous errors time after time for more than ten years, they publicly forgive each other and then "participate in searching discussions" (a la Harap [managing editor of *Jewish Life*] in his letter).

Doesn't elementary decency require the editors of *Jewish*

Life to stand up and say, "We failed you. What do you, our readers, think we should do now?" Perhaps they are afraid the answer will not be, "Let's participate in searching discussions."

If the editors knew what was going on and withheld that knowledge from us, then we were deceived. If they did not know, then they have masqueraded as interpreters of current events. I work hard for my living, too. Nevertheless, were I to dispense to my clients a comparable quality of service, I would have lost them long ago.

They are still aping the Russians. Yesterday it was the cult of the individual. Today it is silence or the belaboring of men who are dead.

No, I will not "help assure unbroken issuance of the magazine" as presently constituted. But I cannot deny my obligation. Mine was no trial subscription of a few months. A constant reader becomes a kind of stockholder with responsibilities. If there is need for funds to pay back salaries of the present editorial board so they can make way for their replacements; if money is required to pay the debts of the magazine so it can fold gracefully, then I expect to pay my fair share of the burden.

Should either event occur, I will honor promptly the draft made upon me at that time.

New York City, April 27

B. Klein

Aristocratic Critic Of Capitalism

by George G. Olshausen

THE MIND AND FAITH OF JUSTICE HOLMES, selected and edited with introduction and commentary by Max Lerner. The Modern Library, New York, 1954, \$3.75.

THE HOLMES READER, selected and edited by Julius J. Marke. Oceana's Pocket Books, New York, 1955, \$1.

TWO recent Holmes anthologies have appeared, both designed to measure the Supreme Court Justice from the standpoint of mid-century.

Max Lerner's collection of 1943 has been brought out by Modern Library with a change only in the preface to one selection; and a new series of articles, speeches, and critiques has been edited by the Law Librarian of New York University. Lerner's is by far the more comprehensive selection. It includes speeches, articles and a large number of judicial opinions; while Marke has included only articles and speeches, and has substituted articles about Holmes's decisions for the decisions themselves. But while both editions have picked much the same articles, Marke's book contains two or three not to be found in Lerner, which are almost indispensable to a complete picture of Holmes.

Both editors implicitly ask the questions: "What was Holmes? What is the secret of his influence, his popularity, and of his having become the idol of the liberals?" The two collec-

tions furnish almost enough data for an answer. With the help of one or two judicial opinions not given in either, the solution becomes fairly clear.

Lerner in his preface says: "On the whole, his were the views of an aristocratic conservative who did not care much either for business values or for the talk of reformers and the millennial dreams of the humanitarians." This hits the point, but Lerner does not develop it much further. It is easy enough to continue this line of inquiry, however, and it answers the first big question: What was Holmes? Holmes was a military aristocrat who, unlike his colleagues, knew that things change.

HOLMES' writings and speeches show an almost point-by-point correspondence with the traits of the European military aristocracy. De Toqueville has analyzed these in "Democracy in America," contrasting them with the characteristics of America's business democracy. He describes this class in language some of which, as will be seen, could almost have been written about Holmes personally:

In certain cases feudal honor . . . imperiously commanded men to subdue themselves; it decreed forgetfulness of self. It prescribed neither humanity nor gentleness. . . . A class which has succeeded in placing itself above all others, and which makes continuous efforts to maintain this supreme rank, must honor particularly those virtues which involve grandeur and éclat.

Foremost among virtues the nobles of the Middle Ages put military valor, and allowed it to take the place of many others. The feudal aristocracy had come into being through war and for war; it had its power in arms and maintained it by arms; nothing was more necessary to it than military courage; it has naturally glorified that virtue above all the rest.

Second, the feudal aristocracy was much harder and more careless of human suffering than even the business world which succeeded it.

Third, on the intellectual side, the aristocracy dealt in the grand manner with abstract ideas and theories, whereas Americans were interested in specific practical inventions.

Every one of these characteristics appears in Holmes. On receiving the degree of Doctor of Laws at Yale University in 1886, he even compared himself to a medieval knight:

I know of no mark of honor which this country has to offer that I should value so highly as this which you have conferred upon me. I accept it proudly as an accolade, like the little blow upon the shoulder from the sword of a master of war, which in ancient days adjudged that a soldier had won his spurs and pledged his life to decline no combat in the future.

The power of honor to bind men's lives is not less now than it was in the Middle Ages. . . .

Holmes's military character is established once and for all in the two Memorial Day Speeches of 1884 and 1895. The second one goes to extreme lengths in glorifying war, and is significant for the very fact that Holmes can wax lyrical about his subject:

And yet from vast orchestras still comes the music of mighty symphonies. Our painters are even now spreading along the walls of our Library, glowing symbols of mysteries still real and the hardly silenced cannons of the East proclaim once more that combat and pain are still the portion of man. For my own part I believe that the struggle for life is the order of the world, at which it is vain to repine. . . .

Mr. Olshausen is a San Francisco attorney who has written previously for the American Socialist.

Most men who know battle know the cynic force with which the thoughts of common sense will assail them in times of stress; but they know that in their greatest moments faith has trampled these thoughts under foot.

Following a graphic description of a Civil War battlefield, Holmes sums up by saying: "If in short, as some, I hope many, who hear me, have known, you have known the vicissitudes of terror and triumph in war, you know that there is such a thing as the faith I spoke of. . . . War, when you are at it, is horrible and dull. It is only when time has passed that you see that its message was divine. I hope it may be long before we are called again to sit at that master's feet. But some teacher of the kind we all need. . . . For high and dangerous action teaches us to believe as right beyond dispute things for which our doubting minds are slow to find words of proof."

In the same speech he manifests the medieval insensitivity to human suffering. Human life and suffering are a price to be weighed and paid, like any other price: "Therefore I rejoice at every dangerous sport which I see pursued. The students at Heidelberg, with their sword-slashed faces, inspire me with sincere respect. I gaze with delight upon our polo players. If once in a while in our rough riding a neck is broken, I regard it not as a waste, but as a price well paid for the building of a race fit for leadership and command."

Holmes' military courage forbade flinching before ideas as well as before physical danger. By way of contrast we may take Max Lerner's comment upon this very passage: "To most of us today, such words will seem dangerously close to imperialism." Masterpiece of understatement! Whereas Lerner shrinks from applying this term to a figure idolized by the progressives of the 1920's and '30's, Holmes never shrank from any conclusion which he considered rational.

HIS matter-of-factness about human life and suffering is not limited to things military. He applies it in weighing the price of mechanical progress. *Nashville, Chattanooga & St. L. Ry v. White* (1929) 278 U.S. 456 A59 il-

lustrates the point, and it must be held against both Lerner and Marke that both fail to mention this case. Holding the State of Tennessee justified in requiring flagmen rather than mechanical signals at railroad crossings, he says: "Many modern improvements must be expected to take their toll of life. When a railroad is built, experience teaches that it is pretty certain to kill some people before it has lasted long. But a court cannot condemn a legislature that refuses to allow the toll to be taken, even if it thinks that the gain by the change would compensate for any such loss."

The third characteristic of the feudal aristocracy was a penchant for large-scale abstract thinking, without regard to practical utility. Holmes expressed exactly that preference in an article appearing on February 25, 1899, and reprinted by Marke:

I sometimes sympathize with the Cambridge mathematician's praise of his theorem, "The best of it all is that it can never by any possibility be made of the slightest use to anybody for anything." I think it one of the glories of man that he does not sow seed and weave cloth, and produce all the other economic means to sustain and multiply other sowers and weavers that they in their turn may multiply, and so ad infinitum, but that on the contrary he devotes a certain part of his economic means to uneconomic ends—ends, too, which he finds in himself and not elsewhere. After the production of food and cloth has gone on a certain time, he stops producing and goes to the play, or he paints a picture, or asks unanswerable questions about the universe, and thus delightfully consumes a part of the world's food and clothing while he idles away the only hours that fully account for themselves.

Holmes' thinking on a grand scale runs through everything that he wrote, and some of the best examples occur in Supreme Court cases where he and Justice Brandeis dissented together.

It was from the vantage point of an ancient aristocracy that he found himself thoroughly out of sympathy with the morals and money grubbing of the commercial age. Consider these

passages from the 1895 Memorial day speech:

I once heard a man say, "Where Vanderbilt sits, there is the head of the table. I teach my son to be rich." He said what many think. For, although the generation born about 1840, and now governing the world, has fought two at least of the greatest wars in history, and has witnessed others, war is out of fashion, and the man who commands the attention of his fellows is the man of wealth. Commerce is the great power. The aspirations of the world are those of commerce. . . . The society for which many philanthropists, labor reformers, and men of fashion unite in longing is one in which they may be comfortable and shine without much trouble or any danger. The unfortunately growing hatred of the poor for the rich seems to me to rest on the belief that money is the main thing (a belief in which the poor have been encouraged by the rich) more than on any grievance. . . . Most of my hearers would rather that their daughters or their sisters should marry a son of one of the great rich families than a regular army officer, were he as beautiful, brave and gifted as Sir William Napier.

But as we have said, Holmes differed from the ordinary feudal aristocrat in recognizing the phenomenon of change. That recognition added to his other qualities made him a great figure. Brooks Adams has shown in his "Theory of Social Revolution" how the aristocracy was often so brave and unflinching that like King Canute, it ordered the waves to stop and succumbed when they came on. Holmes was different. In another speech of 1895 he lays down historic movement as axiomatic: "Historic continuity with the past is not a duty, it is only a necessity. . . . Our own word seems the last always; yet the change of emphasis from an argument in Plowden to one in the time of Lord Ellenborough, or even from that to one in our own day, is as marked as the difference between Cowley's poetry and Shelley's. Other changes as great will happen. And so the eternal procession moves on, we in the front at the moment, and stretching away against the

unattainable sky, the black spearheads of the army that has been passing in unbroken line already for nearly a thousand years."

On the Supreme Court he restated this view, dissenting in the Theatre Ticket case, *Tyson Bros. v. Banton* (1927) 273 U.S. 418, 445:

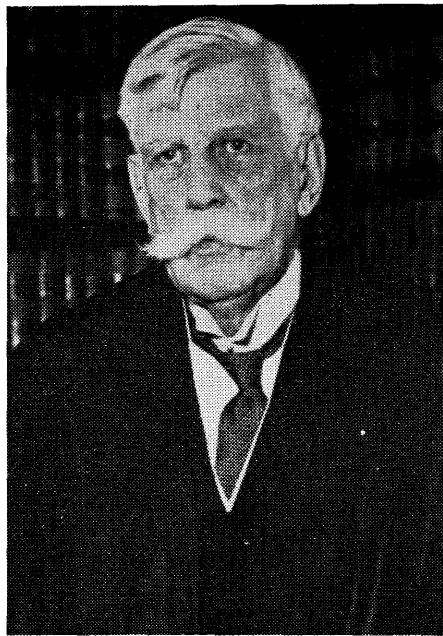
Lotteries were thought useful adjuncts of the State a century or so ago; now they are believed to be immoral and they have been stopped. Wine has been thought good for man from the time of the Apostles until recent years. But when public opinion changed it did not need the Eighteenth Amendment, notwithstanding the Fourteenth, to enable a state to say that the business should end.

What has happened to lotteries and wine might happen to theatres in some moral storm of the future, not because theatres were devoted to public use, but because people had come to think that way.

HOLMES had a sense of history and his soldier's discipline made him capable of accepting ideas and changes with which he disagreed. He had no sympathy for commercial money grubbing, but he also had none for socialism, welfare-statism or social uplift: "I have a standing war with my dear friend Laski as to his passion for equality, with which I have no sympathy at all." (Letter to John C. H. Wu, June 21, 1928.) Conversely, he had no fear of socialism: "When twenty years ago a vague terror went over the earth and the word socialism began to be heard, I thought and still think that fear was translated into doctrines that had no proper place in the Constitution or the common law. . . . I have no belief in panaceas, and almost none in sudden ruin." ("Law and the Court," 1913.)

Viewing contemporary capitalism from the standpoint of an outsider, he could grasp criticisms which participants were unable or unwilling to understand. It was this that enabled Holmes to take in his stride the major changes in American capitalism which began about 1890.

The Civil War had been followed by a free-swinging, unrestrained capitalism, based at least partly on the presence of an open frontier, some phases



JUSTICE HOLMES

of which are described in Mark Twain's "The Gilded Age." The frontier closed in 1890. Frederick Jackson Turner noted this date as a turning point of American history in his paper on "The Significance of the Frontier in American History." With greater statistical elaboration, J. Steindl has more recently similarly shown that the rate of America's economic growth slowed down markedly after 1890. ("Maturity and Stagnation in American Capitalism," 1952.)

These developments created the necessity of changing to a more controlled and orderly capitalism. The progressives of the era between 1890 and the first World War were those who sought to bring about this transition to a "welfare capitalism." They confronted the resistance of an entrenched plutocracy which set itself against any changes. The courts reflected all these elements, but like a distorting mirror.

The majority on the United States Supreme Court had an emotional as well as material stake in the free-ranging capitalism of 1865-1890. Brandeis, though he began in the same way, had long since joined those who were actively pushing for something approximating the welfare state. Holmes, viewing the procession as an outsider, simply accepted the transition as a fact of life. You almost suspect that in other respects he thought capitalism like the man who had his name changed from Joe Stink to James Stink.

SO, when the Supreme Court was called on to give the red or the green light to this transition, the majority set their faces against it; Brandeis was eager to promote it; Holmes was willing that the new developments "should be given their chance and have their way." Since he was content to permit the reforms to go through, and said so in majestic sentences, Holmes was embraced by those who were fighting to promote it. Fundamentally, this union must be classed as a historical coincidence. It should not surprise us, therefore, that there are some divergences. The astonishing thing is not the occasional deviations, but that the coincidence went as far as it did.

Lerner misunderstands Holmes when he argues against some of his opinions from the premise of the welfare state. In *Bailey v. Alabama* (1911) 219 U.S. 219, the Supreme Court struck down the Alabama peonage law, which made it criminal to accept advance payment and then not do the agreed work. Holmes, unaccountably to the liberals, did not go along. First, as a Civil War veteran, he disciplined himself not to harbor emotions against the South: "This case is to be considered and decided in the same way as if it arose in Idaho or New York." Then he showed his usual hardness: If you can impose civil penalties on breach of contract, why not criminal penalties? "Breach of a legal contract," he said, "without excuse is wrong conduct, even if the contract is for labor, and if a state adds to civil liability a criminal liability to fine, it simply intensifies the legal motive for doing right, it does not make the laborer a slave."

Holmes' greatest deviation from the progressives of the early twentieth century was on the anti-trust laws. His first dissent as Supreme Court Justice was against Theodore Roosevelt's trust-busting campaign (*Northern Securities Co. v. U.S.*, 193 U.S. 197, 400). He approached this with his usual attitude of self-control: to resist those "immediate interests [which] exercise a kind of hydraulic pressure which makes what previously was clear seem doubtful, and before which even well settled principles of law will bend." He once said that as a judge his "first business is to see that the game is played according to the rules whether I like them

or not." ("Ideals and Doubts," 1913.)

But while he strictly adhered to this principle in applying the Constitution, he probably gave some play to his personal ideas in construing the Sherman anti-trust act, a mere statute. He thought the anti-trust laws unsound, possibly viewing the trustification process as an inevitable development in business efficiency: I agree . . . that there are great wastes in competition, due to advertisement, superfluous re-duplication of establishments, etc. But those are the very things the trusts get rid of." (Letter to Pollock, May 25, 1906.) So he always tended to interpret the Sherman Act narrowly. Lerner takes issue with Holmes on this subject, although the soundness of

anti-trust laws is questionable even from the standpoint of welfare capitalism. (In "Monopoly Domination of American Economy," *Lawyers' Guild Review*, Winter, 1951, the writer examined both the illogic and the ineffectiveness of anti-trust laws.) Holmes also thought that a state could constitutionally require primary school instruction to be entirely in English. The majority of the court held otherwise, and the progressives agreed with them.

BUT these three instances virtually encompass the entire divergence between Holmes and those who were striving to bring some order and humanity into the wild and woolly post-Civil War capitalism. Considering that

Holmes and the progressives approached matters from entirely different directions, the divergence is remarkably small.

The letters, speeches and judicial opinions cover a period of 65 years (1867-1932) during which there are very few important shifts in Holmes' outlook. The early letters to William James are in part genuinely lyrical, in part evince an artificial striving after effect which Holmes later dropped. As Holmes grew older his marked religious skepticism may, if anything, have grown stronger.

All in all, Holmes presents the rare historical paradox of one who became a leader of his era *because* he was not part of it.



Hoarse Cassandra

THE TRAIL OF THE DINOSAUR, by Arthur Koestler. The Macmillan Company, New York, 1955, \$3.50.

IN the camp of the ex-communist anti-communists, no one issued his piercing trumpet blasts with more arrogance than Arthur Koestler. He represented in the cold war a combination of a synthetic Paul Revere (To your battle stations! The Russians are coming!) and a slightly phony Tom Paine.

In 1931, at the age of 26, Koestler hooked up with the Communist movement while continuing to work as a journalistic free lancer, and left with the signing of the Stalin-Hitler pact. He has all the qualifications of the successful Continental journalist: sophistication, a flashy style, a gift for the well-turned phrase, an omniscient air, and a keen nose for the drift of official public opinion.

"Darkness At Noon"—a novel with the background of the Moscow Trials as its theme published in 1941—was a remarkable piece of work and established Koestler's reputation as a shining light in the literary firmament and a minor prophet of the anti-communist crusade which was to sweep over the West a few years hence.

With the cold war Koestler enlisted full time in the holy cause, and turned his guns on his erstwhile comrades, and on that even more dangerous of breeds, the "neutralists," who couldn't see the new blinding revelation that the fate of hu-

manity was at stake and could only be saved by the destruction of the new anti-Christ, Communist Russia. The same bigotry and lack of scruple that he had learned in the Stalinist school he now employed against the Stalinists and in the service of his new patrons. In the fantasy-world of the anti-communist "realists," the Russians were scheming to overrun all of Europe and were liable to do so at any moment, and that spelled Moscow Trials in Paris and forced-labor camps in Glasgow and Liverpool. As the Stalinists in an earlier day vented their worst venom at Social Democrats and Left dissidents, so Koestler's hate flowed out above all at the Left intellectuals who couldn't fathom the cold war's beneficence.

BUT beneath the facade of bluster and cocksureness, Koestler was apparently an uneasy man and didn't have a sense of acceptance in his new circles. He relates: "Some time ago at a New York cocktail party a lady journalist attacked me with some vehemence. She said that people who had once been Communists should shut up and retire to a monastery or a desert island, instead of going round teaching other people lessons." She spoke with deep conviction, which expressed a widespread popular feeling: mankind's instinctive horror of the renegade." Koestler adds: "Even atheists are embarrassed by an unfrocked priest taking a girl out to a dance." To which Isaac Deutscher aptly replied: "Well, the good old liberals may be right, after all: this peculiar type of anti-communist may appear to them like a defrocked priest 'taking out,' not just a girl, but a harlot."

This reviewer found the book a hopeful one, not for anything Koestler says or reveals, but for indirect reasons. Koestler is a journalistic artist of sorts. His strength lies in smelling out early in the game before others are fully aware the direction of the intellectual winds, and attuning his own attitudes to the coming climate. It is therefore of some importance that in the final essay, "The Trail of the Dinosaur," the

blood-curdling war cries are already giving way to vaporous philosophical dissertations a la Toynbee. Koestler, as we close the last pages, is engaged in a frantic search for a new religion which "restores contact with the super-natural without requiring reason to abdicate." In his preface to the book written at a later date Koestler is even more explicit. He tells us: "This book is a farewell to arms. . . . Cassandra has gone hoarse, and is due for a vocational change." Translated from grandiloquent Koestlerese, this means that he believes that people are fed up with the cold war and the cold-war shouters, and that a working journalist had better find some new subject matter and approaches if he expects to continue having an audience.

B. C.

Fists Against Guns

THE BOXER CATASTROPHE, by Chester C. Tan, Columbia University Press, New York, 1955, \$4.50.

IN our history books, the Boxer Rebellion is known more for the death of the British General "Chinese" Gordon than for any historical meaning of its own. This is not merely due to the nature of the revolt and its defeat, but also to the grisly light it shed on imperialism. It is to the present author's credit that he has given life and meaning to a colonial rebellion which may have seemed purposeless, but heralded the breakdown of the political structure China had known for almost thirty centuries.

From the First Opium War of 1835 the imperialist countries enforced their commercial interests in China through military grabbing and political intimidation. After losing the war, China ceded Hong Kong to the British, lowered its tariffs and opened five "treaty ports." Within a short time (Second Opium War, 1854-60), China was forced to legalize the importation of opium, open new ports, provide special "extra-

territorial" rights for foreigners which removed them from Chinese jurisdiction, cede further territory, and pay further indemnities.

In 1885, in reprisal for the death of a missionary, France appropriated Indo-China in one gulp. By 1900, the country was being carved like a watermelon: Russia had taken a large section of land in North China, and had obtained special privileges in Manchuria; Japan had taken Formosa and "liberated" Korea; and Germany had seized the Shantung peninsula for the death of two missionaries.

The imperialists were like scavengers dividing among themselves the still-living Chinese carcass. Tan writes that "To safeguard their interests against the encroachment by rivals and perhaps to install themselves in a better position in case of the breakup of China, the powers applied themselves to the marking out of the country into the so-called spheres of interest. Thus Britain claimed the Yangtze Valley as her sphere; Russia, Manchuria; while France earmarked Yunnan, Kweichow, and Kwangsi; and Japan, Fukien. The assertion of claims to these 'spheres' was based upon the leases of territories, railway and economic concessions, and more formally, the enforced declarations of territorial non-alienation by China and the agreement between the Powers. Thus China had to declare to England against alienation of the Yangtze regions to another Power; to France against alienation of Hainan and provinces bordering on Tonkin; and to Japan, similar assurance with regards to Fukien. As to the agreements between the Powers, there was the Franco-British Agreement of 1896, by which the two countries agreed to share any special privileges that either secured in Yunnan and Szechuan provinces; the Anglo-German Agreement of 1898, by which the British sphere of interest was defined as the Yangtze Valley and the German one as the province of Shantung and the Yellow River Valley; and the Russo-British Agreement of 1899, by which Russia agreed not to seek any railway concessions in the Yangtze Valley, while Britain gave similar assurance with respect to the Russian sphere north of the Great Wall."

FOR the Chinese citizen, imperialism destroyed much more than Manchu sovereignty. The influx of cheap manufactured articles and even food, signalled, as it had in India, the violent rupture of the old tight-knit agricultural communities. This was especially true in the coastal provinces, which were the first to be opened to foreign exploitation.

The Chinese peasant was now forced to produce for a distant market, competing, with his primitive techniques, small plot of land, unstable government, and poor transportation, against an advanced merciless world commerce which discounted even his cheap labor. Interest rates rose to fantastic heights of 30 to 80 percent annually, bankrupting large sections of the peasantry and reducing still further the average plot of land.

As a result, two major popular revolts

swept the country. The Taiping Revolt of the 1840's-50's was directed more against the Manchu Dynasty than the foreigners, but succumbed to an unholy alliance of both forces. The Boxer Rebellion of 1900, the subject of Mr. Tan's excellent study, was a more direct attack against imperialism and for a short period even gained the sympathy of the Chinese court.



The Boxers, or I Ho Ch'uan, "Righteous Harmony Fists," originated as one of the many secret societies that flourished in the early nineteenth century. Bound by a common interest in opposing the Manchus, the form of these societies was similar to European freemasonry. The organization was of a secretive conspiratorial type, headed, many times, by men who were little more than bandits. The distinctive character lay in their practice of boxing as an exercise and means of self-defense, and in the belief that swords, guns, and the other weapons of war could not really harm them. These notions, which might seem strange by Western standards, were apparently suited to a backward oppressed citizenry without any weapons of its own.

When conditions became intolerable at the turn of the century, and no other outlet for protest appeared, the Boxer movement began to mushroom. It changed from an anti-Manchu society to one which made the imperialists the main target. According to Tan "the Boxers' slogan of 'upholding the Ch'ing Dynasty and exterminating the foreigners' caught the imagination of the people, and the anti-foreign sentiment of the people must at the same time have inspired the direction of the Boxers. . . . The movement soon galvanized the populace of the northern provinces and spread like wildfire." Railways, telegraph lines, bridges, churches, etc.—the evidences of western civilization—became the primary targets for this essentially leaderless frenzy. By 1900 the unarmed Boxer Rebellion had cut a swath from Tientsin to Peking and the Manchu Court was faced with the decision of what position to take.

UP to a short time of the active outbreak of rebellion, the court's attitude had been one of catering to foreign sentiments and limiting, in some cases squashing, the Boxers. Yuan Shih-k'ai, the Governor of Shantung, later to gain fame for an unsuccessful attempt to establish himself as

emperor, put down the Boxers mercilessly. Except for Shantung, the policy of suppression did not achieve too much against the Boxers. Tan's view is that the more progressive and Western-oriented elements of China and the Peking palace were opposed to the Boxers, while the more reactionary figures, such as the Empress Dowager, were eager to utilize the Boxers as a weapon against Western influence.

However true Tan's line-up may be, neither clique had any real program to combat imperialist expansion. The throne, as it had shown during the Taiping Rebellion, would, if given the chance, actively decimate any movement towards agrarian reform. The Western "progressives," who already bore the earmarks of capitalist "tao-tai" (petty officials) were, at the time, hardly interested in opposing imperialism. It took another dozen years before some of these elements, under Sun Yat-sen, formed an independent republic in South China.

However, the upsurge of patriotism unloosed by the rebellion showed that even the Chinese Court could be moved for a brief moment. On June 21, 1900, strengthened by the spirit of the newly arrived Boxers in Peking, the court declared war on the Powers, and thereby gave, in its imperial edict, perhaps the only rhetoric the Boxer Rebellion ever had: "For the past thirty years [the foreigners] have taken advantage of our country's benevolence and generosity as well as our wholehearted conciliation to give free rein to their unscrupulous ambitions. They have oppressed our state, encroached upon our territory, trampled upon our people, and exacted our wealth. Every concession made by the Court has caused them day by day to rely more upon violence until they shrink from nothing. In small matters they oppress peaceful people; in large matters they insult what is divine and holy. All the people of our country are so full of anger and grievances that every one desires to take vengeance."

The leadership given by the Imperial family was divided, weak, and transitory, and in short order the Boxer Rebellion declined into little more than a mob out for vengeance. Outside of Peking, the defeat was foregone. In the south, the Chinese viceroys had already taken the precaution of forming a "shadow government" which maintained diplomatic relations with the Powers in the name of the court. They suppressed the declaration-of-war decree and also continued payments on foreign debts, employing an explanation worthy of good businessmen: "If we stopped payment, the [imperialist] bond-holders would be frightened and would press their governments to occupy our customs and disturb the provinces along the Yangtze and the coast . . . then war would spread everywhere, and the seditious elements in the interior would take the opportunity to stir up disturbances. With aggression from outside and disturbances within, the whole country would be in turmoil. Imports and exports would be cut off, and revenues from the customs and the *likin* would be reduced to nothing."

IN Peking itself, the patriotic ardor of the Imperial Court did not last long. Confronted by the retreat of its own troops and facing an international army headed by British Admiral Seymour, the court sued for peace within one week after the declaration of war. It declared that it would now "strictly order the commanders to protect the legations to the best of their ability and to punish the rebels [Boxers] so far as circumstances permit." Six weeks later, with the crumbling of the Peking defenses, the faint-hearted rulers fled and the Boxer Rebellion ended.

The peace negotiations which followed fill almost half of Mr. Tan's book, and are of interest mainly for the rapacity evidenced by the imperialist powers. Before the question of indemnities and territorial juggling was even brought up, China had to agree to a dozen harsh conditions, among which were such as: prohibition of either importation or manufacture of arms, the right of each imperialist power to maintain a permanent armed force in special legation quarters where Chinese might not reside, the razing of all forts between the Chinese coast and Peking, "perpetual prohibition under pain of death of being a member of an anti-foreign Society," and a catch-all which provided for any further commercial exploitation the imperialists might have in mind.

The Boxer indemnity imposed on China bankrupted the country. Together with the indemnity owed to Japan for the Sino-Japanese War (1894), Chinese reparations came to 500 million dollars. When this is compared to a national revenue of 75 million dollars a year, the fantastic drain on the country's wealth is easily seen. If this debt is then combined with the myriad loans China had to repay, then as Will Durant indicated ("Our Oriental Heritage") "the collapse of China becomes a mere matter of bookkeeping."

Confucius' adage that "rotten wood can't be carved nor can one plaster a wall of manure and dirt" became in short order applicable to the Imperial Court. Within a decade of the failure of the Boxer Rebellion, the Celestial Empire passed into limbo, and the Chinese people began to look elsewhere for solutions to their problems.

M. B.

Teach Freedom

THE DEVELOPMENT OF ACADEMIC FREEDOM IN THE UNITED STATES, by Richard Hofstadter and Walter P. Metzger. Columbia University Press, New York, 1955, \$5.50.

FROM the founding of Harvard College in 1654 to the present the college teacher has been in a rather vulnerable and helpless position. In his clashes with lay and clerical administrators his only defense has been the indirect pressure of public opinion.

When the professors organized into the American Association of University Pro-

fessors in 1915, they could more effectively influence public opinion by blacklisting universities. However, in certain periods one might wonder who was influencing whom. In 1918, for instance, the Committee on Academic Freedom in Wartime of the AAUP cited four grounds on which professors might be legitimately dismissed. These were: 1) "conviction of disobedience to any statute or lawful executive order relating to the war"; 2) "propaganda designed, or unmistakably tending, to cause others to resist or evade the compulsory service law or the regulations of the military authorities"; 3) action designed "to dissuade others from rendering voluntary assistance to the efforts of the Government"; 4) professors of Teutonic extraction and sympathy who did not "refrain from public discussions of the war; and in their private intercourse with neighbors, colleagues and students . . . avoid all hostile or offensive expressions concerning the United States or its government."

American teachers were unlucky from the beginning. "Nowhere outside the United States and Canada are modern universities governed by boards of laymen. . . . The essence of lay government is that the trustees, not the faculties, are, in law, the college or university, and that legally they can hire and fire faculty members and make almost all the decisions governing the institution. This has hampered the development of organization initiative, and self-confidence among American college professors, and it has contributed, along with many other forces in American life, to lowering their status in the community. Other groups have far greater power to determine the standards and conduct of their own professions."

This situation arose because American colleges did not evolve naturally out of "long established communities of scholarship." There was no guiding tradition and nothing that could be called the teaching profession when American Protestants established colleges on the principle of lay government. The first American teachers were mainly youthful amateurs to whom teaching was merely a step to the ministry. Their students were also mainly future ministers.

ACADEMIC freedom was defined by the role that the academician played, and its scope was limited by the power he possessed. Dangerous teachings were not those that were untrue, but those that contradicted the Scriptures. This was changed by the Darwinian revolution, which brought about a greater religious tolerance. But in the twentieth century the Devil returned, not as static "Faith," but as the flexible serpent, "Loyalty."

The main shortcoming that this reader sees in this weighty and valuable study is the reluctance of its authors to draw bold conclusions about the period since 1890. But the facts cited demand bold conclusions. Consider this information: "In a study of twenty private and state universities, McGrath found that 48 percent of the members of the boards of trustees

were businessmen, bankers, and lawyers in 1860; in 1900, 64 percent belonged to those occupational categories. . . . Before the Civil War businessmen did not earmark their gifts for specific educational projects. . . . Whereas wealth and a talent for business had once been considered virtues in trustees, now they were thought to be prerequisites. . . . Charles and Mary Beard did not exaggerate when they wrote that at the end of the century the roster of American trustees of higher learning read like a corporation directory. . . . The picture of the business patron as an enemy of academic freedom took form in the minds of professors. This began in the middle eighties, when Professor Henry Carter Adams was dismissed from Cornell for having delivered a pro-labor speech that annoyed a powerful benefactor. The picture acquired lurid colors in the nineties, when such cases occurred in profusion. . . ."

The authors devote much space in an attempt to discredit "the Populist suspicion that Big Business supported the universities only to further its own interests, and that the attacks upon academic freedom were part of a plutocratic plot." We are shown many facets of two academic freedom cases. One teacher is dismissed; the other wins his case, but loses his principles. The authors conclude that "it is clear that in both cases—can one not say in most cases?—the president held the key to the outcome." But the authors seem to be ignoring who held the power to determine the appointments of the presidents.

Our authors must lunge at those, like Thorstein Veblen, who "looked to the culture of capitalism, rather than to the machinations of capitalists, as the source of academic evils." We are told that Big Business methods in education brought greater security to professors. "And the demand for academic tenure was, after all, a demand for . . . the definiteness, impersonality, and objectivity that are the essence of bureaucratism." This was little consolation to the increased numbers who lost their jobs. But those who remained could rest confident that, if they were fired or not rehired, the job would be done with all the efficiency of modern business practices.

The book concludes on a note of cautious optimism. They cite tenure rules, the AAUP, and "a more sympathetic and profound understanding of academic freedom." They conclude: "In the present climate of opinion, these factors are not sufficient to give courage to the circumspect or timid, but they provide a considerable measure of security for professors who have the hardihood to assert themselves. . . . The academic freedom we still possess is one of the remarkable achievements of man. At the same time, one cannot but be appalled at the slender thread by which it hangs. . . and one cannot but be disheartened by the cowardice and self-deception that frail men use who want to be both safe and free. With such conflicting evidence, perhaps individual temperament alone tips the balance toward confidence or despair."

R. McD.

LETTERS TO THE EDITOR

Not Timid nor Shy

During the past fourteen years I've read all of the leading progressive journals. Recently I received my first issue of your magazine. Without any qualifications whatsoever, I can positively state that the *American Socialist* is the BEST political publication I have ever had the pleasure of reading.

There is only one minor criticism of the *American Socialist* I care to make, to wit: Why don't the people who write letters to the editor permit their real names and address to be published in full? If they are so timid what good are they to the progressive cause, period? Certainly shy people will never be leaders in the coming new political movement.

I am a former contributing editor to *The Southerner*, and presently serve in the same capacity with *The New Southerner*, and although I live here in Mississippi and write exactly as I please, you'll always find the ole "Southern Plowboy" signs his address and picture to his articles because I'm too tender-hearted to desire to cause the White Citizens' Councils any trouble in identifying me or even the FBI if they should happen to care to snoop. . . .

My whole point is simply this: I am very proud to be a sincere liberal and have enough ego to want everyone to know that I have enough intelligence to embrace a cause which will not only benefit me but also all of mankind.

Hoping your magazine continues to grow in circulation and influence,

Buford W. Posey, *Philadelphia, Miss.*

So fluoridation is an installment of socialism, by grace of the AMA and whatever corporations want to dispose of a particular waste product. Since some children are constipated, let us load all the water with milk of magnesia, which would also be good for business and would be hailed as a boon by countless adults.

The whole argument for fluoridation is part of the pseudo-scientific fashion of treating symptoms instead of causes. If the AMA would conduct a crusade against refined sugar and phosphoric acid beverages, tooth decay could be reduced to manageable limits; and if they would put over proper standards for food in general, so that the population would not be suffering from devitalized, impoverished foods, the rest of the problem would disappear.

We are being chemicalized! A generation ago, cities thought it their duty to produce safe and drinkable water, that is, pure water. Now there is no effort for purity, because the mess can be covered up with chlorine, which in many cities has rendered water so foul that it is a pain to drink it, and all without any research to determine the long-run effects of complicating the body chemistry. . . .

Independent physicians and dentists that do not surrender to the universal fads are esteemed crackpots or just ignored. In one Florida city, opposition to fluoridation was headed to no avail by the "dean" of the medical fraternity, an MD who had grown up with the city, and by a dentist of experience and maturity, who had likewise lived his life there. As the latter put it: "Some of the dentists thought it might do some good, and the doctors didn't give a damn."

Old folks come to Florida to ease the pressures of life, and then they are given fluoridated water that burdens the kidneys and tends to brittleness of the bones. The superficial reports that no one has yet discovered harmful results from fluoridation sound just like cheap salesmanship. . . . Moreover, some think the statistics tell a different story both as to teeth and bones from that put forward by the advocates of fluoridation.

I don't like to refer you to the *New Leader*, but you'd better get James Rorty's article on fluoridation. I am sorry that the *American Socialist* put forward an unthinking stand on so grave a matter.

A. W. Calhoun, *Florida*

Being an active trade unionist, I readily appreciate your views and guidance toward the achievement of a better order of life for the working class of the world. And as I am familiar with the struggles within the socialist movement, I will urge the enlightened masses to direct more of their energy toward ultimate objectives. The time is rapidly approaching when the struggle will intensify within this very country, due to the world and national economic conditions that are developing and will develop.

To further express my confidence in this publication, I am enclosing an introductory subscription for a friend who I know will appreciate it.

J. E. Steubenville, *Ohio*

Please cancel my subscription to your magazine. I. F. Stone's recent articles in his newsletter have changed my thinking regarding socialism—regarding everything, in fact.

E. M. B. *New York State*

Converging Paths

All this battle and to-do regarding the effects of the 20th Congress in Russia are quite temporary; actually all socialists who consider themselves Marxists and not timid reformers have been set upon converging paths by all this. The tragic episode of Trotsky and Stalin has now come to a dramatic close and a new, dazzling bright horizon is flung open before us all.

In America, this trend is particularly marked. In fact, what I see in the cards is a whole new Left regrouping, a broad realignment, centering around the weekly

and monthly Left publications, especially the *National Guardian*, and the *American Socialist* together with the *Monthly Review*. This perspective is especially realistic when one realizes that at this moment most of the great sources of bitter division are being done away with between the various Left groups.

G. L. Westfield, *Mass.*

Keen Anticipation

I just read your "A Decade of Cold War" [by Bert Cochran, May 1956]. It is a brilliant, sparkling, excellently written article. One can't help but feel your keen anticipation for the future—despite the ominous struggles and suffering which are yet in store for us.

Are reprints available? I usually prefer to distribute whole issues of the *American Socialist* as this introduces readers of a special article to the whole magazine. This can be both cumbersome and expensive. However, I think this article is so powerful that it deserves the widest possible distribution. More, it expresses such enthusiasm that one can have no doubt that the next great stage in man's development must embrace universal socialism. You have succeeded in a "gem" and I urge you to make it available in reprint form.

J. W. F. *Seattle*

Correct and Improve

It is a great pleasure to read your magazine, but it makes me want to correct and improve all the articles. Todd, for instance, in his article in your Opinion section in the March number, fails to see that because we have immense resources to waste, employers are not such tightwads as they are in Europe.

High wages are possible for the highly organized; as high, perhaps as they would be if all income were equally shared. There are chains to lose. The situation is much the same in Britain, where the Labor Party is dragging its feet because so many are afraid to risk what they have gained in hope of getting more.

The labor union is a substitute for socialism. The more successful it is, the less its members care for political action. It was the Wagner Act that set socialism back in this country. Ask the Socialists in Reading.

The depression of 1929 came, like all the rest, because building bid prices so high that further investment was not promising. So the loose money became idle. But it was made seriously worse by what the N.A.M. did between 1922 and 1926. Competitors got together, standardized and lessened sizes and patterns of many products, to do the same amount of business with less inventory. It was the greatest labor saving invention of the century. It promised larger profits on the same volume of business, caused the boom in the stock market, got investors over-extended, and then let them down on account of the unemployment that went with it. Automation may repeat the process.

A. C. *Pennsylvania*

A Report on Finances and Promotion

WE would like to use this space to report to our readers on two appeals that recently occupied our back cover. In our May issue we proposed that if any reader was in a position to sit down and draft a list of fifty names of possible subscribers to the AMERICAN SOCIALIST together with their addresses, that would be worth a one-year subscription to this magazine, or extension of an existing subscription for a year. Our June issue carried our annual fund appeal. These are the two requests on which we would like to report.

The fifty-names idea was a heartening success. We received a goodly number of such lists, some of them running to far more than fifty names. As a result, we have been able to send out a rather large sample-copy mailing, and still have more names in reserve for future mailings. We don't know the results yet, as the mailing went out too recently for returns to have started coming in, but the effect should be to add to our circulation.

So far as the fund appeal is concerned, we imagine it should be called a success. We did get in about 20 percent more money than last year's fund appeal netted. Unfortunately, this is not quite enough to match our increased costs. The financial contributions will carry us over for the immediate period ahead, and by fall, we will proceed to

devise new ways and means to bridge the gap between our expenses and income.

AT any rate, the overall response was generous, and we would like to thank all those who sent in contributions, including the anonymous donors (one in New York sent in \$100) whom we have no way of thanking by direct mail.

We know a good thing when we see one, and we propose to keep pushing our offer to give you one year of this magazine for a fifty-name list of prospects. Readers who have not taken advantage of this offer might think it over and see whether they can make up such a list. You should be sure, however, that you are sending in genuine prospects. One reader noted that his list might contain some local McCarthyites, whereupon we promptly sent it back to him for revision. We have no objection to proselytizing anybody, but sample copies are expensive and we can't try to cover the whole world. Most who sent in lists seem to have gotten the idea, though, and we are sure there are more such lists among you. The best thing would be to save up names during the summer and send them in for the fall, when we will resume our sample-copy mailings.

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