

LABOR ACTION

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FIVE CENTS

SPOT-LIGHT

Polarization and the White-Livered Liberals

The formation by the McCarthyites of their organization "Ten Million Americans Mobilizing for Justice" is probably one of the most significant developments since the Wisconsin witchhunter started operations. This is not because of its possible success in its stated task of gathering petition signatures in favor of Joe, but simply because it has been formed at all. For it is the first time that McCarthyite forces as such have come out publicly in organized form.

The crystallization of a political tendency in organized form generates a dynamic of its own. So the anti-censure forces have drawn up a cadre that clearly represents the largest re-emergence and coming together of essentially Right Wing groups since before the United States entered the Second World War" (N. Y. Times, Nov. 21). The same dispatch traces the interesting interlocking in personnel and leadership of McCarthy's "Ten Million" with the McCormick outfit called "For America" and the reactionary Committee for Constitutional Government.

If this McCarthyite crystallization becomes a permanent organizational center, it will be another contribution to the forces that tend to polarize politics in the U. S. today, as against the current tendency of both major parties to wear a common "middle-of-the-road" coloration.

It is the farthest reactionary Right
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They'll Obey the Law — Some Day

On page 6 of this issue we publish the main part of the brief now before the U. S. Court of Appeals, on behalf of Max Shachtman's right to a passport, as explained in our story last week. As our readers know, the State Department's refusal of a passport to the national chairman of the Independent Socialist League was explicitly based on the arbitrary "subversive" listing of the ISL by a different government department, the attorney general's office.

At the same time, the Department of Justice has steadily refused even to set a date for the hearing on the listing which is required of it by the terms of the president's own executive decree.

A new exchange with the attorney general's office now has evoked another reply which still stalls on the date but makes a concession to legality.

The concession is in terms of what the government office said a year ago. Upon being similarly prodded by telegram in October 1953, the attorney general's office at that time would speak only of "a possible hearing" which "may take-place." The ISL then pointed to the clear provisions of the regulation which made a hearing not merely "possible" or permissible, but mandatory. To this, the guardians of democracy in the Department of Justice simply did not reply.

Now, at the beginning of the present month, Nov. 8, the Department of Justice was prodded again:

"Reference letter dated Oct. 21, 1953 from Assistant Attorney General Olney and our reply dated Oct. 29, 1953: One more year has now elapsed without our organization being afforded the hearing provided in your regulations. Request yes or no answer to following question: Do you intend to give Independent Socialist League a hearing? If answer is in the affirmative, when will hearing take place?—MAX SHACHTMAN, Chairman, ISL."

This time, in reply came the following wire on Nov. 19:

"The Independent Socialist League will be heard under Executive Order No. 10450. Necessary arrangements are being made and details will be communicated to you as quickly as possible.—WILLIAM F. TOMPKINS, Asst. Atty. General, Internal Security Division."

While this may sound encouraging, the Department of Justice's previous record of stalling is not to be taken lightly. But it now concedes that it will perform its legal obligation—some day.

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Peace, Yes—but We Need Have No Illusions About 'Coexistence'

By GORDON HASKELL

The demand for a policy of "coexistence" in the U. S. rises and falls with a regularity which seems almost to bespeak some kind of natural rhythm in diplomatic affairs.

Gaining in volume from the time of Stalin's death, the demand rose to a high pitch with the Korean truce. It was almost drowned out in the battle of Dienbienphu, and the frenzied attempt to mobilize an international army to keep Indochina for the French. Now that the American government has accustomed itself to the idea that Indochina is probably lost, the "coexistence" theme seems to be in for another round of popularity in the U. S.

Of course, the idea is popular throughout the world. In Europe as well as in Asia, the vast neutralist sentiment focuses on the hope that the Stalinist and capitalist worlds will find some way of living peacefully side by side. The only alternative to this idea is conceived as a nuclear war which would shatter a good deal of the material and social basis of our civilization.

The Russian rulers have been quick to capitalize on this sentiment for peace by proclaiming to all who would hear that in their opinion there is nothing to stand in the way of peaceful coexistence except the imperialist designs of capitalist rulers, especially those of the United States. Although most American leaders have been afraid to use the term (for fear of being charged with inclinations to appeasement if not with being Russian agents), they have put forth the same idea: Stalinism and capitalism could live peacefully side by side if it were not for

the Kremlin's undeviating intention to conquer the world by either political or military means.

Every politically sane person, of course, prefers peace to atomic war. But behind the idea of coexistence as a long-term "solution" to the world crisis lies the idea that the two blocs are capable not only of making a deal, but of making one which will last for a whole historic period.

IT'S AN ILLUSION

The November 21 issue of the New York Times carried a map showing "major points of friction between East and West." Listed were "Attacks on Allied Planes" (the arrow points vaguely to the ocean off Hokkaido), "Divided Korea," "Pressure on Japan," "Vest-Pocket War" (Quemoy), "Subversion in Southeast Asia" (pointing to Indochina), "Divided Germany," "Occupied Austria," "Agitation in the Middle East," "Conflict over Atom" (pointing to UN in New York), and "Violent propaganda attack" (pointing to Moscow).

The idea seems to be, that if the differences over these points of friction could be settled, peace would be at hand.

Actually, there is no reason at all to believe that the "frictions" in these areas can be negotiated out of existence.

Both sides have an enormous stake in preventing the other from taking all of Korea. The "vest-pocket" war is simply a part of the war for Formosa, and a good deal will have to change in American politics before that question will be negotiated (it is assumed that the Chinese will under no circumstances give up their claim to the island). The Stalinists will not stop their "subversion" in Southeast Asia, even though they may be willing to make all kinds of deals slowing up their conquests. And the division of Germany . . . well, there seems little use talking about it.

But even if all these present issues were bargained away over the table, even if nations were bartered like so many sides of beef, would that end the "friction" and the danger of a war to establish the Stalinist or capitalist systems over the whole world?

UNSTABLE PROSPECT

The people who made up the New York Times map must have been reluctant to give their Sunday readers a realistically gloomy account of the situation. For instance: in addition to "agitation in the Middle East," there is agitation in the whole of North Africa. True, this has very little to do with Stalinism today. But if the French continue to resist, and the Americans to back their resistance to, the demand of the peoples of this area for independence, how long will the Stalinists remain an insignificant factor?

And then there are France and Italy themselves. Right now Europe is experiencing something of an economic boom. The expert is yet to be found, however, who thinks that this is a really sound

reflection of the state of the European economy and its relation to the economy of the rest of the world. There is social peace in these countries today and a decline of Stalinism, and one tends to forget that the majority of the working class in both France and Italy still tend to look to their CPs for leadership. But a sharp economic dip would once more bring France and Italy to the top of the list of Stalinist danger-points in the world.

All this is simply in the way of illustrating how unstable and insecure would be any "settlement" between the Stalinist and capitalist worlds, even if one could be negotiated now. Political and socio-economic developments inside each of the blocs would continue to take place, and would have their effect on those few countries which still resist commitment as well as on the peoples in the other bloc. Friction would diminish only until some development in one or another part of the globe convinced the rulers in one of the camps that they could not afford to refrain from taking advantage of it.

The most recent round of events in Europe should emphasize the point. The Russian government has now started to use the same tactics against the Paris Pact as it did before against the European Defense Community. Although it would be going too far to say that it was Russian maneuvers which wrecked the earlier scheme before it could be launched, Stalinist actions certainly helped in its destruction. Now the unification of Germany is once again offered as bait to the Germans and the rest of Europe in exchange for non-ratification of the

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'Paralysis'?

An editorial in the N. Y. Post said it on Monday:

"What is more disturbing is the virtual silence of many anti-McCarthy groups during these critical days before the Senate vote.

"Not a word has been spoken on the issue by Americans for Democratic Action since the Senate debate began. As far as we can discover, the AFL and CIO are similarly avoiding any audible response to the pro-McCarthy clamor.

"It almost looks as though the liberal and labor movements are operating on the theory that they are truly suspect, and that only a lifelong conservative has the right to speak up against mccarthyism at this juncture.

"If ADA and related groups with long records of opposition to both mccarthyism and communism have lost their voices just as this battle reaches its most decisive stage, McCarthy has already won the central argument.

"Where are the liberal statements defining the underlying issues of the censure battle? Where are the public meetings to answer the know-nothing crusade?

"It is exactly this condition of liberal paralysis that the McCarthy mob has been trying to create.

"The McCarthyite noise is shrill and ugly, but the liberal silence may be even more ominous."

—N. Y. Post, Nov. 22.

UAW Conference Draws Up A Line of Battle for '55

By BEN HALL

One thousand local leaders and delegates of the United Auto Workers (CIO) met in Detroit on November 12-13 at a special Economic and Collective Bargaining Conference to review their demands in 1955 when contracts with the big auto companies expire, a moment when everyone in the union expects big events. They endorsed without significant opposition a program mapped out by the top leadership for broad gains in wages, social benefits, and job security.

And while Reuther avoided any proposal to fight for shorter hours now, he made big concessions to opposition elements who have been campaigning inside the UAW for the slogan "Thirty-Hour Week with Forty Hours Pay."

To bolster its fighting front, announced Emil Mazey, the UAW administration expects to ask the April 1955 convention to increase dues by \$5 a month to be earmarked for a strike fund of \$25,000,000.

Following are some of the demands for 1955.

GUARANTEED ANNUAL WAGE

There is now no doubt that the UAW intends to fight for a guaranteed wage plan, a plan that would protect the workers against short work-weeks and extended layoffs up to a total of 52 weeks.

In negotiations early this year two other unions, the United Steel Workers and the International Union of Electrical Workers, both limply suggested this demand but promptly dropped it when the companies frowned. It remains for the UAW to fight for this highly publicized goal.

Its membership has been readied for the struggle in years of agitation by its leaders at conventions, conferences and educational sessions. And now the time comes. The UAW leaders obviously do not intend to retreat; nor could they do so without demoralizing the members and stimulating the contempt of corporation executives who anticipate a serious campaign by the union, not mere lip-service.

The conference endorsed the demand unanimously as a 1955 goal. While the union attributes great importance to its Guaranteed Employment Plan, it claims no cure-all. "The Plan in itself will not eliminate boom-and-bust cycles. The UAW-CIO has never said it would," reads an official union pamphlet.

PENSIONS, HEALTH SECURITY, ET AL.

The union demands increased pension payments; broader coverage; establishment of vested rights for workers who would be able to quit their jobs without forfeiting accumulated credits; improved health and disability features including protection and coverage during periods of layoffs; overtime payments for Saturdays and Sundays as such, and triple time for work on holidays.

WAGES

A new argument is advanced for a wage increase. The UAW insists that the annual-improvement clause in its contracts was designed not simply to give the workers a stated increase each year but to provide them with a certain rate of advance in their standard of living.

In practical terms this means: If in one year a 4-cent wage increase is granted under the improvement clause, wages have then risen by 4 cents. *The next year* would require an increase of more than 4 cents in order to advance wages by the same percentage as the year before. In sum, the improvement factor must be treated as compound interest.

On this basis, the union demands more than 5 cents an hour to compensate the workers for increases they should have received since 1948 but did not.

That is for the past. For the future, the union demands an increase in the annual-improvement factor "to reflect more adequately actual changes in national productivity."

ESCALATOR CLAUSE

All major UAW contracts contain an "escalator" clause which provide for a rise and fall in wages with the cost-of-living index. At the conference, the union leadership proposed to make escalator clauses a permanent contract feature, ending all speculation on the advisability of dropping them.

However, in 1955 the union will demand, in effect, that these chances become what could be called "rising scale of wages" clauses. In brief, the union demands that fluctuations in wages up or down be per-

mitted only during the life of the contract; but once the contract ends, all wage increases then in effect are permanently added to the basic wage rate and may not be canceled out by a falling cost-of-living index. This is a final reply to every legitimate objection to the clause.

Past experience under the escalator clause is summarized in a conference report.

"During the Korean emergency, the existence of this formula and the determination of the membership of our union to fight for this preservation made it possible for UAW members and for workers throughout the American economy not only to preserve the buying power of their wages in the face of inflation but also to make actual gains in their living standards. This was in marked contrast to the World War II period when a rigid wage freeze in the face of rising living costs brought about a sharp decline in the buying power of wages by the time the war ended."

CONTRACT DURATION

The union is finished with long-term contracts. Contracts which expire next year had been in effect for five years. Now, it is announced, the union will sign for a maximum of two years and then only if the escalator clause and improvement demands are granted. If not, contracts will be limited to one year.

Behind this decision lies an uneasy feeling over the future. "In the face of potential changes of this magnitude [brought about by automation], the UAW cannot tie itself to long-term contracts," reported the union administration. "To do so would be to surrender in advance the freedom to intensify the fight for higher living standards at the very time when this fight may become more urgent than ever before. If only to maintain economic stability and full employment in the face of rapid progress in our ability to create abundance, it should be the policy of our union to insist on short-term contracts in coming negotiations."

SWITCH ON A SLOGAN

It was *automation* that loomed as the great problem of the future. The introduction of gigantic new machines and combinations of machines in the auto industry, regulated by automatic controls and fed by automatic conveyors, portends a great new industrial revolution which will change the character of factory mass production. Tedious hard labor gives way to skilled and semi-skilled maintenance trades.

"The typical auto workers of the future," predicts the UAW report on automation, "may be a skilled maintenance man, engineer, or analyst. Many of the unpleasant jobs will be eliminated; the work clothes of today may be largely replaced by white shirts in the factory of tomorrow."

But meanwhile, awaiting the happy tomorrow of white shirts and collars, automation is not only a promise; it is a threat. As automation is introduced it immediately brings a reduction of 25-30 per cent in direct labor. The union estimates that 200,000 workers in a fully automated auto industry could out-produce one million men of today.

If the union remained passive, mass permanent unemployment would be inevitable. Even now, because it is more economical to build completely new automatic factories rather than reconvert the old, production is shifted, shops closed down. Old classifications, trades, and seniority lists are disrupted.

In part, Reuther counts on the Guaranteed Wage to soften the effects of the transition period. If employers are forced to guarantee their workers a year's pay, they will calculate all alternatives before shutting down plants and throwing men on the streets.

But from a long-range view, the union is compelled at last to consider the shorter work-week. This conference was the scene of a complete about-face by the UAW leadership on this question.

"The enormous potential of automation promises that within a relatively short time, it will be possible for us simultaneously to have both substantially increased living standards and greatly increased leisure in which to enjoy the abundance that we can create. Our union therefore looks forward to the day when we will take our place in the vanguard of the American trade-union movement, in the next round of the historic struggle for a shorter work-week. This day we know is not distant. Barring an increase in international tensions requiring greatly increased diver-

Coexistence Illusions — —

(Continued from page 1)

Paris Pact. At the moment it seems that the major capitalist allies are standing firm against the latest Russian maneuver. But Molotov is far from having played his last card.

IMPERIALIST AIMS REMAIN

He proposes a conference at the end of November to settle Europe's problems. Then he is willing to move the date back, if the ratification of the Paris Pact will be postponed. The Russians are now for an election in Germany by secret ballot. Tomorrow they may come out with proposals even closer to meeting West German demands for unification, especially if they are sure they will not be accepted. But at all times the objective remains the same: keep Germany from going over completely and irrevocably to the American bloc, while at the same time keeping an effective Russian foothold in East Germany.

All the Russian propaganda about coexistence does not change Russian policy on this vital matter. And the same holds true for American policy. It may shift and waver somewhat this way or that, but it will yield neither Germany nor Japan to the Russians.

One of the troubles with "coexistence" as it is meant by the neutralists is that it is an end-objective of policy. That is, it is not thought of as a breathing-spell during which the peoples of the world can rally themselves to do something for themselves. It stems from a basic attitude which concedes to the rulers of the Russian and American blocs the real power, the ultimate say in world affairs, and regards the masses as a passive instrument of their will.

Third Camp socialists are against war. But they are also against the idea of "coexistence" through imperialist deals. This does not mean merely that they reject as immoral the notion that the hope of the world lies in its peaceful division between rival imperialisms. It means that they devote their energies to teaching the idea that if humanity is to have peace in the long run, and is to become free, it must organize and mobilize itself against both war blocs and struggle for its own interests, its own emancipation.

Farm Workers

The AFL has recently reminded us of the extraordinarily depressed condition of the farm workers even in an America which is coasting along on a war economy. "In the spring of this year . . . the average hourly pay for hired farm workers was only 58 cents an hour. . . .

"During the peak harvest season . . . the average wage for hired farm workers was 68 cents. This is 2 cents less than at the same time last year. . . .

"The lowest pay is in the southern states, which have the majority of the hired farm workers. The average in October in South Carolina was not quite 40 cents an hour. It was 45 cents in Georgia and Mississippi, and only two cents higher in Alabama and Tennessee.

"These wage levels contrast not only with the 75-cent minimum of the Wage-Hour Law but with the \$1.81 per hour earned by the average factory worker in September of this year. In the southern states alone, the average factory worker is now paid roughly three times as much as the average hired agricultural worker.

sion of economic resources to defense production, the timing of the fight for a shorter work-week depends basically on the rate of acceleration of productivity advances and the degree to which our growing productivity potential is utilized."

What emerges from this spiral of circumlocutions is this: the UAW must begin to fight for shorter hours. The leadership, however, must sprinkle its declaration with qualifications . . . it had been arguing for over two years that the American workers needed not more leisure but more goods and that therefore the demand for shorter hours had to be rejected.

Paul Silver, a leader of a small opposition tendency, told the delegates that he welcomed the statement on shorter hours; but he was suspicious: would Reuther really fulfill his pledge? In reply, Reuther went further to nail down the promise. While rejecting the demand for shorter hours as a plank for 1955, he bluntly announced that it would become the major union objective once the guaranteed wage had been realized. The shorter work-week now comes alive as a living union goal.

DE MORTUIS NIL NISI VERITAS

Vishinsky, Faithful Servant

As the UN held its conventional session of mourning and eulogy for Andrei Vishinsky, dead by heart attack, the difficulties were greater than usual for the famous diplomatic task of using language to conceal thought.

The best that can be said for him is that he was a faithful servitor to butchers, brutes and bloody hangman of the people.

The present generation may know his name only as Moscow's mouthpiece at the UN, vituperating or cooing as the current line might dictate. His road to this relatively pleasant occupation was through his services as one of Stalin's leading tools in the systematic murder and physical destruction of the Bolshevik generation that made the revolution.

Vishinsky was among the large number of the Stalinist cadre who had been violently anti-Bolshevik Mensheviks up to the point where they were convinced that it was time to jump on the bandwagon of a new power. In Vishinsky's case, this was 1920.

Typical also of this careerist influx was the fact that Vishinsky, like most of the rest of the ex-Mensheviks, combined with Stalin against the Bolshevik old guard and the Trotskyist opposition.

Indeed, Vishinsky first made his mark in this field. A sketch of his early life appeared in LABOR ACTION for Nov. 12, 1951, reprinted from the bulletin of Former Political Prisoners of Soviet Labor Camps.

As rector of Moscow University, Vishinsky was called "the red-haired lackey" on account of the crass openness with which he licked the boots of anyone in any authority who could stand his toadying.

At the end of 1927 Vishinsky managed to attract the attention of more important personages. It was at the height of the struggle between the Left Opposition

and the Stalinist counter-revolution. At the university auditorium a debate took place between Rakovsky and Yaroslavsky; the student majority clearly hailed the anti-Stalinist Rakovsky, and he was being carried out to his car on the shoulders of students when Vishinsky intervened on behalf of the Stalinist power. The account relates:

"At this moment the rector of the university, Vishinsky, in plain sight of the thousands of students assembled there (many of them were non-partisan), placed his fingers in his mouth and began to whistle [equivalent of booing]. He obviously was trying to provoke a scandal, and his attempt succeeded, but in an unexpected direction. The students nearest him threw themselves upon him and beat him up. At first they slapped his face, and when he fell, they kicked him with their feet. Without his eyeglasses, which he had lost in the shuffle, with a bloody nose, urged on by kicks, Vishinsky crawled on all fours to get away from the crowd of angry students. On the following days, whenever he appeared at the university, the students shouted at him: 'Whistler! Hooligan! Red-haired lackey!'"

To such a degree was he held in contempt. He had to be removed as rector, but a man with his talent for conscientiously licking the boots of the powers-that-be had to be rewarded.

He reached a new plane of importance as the prosecutor appointed by Stalin to act the bloodhound at the infamous Moscow Trials of 1936-38, in which the dictator shot down the whole generation of Old Bolshevik leaders, Zinoviev, Kamenev, Bukharin, Piatakov, and others, in a frame-up particularly directed against Trotsky in exile.

Fate permitted Vishinsky himself to die of natural causes.

The Twilight of Empire

By J. F. HORRABIN

Seventeen years ago, in 1937, I was responsible for a small book entitled An Atlas of Empire (Gollancz). It aimed, said its preface, at "providing a compact illustrated catalogue of those areas of the world's surface which are the property, not of their inhabitants, but of some other alien state."

A great deal has happened in this matter of empires during those seventeen years—much more than one would then have dreamed possible within so short a period; and an Atlas of Empire would be a considerably smaller book today. It is worthwhile recalling if only to make ourselves realize that history is indeed being made in our time.

The book covered the overseas possessions of eleven states—nine European, one American (the U. S.), and one Asiatic (the Japanese). One of these, the Japanese, has been completely liquidated (as the empire of a European state, Germany, had been liquidated after that country's defeat in the First World War).

The empires of the European states have, for the most part, been considerably reduced in extent, only the smaller, less "far-flung" ones remaining as they were before. Thus Belgium still possesses the Congo, Denmark still has Greenland, and Spain her two or three areas in northwest Africa.

Portugal, too, holds on to her African territories; but her sovereignty over Goa is now being vigorously disputed by India, and Indonesia is questioning her right to remain in the island of Timor. Italy's African empire has been largely lost: Abyssinia and Libya have achieved independence. The Dodecanese Islands in the eastern Mediterranean have been handed to Greece.

In 1937, the U.S.S.R.'s only overseas

possession was the northern half of the island of Sakhalin. She has now acquired the southern half also, as well as the Kurile Islands. And within Europe itself, of course, she has added to her territories the three previously independent states of Lithuania, Latvia, and Estonia. (I am not here concerned with "satellites").

The greatest changes have occurred in the British and Dutch empires. The East Indies, Holland's most important possession, is now the independent republic of Indonesia; the Dutch retaining only Western New Guinea. Surinam and the Dutch West Indian islands have been given new constitutions making their inhabitants full citizens of the Netherlands.

EMPIRES SHRINKING

Britain's great Asiatic empire has dwindled to an extent that would have seemed quite unbelievable seventeen years ago. India, Pakistan and Ceylon are independent sovereign states, though still members of the Commonwealth. Burma is independent and outside the Commonwealth. In the Nearer East the Palestine mandate has ended, and Palestine and Transjordan have independence.

On the other side of the Red Sea British control of the Sudan has ceased, and she is moving out of the Suez Canal Zone. (But this change has brought about a reassertion of her claim to Cyprus.) The British possessions in Africa remain as they were; but constitutions have been given to Nigeria and the Gold Coast, and the latter is a long way advanced toward complete self-government. (Whether the recognition of the right of Africans to full equality in the Commonwealth will result in the defection of the Union of South Africa remains to be seen.)

Across the Atlantic, some advance has been made toward a federation of the British West Indian islands. Jamaica and Trinidad have new constitutions. So has British Guiana on the mainland—though this so far has not had entirely happy results. In North America, Labrador and Newfoundland have become part of the Dominion of Canada.

So far France's overseas empire has decreased less than others. But Syria was lost at the end of the last war, and Indochina has now gone. The French spots of territory in India are being given up. Tunisia has been granted home rule, and it is sufficiently apparent that the present situation in Morocco cannot last much longer. Only in Africa south of the Sahara do the French possessions—like the British and Portuguese—remain as before.

The American empire overseas has been reduced by the grant of independence to the Philippines, but increased by the virtual acquisition of Okinawa and other Pacific islands near Japan and the Chinese mainland. But American imperialism has always turned more on economic and financial penetration than on outright political control; and recent events in Central America have indicated that, under the present Republican régime, the old "dollar imperialism" is not dead.

But the world has taken some long steps toward freedom, racial equality and democracy since 1937.

—Plebs Magazine

Was He Joking?

Excerpt from the Parliamentary Report of the British House of Commons, Nov. 2:

"MR. PAGET (Northampton, Lab.) asked how many of those /H-bomb/ explosions it would take to make the atmosphere lethal, and whether they were cumulative.

"SIR WINSTON CHURCHILL said he believed they were cumulative, and certainly an undue number of them might have very serious effects. He was informed, however, that 5000 years was about the limit of the time during which the atmosphere would be afflicted.

"There was some laughter at this, and Sir Winston Churchill added that he did not mean to treat in a facetious manner what was perpetually in everybody's mind."

Was He Serious?

"The doctrine of original sin was called 'one of the primary sources of the American system' in an address by Wiff Herberg . . . according to a verified dispatch from Washington in the N. Y. Times, Nov. 10.

Stoolpigeons or Scholars?

Here are some more details on the case of the three Hunter College professors, fired by the New York City's Board of Higher Education because of their refusal to turn stoolpigeon and name other past members of the CP, in addition to admitting their own former membership.

The following vignettes from the "trial" of the professors are from the October issue of Rights, published by the Emergency Civil Liberties Committee.

By EDGAR STILLMAN Jr.

The three teachers—V. Jerald McGill, Louis Weisner, and Charles W. Hughes—each declared past Communist Party membership to a Board of Higher Education Trial Committee headed by lawyer Charles H. Tuttle. Throughout lengthy preliminary investigations, however, these three refused on grounds of conscience to name other members of long ago. The Trial Committee insisted that conscience was just another dirty word, a trick to hide evil and necessarily unstated reasons.

This lust for names—characteristic of all investigating committees—disturbingly pervades the pages of the Trial Committee's report, even though the Committee's enabling resolution of 1953 never warns teachers that they would be questioned about others' activities. It demands only

Spare That Jail!

Excerpt from a letter to the editor in the Pittsburgh Post-Gazette:

"Editor, the Post-Gazette:

"I hereby second architect Professor Shear's letter of Oct. 22. The jail is an integral part of the Court House and should not be severed from it. This architectural composition is the masterpiece of Henry Hobson Richardson. . . .

"The Post-Gazette says: 'The jail is singularly unattractive.' The layman is not qualified to judge. . . .

"With the yard walls and the window bars removed it would not be a jail but a thing of beauty. . . . This building is a precious and priceless thing like the cathedrals of Europe and should be preserved for posterity.—EDWARD J. WEBER, Registered Architect."

that those questioned answer "with respect to their possible past or present membership in or association with any organization that advocates or teaches the doctrine of the forceful overthrow of the Government of the United States."

On Sept. 31, when the three professors and their lawyers met with the full Board for decision, the impossibility of a fair hearing was clear. In the absence of a criminal trial's impartial jury and sanctions of due process, or without the intelligent appraisal of one's peers in a departmental hearing, the Board could have paid especial attention to Osmond Fraenkel's response to one of their questions. He had been asked how he, as defense attorney for Professor Hughes and Weisner, could believe their sworn statements concerning Communist Party resignation. "In any decent society, in any family, in a home, people come to know the truth in what they say to each other," he said. "If you have a husband and children, madam, don't you know when they tell you the truth?"

"Where is the evidence of his moral disturbance?" another Board member asked of Dr. McGill. "Where's the general revolution accompanying the reversal of his views?" Apparently this man accepted as the normal behavior of the ex-Communist the dreadful public catharsis of a Chambers.

When told that the chairman of Dr. McGill's department of philosophy, Dr. O'Gorman, had been unwilling to sign his original suspension, and had declared his faith in the character and professional ability of Dr. McGill, adding that he had never seen any attempt of indoctrination inside or outside the classroom, Mr. Tuttle replied: "Isn't it true that indoctrination can be too subtle for detection?"

SO-CALLED TRIAL

When Dr. Margaret Spahr, lawyer and member of Hunter College's faculty of political science, who voluntarily and without pay served with Ernest Angell as Dr. McGill's co-counsel, affirmed her colleague's right to refuse to turn informer, declaring that the board was powerless against his refusal, Mr. Tuttle began shuffling papers like a man caught in a high wind. "We can't do anything about it?" he fumed, taking off his glasses to stare at Dr. Spahr. "We can fire him," he shouted, and looked around at the table.

At another point during that long eve-

ning, Mr. Fraenkel urged the Board once more to consider the simple immensity of the events upon which they were about to render some kind of judgment, to see these events in their contexts, to understand that his clients had acknowledged and corrected their mistakes, and now must be permitted to live.

"Yes," Mr. Tuttle answered. "But why must the Board live with such people?"

The Trial Committee report described as the evidence of "outsiders" the testimony of Prof. Richard McKeon of Chicago University and Prof. Houston Peterson of Rutgers University that Dr. McGill was a distinguished fellow-philosopher of great personal integrity. In reply, Tuttle said, "Alger Hiss had two Supreme Court justices for his character witnesses."

And in Dr. Spahr's powerful brief, the following notation occurs:

"A minor indication that guilt has been presumed, but one which has outraged faculty opinion at Hunter College, is that the names of all three respondents have been dropped from the 1954-55 catalogue of the College, although the catalogue went to press long before the Trial Committee presented its report."

Because of our limited space, it is not possible to discuss in detail the facts of Dr. McGill's hearing, let alone the equally distressing facts in those of Hughes and Weisner.

One point Dr. Spahr made, however, demonstrates the implacability of the Board, their furtive brutality. During the painful preliminary investigations of the accused, which were utilized, as Dr. Spahr wrote, "to offer the respondents themselves as the sole witness against themselves," Dr. Weisner said that in 1941, the year Dr. McGill said he resigned, he had gone to Dr. McGill to ask him to return to the Communist Party. This must mean, Dr. Spahr argued, that at least one Communist said that McGill had resigned. Other witnesses, non-Communist, had declared that he was non-Communist after his stated 1941 date of resignation. Who, then, could persuade the board? The former Communist could not, because as the Board believes, Communists are always liars. Non-Communists could not, because as the board argues, how could they know? They weren't Communists, and everyone knows that the Communist Party is a conspiracy. Who, then, could persuade the board? The question was left unanswered.

SPOTLIGHT

Continued from page 1

BOOKS and Ideas

Andersch: 'The Cherries of Liberty'

A Novel of a German Deserter

THE CHERRIES OF LIBERTY, by Alfred Andersch. Originally published in German as *Die Kirschen der Freiheit*. This review is based on the French translation, *Les Cerises de la Liberté*, Editions du Seuil, 1954, 134 pp.

By JAMES M. FENWICK

If the raw material of existence were not simply a necessary, though insufficient, basis for the appearance of a literary masterpiece, then surely the great novel of our times should arise out of Germany. In no other country has the dilemma of modern capitalism, the social order which has held indisputable sway over the world for 20 years, been more typically revealed than in this land of poets, thinkers, and crematoria victims. The history of the forty years since 1914, when German troops penetrated almost to within sight of Paris, down to the Bonn government's recent re-establishment of the Wehrmacht, Christian-Democratically rebaptized the Streitkräfte, constitutes a panorama which in breadth, variety, and intensity of experience is ripe for a fictional synthesis.

How many times during the war in Europe as the war crashed over and beyond us all, did we ask ourselves the question: *What, in both a political and personal sense, are the German people thinking?* The question is still not readily answerable.

Not, however, in regard to the high Nazis. The Allied tribunals and the official researchers have sufficiently established that. Nor in regard to the German generals who came into the PW camps complete with dog-robber, monocle, suggestions for the breakfast menu, and the early installments of their memoirs neatly typed in triplicate in their briefcases.

What, rather, were the inner dramas of the rank and file with which history is realized? What were the thoughts, for example, of those hundreds of PWs still in their camouflage jackets, stirring fitfully in their sleep under the starlight as we pulled guard over them in a field in France in August 1944?

IN THE YCL

The documentation is beginning to arrive. Alfred Andersch's *The Cherries of Liberty*, classified as a novel but obviously heavily autobiographical, is the testimony on this epoch of one of those anonymous millions in whom the modern state normally expresses only statistical interest.

The story begins after the First World War with the collapse of the Bavarian Workers' Republic. From the balcony of his home the author, then a boy of five, sees participants in the revolutionary regime being led into a courtyard to be shot. His father curses them.

The father, an officer in the war, in which he had received a wound from which he was later to die, was an ardent nationalist, a supporter of Ludendorff. He was a man who "with complete unselfishness had dedicated himself to a political idea and found in it his own ruin. If my father didn't have a cent it was because with the defeat of Germany he had suffered a personal defeat as well."

Six months after his father's death

Andersch joined the Young Communist League. "It represented something absolutely new for me; trembling, I sucked in that wild breath of life which aided me in freeing myself from my petty-bourgeois milieu. The word 'Revolution' fascinated me. . . . I went from the nationalist doctrines of my father to the ideas of socialism, fraternity, freedom of the oppressed, and military defeatism."

From reading Upton Sinclair and the *Arbeiter-Illustrierte Zeitung*, "so brilliantly edited by Muenzenberg," he went on to Bukharin's *Historical Materialism* and the publications of the Third International. At eighteen he became one of the leaders of the Bavarian YCL.

Andersch admired the working-class types whom he found in the movement: ". . . I cannot forget the spiritual strength that they radiated; today when I happen to hear some pasty-faced businessman in a double-breasted coat mouth what he thinks are ideas I immediately think of Hans Beimler and his leather jacket."

GAVE UP STRUGGLE

Despite all the activity Andersch and his comrades were engaged in, by the winter of 1932-1933 the movement lived in the shadow of defeat, of almost complete immobility before the Hitler menace.

"We had no arms. The YCL in Munich had around a thousand members; if we had been well organized, supported by the party, and properly armed, we could have made a hell of Munich in two hours. We were the victims of a determinist philosophy which denied free will. We spoke endlessly of the masses which our organization lacked, without seeing that the workers would have followed us if we had decided to act. The enemy was in motion; we waited for the order to begin. No, we did not expect it; we knew that the party would not issue a single order. Neither the Communist Party, nor the Socialist Party, no one."

The Hitlerites took over without a struggle. Andersch was arrested and sent to Dachau. Through the intervention of his mother he was released on the basis of his father's war record. Arrested once again, he was again released through the tenacity of his mother. "When I left the police station," he says of his second arrest, "with the late afternoon September sun tracing a silver web on the Renaissance façade of the church of St. Michael, I knew that my activity within the Communist Party was at an end."

"To the totalitarian state," says Andersch, "I replied with total introversion." He tried to forget everything by immersing himself in art. He read Rilke and Kleist, saw the Falckenberg production of *Cymbeline*, listened to jazz, wrote, traveled. There were great moments ("the Umbrian hills seen from Orvieto") but, he says, "the price I had to pay for this emigration outside of history was very high, higher, indeed, than that which I had to pay when I was living with the Communist Party within history."

FEAR AND COURAGE

But there was nothing else to be done. "The enormous technical resources and the planned organization of the modern state founded on terror and propaganda can no longer be fought, as was formerly the case, with the weapons of religion, humanism, or socialism. Given the Gestapo or the Ministry of the Interior, the underground printer and the terrorist are no longer anything else than touching figures out of the past century."

This period was brought to a close when he was drafted. The year 1944 found him in Italy, resolved upon desertion, the act which was to give meaning to his life.

And why not desert? The Nazis, he says, had brought his youth and the revolution to nothing. They had executed his comrades while their own elite was still alive. "They had corrupted the Communist Party: out of a party of freedom and revolution they had made a party of bureaucrats utilizing the leadership cult and fascist methods of struggle for their own ends." In drafting him they had likewise destroyed his retreat into esthetics and into a private life.

There were reasons of the future, also. "I did not have the least idea in the world of surrendering unconditionally as did the troops who were made prisoner. I wished to give up voluntarily and reserve to myself the right of posing my own conditions. (It goes without saying that I was not thinking of asking for favor-

able treatment in prison camp but of the post-war political situation.)"

"Finally," says Andersch, quite simply, "I wanted to desert because I was afraid of going into combat and of having to die, whether either act had mean-ign or not."

For Andersch, fear and courage are both parts of human nature. To destroy either of them is to provoke the death of the soul. "I would never have had the courage to desert if I had not been cowardly to the same degree that I was courageous." The preservation of these polar qualities is necessary for the retention of the feeling for liberty. In general, we cannot escape the destiny of the masses. It follows that "in our lives liberty exists only momentarily, but we live for these moments—these unique illuminating instants in which our heightened consciousness is turned against destiny and creates a new destiny."

As the convoy moves south to its inevitable capture by American troops, Andersch deserts. Alone, unable to trust any of his buddies, he moves across the countryside by map and compass toward the American lines, savoring the moments of liberty between one captivity and another. He comes upon a wild cherry tree and begins to pick the fruit. In the distance he can hear the muffled roar of American armor.

"They can wait, I said to myself. I have time. Until I finish eating these cherries the time is mine. I baptized them *cilieghe diserte*, cherries of flight, cherries of the deserter, the wild cherries of the desert of my liberty. I ate several handfuls. They were newly ripe and tart."

A POLITICAL LIFE

What is there about this slim volume which makes such an immediate appeal to a socialist? First of all, it is a life experience viewed *politically*.

Beginning with the opening lines, "I no longer exactly remember when the Workers' Republic collapsed at Munich," the author's political insight permits an understanding of the contemporary human condition which is impossible in most current literary productions. That Andersch's politics is at one and the same time revolutionary, pacifist, and liberal creates some inconsistency and inconclusiveness. But in the over-all, it permits him moving effects hardly possible with any other approach.

In the Horney typology Andersch is obviously a detached type. This permits him, as a spectator rather than as a participant in his own life, to describe it with great objectivity. And, as a solitary, he is able to see the role masses play in the contemporary world. But this constant tender concern for and identification with the fate of the masses throughout the novel—this informed sympathy—is a product of his political background and is an approach almost inconceivable in this country today.

His humanist warmth, untouched by the chill impersonality of the arts or academic, is revealed in the breadth of his attachment to the living world. He can discuss Huizinga's *The Waning of the Middle Ages* and the Lockheed F-94 *Starfire* all-weather interceptor, Tiepolo and Kesselring, the cypresses of the Villa d'Este and the soldier's oath, Plato and *The Bicycle Thief*.

Pervading the book is a sense of the dignity and worth of life. It is an effect achieved in significant part by Andersch's integrity and honesty. He does not boggle, for example, at giving the less ingratiating reasons for his desertion—a subject which in itself was not popular in post-war days in Germany. Nor, again, is he one of those miserable camp-followers of the imperialists who, having passed through the Communist Party in his younger days, feels constrained to revile it in a queasy middle age.

HEAD BEATEN DOWN

All of this is synthesized by a style of the utmost simplicity. The whole last section of the book describing the progress of the convoy down the Via Aurelia is a minor triumph. If sensitivity to the atmospherics of existence is one test of the artistic temperament, then Andersch is richly endowed. In one scene after another—soldiers sleeping at noon in a Tuscan garden; the dusty convoy moving slowly under the silvery olive trees at night; Allied bombers swarming in inexorably from the sea; the lull in the fighting in Italy on June 6, 1944, "that

that is pushing for such polarization today, while the liberals desperately fear it. Let no one think this fear is the result of realistic calculation. It is the reflection of cowardice and panic. The record of the liberals on McCarthyism, as on civil liberties in general, is a stink in the nostrils of history; and it is a good thing that the *N. Y. Post* has gotten around to saying something almost as blunt, as quoted elsewhere in this issue.

It is because of their theory that on no account must there be a polarization in American politics that the liberals deduce the consequence that it must be the right-wingers, and not they, who fight McCarthyism. They draw back in terror at the idea of presenting liberalism (whatever they understand by that) as the militant alternative to McCarthyism.

This is not a surprising course for liberalism. It happens that, for quite unrelated reasons, we have been reading Konrad Heiden's *Der Fuehrer*, his close-up account of the rise of Hitler to power. Analogies between McCarthyism and Hitlerism tend to be superficial, but there is many a parallel in political pattern. And of course, in the German development, one of the outstanding features was the similar theory of the "Left" (including the social-democracy) that the threat of Hitler could best be staved off by those who were most akin to him in politics while opposed to him in the power struggle.

But kinship in politics turned out to be more important than rivalries in the power struggle.

Whatever are the capabilities of the Democratic liberals for learning this, it is a lesson that labor must learn.

day when the war in Italy placed its ear against the ground to hear the war in Normandy"—the whole atmosphere of the war is beautifully evoked.

Andersch's book is not the great one on the period—the terror and the historic sweep are missing. But beyond the values already indicated, the book is of symptomatic interest for the answer it gives to a central, nagging problem of our times: Bereft of old certainties, old ideologies, what can man do confronted by the totalitarian state? Andersch's answer is: very little. It is another unhappy proof that in our times there has been a subsidence of all values. There is no *hybris*, no defiance of the gods, just a last-minute desertion in discharge of one's moral obligation to society.

PESSIMIST

The value of *The Cherries of Liberty* is descriptive, not prescriptive. Andersch's outlook is pessimistic.

He speaks of the concentration camps of the future. His religious existentialism (of a low order of intensity, incidentally) is more rigidly determinist than the determinism which he ascribed to the Communist doctrine. He is elsewhere more hopeful—but it comes down to little more than a nuance. In discussing the soldier's oath (which played a certain rôle in German post-war political discussion) Andersch says of the army of the future:

"This army of volunteers will grow in the case of a just defense of a country against an unjust aggressor. From the beginning of the war it will be augmented by new volunteers and will be supported by numerous partisans created automatically by the crimes of an enemy deceived by the mirage of power.

"The future belongs to the society which can create such an army, even if it loses battles, even if victory escapes it. And even in defeat its spiritual superiority will turn the conqueror into the conquered in the eyes of history."

The Cherries of Liberty is obviously not a book of ringing affirmations, especially those types of affirmations which might conceivably be welcome during this period of the humiliation of the American intellectual. It is also a book which evokes memories that the ruling circles in this country are more and more glad to see obliterated in the interest of the struggle against Russia.

The book, therefore, is not likely to be translated. And in view of the quicksand of trivia swallowing us up today, it is a pity.

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You're Just Too Darn Idealistic

Youth's idealism, according to a N. Y. Times story of November 1, was given as an argument against the 18-year-old vote in a recent youth forum.

Dr. T. V. Smith of Syracuse University, guest at the forum, noted that while he favored youth's having "a voice in politics," "young people were prone to carry idealism into politics and expect too much from government officials." For example, he continued, they might take seriously what is said during the campaign period.

They might expect candidates to fulfill certain campaign pledges, thus showing an improper attitude about the ways of politics. And they might also assume that the candidates and their backers meant what they said in their attacks against their opponents. They might not then completely understand it when one candidate, after impugning the honesty, integrity and morals of another, resumed friendly relations with his opponent after election day. This "facet of politics," said Dr. Smith, might not be understood by youth and in their idealism they "might spoil" it.

We doubt, by the way, if youth would do all of these things. For young Americans are unfortunately more cynical and disillusioned than Dr. Smith gives them credit for. But we have rarely heard a better argument for the 18-year-old voting age than this one.

At the University of Chicago: What Happened in the Student Election?

By DEBBIE MEIER

The University of Chicago was the scene of a sad and disappointing election a few weeks ago. The Student Representative Party (SRP), the more liberal and militant of the two campus political parties, suffered an overwhelming defeat in the Student Government elections.

Out of a total of 45 seats, SRP received only 3, and its opponent, the Independent Student League, received the other 42! It was probably the most one-sided election since the formation of Student Government at the University of Chicago.

What does it mean? Why did it happen?

First of all the sting is not quite as bad as it seems at first glance. Percentage-wise the SRP did much better, receiving over a third of the total votes (and only 7 per cent of the total seats). Besides it was not contesting (for a variety of unavoidable circumstances) 8 seats for which the Independent Student League was running candidates. Thus in actual fact SRP probably would have received considerably more than a third of the votes had it been able to run a full slate of candidates.

POOR CAMPAIGN

Nevertheless SRP, no matter how one analyzes it, received fewer votes than it did a year ago when it also lost the Student Government elections, and considerably fewer than it did 6 months ago when it was victorious in the all-campus elections of the National Student Association.

One of the reasons undoubtedly lies in the sloppy and disorganized campaign run

by the SRP, especially in contrast to the efficient campaign conducted by the Independent Student League. SRP lost many of its activists this year and took considerable time getting on its feet, not beginning any real campaigning until a few days before election.

The Independent Student League, on the other hand, was actively, although sometimes subtly, campaigning throughout the first month of school. It attracted many new students and increased its total active membership.

SRP on the other attracted very few new students. Unfortunately SRP has recently developed the kind of "in-group" feeling which often hinders it in approaching new faces.

Then, of course, one must not ignore the changes which have taken place at the U. of C. in general. While the tech-

nical sides of the campaign took their toll, they are part and parcel in some ways of the new "trend" on campus (see article in June 28 issue of Challenge by Edward Hill).

The campus atmosphere this year is undoubtedly more conservative and conventional. The fraternities are more active and conspicuous than ever before. The average student is undoubtedly considerably to the right politically of his counterpart of the past few years.

While the last 6 months have seen an absolute increase in the size of radical groups on the campus, we should avoid the too easy assumption that this indicates a growing radicalization of the campus. For precisely the same tendencies which are responsible today for increasing the number of radicals on the campus probably result in far more significant increases in the number of outright reactionary students.

MISLEADING ISSUE

But something else must be added, in this writer's opinion, to explain this crushing SRP defeat. And that lies in the nature of the campaign and thus also of the politics of the SRP.

The major issue of the campaign on the part of SRP was the issue of Student Exchanges with Russia. The Independent Student League made its bid on a variety of questions: it attacked SRP's "preoccupation" with "off-campus" issues, and in doing so suggested subtly the "Stalinoid" tendencies of SRP; it emphasized and boasted about its own "responsible" and cautious approach; it promised above all else an expansion of student ticket agencies, and other such student "conveniences"; etc.

But SRP replied with one issue above all others: the Independent Student League had voted in the NSA convention against a Student Exchange program with the USSR.

Now there is no doubt that the Independent Student League delegates to the NSA convention were motivated by the typical undemocratic reasons paraded by our State Department. Yet their rationalizations during the election for their stand were never actually answered by SRP.

The Independent Student League declared itself in favor of any student-exchange program that was free and unfettered, which, they continued, cannot be the case today with Russia. The SRP countered with the following position: coexistence is essential; in order to have coexistence we must have international understanding and respect, etc.; and to have this we must have international student exchanges with Russia. But the Independent Student League replied, there

(Continued on page 6)

INTIMIDATION ON THE CAMPUS —

The Oath: A Non-Signer's Story

Readers of Challenge are familiar with the issues around the new ROTC loyalty oath which hit many campuses this fall. Because we feel that it will be of interest, we present below a document written by a student at university in which the "oath" is a lively issue. Written from a personal point of view by a "non-signer," it describes the experiences of this student with the witchhunt.—Editor.

By A NON-SIGNER

The ROTC loyalty-certificate issue struck more swiftly than lightning at our campus; there was no preceding thunder. Most of the men taking ROTC on campus heard nothing of the oath until it was handed to them on the first

day in class.

The oath itself listed the names of about 250 organizations. The signer was required to give the names of any of these organizations of which he was a member or by which he was employed. Also, if he had been present at any organizational activities, or sold or distributed literature, or been identified in any other manner with any organization, the signer was required to list these organizations.

The students were instructed to look over the form, sign it, and return it that same hour. If necessary the student could take the oath home and bring it back to the following class meeting.

This new loyalty certificate was the result of a rider attached to a defense appropriations act passed by the recent 83rd Congress. The act stated that "No part of the funds appropriated herein shall be expended for the support of any formally enrolled student in basic courses of the senior division, ROTC, who has not executed a Certificate of Loyalty or Loyalty Oath in such form as shall be prescribed

by the Secretary of Defense."

The issue here has been characterized by three situations.

INTIMIDATION

When it became evident that there would be a few who would not sign, the military and the school administration became embarrassed over what the policy would be toward these students.

If non-signers could not use Defense Department funds, this would mean in the most literal sense that non-signers could not be issued uniforms, books, or receive instruction from the paid officers. As ROTC is required for graduation at our school, would non-signing mean subsequent expulsion from the university?

After a few indecisive days the military and the university made up their minds. The military decided that non-signers would not receive uniforms, but would be issued books and receive instruction. The university decided that credit would be given to those who did not sign. The non-signers therefore were allowed to remain in school, but had to drill every week in civilian clothes while the others marched in uniform.

The second stage of the issue came in the form of "amateur intimidation." All the non-signers were hauled before the commanding ROTC officers, one at a time, and talked their situation over. These talks were on a very low intellectual level, vacillating between sympathy, argument, and a meager attempt at intimidation.

One of the officers showed one non-signer a health certificate and claimed that there was no difference between that and the loyalty oath. He inquired whether the parents of a non-signer believed the same things he did. He offered to let one non-signer use his own private secretary and military typewriters to draw up a statement of why this particular student didn't sign.

(Continued on page 6)

The YSL's Aim

The Young Socialist League is a democratic socialist organization striving to aid in the basic transformation of this society into one where the means of production and distribution shall be collectively owned and democratically managed. The YSL attempts to make the young workers and students, who form its arena of activity, conscious of the need for organization directed against capitalism and Stalinism.

The YSL rejects the concept that state ownership without democratic controls represents socialism; or that socialism can be achieved without political democracy, or through undemocratic means, or in short in any way other than the conscious active participation of the people themselves in the building of the new social order. The YSL orients toward the working class, as the class which is capable of leading society to the establishment of socialism.

—From the Constitution of the YSL

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SCHOOL IF ANY

The Brief on the Shachtman Case:

Last week, our front page announced the appeal on the Shachtman passport case, and the filing of the brief with the U. S. Court of Appeals. This brief is of special importance to the field of civil liberties in this country since the Shachtman case is the first where passport was denied on explicitly political grounds and the only one in which the State Department itself has tied the case up with the Justice Department's "subversive" list.

Following is that section of the brief, filed by Attorney Joseph L. Rauh Jr. and associates, which is entitled the "Argument."—Ed.

SUMMARY OF ARGUMENT

Appellant was denied a passport solely because the Independent Socialist League, of which he is Chairman, appears on the Attorney General's Designation of Organizations in Connection with the Federal Employee Security Program. Appellant contends that appellees' final action is illegal for two reasons:

1. The appropriate statute and executive order lodge exclusive jurisdiction over passports in the Secretary of State and require him to exercise his discretion whenever an application for a passport is filed. The appellees violated the statutory mandate in this instance as they did not exercise any discretion but acted solely upon the *ex parte* designation of the Attorney General.

2. The First and Fifth Amendments of the Constitution prevent appellees from denying appellant a passport unless and until they find, after notice and opportunity for hearing, that appellant's trip abroad will jeopardize the security of our country.

ARGUMENT

The Secretary of State failed to exercise his discretion in the manner required by law, in that he relied solely on a designation by the Attorney General, which designation bears no relationship to the issuance of passports and which was made without notice or hearing.

A. The Secretary failed to abide by the law requiring him to exercise his discretion in the granting of passports.

Title 22 U. S. C. Section 211A (The Passport Act) provides that:

"The Secretary of State may grant and issue passports . . . under such rules as the President shall designate and prescribe for and on behalf of the United

States, and no other person shall grant, issue or verify such passports."

The President, by Executive Order 7856 (3 FR 681) authorized the Secretary of State in his discretion to issue passports and to make regulations on the subject.

The discretion to issue passports having been vested by law in the Secretary of State, he cannot lawfully abdicate his responsibility to some other agency, yet that is precisely what the Secretary did in this case, by relying entirely upon a determination of the Attorney General without even any knowledge of the basis for that determination. The Supreme Court struck down a similar failure to exercise the discretion required by law in *Accardi v. Shaughnessy*, 347 U. S. 260. In that case petitioner alleged that the Board of Immigration Appeals' denial of his application for suspension of deportation was prejudiced by the Attorney General's issuance of a list of "unsavory characters" including his name. Regulations governing the functioning of the Board of Immigration Appeals provided that the Board "... shall exercise such discretion and power conferred upon the Attorney General by law as is appropriate and necessary for the disposition of the case." 347 U. S. 260. The Court held that "if the word 'discretion' means anything in a statutory or administrative grant of power, it means that the recipient must exercise his authority according to his own understanding and conscience." And, the Court continued:

"It is important to emphasize that we are not here reviewing and reversing the manner in which discretion was exercised. If such were the case we would be discussing the evidence in the record supporting or undermining the alien's claim to discretionary relief. Rather, we object to the Board's alleged failure to exercise its own discretion, contrary to existing regulations." (p. 268) (emphasis that of Court)

This Court in *Kutcher v. Gray*, 91 U. S. App. D. C. 226, 199 F2d 783 (D.C. Cir. 1952) has itself ruled on the question of a government agency's failure to exercise its own discretion in relation to the Attorney General's Designation. In that case the Court of Appeals set aside an order removing Kutcher from employment on the ground that the Veterans' Administrator had discharged Kutcher solely on the basis of the Attorney General's designation of an organization of which Kutcher was a member. The Court said:

"The final decision rested with the Administrator. Upon him fell the duty to impartially determine on all the evidence whether there is reasonable grounds for belief that Kutcher was disloyal to the Government of the United States. That was the ultimate, the controlling issue. Kutcher was entitled to the Administrator's decision of that very question. But the Administrator neither considered nor decided it." (199 F2d 783, 787).

The *Shaughnessy* and *Kutcher* cases make it clear that the arbitrary reliance by the appellees on a designation of the Independent Socialist League by the Attorney General constitutes an unlawful failure to exercise their own discretion.

B. The Secretary of State may not rely upon the Attorney General's designation of the Independent Socialist League, since that designation was made for a purpose unrelated to the issuance of passports.

The list of organizations compiled by the Attorney General is, as its very title indicates, designed for and limited to the Federal Employee Security Program. There is no relationship between standards for discharging a federal employee and standards for withholding a passport from a citizen. Whereas federal employment has been held to be a privilege, *Bailey v. Richardson*, 86 U. S. App. D. C. 248, 182 F2d 46, aff. by divided court 341 U. S. 918, freedom to travel has been held to be a constitutionally protected right. Thus, in *Williams v. Fears*, 179 U. S. 270 at 274, the Supreme Court said:

"Undoubtedly the right of locomotion, the right to remove from one place to another according to inclination, is an attribute of personal liberty, and the right, ordinarily, of free transit from or through the territory of any state is a right secured by the Fourteenth Amendment and by other provisions of the Constitution."

Williams v. Fears was relied upon by a statutory three-judge court in *Bauer v. Acheson*, 106 F. Supp. 445. That case, like the present one, involved a suit to enjoin the Secretary of State from withholding a passport, and the Court there held:

"While the Supreme Court was there (*Williams v. Fears*) considering freedom to move from state to state within the United States, it is difficult to see where, in principle, freedom to travel outside the United States is any less an attribute of personal liberty. Especially is this true today, when modern transportation has made all the world easily accessible and when the executive and legislative departments of our government have encouraged a welding together of nations and free intercourse of our citizens with those of other friendly countries. Personal liberty to go abroad is particularly important to an individual whose livelihood is dependent upon the right to travel, as is claimed by the plaintiff in this case." (106 F. Supp. 445 at 451).

It is also significant that Executive Order 10450, under which the Attorney General's Designation of Organizations in Connection with the Federal Employee Security Program was compiled, provides that membership in a designated organization is but one factor to be considered in determining whether an employee should be dismissed. Such membership is not automatically a reason for dismissal, and the employee must be given an opportunity to explain or refute specific charges against him. The Secretary of State, on the other hand, has in this case arbitrarily relied on the Attorney General's designation of the Independent Socialist League

U. of Chi. Election: What Happened? — —

(Continued from page 5)

could be no meaningful student-exchange program as long as Russia maintained aggressive and totalitarian practices.

THE DIFFERENCE WAS LOST

Did SRP reply by pointing out that the U. S. is also to blame in this respect—that it will not, for example, give Russian students visas to this country at all, much less for restricted and selected tours as Russia does? No, this argument was by-passed.

Did they point out that the failure to invite Russian students to the U. S. strengthened rather than weakened totalitarianism? No, the problem of student exchange was never placed in this light because of the general naiveté on the part of the SRP about world politics and Stalinism.

The point about student exchanges was as much lost to SRP as to the Independent Student League. Both saw it merely as a tool in their own political framework—the Independent Student League as a tool in the cold war and the SRP as a tool for "coexistence."

And one would therefore be justified in asking SRP whether they would therefore oppose free student exchanges in case they should result in greater, not lessened, hostility? Suppose our American student returned more anti-Stalinist? Suppose our Russian student returned more anti-capitalist? We can only assume that in such a case the SRP would oppose a free unfettered student exchange program, or would try to restrict it to those who were not likely to react in this manner.

For the Independent Student League is correct in insisting that student ex-

changes sponsored by NSA should be more than mere propaganda tools; they are correct in insisting that only a free and unfettered tour can avoid being so twisted. But the Independent Student League, while it opportunistically makes this kind of correct argument and appeal, should be exposed by SRP as hypocritical. For they, as much as the Russians, favor and continue to plug for a student-exchange program which is used as a weapon in the cold war, which is used as propaganda. They are incapable of realizing that in the world today both the U. S. and the USSR have their own reasons for opposing any such genuine free and unfettered exchange.

But SRP made no such arguments. It merely prated about coexistence, understanding, sincerity and good-will. Thus they made their major fight on their weakest and most naive arguments.

But while this type of naive thinking (and in some cases Stalinoid or Stalinist thinking) is, as always incorrect and politically pernicious, it is in addition no longer effective on the campus.

Most students in the process of the debate lost all perspective about the other more crucial distinctions between the Independent Student League. SRP's militancy on civil liberties and on student needs was effectively covered up and ignored. Both tended to sound similar on everything but this one point.

And on this issue the students were faced with a choice between a reasonably argued and well-rationalized "cold war" line on one hand and a wishy-washy, indefensible, "coexistence" line on the other. They made their choice.

Unless the SRP members begin to re-

organize and re-evaluate their thinking on this and similar questions, this writer thinks that the student body will continue to make the same choice. This is not the same thing as saying that on the campus today a more solidly based attack on the Independent Student League (for their

over-all capitulations to "cold war" politics) is guaranteed to win! An intransigent defense of civil liberties and democracy is not a popular stand today, but its eventual victory is dependent on an understanding of politics and not on wishful thinking.

Non-Signer's Story — —

(Continued from page 5)

One student was asked about his major [field of study] by the commanding officer. The student told him, and the officer said, "Well, you would have had a nice future before you. I'm sorry."

FEELING OF UNITY

On the drill field every non-signer is singled out as he marches in civilian clothes. Without any comment from other students, it is uncomfortable enough. By and large the other students on the field, including student officers, are indifferent. However, one non-signer who had volunteered to be a squad leader at the beginning of the term was approached by a student officer after it was discovered that this student was a non-signer, and he was told that at a staff meeting, it was decided that non-signers weren't to occupy positions of authority on the field.

The third important phase of the issue is student opinion. Because so many students are directly involved, student opinion was sharper and more widespread than on other political issues. There were many new articles at the beginning of

the semester announcing military and university policy. There were some controversial editorials and letters in the campus paper. Student opinion, as determined by sketchy polls, showed students to be equally divided on the issue.

But as policy was clarified, the news articles left the front page and gradually the issue sunk into obscurity.

Of course, almost everyone signed the oath. Approximately one-half of one per cent, a mere handful, make up the non-signers. Their names have been sent to Washington for clearance, whatever that means.

However, these few students have formed a loosely organized committee to see what campus action can be taken. The parents of the non-signers have also met and have formed a "Parent's Committee Against Student Loyalty Oaths."

But regardless of the number of dissenters, there is a feeling of strength and unity among us. The curse which we've all been talking about for so long has hit us. But instead of fearing it and faltering before it, it has inspired a personal interest in the matter and thus created for us a new enthusiasm.

Against the U.S. Passport Curtain

as final and conclusive proof that appellant should be denied a passport without a hearing on the merits.

C. *The Secretary of State may not adopt and put conclusive reliance upon the Attorney General's designation of the Independent Socialist League, as the Attorney General acted without notice to the Independent Socialist League and without affording it an opportunity to be heard.*

The designation of the Independent Socialist League by the Attorney General, upon which appellees placed exclusive reliance in denying appellant a passport, was made without notice or hearing. This was despite the fact that both appellant and the Independent Socialist League made repeated attempts to obtain a hearing before the Attorney General. (J.A. 9-12).

"Mere legislative fiat may not take the place of fact in the determination of issues involving life, liberty or property." *Manley v. Georgia*, 279 U. S. 1, 6. The designation of the Attorney General, being the result of an *ex parte* proceeding, is entitled to little or no evidentiary value. The courts have given it little weight in matters unrelated to federal employment. In *United States v. Remington*, 191 Fed. 246 (CA 2, 1951) the Court held that membership in an organization on the Attorney General's list could not be utilized for purposes of impeaching witnesses and said the following:

"... the list is a purely hearsay declaration by the Attorney General. ... It has no competency to prove the subversive character of the listed associations. ..." (252.)

In *Gordon v. Heikkinen*, 190 F.2d 16 (CA 8, 1951), dismissed as moot, 344 U. S. 870, it was held that one who was sought to be deported could not be denied bail because of his membership in an organization designated by the Attorney General as subversive because:

"The Supreme Court in *Joint Anti-Fascist Refugee Committee v. McGrath*, 341 U. S. 123 held that the organization known as the International Workers Order can no longer be considered a subversive organization." (p. 21)

In *United States v. District Director of Immigration, Etc.*, 99 F. Supp. 306 (S.D., N.Y., 1951) the Immigration authorities, pursuant to regulations, refused to accept the bond tendered by a person belonging to an organization listed by the Attorney General as subversive. The Court, after referring to the *Joint Anti-Fascist* case, held that:

"The refusal to accept Government bonds from the proposed surety solely on the ground of his membership in the proscribed organization ... is not an exercise of reasonable discretion but an abuse of discretion."

In *Adler v. Board of Education of City of New York*, 342 U. S. 485 a divided Supreme Court sustained the constitutionality of a New York law requiring the Board of Regents to list subversive organizations, and providing that membership in an organization named upon any listing shall constitute prima facie evidence of disqualification for employment as teacher. The Supreme Court held that no question of procedural due process arose because no organization could be listed until "after full notice and hearing" and because the person against whom the presumption or disqualification arose had full opportunity to rebut it. Here the Attorney General gave no notice or hearing to the Independent Socialist League, and the Secretary of State gave appellant no opportunity to rebut whatever inference might logically flow from his chairmanship of the Independent Socialist League. In short, the *ipse dixit* of the Attorney General took the place of fact in determining the issue of whether appellant was entitled to a passport.

D. *The Passport Act and Executive Order 7856 should be construed to require a hearing and to prevent the Secretary of State from relying on the Attorney General's Designation, in order to avoid questions of unconstitutionality.*

The Passport Act and Executive Order 7856 vest the discretion to issue and withhold passports exclusively with the Secretary of State. Both the statute and the Executive Order are silent as to the manner in which the discretion is to be exercised. But this Court, in order to avoid serious Constitutional issues, should read into the delegation of authority to the Secretary of State the fundamental due process requirements of notice and hearing before allowing him to withhold a passport. Indeed, the Statute and the Executive Order have been so interpreted by a constitutional three-judge court in *Bauer v. Acheson*, 106 F. Supp. 445, which said:

"This court is not willing to subscribe to the view that the executive power includes any absolute discretion which may encroach on the individual's constitutional rights, or that the Congress has power to confer such absolute discretion. We hold that, like other curtailments of personal liberty for the public good, the regulation of passports must be administered, not arbitrarily or capriciously, but fairly, applying the law equally to all citizens without discrimination, and

with due process adapted to the exigencies of the situation. We hold further that such administration is possible under the existing statute and regulations. ...

"... The President's regulations authorizing withdrawal of passports ... is susceptible of and must be construed as exacting notice and opportunity to be heard prior to any judgment effecting revocation or refusal to renew a passport." 106 F. Supp. 445 at 452.

The Bauer decision follows sound judicial precedent. As Justice Frankfurter, concurring in *Joint Anti-Fascist Refugee Committee v. McGrath*, 341 U. S. 123 at 165, said: "... from a great mass of cases, running the full gamut of control over property and liberty, there emerges the principle that statutes should be interpreted, if explicit language does not preclude, so as to observe due process in its basic meaning." This is a corollary to the rule that "when the validity of an Act of Congress is drawn in question, and even if a serious doubt of constitutionality is raised, it is a cardinal principle that this Court will first ascertain whether a construction of the statute is fairly possible by which the question may be avoided." *Crowell v. Benson*, 285 U. S. 22, 62. This principle has been reaffirmed in recent years in *United States v. Congress of Industrial Relations*, 335 U. S. 106, and *United States v. Harriss*, 347 U. S. 612.

If this Court refuses to interpret the statute and Executive Order as we have urged above, it will then become necessary to consider the arguments as to unconstitutionality which follow.

II

The Passport Act and Executive Order 7856, as applied to appellant, are unconstitutional, in that they abridge his freedom to travel, speak and assemble in violation of the First Amendment, and in that they deprive him of liberty and property without due process of law in violation of the Fifth Amendment.

A. *In arbitrarily withholding a passport from appellant, appellees have seriously abridged his freedom of speech, of assembly, and to travel, without furthering or protecting any national interest, in violation of the First Amendment to the Constitution.*

Appellant advised the State Department and has alleged in his complaint that he wishes a passport "solely for the purpose of consulting those people in Europe whose knowledge of political conditions on the continent he respects, and of observing those conditions so that he can acquire material for his work, namely, writing and lecturing on political conditions." (J.A. 4.) Further, appellant advised the State Department and has alleged in his complaint that he believes in change by democratic means and opposes the violent overthrow of our Government (J.A. 3), and that he "will not engage in activities while abroad which would violate the laws of the United States or which, if carried on in the United States, would violate such laws, or which would reflect upon or embarrass the United States" (J.A. 4).

Certainly the Government has an obligation to safeguard national security, even when to do so requires a restriction of freedoms guaranteed by the Constitution. When the Government claims the necessity for such restriction, it becomes the responsibility of the courts to balance the alleged danger to the national interest against the danger of the proposed limitation of individual freedoms. As a guide in striking this balance, the Supreme Court has adopted the so-called "clear and present danger" test, which provides that, before there can be any restriction of civil liberties, there must be (1) a real likelihood that a substantive evil will result, (2) the evil must be very serious, and (3) it must be imminent. *Schenck v. United States*, 249 U.S. 47, 52; *Bridges v. California*, 314 U. S. 252, 263; *Terminiello v. Chicago*, 337 U. S. 1, 4. "In each case (courts) must ask whether the gravity of the 'evil,' discounted by its improbability, justified such invasion of free speech as is necessary to avoid the danger." *Dennis v. United States*, 341 U. S. 494, 510.

In light of the allegations of appellant's complaint cited above, the withholding of his passport averts no national danger, real or potential, and neither furthers nor protects any national interest. Accordingly, if appellees' action in withholding the passport was as a result of a correct interpretation of the Passport Act and the Executive Order, that Act and that Order must be held to be unconstitutional as an abridgement of appellant's First Amendment rights to speak, assemble and travel.

B. *The withholding of a passport from appellant on the basis of his chairmanship of an organization, without giving either him or the organization notice and an opportunity to be heard on the question of the nature of the organization is a deprivation of liberty without due process of law, in violation of the Fifth Amendment to the Constitution.*

Neither the Attorney General nor the Secretary of

State has at any time granted appellant or the Independent Socialist League a hearing on the sole ground for the denial of appellant's passport, namely, the designation of the Independent Socialist League by the Attorney General on his list of Organizations in Connection with the Federal Employee Security Program. The Independent Socialist League's right to a hearing was decided by the Supreme Court in *Joint Anti-Fascist Refugee Committee v. McGrath*, 341 U. S. 123, which held that the Attorney General cannot designate an organization as subversive without first affording that organization a hearing. The issue in that case was whether the Attorney General had authority to designate the Joint Anti-Fascist Refugee Committee as a Communist organization without first affording the organization a hearing. The Joint Anti-Fascist Refugee Committee brought an action for declaratory and injunctive relief, alleging that it was not Communist. The Government moved to dismiss. This motion was granted by the District Court and sustained by this Court. The Supreme Court reversed, however, holding that "if the allegations of the complaint are taken as true" (p. 126), which "must await determination by the District Court upon remand" (p. 142) "the conduct ascribed to the Attorney General ... is patently arbitrary" (p. 136). There were four concurring Opinions, each condemning the manner of the Attorney General's designation.

Justice Black: "... the due process clause of the Fifth Amendment would bar such condemnation without notice and a fair hearing" p. 143.

Justice Frankfurter: "The requirement of 'due process' is not a fair-weather or timid assurance. It must be respected in periods of calm and in times of trouble ... (p. 162). The heart of the matter is that democracy implies respect for the elementary rights of men, however suspect or unworthy; a democratic government must therefore practice fairness; and fairness can rarely be obtained by secret, one-sided determination of facts decisive of rights ... (p. 170). The Attorney General is certainly not immune from the historic requirements of fairness merely because he acts, however conscientiously, in the name of security ..." (p. 173).

Justice Jackson: "... to promulgate with force of our system of government need no elaboration. A party is entitled to know the charge against him; he is also entitled to notice and opportunity to be heard. Those principles were, in my opinion, violated here. ..." (p. 175-176). "The gravity of the present charges is proof of the need for notice and hearing before the United States officially brands these organizations as 'subversive.' No more critical governmental ruling can be made against an organization these days. It condemns without trial. It destroys without the opportunity to be heard. The condemnation may in each case be wholly justified. But government in this country cannot by edict condemn or place beyond the pale. The rudiments of justice, as we know it, call for notice and hearing—an opportunity to appear and to rebut the charge" (p. 178).

Justice Jackson: "... to promulgate with force of law a conclusive finding of disloyalty, without hearing at some stage before such finding becomes final, is a denial of due process of law" (p. 186).

Appellant's right to a hearing was decided by the three-judge Court in *Bauer v. Acheson*, 106 F. Supp. 445, which held "freedom to travel outside the United States ... an attribute of personal liberty" (p. 451), and that "the regulation of passports must be administered ... with due process" including "notice and opportunity to be heard" (p. 452).

It is indeed axiomatic that under the Fifth Amendment the Government must thoroughly inform the citizen of reasons for contemplated action against him; when the Government purports to act upon information not disclosed to the citizen, the courts are quick to call a halt. *Federal Trade Commission v. Gratz*, 253 U. S. 421; *Interstate Commerce Commission v. Louisville & N. R. Co.*, 227 U. S. 88; *Morgan v. U. S.*, 304 U. S. 1; *West Ohio Gas Co. v. Public Utilities Commission*, 294 U. S. 63; *Crowell v. Benson*, 285 U. S. 22; *United States v. Gray*, 207 F.2d 237 (CA 9, 1953).

The following language of Justice Cardozo, speaking for the Court in *Ohio Bell Telephone Company v. Public Utilities Commission*, 301 U. S. 292, sets forth precisely and dramatically the nature of the violation of appellant's due process rights by appellees in this case. All the Court need do is substitute "Secretary of State" for "Commission" and "Attorney General's Designation" for "journals and tax lists."

"From the standpoint of due process—the protection of the individual against arbitrary action—a deeper vice is this, that even now we do not know the particular or evidential facts of which the Commission took judicial notice and on which it rested its conclusion. Not only are the facts unknown; there is no way to find them out. ... The Commission, ... contents itself with saying that in gathering them it went to journals and tax lists, as if a judge were to tell us 'I looked at the statistics in the Library of Congress and they teach me thus and so.' This will never do if hearings and appeals are to be more than empty forms."

CONCLUSION

For the reasons set forth above, we urge that the judgment of the court below be reversed.

Readers of Labor Action Take the Floor

AN EXCHANGE: BEVANITES AND COEXISTENCE

To the Editor:

I take it from a careful perusal of two articles that have been published in LABOR ACTION, that the evaluation of the Labor Party delegation's visit to Russia and in particular China, as presented in "London Letter," are at sharp variance with the views held by LABOR ACTION. This difference of viewpoint also...

Firstly, I entirely approve of the Labor Party delegation's visit to Russia and China. This action was met with by strong opposition from many quarters in the States on the grounds that it would impair the close working alliance of Britain and America. As a socialist, I approve of all steps by the Labor Party which serve to weaken the ties of the Labor movement with the policies of the State Department. At the same time, I disapprove of any link-up between the right-wing or left-wing leadership with Stalinism, Maoism or Titoism. Any policy which fails to tell the truth about Stalinism can only assist and abet it.

Secondly, it is quite false to give the impression that Attlee or Bevan were "taken in" by Malenkov or Chou En-lai. Unlike the top-ranking Labor delegations during the Popular Front period or during the war, this delegation went with a very critical eye. The reports, speeches and articles of various members of the Labor Party delegation indicate that they were not reconciled to totalitarianism or the ugly features displayed in the Stalinist world. It is true, of course, that the delegation had certain illusions about the post-Stalin developments in the Soviet Union, about the true character of the Chinese government—but these illusions are shared by the British bourgeoisie, and, above all, by the "neutralist" and semi-neutralist French bourgeoisie (whose spokesman is Mendès-France). Both Churchill and Attlee have discussed the possibility of peaceful coexistence between West and East—a possibility made more real by the "modifications" in the Soviet bloc following the death of Stalin (the Korean armistice, the Geneva conference).

Of Bevan's views of Stalinism much has already been written. It is true that his concept of Stalinism is a sort of "forced march" socialism, and that he takes at face value the reforms carried out by Stalin's epigones in the Soviet Union. However, it is absolutely false and unfair to make the statement that "at no point did he even indicate that there were some inadequacies in the political regime from the point of view of democratic rights" (see article "Bevan's Pro-Stalinist Speech in Peiping"). His articles in Tribune, inadequate and in some ways grotesque (particularly on Mao and birth control), are far from uncritical of the Mao regime.

What I think has to be emphasized is that Bevan's concept of peaceful coexistence is a different and more realistic one than that of the right-wing Labor leaders. For Bevan, peaceful coexistence can only come about by a recognition of the colonial revolution, by a break with the preventive-war representatives of United States imperialism. In this sense Bevan's understanding of what is meant

by peaceful coexistence comes very close to the strong anti-war, neutralist and semi-pacifist currents not only within the Labor movement but also in sections of the European ruling classes. Peaceful coexistence on the basis of the status quo—that is impossible: this Bevan realizes. Peaceful coexistence on the basis of a direct impetus by the British Labor Party, on the basis of a check on both the militant representatives of the West and East—this is another matter, and wholly realizable.

I have a general impression that LABOR ACTION is unable to distinguish between Stalinist-inspired movements and tendencies in Britain with movements that take up what have been or what are current Stalinist slogans. The fact that Churchill talks about peaceful coexistence does not make Churchill a Stalinoid or a fellow traveler—although a few years ago it would have been heresy maybe. The same goes for the demand for a Big Three Power Conference (an old Stalinist demand) taken up by Churchill in May 1953. East-West trade—a Stalinist slogan exclusively (until comparatively recently) is now the official policy of His Majesty's government.

I suggest that LABOR ACTION should concentrate more on Bevan's false attachment to social-democratic ideology than to his inadequate understanding of Stalinism (which, after all, is a by-product of reformism and the whole bourgeois-democratic attitude to world politics).

Allan VAUGHAN

(1) Half of our discussion article of Aug. 30, on the Labor junket to Russia and China, was devoted to attacking the pro-imperialist critics of the Laborites—those who objected to the trip from the point of view of U. S. foreign policy. The second part was devoted to explaining why socialists could not approve of the spectacle of socialist leaders backslapping totalitarian butchers of the working class. Comrade Vaughan repeats the first, but does not take up the second. Not in one word of his letter does he suggest any reason why he "entirely approves" of this unsocialist spectacle. Surely it cannot be merely because it "serves to weaken the ties of the Labor movement with the policies of the State Department," for obvious reasons. Our article discussed this in advance.

Nor can it be merely because Attlee and Bevan staunchly remain opponents of Stalinism.

Two socialist leaders, appearing before the eyes of the Chinese people, gave the people to understand that they approved of their Stalinist hangmen, that they were all comrades together, that they supported this despotic regime; and again we would refer Vaughan to our fuller discussion of this point on Aug. 30—which he does not discuss.

This was a blow to the cause of socialist democracy. To be sure, it also displeased Washington, but how can this sufficiently sweeten such an offense against the working class in the eyes of a Third Camp socialist?

(2) Instead of discussing this central consideration, Comrade Vaughan knocks down some straw men. We did not "give the impression" that Attlee and Bevan were "reconciled to totalitarianism," but

rather condemned American "journalistic hypocrites" for hinting just this. We denounced Bevan's speech made in Peiping, and mentioned (in the sentence just before the one that Vaughan chooses to quote) that Bevan not only endorsed the regime in general but refrained from any criticism in this speech. And Bevan was "taken in" by his pro-Stalinist illusions before the junket, as both we and Vaughan have explained.

(3) It is no news that Bevanite illusions about the Malenkov and Mao regimes are widely shared in Europe, even by bourgeois circles. What we do not understand is whether this is supposed to apologize for Bevan from the Third Camp socialist point of view. It is no news that Churchill too has "discussed the possibility of peaceful coexistence," etc.; what we might inquire is how this bolsters Bevan's position from Comrade Vaughan's point of view.

(4) What then is the import of Comrade Vaughan's letter? We are really not sure, but find the second part of his letter more than disconcerting. The theory of peaceful coexistence he expounds surely deserves clearer explanation.

Bevan is "more realistic," we understand from it, because his "peaceful coexistence" with Stalinism "can only come about by a recognition of the colonial revolution, by a break with the preventive-war representatives of U. S. imperialism."

Yes, recognition of the colonial revolution is a fundamental precondition for a socialist foreign policy which can defeat Stalinist as well as capitalist imperialism; but how does Vaughan make it out to be a basis for "peaceful coexistence" with this rapacious Stalinism?

Furthermore, the fact is that "Bevan's concept" of peaceful coexistence, as explained by Vaughan, is identical with that of many neutralists everywhere and of the Labor right wing as well, although this is the point denied.

In other words, Vaughan seems to have changed his mind about the neutralist "coexistence" policy, which he now asserts to be "wholly realizable." Very well; it's surely a vital thing to discuss; but it should not be announced as the postscript of such a letter as Comrade Vaughan has written above.

Only a week before our own Aug. 30 article, which Vaughan now attacks, it happens that Comrade Vaughan himself had written a vigorous (nay, violent), attack on... the Bevanite theories of peaceful coexistence. "It has little if anything to offer as an alternative to the policies of the right wing," he wrote. He unmercifully attacked "the unsocialist ideas peddled by the Bevanite leaders," discussing precisely their foreign policy and adoption of "peaceful coexistence" illusions.

It is in this article by Vaughan, also, that we discover the statement: "As far as China is concerned, there is nothing wrong with Chou En-lai or Mao Tse-tung. Or if there is, it has never seen the light of day in the columns of the Tribune." It would seem that the strictures in Vaughan's letter apply to himself, though not to us.

This Aug. 23 London Letter by Vaughan also happened to be the first article appearing in LA in a long time which concerned itself with the Bevanites' pro-Stalinist illusions. We had brought it up every once in a while but not enough. We mention this because of the curious last sentence in Vaughan's letter now, in which he seems to complain that we "concentrate" too much on Bevan's "inadequate understanding of Stalinism!"

In sum, if Comrade Vaughan wishes to revise or re-discuss his views on Bevanite illusions about Stalinism or "peaceful coexistence" policies, it is his right and duty to do so; but a flank attack on another subject is not the most educational way of doing so.

Philip COBEN

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The ISL Program in Brief

The Independent Socialist League stands for socialist democracy and against the two systems of exploitation which now divide the world: capitalism and Stalinism.

Capitalism cannot be reformed or liberalized, by any Fair Deal or other deal, so as to give the people freedom, abundance, security or peace. It must be abolished and replaced by a new social system, in which the people own and control the basic sectors of the economy, democratically controlling their own economic and political destinies.

Stalinism, in Russia and wherever it holds power, is a brutal totalitarianism—a new form of exploitation. Its agents in every country, the Communist Parties, are unrelenting enemies of socialism and have nothing in common with socialism—which cannot exist without effective democratic control by the people.

These two camps of capitalism and Stalinism are today at each other's throats in a worldwide imperialist rivalry for domination. This struggle can only lead to the most frightful war in history so long as the people leave the capitalist and Stalinist rulers in power. Independent Socialism stands for building and strengthening the Third Camp of the people against both war blocs.

The ISL, as a Marxist movement, looks to the working class and its ever-present struggle as the basic progressive force in society. The ISL is organized to spread the ideas of socialism in the labor movement and among all other sections of the people.

At the same time, independent Socialists participate actively in every struggle to better the people's lot now—such as the fight for higher living standards, against Jim Crow and anti-Semitism, in defense of civil liberties and the trade-union movement. We seek to join together with all other militants in the labor movement as a left force working for the formation of an independent labor party and other progressive policies.

The fight for democracy and the fight for socialism are inseparable. There can be no lasting and genuine democracy without socialism, and there can be no socialism without democracy. To enroll under this banner, join the Independent Socialist League!

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Expect Pan-Am Confab to Flop

As the Pan-American economic conference opens near Rio de Janeiro in Brazil, its prospects look something less than bright.

It will be remembered that at the last general Pan-American Conference at Caracas, the U. S. insisted that the main point of the agenda be the "anti-Communist" resolution covertly attacking the Guatemalan government. The Latin American states reluctantly went along, although they were more interested in their economic problems, which were shunted aside. The present conference is supposed to take these up.

However, in advance the U. S. has let it be known that it's not handing out largesse. Assistant Secretary of State Henry Holland, head of Latin American affairs, has declared that it is Washington's policy to refer Latin American financial needs to private capital and investment; the U. S. will do something only if and when this is considered inadequate.

U. S. offered nearly 6½ million dollars to the Guatemalan government in aid, "to keep communism from getting a new grip on the Central American republic" (reported the N. Y. Times on Oct. 31). "Foreign aid officials made the offer public here in the hope that it would answer a recent charge by Sen. Joseph R. McCarthy that the administration had been lagging on aid to the anti-Communist government."

In contrast with Guatemala, most of the Latin American states—which cannot flaunt any red "grip," "threat," or other subversive menace capable of bringing McCarthy's publicity department to their rescue—feel that they are going to go away empty-handed.

On October 31 a leading Brazilian paper *Correio da Manhã* frankly blurted out that the conference was going to be futile, after the Holland's statement. "Without much difficulty it can be affirmed that it already has failed before it has begun."

About the same time, however, the