
Communist Labor Party is Legal, Says Secretary Wilson: Rules Cannot Deport Aliens Who Hold Membership [event of May 5, 1920]

Published in *The Toiler* [Cleveland], whole no. 119 (May 14, 1920), pg. 1.

“The belief in, teaching, and advocacy of the class struggle, mass action, the conquest of political power, the dictatorship of the proletariat, socialism, communism, the one big union, shop committees, shop stewards, and other industrial, economic, and political changes mentioned in the Communist Labor Party platform and program, however reprehensible these things may be to the minds of any or all of our people, do not bring the organization within the purview of the act, as long as it does not proposed the use of force or violence to accomplish the purpose.”

With these words Secretary of Labor [William Bauchop] Wilson, on May 5th [1920] ruled that the Communist Labor Party is a legal political party and that membership in it of aliens does not constitute sufficient grounds for deportation.

In ordering cancellation of a warrant under which Carl Miller, a German, was held because of such membership, the secretary declared that while extracts from the organization’s platform indicated an extremely radical objective there was no evidence of intention to use force or violence toward organized government.

Hundreds of members of the Communist Labor Party have been indicted and charged with violation of various states’ criminal syndicalism laws on the score of carrying on party ac-

tivities. Since the raids of early January, when these sleuths of the Department of Justice swooped down in a nationwide raid netting thousands of Communists and Communist Laborites, the exact status of the Communist Labor Party was in doubt. A previous ruling by the Secretary of Labor practically outlawed the Communist Party which, with the Communist Labor Party developed out of a split in the ranks of the Socialist Party at Chicago last September. A number of members of the Communist Party have been deported merely on the grounds of their membership, while many more are held under indictments on like charges.

Department of Justice Disapproves of Secretary's Ruling.

It is no secret that the Department of Justice and the Secretary of Labor have long been at outs regarding the status of the "reds" of various hue. Attorney General Palmer has acted upon the assumption that even the pinkest red who dared to mention the "Third International," "mass action," and like revolutionary phrases was fit only for prison or deportation and has conducted systematic raids upon homes, halls, and meetings of workers. The trials of alleged Communists at Boston recently brought out some astonishing confessions from agents of the department which showed that they sought to bring about the causes which led to the arrests of the revolutionists. The prediction that Palmer had overreached himself in his wild ravings against the radicals seems to be a now well established fact.

The Department of Justice frankly deplored the Labor Secretary's decision, Assistant Attorney General [Francis Patrick] Garvan, in charge of raids on radical elements, asserting that because of it all undesirable aliens could enter the folds of the Communist Labor Party and be free from government interference.

Although Mr. Wilson declared examination of their platforms showed "some very substantial differences" between the Communist and the Communist Labor parties, Mr. Garvan as-

serted that concerning principles they were “absolutely the same,” and predicted that members of the Communist Party, now outlawed, would affiliate with the Communist Labor Party to evade deportation proceedings.

“The tactics of the Communist Party in Russia,” Mr. Wilson said, “can have no bearing upon the Communist Labor Party in the United States except in so far as those tactics are accepted or adopted by the Communist Labor Party; nor can the statements made by prominent members of the party be accepted as the expressions of the organization unless the party by its own action adopts the statements.”

Edited by Tim Davenport

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