

# THE FIGHTING WORKER

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## Remember Odell Waller!

July 2nd, 1942, will be remembered by the American working class for many years to come. At 7:35 A.M. on that morning the heroic struggle of Odell Waller, Negro sharecropper of Pittsylvania County, Virginia, ended in the electric chair. The legal murder which the capitalists and landlords of Virginia and Wall Street had planned for so long, was thus consummated after 630 days in the death-house, after almost two years of a militant struggle in Waller's behalf by the Revolutionary Workers League and many other organizations.

Nothing could sum up the case more appropriately than Waller's own last words, written the night before his execution:

"In my case I worked hard from sun-up until sun-down trying to make a living for my family and it ended in death for me. You take big people as the President, governors, judge, their children don't never have to suffer. They have plenty money. Born in a mansion nothing ever to worry about. I am glad some people are that lucky".

In this simple little paragraph Odell Waller has grasped the whole meaning of his own case — there are two classes in society, and "sin of sins", Waller was of the lower class, the working class.

### THE "FOUR FREEDOMS" — AND WALLER

A last minute appeal to President Roosevelt, to intervene, by over 800 prominent educators, writers, lawyers was disregarded by the father of the

"Four Freedoms". Mr. Roosevelt refused to see a committee, after a full page ad appeared in Washington papers, asking him to stop this lynching.

Governor Colgate W. Darden of Virginia, in a last minute hearing on June 29th, refused to pardon Waller or even commute his sentence. Over 17,000 protests poured into the good Governor's mansion, signed by labor leaders, such as William Green, Phil Murray, and thousands of others. But the son-in-law of the DuPont family remained to the last the representative of finance capital and Virginia landlordism. He dismissed the appeals with the vicious and lying statement that Waller is "unquestionably fiery and to a degree lawless".

### IMPORTANCE OF WALLER CASE

Waller is the first Southern Negro framed on a murder charge, to be defended by the labor movement nationally. It was the first case of its sort, the most important labor defense case along with the Minneapolis frame-up of the Trotskyites, since Sacco-Vanzetti.

Now that Odell Waller is dead, the "liberals" and others are attempting to find a scape-goat. It is necessary to straighten out the record, to establish the facts, to answer the falsifiers and slanderers. And above all, to learn the lessons of the case, so that we shall be in a better position to fight off

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## Pacts Blow To Soviet Defense

The military sequel to the Molotov-Churchill-Roosevelt agreements has been the greatest pincer movement in history against the Caucasus oil fields. From across Libya into Egypt, and from Kursk and Kharkov, the Nazi legions are again marching in a new offensive.

Promise of a "second front" in Europe to relieve the Soviet battalions still remain but empty words. Most likely, Anglo-American Imperialism will continue to give only minor aid to the Workers State. A "second" front can be a very minor affair. It can be interpreted in a dozen different ways, bombing, commando "invasions", attacks on the tip of Norway, the Libyan battle, etc. More than likely the Soviet workers will continue to bear the overwhelming brunt of battle.

But while talk of the "second" front probably will have only slight effect on the MILITARY phase

of the third year of war, there is no doubt that it will play a major, if not decisive, role in the TOTAL picture of the present bloodbath.

### STALINISM OPPOSES SOCIAL REVOLUTION

The "20-year" agreement signed by the Stalinists and Great Britain, is a simple, open, crass and shameful renunciation of even the idea of revolution for the next score of years. Stalinism promises to maintain its "status-quo" politics. It will help preserve law and order—i. e. the counter-revolution within Europe, Africa and elsewhere. In war as in peace Stalinism continues its policy of "Socialism in one Country", with the result that the Soviet Union is now in the greatest danger since 1921.

Anglo-American imperialism is suffering some trying days, not only on the battlefield but behind the lines. That is evidenced by the strikes of the

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# Boss Class Murders 'Cropper

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the bosses' increasing attacks on the workers and sharecroppers in the future.

Odell Waller was a sharecropper on the land of Oscar Davis in Chatham, Virginia. At the age of 22, just married and with only a few possessions such as an old wheat binder, a little fertilizer, a few pigs, some decrepit furniture, he delivered himself to the task of supporting his mother and wife. But the Agricultural Adjustment Administration intervened after Waller had plowed his tobacco acreage, and had put his valuable fertilizer and time into the project. Davis decided to take the government subsidy and plow under Waller's tobacco. He forced Odell to destroy half the acreage, but he never gave him a single penny for all of Waller's labor or his fertilizer.

## LANDLORD ROBBED WALLER FAMILY

Forced to leave home to gain a livelihood, Waller went to work in Baltimore. Meanwhile his mother worked for the landlord, Davis. His wife helped Mr. Davis on Davis' crops. While Odell was gone, Mr. Davis took the Wallers' wheat. He refused to pay the family for either its labor or its quarter share of the crop. When the two Waller women protested, Davis insulted them, called the sheriff and had them evicted from their shack.

Young Odell came back to Chatham to find his wife living off the charity of the other Negro sharecroppers. He went to see Davis and asked for his binder, his quarter share of wheat and back wages for his mother and wife. But the arrogant landlord, in true Bourbon style, refused to even discuss the matter. He threatened and abused him and ordered him off the land. Finally, in extreme anger, Davis reached for his gunpocket. Waller reached for his in self defense, and in the scuffle Davis was shot. Three days later Davis died of a collapsed lung. Doctors at the hospital testified that Davis would not have died of the gun wounds, but for the carelessness of the hospital in giving him an anesthetic.

## WHEN THE BOSS SHOOTS

But what do these facts matter? Waller was convicted because he was a sharecropper, a landless worker working for "shares". Significantly enough, one year later in the same county, a white landlord shot and killed in cold blood, a defenseless Negro sharecropper under exactly similar circumstances — an argument over crops. But the white landlord jury freed the landlord in 8 minutes.

After the shooting Waller left town. A lynching mob looked all over for him, but he turned up in Ohio sometime in August 1940.

The Revolutionary Workers League, U. S., first heard of the case and sent a representative to investigate the possibility of fighting extradition in Columbus. Thomas H. Stone, capable labor attorney of Richmond, was engaged to handle the case.

Waller subsequently gave Stone authorization to act as his senior counsel, and he never reneged on that authorization, even when Workers Defense League lawyers appealed to him to drop Stone.

## RWL LEADS FIGHT TO DEFEND WALLER

The R.W.L., leading the movement for the building of the Waller Defense Committees, supported the Waller case for fully 8 months before another organization became interested in it. Despite the fact that we appealed to all political and other labor organizations, to participate in the fight for Waller's defense, on a united front basis which would have given them the majority position in the Waller Committee, they refused to act.

A number of talks were arranged with Francis Heisler, representative of the Socialist controlled Workers Defense League in Chicago. Heisler's proposal, which we accepted, was that he and Stone handle the case legally, and that an autonomous committee of the Workers Defense League be set up to prepare the mass pressure campaign, composed of representatives of political, trade union, and other mass organizations, with the auxiliary support of individual liberals. We insisted also on a class struggle defense. We incorporated these proposals — which Heisler assured us the WDL would accept — into a formal letter to this class-collaborationist labor defense organization. And, as was to be expected, the WDL turned the proposal down flat. They wanted to "investigate" the case first. In addition they would not enter the case, unless and until the Revolutionary Workers League withdrew completely, and handed over handling of all aspects of the case to these Socialist gentlemen.

## WDL REFUSES UNITED FRONT

These callous and bureaucratic proposals are incorporated in documents that the League will gladly make public. A proposal to the Cannon Trotskyites and to the Shachtman group was answered, with the curt statement that they supported the Work-

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## CARWILE FILES WRIT

Howard Carwile, son of a Virginia sharecropper, on June 15 filed a petition for writ of error with the State Supreme Court of Appeals, in his suit for injuries suffered at the Blue Ridge Sanatorium.

Carwile's case, suit for which was denied by Judge Gunn in Richmond Circuit Court on May 4, challenges the concept that the state cannot be sued for injuries for which it is responsible, while capitalists can sue for property damages, contract violations, etc.

The petition states that the idea that the 'State can do no wrong' is a "modern adaptation of the medieval 'The King Can Do No Wrong.'" Carwile is acting as his own attorney.

# Liberals Sabotage Waller Defense

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ers Defense League and would not act outside of it. (Oddly enough, in the Minneapolis trial, Cannon never even considered handing the case over to the WDL). Only the Socialist Union Party leaders were willing to act in concert with the RWL.

## WDL CRAWLS BEFORE "LIBERALS"

The whole subsequent history of the case shows the correctness of the RWL and the Waller Defense Committees' refusal to hand the case over exclusively to the Socialists. The WDL entered the case only 8 months after it started, long after the trial had been held, long after Waller's first reprieve was won. From the outset, the WDL made an agreement with the Southern "liberals," thru Virginius Dabney, editor of the Richmond Times-Dispatch, not to create any "disturbances" in that area, i. e., not to organize any mass action in Virginia. This fact is attested to by the articles and stories in Dabney's paper — also clear-cut documentary evidence.

The WDL refused to organize a branch of its organization in Richmond, even though a few Socialists and Attorney Stone pressed for such action. The only meetings ever held in Richmond were under the auspices of the Waller Defense Committee which later affiliated to the Labor Defense Congress, organizations built with the aid of the Revolutionary Workers League. This failure to organize mass action WITHIN Virginia was one of the main contributing factors to the defeat suffered in this case.

## WALLER DEFENSE COMMITTEES ACT

The Workers Defense League followed the same class-collaboration policy of tail-ending the liberals to the very last. They made no effort to rally the workers for a class defense of Waller, and against any attempt by the "liberals" to effect a sell-out. The only such affairs were held by the Waller Committees in Cleveland, Chicago, Washington, Richmond and elsewhere, the largest of which had 1,000 people present. The Socialists constantly toadyed to the bourgeois state. Early in the case they evidenced, through their field representative Pauli Murray, a desire to compromise for life imprisonment.

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## THE FIGHTING WORKER

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The fact is — and this too can be verified by documentary evidence — that the WDL never believed Waller innocent of the crime he was charged with. They entered the case only on "humanitarian" grounds, because he had been denied a fair jury trial, because the jurors were all poll-tax payers and all white. On such a disgraceful parlor-pink theory it was naturally impossible for the followers of Norman Thomas, and their Trotskyist tails, to do anything else.

## WDL AIDS WALLER'S ENEMIES

Is any further proof needed that the WDL never wanted to handle this case? Speaking to Governor Darden on June 29th, at the hearing for "executive clemency", Attorney Finerty, chairman of the WDL., stated that if he had handled the case originally he would have advised his client to PLEAD GUILTY to a charge of "involuntary manslaughter", instead of not guilty. When the WDL first entered the case, the Virginia State Secretary of the Socialist Party wrote a letter to the CALL, stating that this case was a "hot potato" that should be dropped. Finerty, upon his entry into the case, wrote Virginius Dabney the most damaging letter of the whole campaign, stating that Davis was shot in the back, a statement that **does not correspond with the hospital report** which stated that Davis was shot in the front part of his anatomy. The Virginia liberals "used" this letter — for the most vicious attacks against Waller.

To the very last, they spread rotten illusions about Governor Darden. This gentleman, a servant of American Imperialism, scion of the multi-millionaire DuPont family, was passed off in thousands of WDL-printed post cards sent to him, as a—"great humanitarian." The same illusions were spread about Roosevelt.

Is it any wonder, now that Waller is dead, that the Workers Defense League, the National Association for the Advancement of Colored People, the Trotsky groups and all the hangers on, are looking for a scapegoat with which to cover up their own rotten class collaboration policy?

The scapegoat, of course, is Mr. Stone and the RWL. The innuendo campaign has it that "our inefficiency" and "super-radicalism", and Mr. Stone's "youth" and "inexperience" as a lawyer were major causes of this tragedy.

## THE LIES EXPOSED

What miserable lies! Without the RWL and Mr. Stone, Waller would have died in September of 1940. With the small forces at our disposal, we defended and saved Waller. It was the RWL and the Waller Defense Committees, which organized the campaign that forced the original Judge Clement to grant a continuance, paid for the first legal

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# New Pacts Aid Imperialists

## WALLER CASE EXPOSES "FOUR FREEDOMS"

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expenses, and sent organizers down to help gain publicity and build mass pressure. We did this ALL ALONE for fully EIGHT MONTHS.

The argument against Attorney Stone is that he failed to bring in evidence that non-poll tax payers in Virginia were excluded as a matter of fact, as well as of law. This highly technical legal argument was disputed by Mr. Stone with his Negro lawyer colleagues in the first trial, and they prevailed upon him not to introduce this evidence, which they did not have at hand, at the time, and which they would have to "drag out" of the very hostile clerks of the courthouse. This so-called "mistake," inevitable under the circumstances, later permitted the Waller Defense Committee to take three additional legal steps, and to extend Waller's life by many months, months in which the campaign was developed on a national scale.

### BOSSSES PUSH CLASS ATTACK ON WALLER

But even assuming that there were any mistakes; the issue in the case was crystal clear. The capitalist judge, the capitalist court, the capitalist state WAS INTENT on killing Waller because of the CLASS issues involved. In fact the major argument of the State of Virginia before the Supreme Court was that to give Waller a new trial would lead to a kindling "of racial and class antagonisms". The Supreme Court understood this appeal to their class loyalty; they refused to even write a decision in the case. The lack of sufficient working class pressure allowed them to arrogantly turn down the plea of Odell Waller, without even giving any reasons.

Strangely enough — a fact which the Trotskyites and Socialists ignore — Thomas H. Stone was a member of the Workers Defense League when we first hired him as attorney. And it was only his disgust with the reactionary role of the WDL that brought him to resign from his organization a year after the case began and help form the Labor Defense Congress.

### ODELL WALLER WAS NOT GUILTY

Odell Waller died, an innocent man. Despite all his enemies may say, despite his conviction, his prosecution, his execution, ODELL WALLER WAS NOT GUILTY.

The only murderer and the only criminals in this case are the landowners and capitalists of the South and Wall Street, and the capitalist state. And the "liberals", "labor leaders," etc., were they fighting to defend Waller from these real criminals? Or were they merely interested in using Waller's case as a part of their fight with the "reactionary" bosses over the METHODS of lining up the white and Neg-

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Singapore longshoremen, the revolt of the Burma natives, the antagonism and opposition of the Arabs, parts of the Egyptians, the Indians and others, the lethargy and even hostility in certain instances of the masses at home, the increasing cries of the British working class for Socialism. In Europe too revolt is seething.

It is just at this moment that the Allies trade off the PROMISE of a second military front, for the ACTUAL support of Stalinism against the real second front, the revolutionary struggle of the workers and oppressed against capitalism. Stalinist propaganda is now being utilized to placate both the colonial and home masses, to confuse and betray them.

The Molotov agreements are nothing but pledges by Stalinism to aid the counter-revolution. In plain, simple words there can be no other interpretation. As far as the Allies are concerned, for them the pact is but a scrap of paper, which they will dishonor at the first opportunity, just as they refused to honor the League of Nations Pact, the Franco-Soviet Pact and others. At the earliest moment they will use all their military might to destroy the remnants of the October revolution. Anglo-American Imperialism, with its giant armies and vast productive forces can ENFORCE its pacts. The Soviet Union is being drained of economic, financial and military reserves. Based on bourgeois diplomacy it can be nothing but a beggar in the hall of kings.

The only "second front" that can and will defend the Soviet Union is the revolutionary **front against world imperialism**. The development of THAT front must be the major task of all revolutionists and the Soviet Union.

ro toilers for support of the war? Facts speak for themselves. And the Workers Defense League, who pretended a "monopoly" in the "fight" to "defend" Odell Waller, while crawling before treacherous "Southern liberals", and sabotaging every effort to build a real mass movement, a rank-and-file defense movement to save Waller—what of them? They too are **guilty**, guilty of aiding the real criminal CAPITALISM, to take the life of the young Negro sharecropper, Odell Waller.

So long as capitalism exists, so long as it has boss rule and imperialist wars, class oppression and Odell Wallers will become more and more frequent. The answer to this legal lynching, the answer to all the Southern and Northern tyranny against workers of every race, creed and color, can only be the ringing cry of a united proletariat fighting the only war that is worth while, the war of the working class against capitalism.

July 2nd, 1942, will never be forgotten by the fighters of the working class. It is part of that struggle.