

GOVERNMENT'S WITNESSES BOOMERANG

HELP DEFEND THE 28 NOW!

An Editorial

On trial in the Minneapolis federal courtroom today are not merely 28 individuals. Indicted before the bar of boss-class 'justice' are all those democratic rights and liberties for which American labor has fought for decades.

Through conviction of these 28 defendants, the employing class and its government hope to strike a blow at everything which progressive unionists and liberals hold dear: the right to freely propagate one's opinions; to join a union of one's own choosing; to carry out militant labor actions on behalf of the interests of the workers; to criticize and oppose the policies of the government; to educate and organize people for socialism.

Never in all American labor history, has there been a prosecution so clearly based on the expression of opinion.

In the prosecution's opening address to the jury on October 28, U. S. District Attorney Anderson baldly stated:

"... It is safe to say that usually in connection with a conspiracy count or charge, it is incumbent upon the prosecuting authorities to establish some overt act, some positive step or act done to bring about or in furtherance of the conspiracy; and it is the position of the Government in this case that that is not required..."

It is nothing that the defendants are alleged to have done, therefore, which is the basis of this trial. It is their ideas in themselves and the fact that they publicly expressed these ideas which constitute the "crime".

Let the government secure a conviction on these grounds, and the precedent will have been legally established which will enable the government to make expression of opinion, independent working-class political activity, militant trade-unionism, a 'crime' and subject to punishment by long prison sentences. The mere possession or circulation of a book by Marx, or any other book or publication unacceptable to the government, may constitute a 'felony'.

Back of the prosecution is the mighty power of the government, the resources and apparatus of the wealthiest ruling class in history.

The defendants and their organizations have no resources with which to conduct a trial of at least two-months duration. They must have minimum living expenses, because they cannot work while the trial is in progress and maintain themselves and their families. Legal fees, court expenses, research work, all require financial means far beyond the capacities of the defendants to supply.

But the defendants are fighting not for themselves alone. They are battling for the rights and liberties of the American people as a whole.

Their fight, then, is the fight of every person, every worker, and progressive, who values his constitutional and inalienable rights and liberties.

Financial and moral support are the crying need of the defendants. Give them the means to fight, and they will conduct the most uncompromising battle for democratic principles ever witnessed in this country.

Every dollar, every penny which workers and liberals contribute to the defense will help prevent the flood of reaction which will follow a conviction in this case.

The need for funds is immediate and pressing.

The trial is already under way. The time to act is now — at once. Two months from now may be too late. Dig down in your pockets! Open wide your wallets! The price of liberty comes dear. Money is the least sacrifice we may be called upon to make for the preservation of our democratic rights. Rally to the front lines in the fight for civil liberties! Rally to the defense of the Minneapolis defendants! Let your dollars speak your determination that this attempt at violating labor's rights shall not succeed.

Rush your contributions to the Civil Rights Defense Committee, 160 Fifth Avenue, New York City. The Civil Rights Defense Committee is the authorized agency for collecting funds to aid the 28 defendants. It is a national committee, composed of labor leaders, writers, educators, and outstanding leaders in progressive circles throughout America, which has been authorized by the defendants to organize and mobilize public support on their behalf.

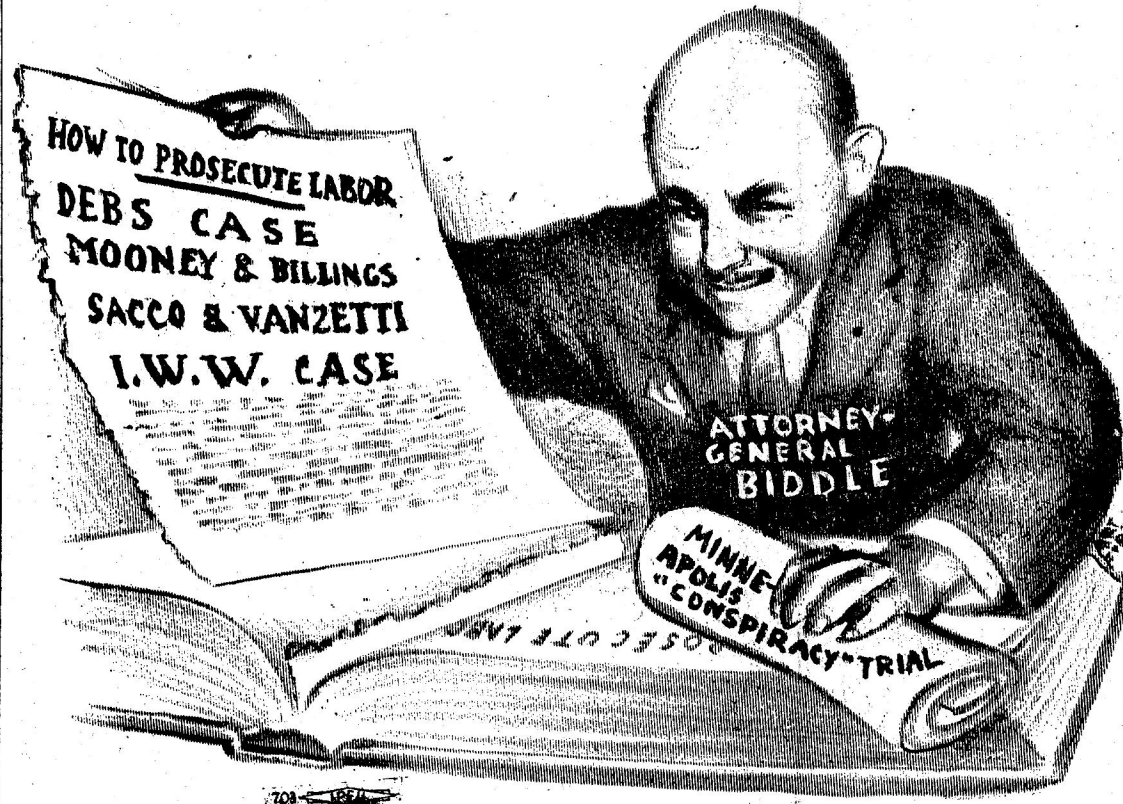
Don't delay! YOUR rights are at stake!

NEXT WEEK

For some time THE MILITANT has been trying to secure for publication the stenogram of the important speech delivered by Comrade James P. Cannon on "The Federal Prosecution and the Present Tasks of the Party", delivered at the Socialist Workers Party Plenum-Active Workers Conference in Chicago, Oct. 11, 1941. Delivery of the stenogram has been delayed by preparations of the party for the Minneapolis trial.

Just before this issue went to press, however, the stenogram was received in New York. This makes it possible for us to announce that next week's issue of THE MILITANT will feature the speech by Comrade Cannon.

A PAGE OUT OF THE ANTI-LABOR BOOK



Stalin Interview Shows Real Situation In USSR

Stalin Shows He Is Incapable of Adopting A Revolutionary Program of Victory

By GEORGE BREITMAN

Reports from the Moscow front tell of fierce fighting raging around all the approaches to the capital. A radio broadcast from Moscow on November 3 declared that the German assault on the city had "entered a most serious phase", with the Germans throwing in fresh reserves of planes, tanks, guns and men. A decisive battle was being fought at the munitions center, Tula, 100 miles south of Moscow; and losses were increasing tremendously on both sides in the battle for Kalinin, 95 miles northwest of Moscow.

Late dispatches also tell of serious defeats for the Soviet forces in the Crimea, where they are reported to have been cut in two and driven back to the coast. Loss of the Crimea will give the Germans not only control of the Black Sea, but places them in a position to outflank Rostov, and the Don basin and threaten the Caucasus and its oil fields.

No one disputes the high fighting calibre, the spirit of sacrifice, the splendid morale of the Red Army soldiers. If the advances

of the German armies have been slowed up thus far, it is due primarily to these qualities of the Red Army.

But wars are not won by heroism alone. Modern armies require the proper strategy, the taking into account of all the factors, military, geographical, political, the co-ordination and the effective use of resources at hand, the selection of the weak points in the enemy's front.

STALIN'S INTERVIEW WITH INGERSOLL

Stalin's "strategy" in the war was authoritatively revealed last week in a series of articles writ-

ten by Ralph Ingersoll for the newspaper PM. Ingersoll has just returned from three weeks in the USSR where he discussed the war (Continued on Page 5)

Own Witnesses In Trial Of 28 Cite Defendants' Union-Building Record

Prosecution Trying to Prove Union Defense Guard, Formed to Protect Unions from Fascist Attacks, Was Part of 'Conspiracy'

MINNEAPOLIS, Minn., Nov. 3. — The two witnesses introduced by the prosecution in yesterday's proceedings of the federal government's 'seditious conspiracy' trial against 28 members of the Socialist Workers Party and of the drivers' Local 544-CIO of Minneapolis, proved more of an embarrassment than an asset to the case the government is trying to build up.

The prosecution at the opening of the afternoon session of the sixth day of the trial introduced two witnesses in an attempt to convince the jury that several of the defendants had been conducting 'illegal' and 'subversive' activities in the trade union movement. But before the witnesses stepped off the stand, they had given a picture of the defendants' activities which showed that they were guilty only of carrying on vigorous activities in defense of a union on strike, and of trying to convince other trade unionists of the correctness of their political views.

The first of these witnesses on the stand was Thomas V. Smith, former secretary-treasurer of the Omaha (Nebraska) Teamsters Union, Local 554. Smith testified that he joined the Socialist Workers Party in the spring of 1940 and that five out of the seven members of the Omaha Teamsters Union Executive Board were party members.

Through him, there was introduced as evidence, without objection by the defense, a party Internal Bulletin on trade union problems.

TESTIMONY OF THOMAS V. SMITH

On direct questioning of Smith, prosecution sought to build up a picture of "outsiders" like Farrell Dobbs, Carlos Hudson, and Vincent Dunne, coming into Omaha to dictate the affairs of the local union. The prosecution

also sought to convey a picture of Smith being given a course in ultra-revolutionary reading by Farrell Dobbs. Without explaining what these books actually were, the prosecution saw to it that the jury heard that Smith had read a book entitled "DYNAMITE" and the "COMMUNIST MANIFESTO."

But Smith of Omaha turned into a complete liability for the prosecution, when the defense had an opportunity to cross-examine him. Smith smilingly explained that "DYNAMITE" was a book, written by Louis Adamic, that disapproved of violence, and that he liked the "COMMUNIST MANIFESTO."

He described the work of defendant Farrell Dobbs first as Secretary of the 11-state North Central Area Committee, and then as International Representative of the International Brotherhood of Teamsters; Dobbs coming to Omaha at the request, first of the local union, and then seconded by AFL Teamsters' chief Daniel J. Tobin; and before this point was concluded Smith had described Dobbs as unquestionably the outstanding trade unionist in the work of the Eleven State Area Committee.

SMITH TELLS THE TRUTH

Asked why Farrell Dobbs resigned from his post as International Representative, Smith said that the International Office in Indianapolis had ordered Dobbs to settle a Kansas City taxicab strike on any terms and that Dobbs had refused to sell out the workers. An International Representative sent into Kansas City after Dobbs left there signed a worse contract than the one that Dobbs had rejected. The high point of Smith's testimony and cross-questioning came when defense attorney Goldman asked him why he had joined the Socialist Workers Party. Smith answered:

"I went to Minneapolis and saw the good work of Local 544 and how it was helping the smaller locals. I saw that the leaders of Local 544 were labor-minded and were for the poor. So I thought that if the Socialist Workers Party puts out people like that it was good enough for me."

Smith denied that any of the Socialist Workers Party members had ever advocated the use of force and violence.

TESTIMONY OF MALCOLM LOVE

The next prosecution witness scheduled was Malcolm G. Love, clerk of the Omaha Teamsters Union, of which he was previously an organizer. The prosecution asked him only two questions — how many members of the Union's Executive Board were Socialist Workers Party members and when he had joined the party. It was obvious that the prosecution, after its disastrous experience with Smith, had no intention of providing the basis on which Love could be cross-questioned at length. (A prosecution witness can be cross-questioned by the defense only on those sub-

(Continued on page 3)

'Captive' Mine Strikers Agree To 15-Day Truce

Fix Strike Dead-Line in Event NDMB Fails To Make Favorable Decision On Union-Shop

The Roosevelt administration and the steel corporations have failed to force the United Mine Workers of America, CIO, to accept compulsory arbitration as a basis for settlement of the strike of 53,000 workers for the union shop in the "captive" coal mines.

Called on midnight, October 25, by UMW President John L. Lewis, in spite of Roosevelt's demand that the miners stay on the job and continue to work without a contract, the strike was temporarily halted on October 30 under terms of a 15-day

truce. Only after the Administration, the National Defense Mediation Board and the steel companies

DAILY REPORTS

See Page 3 for a complete day to day account of the proceedings of the Minnesota trial of the 28.

agreed to a mediation procedure which would not be binding on the union and would leave the union free to strike if the NDMB brings out a decision unfavorable to the miners, did the UMW announce a temporary truce. At the same time, a strike dead-line was announced by the union, and it is understood that the strike will automatically be resumed on November 15, if a satisfactory decision is not arrived at by then.

The strike was met by the combined onslaught of the entire capitalist class, incited openly and directly by the Roosevelt administration.

Terrific pressure was brought to bear on the miners to agree to a "no-strike" policy and to submit the disputed issue to arbitration which would be binding upon the union regardless of its effect on the miners' interests.

The strike was precipitated by the continued stalling of the NDMB, which after weeks of "deliberation" refused to take a position on the disputed union-shop issue. The board came out instead with alternative proposals which would have committed the union to submit the question to binding arbitration, or to continued fruitless direct negotiations with the companies which had refused for six months to accede to the union-shop, although over 400,000 commercial coal miners in the eastern United States are now working under a closed-shop contract.

NDMB ACTED FOR STEEL CORPORATIONS

The refusal of the NDMB to take a position on the union-shop (Continued on page 5)

Trial An Alarm Signal To Labor

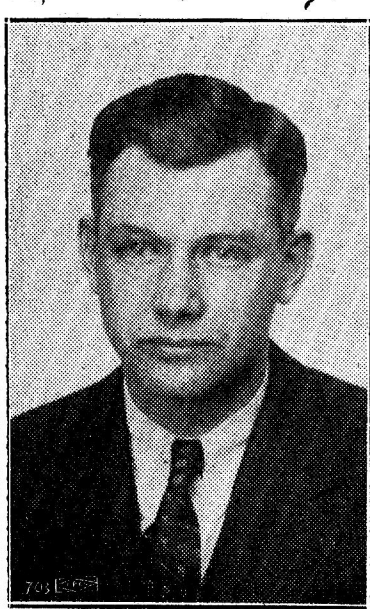
Secretary of Civil Rights Defense Com. Warns of Danger

NEW YORK, Nov. 4. — George Novack, Secretary of the Civil Rights Defense Committee, today issued the following statement on the opening proceedings in the trial of the 28 Socialist Workers Party leaders and CIO unionists now going on in Minneapolis.

"Federal Prosecutor Anderson's opening statement to the jury is the most sweeping attack upon civil liberties and labor's rights in American legal history. The federal prosecutor contends that, regardless of overt acts, the mere expression of their opinions is sufficient to establish the guilt of the defendants. This is a clear violation of the constitutional guarantees in the Bill of Rights.

WHAT PROSECUTION MEANS BY "CONSPIRACY"

"As evidence of 'seditious conspiracy,' the Prosecutor cited activities which have been engaged in for decades not only by the



GEORGE E. NOVACK
CRDC Secretary

Socialist Workers Party but by many labor and progressive organizations. According to the Prosecutor, it is seditious to carry on working class political activities, to publish such Marxist classics as the 'Communist Manifesto' and Trotsky's 'History of the Russian Revolution,' to crit-

icize any abuse or discrimination in the armed forces, to call the government of the U. S. imperialistic or capitalistic, and to maintain that the workers and farmers who form the majority of the population should govern the country.

"Even the demand for higher wages is branded a crime. It is going to be a part of our case," declared Anderson, "... to show ... that the Socialist Workers Party was to guide and direct the activities of the union ... For instance, if it was a question of labor pay per hour, ask for an increase; if that was received, then don't stop there ... Always agitate and demand to cause a condition of unrest in order that there might be a breach between the employing class and the employee."

FREEDOM OF SPEECH UNDER ATTACK

"There is hardly a progressive idea or a labor activity which could not be proscribed if the government obtains convictions in this case. Here in the United States, and not only in Japan, the

Rights of Labor Are Under Attack Now, Says Novack

government is forbidding people to have 'dangerous thoughts.' Here in the U. S., as well as in fascist countries, trade union activities are being branded criminal offenses. Here, as under totalitarian regimes, freedom of speech and freedom of the press are in danger of extinction.

"The prosecutor's blunt assertions are an alarm signal to every American who values our hard-won liberties and does not want to see them taken away under pretext of war-time emergency. The trial now going on in the federal Courtroom at Minneapolis is today the front-line sector in the struggle for civil liberties and labor's rights in the United States."

Novack also cited the need for funds to carry on the legal and relief work of the Civil Rights Defense Committee which is aiding the 28 defendants, and urged that all funds be sent to its office, 160 Fifth Ave., New York City.

