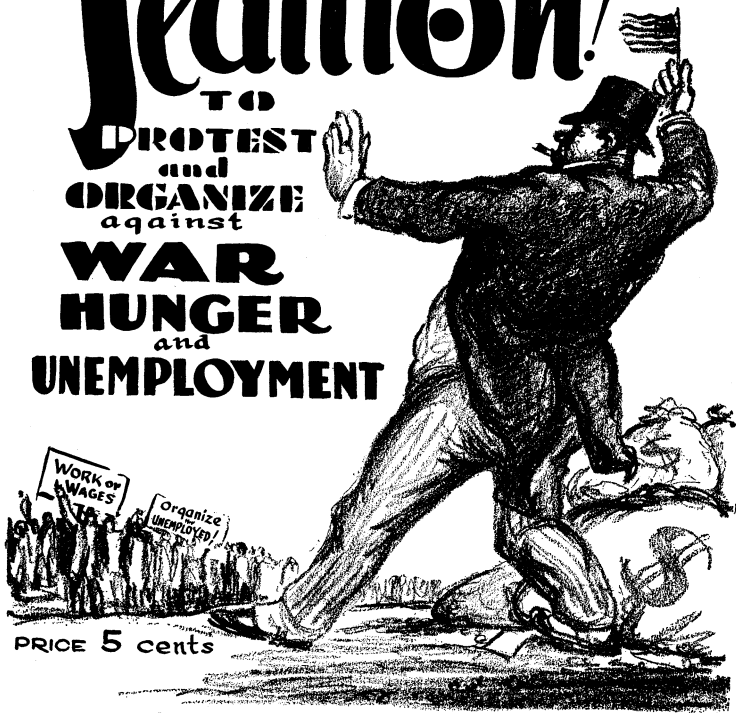


# Sedition!

TO  
PROTEST  
and  
ORGANIZE  
against  
**WAR**  
**HUNGER**  
and  
**UNEMPLOYMENT**



PRICE 5 cents

by **J. LOUIS ENGDAHL**  
Issued by THE INTERNATIONAL LABOR DEFENSE

1930

# *Build the* **International Labor Defense**

It fights for the release of all class-war prisoners and for the repeal of all criminal syndicalist, sedition and insurrection laws.

It provides legal defense to the workers persecuted by the bosses for their activities in the class struggle and gives material support to the political prisoners and their dependants.

It fights against the oppression and lynchings of Negro workers.

It fights for the defense of the foreign-born workers and against deportation of workers because of their activities in the labor movement.

It fights for the right of freedom of speech, press and assembly for the workers and for their right to organize, strike, picket and defend themselves.

It helps the victims of, and fights against the White terror, in other capitalist countries.

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# **IT IS SEDITION—**

**To Protest and Organize Against Hunger, War  
and Unemployment**

**By J. LOUIS ENGDAHL**

**General Secretary, International Labor Defense**

**U**NEMPLOYMENT, hunger, slow death by starvation—this is the lot of the working class in the so-called “prosperous” United States of America.

No worker is safe from the misery and agony of “hard times.” The holder of a job may be among the jobless tomorrow. The employed worker may at any time see his wages slashed, his workday lengthened, while at the same time the cost of living increases, thus undermining his standard of living.

**To Protest Is “Sedition”!**

The capitalists make their hypocritical claims about “returning prosperity” at the very moment that the police in many cities are breaking up with brutal and bloody attacks the jobless demonstrations before city halls; while the so-called “war emergency” laws are being used to rush workers to long terms of imprisonment.

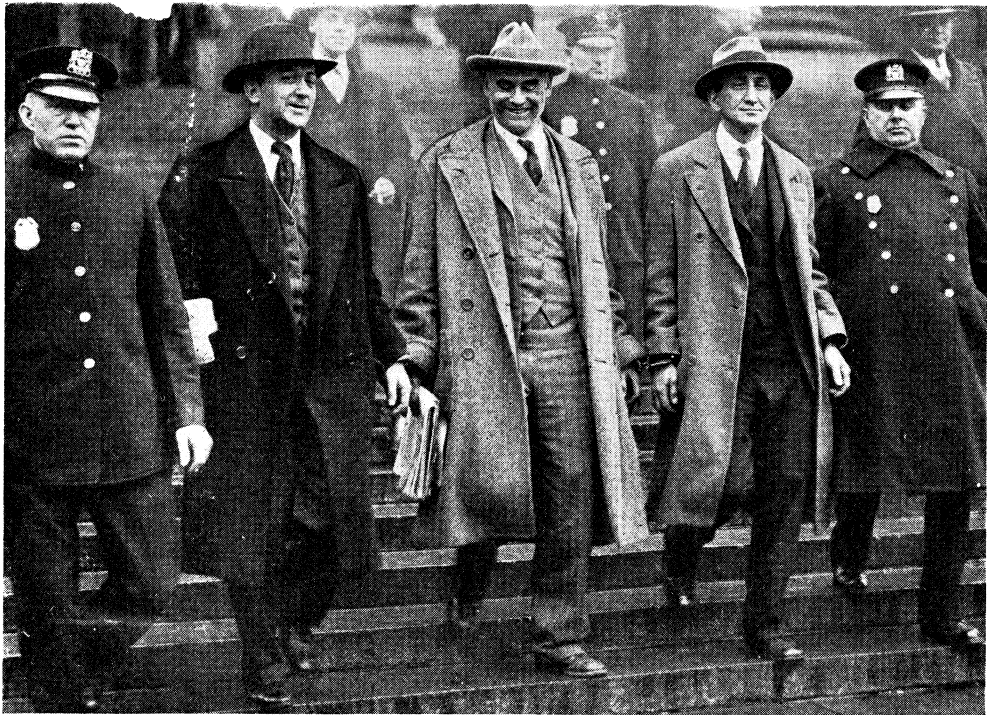
“Sedition!” is the cry raised by the boss class in reply to the slightest protest voiced by awakening labor against the policy of the exploiters to meet the sharpening crisis which they try to deny in words, but which in deeds they admit and try to transfer its burdens onto the shoulders of the toiling masses.

### **To Outlaw the Struggles of Labor**

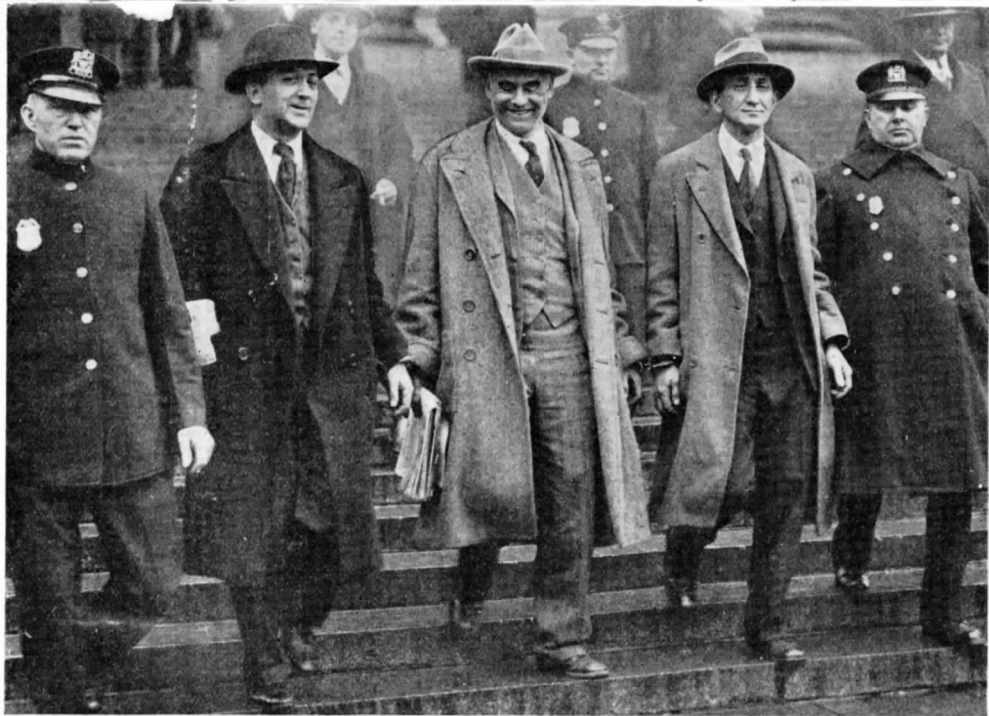
“Sedition!” has been written into the statute books of 35 states in so-called criminal syndicalism laws enacted in the United States that saw labor grow restless during the period of the world war and the Bolshevik Revolution in Russia. These laws are being wheeled into action today to help bulwark the weakening capitalist structure by putting workers in steel prison cages for many years, by seeking to outlaw the class struggle organizations of the militant and revolutionary workers.

In the South many states have insurrection laws put in the statute books by the Southern slave-holding aristocracy in the Civil War period 1861-65, at first directed against Negro slaves but now used to hold both Negro and white workers in the chains of wage slavery.

But these laws do not stand alone. They are a part of capitalist class justice that mobilizes tear gas, machine guns, so-called riot wagons, hordes of mounted and foot police against the March Sixth fighters for “Work or Wages!”



**William Z. Foster, Robert Minor and Israel Amter, members of the Unemployment Delegation elected by 110,000 workers of New York on March 6, led from court in shackles. They have still pending against them sedition charges arising from the arrest of the Bridgeman, Michigan, convention of the Communist Party in 1922. They are now serving three-year prison sentences.**



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against International May Day demonstrations, against all labor's mass protests.

### **Laws Far-Reaching**

These sedition laws can be turned into sharp weapons of attack against any class activity of labor, against workers "assembling with" each other; against "spoken or written words (no matter in what form) or personal conduct" which can be interpreted as advocating criminal syndicalism, or sabotage, or "unlawful methods of terrorism as a means of accomplishing a change in industrial ownership or control, or affecting any political change."

Under this law the lumber barons and shipping interests of the Pacific Coast, the steel mill owners, coal profiteers, automobile and rubber multi-millionaires, in fact, all the kaisers of industry everywhere can find the basis for furious wars of attempted extermination against militant workers.

It is clear that the first master class move, in its attempt to paralyze the working class, is to legalize the Communist Party. The Communist Party is the most active and feared section of the working class. All workers must support it in its fight for the right of its legal existence. Workers realize that no measure of persecution will prevent the Communist Party from doing its duty as the leader and the organizer of the working class.

## French Revolution Feared

Workers have waged bitter struggles for their rights in this country under the present capitalist government from its very beginning. Rhode Island and North Carolina refused to ratify the original federal constitution on any terms because it did not contain the so-called civil liberties' safeguards that were later injected in the bill of rights, but were never anything more than dead letters in the capitalist government's basic law.

Alien and sedition laws were enacted by congress in 1798 in the effort to gag the outbursts of sympathy with and thus counteract the influence of the French Revolution. There were numerous arrests, convictions and imprisonments. So great grew the protest, however, that when Thomas Jefferson became president in 1801 all those convicted were pardoned and fines imposed were remitted. Even damages in huge sums were collected from the government.

## New York Led Attack

While numerous methods have been utilized by the employing class during the intervening 130 years, to strangle every effort of the working class to rise off its knees, actual laws penalizing utterances were not passed until the ruling class in New York State exploited the hysteria incidental to the shooting of President



McKinley by an anarchist in 1901, to pass the so-called criminal anarchy law that was used in the war years against workers' revolutionary activities, that was upheld by the United States Supreme Court and became the model for anti-sedition laws in the various states.

The federal congress, however, did not openly attack civil liberties until it enacted the vicious wartime Espionage Act of June, 1917, under which there were some 2,000 prosecutions, sentences as high as twenty years' imprisonment being imposed on many workers. Numerous state governments imitated the federal tyranny by enacting laws of their own, some of them even more drastic in the post-war period, which was the period of the organization of the Communist International, the consolidation of the Bolshevik triumph in the Soviet Union, and the far-reaching economic crisis in the United States (1920-22), accompanied by hard-fought strikes of steel and railroad workers, coal miners, as well as labor facing deflation in other industries.

The extremes to which these laws went were clearly seen in the law passed in Connecticut against the "forbidden doctrine."

This law declares:

“No person shall in public, or before any assemblage of ten or more persons, advocate in any language any measure, doctrine, proposal or propaganda intended to injuriously affect the government of the United States or the State of Connecticut.”

Under these criminal syndicalism laws it has become seditious, according to arrests and prosecutions in some states, even to read the bill of rights of the federal constitution at an open meeting.

### **First Attack Against Communists**

The first group of Communist cases under the criminal syndicalism laws grew out of the organization of the Communist Parties in 1919 in California, Illinois and New York. Eleven were put on trial in California and three convicted. Eighteen were tried and convicted in Illinois and served part of their terms. Even the capitalist judge in Illinois, fearing for the discontent that would be aroused among the workers by the extreme persecutions under these laws, declared:

“The law (criminal syndicalism) of this state is so drastic and far-reaching in its provisions that any public utterance of the great leaders in our past history would have been punishable under its provisions.”

10 SEDITION—To PROTEST AGAINST UNEMPLOYMENT



**Andy Mellon, secretary of the treasury and financial and industrial kaiser of Pennsylvania, state of the infamous Flynn Sedition Law, under which three workers of Woodlawn, Pa., steel town, have been sentenced to 5 years in the penitentiary and are now serving. Mellon is the jailer of Muselin, Zima and Resetar.**

### **Boss Class Is Active**

The boss class knows the value of these laws. The textile mill owners' press in North Carolina has opened a propaganda campaign for the passage of an anti-sedition law by the next state legislature, based on the "California model." This is in addition to its Civil War insurrection law under which it placed six textile strikers on trial at Marion in September, 1929. Fearing this legal lynching would not operate fast enough deputy sheriffs under the infamous Sheriff Adkins massacred in cold blood six strike pickets and wounded more than a score on the streets of Marion, October 7, 1929.

Ex-army officers in the DuPont Powder Trust state of Delaware, organized in the DuPont Chapter, No. 78, National Sojourners, all members of the Masonic fraternity, call for similar legislation against the workers in that state. These are merely symptoms of the growing repression, echoed in congress by the plan to enact a federal criminal syndicalist law, and thus organize this phase of the war against labor directly under the leadership of the national government.

### **Face 1,105 Prison Years**

One hundred and thirteen workers are today facing 1,105 years imprisonment, more than

eleven centuries of time, as a result of the American employing class effort to halt the class struggle march of labor in this country through the persecutions that it develops under the anti-labor campaign launched with the use of these laws.

The increasing attacks of the employers and their government now definitely develops into a vicious nation-wide onslaught with the clearly intended object of seeking to crush all labor's class struggle organizations and thus paralyze the resistance and gag the discontent of the whole working class. Thus the master class seeks to outlaw the growing radicalization of the working class, to stifle the demands of the jobless, to mask its war preparations and hostile maneuvers against the Soviet Union.

### **Labor Faces Big Tasks**

This situation confronts the whole working class with new, tremendous tasks as clearly outlined in the decisions of the Fourth National Convention at Pittsburgh of the International Labor Defense.

The arrest of M. H. Powers and Joseph Carr, organizers of the Communist Party and the Young Communist League; Mary Dalton, organizer of the N.T.W.U.; Gilmer Brady, organizer of the American Negro Labor Congress; Ann Burlak of the I.L.D., and Henry Storey, Negro worker, all at Atlanta, Georgia on the



**JOSEPH CARR**

Communist Party and Young Communist League organizers charged with “inciting to insurrection” and facing the death penalty, because they organized negro and white workers together for militant struggle!



**H. M. POWERS**

Ann Burlak, organizer of the National Textile Workers Union, held with five others on charge of “insurrection” in Atlanta, Georgia.



charge of attempting to incite insurrection, which carries with it the penalty of death in the electric chair, takes place on the first anniversary of Gastonia strikers' heroic struggle.

### **New Wave of Lynchings**

The issues involved in the Atlanta and Gastonia persecutions, which is the attack on the workers of the South carried on by the employing class under the leadership of millionaire textile mill owners, now face the workers nationally in an ever-sharper form as a result of this developing and desperate wave of the ruling class attack, which is buttressed by mass deportations, as one phase of the growing attack on foreign-born workers; wholesale arrests on minor charges as the result of the most elemental activities of workers (5,905 arrests in the two-year period, 1928-1929; 3,711 arrests during the first four months of 1930); murderous police attacks on workers meetings, picket lines and demonstrations (the shooting down of Ella May, Steve Katovis, Gino Mazzola, and others, including workers in the strikes of textile workers in Philadelphia, taxicab drivers in Pittsburgh, and street carmen in New Orleans.)

This period witnesses a rising wave of most fiendish brutality in the lynching of both Negro and white workers. Lynching is a class weapon, of the capitalist class against the

working class. This is seen in the whole list of recent mob murders of Clarence Hughes, John H. Wilkins, Chester Fugate, Willie McDaniels, Joe Boxley, Dave Harris, Allen Green, Laura Wood, Jimmie Levine, John Hodaz, Negro and white workers and farmers. Southern soil is stained red with the life blood of the working class.

### **The Warning of the I. L. D.**

The International Labor Defense has continually pointed out that the victory of the textile barons in North Carolina's courts in securing a guilty verdict and the sentencing of 7 strikers and organizers to 117 years imprisonment, would be immediately echoed in the nation-wide attack of the employing class, especially in the basic industries.

The sentencing of the seven Gastonia strikers and organizers to 117 years imprisonment was a major defeat for the whole American working class. Since these sentences imposing a living death on the convicted textile workers were pronounced (October 21, 1929) in North Carolina the employing class has advanced on numerous fronts (Pennsylvania, Ohio, Michigan, Illinois, California, New Jersey, New York) with the criminal syndicalist laws as the chief weapon of the attack.



16 SEDITION—TO PROTEST AGAINST UNEMPLOYMENT



**PETER MUSELIN** of Woodlawn, Pa., now serving 5 years at Blawnox, Pa., under Pennsylvania Sedition Law.



**MILAN REŠETAR**  
Woodlawn, Pa., now serving five years at Blawnox, Pa., under Pennsylvania Sedition Law.



**TOM ZIMA**  
Woodlawn, Pa., now serving five years at Blawnox, Pa., under Pennsylvania Sedition Law.

### Attack by Steel Profiteers

From the steel area of Woodlawn, Pa., a stronghold of the infamous Jones and Laughlin Steel Corp., the American Bridge Co. and other rapacious interests, the three workers, Muselin, Resetar and Zima have been sent to prison for five-year terms. One week after the Gastonia sentences (October 28, 1929) the United States Supreme Court presided over by William Howard Taft, cynically refused to even consider their appeal. One month later, November 28, the same Supreme Court again refused to review the case and the three workers were caged away in the worst prison hell-hole of Western Pennsylvania. Brutal and bloody "Jones and Laughlin" tyranny still rules at Woodlawn, profiting by the security that the Manville-Jenckes Corporation enforces as its own at Gastonia, North Carolina.

Three days after the Gastonia verdict and sentence, the trial, conviction and sentence to as high as ten years' imprisonment, of the five women, including Yetta Stromberg, arrested at the Yucaipa, California, Children's Camp were rushed through to their inevitable conclusion. "Open Shop" Los Angeles had scored another "triumph." The Los Angeles Chamber of Commerce and its poisonous anti-labor mouthpiece, The Times, claimed another "victory."

Mass trials not only for criminal syndicalism, but also for treason, carrying the death penalty are threatened by California lynch law justices as the result of arrests of 87 members of the Agricultural Workers' Industrial League, originally held under \$40,000 bail each. This extreme persecution grows out of the attacks on the organization efforts of the agricultural workers in the Imperial Valley.

### **Many Arrests in Chicago**

The Gastonia persecution ushered in the campaign launched against the Communist Party in Chicago, with the arrest of eight of its leading officials on sedition charges and imprisonment on extreme bail. This effort to outlaw the Communist Party in the Chicago District of heavy industry was bulwarked by 26 additional warrants for the arrest of other active militant workers on sedition charges.

The Gastonia verdict was the signal for the capitalist state officialdom in Michigan to refuse to make any move for the dismissal of the seven-year-old sedition cases growing out of the arrests (August 21, 1922) of numerous delegates, including Foster, Minor and many others, attending the Communist Party convention at Bridgeman, resulting in the indictment of 75 individuals. The court still holds the \$7,500 bail provided for C. E. Ruthenberg, although he has been dead for over three



Tom Johnson



Charles Guynn



Lil Andrews

years. Ruthenberg was under a 10-year prison sentence when he died. Thus the court seeks its revenge. These seven-year-old charges may be brought into court for trial at any moment.

The same anti-sedition law is again being used in Michigan to send workers to prison for long terms. It is the weapon of the automobile profiteers against the rising discontent of the slaves of their assembly lines as in the arrest of Fred Beal, Gastonia defendant, in the General Motors citadel, Pontiac.

### **“Guilty!” in Five Minutes**

One month after the Gastonia verdict the prosecutors doing the bidding of steel mill and coal mine owners of Belmont County, Ohio, were ready to go through the farce of a trial that resulted in the conviction and sentence to ten years imprisonment of Charles Guynn, of

the National Miners' Union, Tom Johnson, Trade Union Unity League organizer, and Lil Andrews, Cleveland District Organizer of the Young Communist League. The stacked jury "deliberated" five minutes before bringing in this lynch-law verdict. The "crime" had consisted of distributing leaflets and speaking at the mill gates. Betty Gannett and Zorka Yoki were sentenced to 10 years prison sentences, also in Ohio.

In Newark, New Jersey, nine workers were arrested when police raided the local headquarters of the Communist Party, where an unemployed meeting was in progress. They are all charged with sedition. One of them is the Negro worker, Dozier Graham, nominated as the Communist candidate for United States Senator. Dominick Flaiani has already been found guilty of "Sedition" by a businessmen's jury and he may be sentenced to 17 years in prison!

### **Election Activities Attacked**

Sedition cases are pending in Philadelphia against workers, some of whom are merely charged with distributing "Vote Communist" leaflets in the election campaign. The worker, Lazar, the second week after the Gastonia verdict, was arrested while speaking at an open air meeting on the eve of the November election, and charged with sedition.

In the Pennsylvania czardom of Charles M. Schwab, the head of the Bethlehem Steel Cor-

poration, that was exposed as leading in the propaganda campaign for more and larger battleships, the workers, Murdoch, Burlak and Brown, after facing sedition charges for several months, were finally released after a most bitter struggle by workers massed in protest under the militant leadership of the International Labor Defense.

In the great industrial area centered about Chester, Pennsylvania, including a Ford Auto Plant, the workers, Ray Peltz and Thomas Holmes, charged with sedition for distributing leaflet to the unemployed at the Viscose Textile Mills, are rushed through a farcical trial, convicted and face ten year sentences, being held in prison without bail pending appeal.

In the Farrell, Pennsylvania, steel district sedition charges still stand against the workers Kovacovich, Radas, Marich and Sarich.

The Italian worker, Guido Serio, was seized while speaking at a meeting at Erie, Pa., charged with sedition and held under \$25,000 bail.

The I. L. D. was successful in temporarily repelling these attacks in the anthracite coal area centering about Wilkes-Barre, Pennsylvania, and in the copper mining regions of Northern Michigan.

### **In the Path of Fascist Europe**

Thus the American ruling class tyranny copies the method and the weapons of the

growing fascist dictatorships in Europe, where the exploiters and their governments are also sharpening their attacks against the revolutionary organizations of labor and especially against the Communist Parties. The anti-Com-



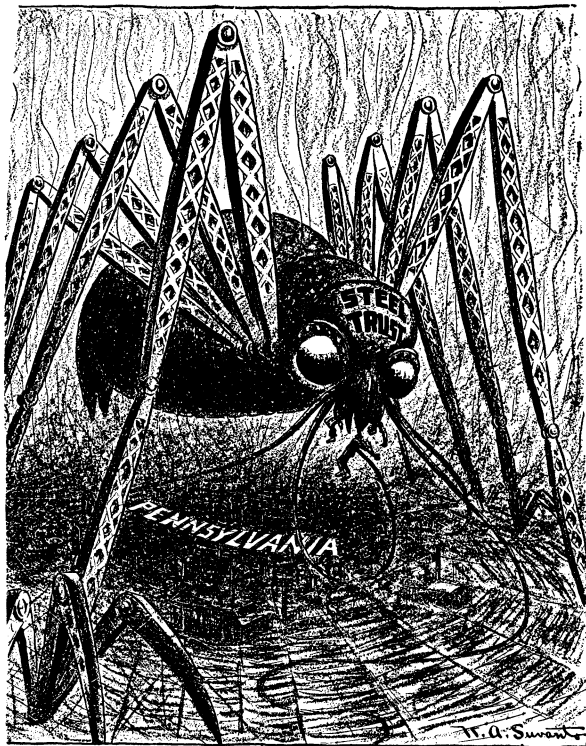
Bill Lawrence, Philadelphia worker, charged with sedition for speaking at an open-air meeting



I. PELTZ of Philadelphia, charged with sedition because he distributed unemployment leaflets before a textile mill.

munist law has been personally drawn in Germany by the Social-democrat, Severing, and pales to insignificance Bismarck's anti-Socialist law of the last century. This law that seeks to drive the Communist Party underground in Germany is brought forward by the infamous Zorgiebel, social-democratic police chief of Berlin who slaughtered the workers on May Day, in 1929.

The new Czecho-Slovakian regime threatens the complete liquidation of the workers' press,



The home of the infamous Flynn Sedition Law that is now holding the three workers Muselin, Resetar and Zima in prison for five years. Their homes are in the steel-controlled town of Ambridge.



extreme measures against the Communist fractions in the parliament and the senate, and against the militant unions as the first step towards the attempt to entirely outlaw the Communists; in Austria by the fascist constitution of police chief Schoeber, now prime minister by the help of the social-democrats; in France by Tardieu's court attack against 154 leaders of the Communist Party under the law of the year 1832 which is used to fix the crime of conspiracy against the state.

### Apply Gag in Parliament

While in Europe the Communist parliamentary fractions are being gagged more than ever, in the United States it becomes increasingly difficult for revolutionary workers to function in electoral campaigns (Communist candidates barred from the ballots, Negro workers disfranchised, naturalization of foreign-born workers made extremely difficult, large numbers of native whites in many states facing property qualifications, used to rob them of their ballot right, etc.).

It is the extra-legal expressions of fascist suppression of labor (often combining with the social fascists), such as the American Legion, the Ku Klux Klan, etc., etc., which organize their campaigns for the carrying out of the sedition (criminal syndicalism) laws to the limit, aiding in the arrests, raids on workers' headquarters and their complete destruction,



**Sentenced under the California sedition laws; (Standing left to right) Sarah Cutler, acquitted; Bela Mintz, one year; Esther Karpiloff, one year; Seated: Yetta Stromberg, 10 years; Emma Schneiderman, one year and Jennie Wolfson, one year.**



**Sentenced under the California sedition laws; (Standing left to right) Sarah Cutler, acquitted; Bela Mintz, one year; Esther Karpiloff, one year; Seated: Yetta Stromberg, 10 years; Emma Schneiderman, one year and Jennie Wolfson, one year.**

raids on homes, seizure of literature, destruction of property of working class organizations (Gastonia, Pontiac, California, Chicago, Atlanta.)

### **Role of Social Fascists**

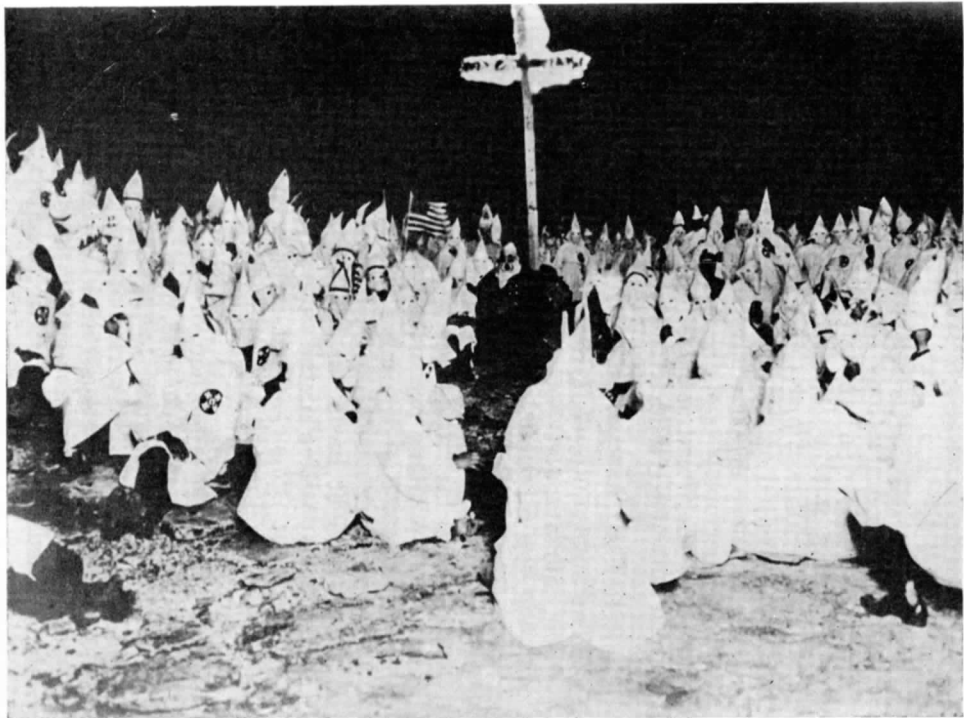
Exactly in these situations fascists and social fascists (the American Federation of Labor, the Socialist Party, and the Musteites, etc.), appear as the champions of "law and order," especially voicing their opposition to the street demonstrations of the unemployed (Pontiac, Michigan), while in Milwaukee, Wisc., with its socialist mayor the police are also used to savagely club the demonstration of the jobless. In California, where the criminal syndicalist law has been used most extensively against the workers, the Socialists openly appear with the Russian counter-revolutionary, Chernov, resenting the bitter hatred voiced by the workers against this enemy of the First Workers Republic.

### **Symptoms of Capitalism's Weakness**

This alliance of fascist and social-fascist elements with the employers and their government, is a sign of the growing weakness, not of the strength of the exploiters and their capitalist state. It grows out of the developing revolutionary situation. The International La-



**Klansmen, in their night orgies. Best supporters of the Sedition and Insurrection Laws.**



**Klansmen, in their night orgies. Best supporters of the Sedition and Insurrection Laws.**

bor Defense must defend the struggles of revolutionary organizations to continuously function in this period; to defend the right to the continuous publication and wide distribution of labor's militant press under all conditions.

The repeated onslaughts against labor under cover of these sedition laws has not been considered seriously enough and as a result the forces of the working class have not been mobilized sufficiently and effectively to resist them.

### **The "Assembling with" Charge**

The steel, auto, coal, textile barons, through their courts and prosecutors in seeking victims among the militant workers in the mills, factories and mines that they control, are not called on to prove that workers have urged any violation of law. It is not necessary to prove membership in any proscribed organization. In the Michigan case the mere fact that militant workers were "assembling with" each other became sufficient basis for the sedition charges and the imposition of the ten-year sentence on Ruthenberg. This case has never been dropped. It still stands in the court docket at St. Joseph, Michigan.

Here is a new method of legal oppression, carrying extreme penalties, that has been declared "constitutional" by the United States Supreme Court. The period of the court struggle against these viciously anti-labor laws, seeking to declare them unconstitutional, is definitely ended.

## **Workers Must Mobilize**

Mass protest by ever broader sections of the working class must be exerted to cripple and defeat the growing drive to jam the prisons with the most militant fighters of the working class doomed to long terms of years in capitalism's bastilles.

While the International Labor Defense organizes the struggle in support of workers seized and dragged into court under these anti-labor, open shop laws, it greets the national campaign inaugurated by the Communist Party for the repeal of the various criminal syndicalist, and Civil War insurrection sedition laws. It will join the United Front organized to create mass agitation for the repeal of these laws that are not only directed against the Communist Party, but are weapons of the ruling class oppression directed against the working class as a whole.

## **Organize Mass Pressure**

Where these laws exist, but where there is no initiative and referendum as a means of fighting them, the mass movement for their repeal must take other forms, which must be utilized everywhere, such as mass resolutions, mass campaigns of working class organizations and other means. The major aim must be to mobilize the largest possible masses of workers against the laws.



### **New State of Emergency**

It is precisely in the present growing radicalization of the oppressed masses, the rapidly intensifying mass unemployment and the speeding of war preparations accompanied with the new aggressions against the Soviet Union that these "emergency" laws" are again being revived.

The struggle against these laws, therefore, becomes a definite part of the anti-war campaign, the defense of the Soviet Union, the organization and the support of the jobless and intensified activity in the shops and factories for the organization of the unorganized.

### **Resist This Attack**

**Defeat the attack of the employers and their government carried out under the criminal syndicalist, sedition, and Civil War insurrection laws! Support the fight of the Communist Party for the right of its legal existence.**

**Unite in the movement for the repeal of these laws! Organize mass protests!**

**Defeat the efforts to outlaw the class struggle organizations of the American working class, the Communist Party, the new industrial unions, the Trade Union Unity League, the International Labor Defense, etc., which is the forerunner of more intensive attacks on the whole working class.**

**Defend the workers in their struggles to defend themselves, to organize the unorganized, to strike and to picket!**

Support the organization campaign of the unemployed and defend the jobless in their demonstrations and protest meetings. The members of the ILD must be among the best fighters in the unemployed campaign, uniting the struggle of the unemployed and the jobless workers.

Demand the release of all the class war prisoners, the Gastonia prisoners, Atlanta comrades, Foster, Minor and Amter.

Raise the struggle of the American working class against the oppressions in foreign lands—against the terror in Mexico, Cuba, Haiti, Colombia and Nicaragua; against the mass persecutions in Japan, China, Indo-China and Indonesia, in the Meerut trial of workers in India; against the terror rule of the fascist dictatorships in European countries, supported by Wall Street Imperialism!

**Fight the Imperialist War Danger!**

**Defend the Soviet Union!**

**For the class struggle unity of the whole working class.**

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