

LABOR ACTION

Independent Socialist Weekly

SPECIAL 12-PAGE ISSUE

'SUBVERSIVE LIST': THE ATTORNEY GENERAL VERSUS THE ISL

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FIVE CENTS

A New and Decisive Test of Civil Liberties in America Today IS SOCIALISM 'SUBVERSIVE'?

The official document of the Department of Justice which is published in its entirety inside this issue reveals that the government is willing to declare publicly—through its attorney general's office—that *opposition to the capitalist system as such, and the advocacy of basic socialist ideas, is "subversive" in its eyes.*

This is the political meaning of the case against the Independent Socialist League which it now presents, as grounds for placing the Independent Socialists on its "List of Subversive Organizations."

Not only is this document the first such "Statement of Grounds" which it has issued—and that itself is news—but it is the first frank declaration by the businessmen's administration in Washington that its witchhunt against nonconformist opinion is not limited even to the Stalinists but is directed in defense of the capitalist social system against all radical opponents of the status quo.

This is not a "legal" interpretation; that will be up to the courts, and it is also dealt with in the extensive reply to the attorney general by the ISL, as it will be dealt with by the ISL's counsels in court if necessary. This comment is concerned with the political meaning of the attorney general's document. And that meaning is plain and clear, with a less-than-expected amount of doubletalk and equivocation.

HEART OF THE CASE

In a sense, the government agency probably had no alternative but to take this new and unprecedented line—that is, short of agreeing to the demand that the ISL be removed from the notorious list. For the very presence of the ISL on this list was from the beginning a test of its character. From the beginning, the only conceivable reason for its inclusion (by the Truman administration to start with) and its retention (by the Eisenhower men) could have been nothing else than its thoroughgoing opposition to capitalism as well as to Stalinism, and its opposition to the new world war which is looming, opposition both to the American war bloc as well as that of the Russian totalitarians.

"Force and violence"? As the ISL reply cogently shows, one of the remarkable aspects of the government's stated case is that it does not even charge in so many words that the ISL advocates the "overthrow of the government by force and violence"!

"Agents of a foreign power"? This, of course, is part of the rationale for the witchhunt against the Stalinist party, which is indeed a puppet of the Russian tyrants; and even some liberals have compromised themselves in supporting phases of the purge system on the ground that it is necessary to guard the country against Moscow's imperialist designs.

But in the case of the ISL, the Department of Justice is dealing with a movement whose whole record and political program is intrinsically opposed to the

For the first time the government presents an official Statement of Grounds for placing Socialists — anti-Stalinists — on the 'Subversive List.' For the first time, the government officially admits its belief that what is 'subversive' is socialist opposition to capitalism itself.

Stalinist movement, the Stalinist system, the Russian dictatorship, its wars, its imperialist expansion, its methods and its politics.

Reprehensible as the "subversive list" is as a whole in conception and method, nothing about it is so clearly monstrous as the inclusion of a militantly Marxist socialist organization like the ISL, whose entire political program is based on the position of the "Third Camp"—opposition to both exploitive systems in the world today and both their war camps.

But if Independent Socialism is opposed to both capitalism and Stalinism, it is the first part of this which is its "crime" in the view of Eisenhower's police-minded purgers. The ISL stands accused of advocating the abolition of capitalism and the establishment of a socialist society—nothing less.

A point-by-point demonstration of this fact is given in the ISL reply. Here are a few highlights which show the line taken by the government.

"SOCIAL PHILOSOPHY"

Look at Point 7 in its "Statement of Grounds"—

"The 'changes' advocated by the WP, ISL and SYL, if carried out, would result in the destruction of the existing form of government in the United States, and in place thereof would be established an entirely new social philosophy and system of 'proletarian internationalism.'" (Our emphasis.)

Thus is revealed what the Department of Justice means by "the existing form of government" and why it does not even drag in the accusation of seeking change "by force and violence."

By "the existing form of government" it means the presently dominant "social philosophy and system"—which is known as capitalism.

The ISL is being accused of advocating "an entirely new social philosophy and system." This is true, of course! It is socialism. We can leave aside the political illiteracy shown by the police-minds of the Justice Department in its way of using the term "proletarian internationalism," which is only one of the necessary aspects of socialism.

What remains is that the socialist "philosophy" or "proletarian internationalist" views are frankly proscribed as "subversive" by this agency of the government. Is, then, bourgeois internationalism proper? Or is any form of internationalism a "crime"?

alism proper? Or is any form of internationalism a "crime"?

Look at the "Interrogatories" set down by the Justice Department—all of which must be important, in its opinion, in determining whether the views of the ISL are "subversive." Skipping the "fishing" questions at the beginning, which the Justice Department presumably considers to be clever, look at Interrogatory 24 and 25.

THIS IS THEIR EVIDENCE!

Following out the implications directly contained in these, we find that it is a "crime"—

- To advocate the desirability of a system of government "founded upon the principles of Marx, Engels and Lenin"! (The government is not concerned with the question of how this "system of government" is to be attained, whether by a peaceful vote of the majority of the people or not. What is "subversive" is that it will abolish the capitalist system. . . .)

- To advocate that it is necessary to "abolish all existing capitalist states"! (The World-Federalists advocate that it is necessary to abolish all national states. Let them beware!)

- To advocate that "the workers must eventually destroy the existing capitalist regime"! (There—the cat is out of the bag. . . . There is not even a question raised here of advocating the abolition of capitalism "by force and violence" or "by unconstitutional means.")

- To teach that "capitalists control the existing form of government in the U.S. and use it against the workers as a repressive force"! (This is a "dangerous thought." The capitalists and their self-admitted servitors who control the U.S. state will charge you with "subversion" if you hold this opinion about them. . . .)

In Interrogatory 25 we find that it is a "crime" to characterize both the U. S. and the USSR as "war blocs" and ask for a "revved socialist working-class struggle against both capitalism and Stalinism."

Such are the simple words which the Justice Department solemnly quotes as "evidence" of the subversive character of the ISL!

It is a "crime" to write that there is a need for a "democratic socialist internationalist power capable of withstanding Washington and the Kremlin."

This, quoted by itself, is a count in the government's evidence that the ISL is "subversive"!

Read the other "subversive" quotations from the ISL press, particularly the basic statement of elementary socialist views contained in the ISL "Program in Brief," as quoted in Interrogatory 25 (f)!

CRIME: ANTI-WAR VIEWS

But even this does not get down to the most sensitive layer of the police-minds' reaction to the Independent Socialist program. Behind all other aspects of the crime of advocating socialism is the most heinous one of all—Independent Socialists refuse to give political support to imperialist war by the American government, being opponents not only of the Stalinist Russian war camp but also of the American war camp.

This is set down in black-and-white by the attorney general's "grounds" and "interrogatories"—to begin with, in Points 20-23 of the Statement of Grounds.

"The WP, ISL and SYL," charges the government, "have openly sought to impede efforts of the U.S. to prepare its defense from aggression."

OPENLY!—mind you. The attorney general is not such an idiot as to accuse the Independent Socialists of "conspiring" in cellars to throw monkey wrenches into the military machine. What the ISL has done "openly" is to state its analysis and views on the war which is being prepared on both sides and on the war policies being followed by both camps.

And in its own way, this is exactly what the Justice Department adduces in evidence—our views! Look at the "damaging" quotations in Interrogatory 25 and elsewhere. It is a "crime" to hold the opinion that the U.S. government is conducting an "imperialist" policy. It is a "crime" to state that "socialists cannot support either side in the Korean war." It is even a crime to criticize pro-war deserters from the movement as being guilty of a "violation of political logic. . . and a shallow and even chauvinistic support of American imperialism"!

TEST FOR DEMOCRACY

Such is the heart of the government's case. No case like it has ever been presented in this country before, as a formal and legal basis for government policy.

The case of the ISL raises fundamental and decisive questions as to the fate of civil liberties in the U. S. in a way which, no other, so far seen, has done. It will be an acid test of liberal and democratic-conservative forces in the country. It will go far to decide the question: Can anti-capitalist and anti-war views be freely expressed in the United States within the framework of any and every law on the books, without incurring the persecution and hounding of the government's agencies, openly and covertly, directly and indirectly?

Or will the Eisenhower government succeed in outlawing socialist criticism of capitalism and imperialist war, on its road to imposing a one-party line of "official" thought on all the people?

Labyrinth of Justice: The Story of

By ALBERT GATES

In 1948 former President Truman gave the witchhunt atmosphere which lies over the country its greatest initial impulse by the issuance of Executive Order 9835. This presidential order instructed the Department of Justice under the attorney general to issue a list of "subversive" organizations which would presumably serve as an employment guide for the government. Members of any organization on the attorney general's list of subversive organizations would be barred from such employment by the government.

The executive order did not specify how such a list should be drawn up, what procedures should be employed, or how the list would be used. It seemed that such discretionary powers were left entirely to the attorney general.

As a result, the attorney general proceeded, with the assistance of the Federal Bureau of Investigation and using a variety of unknown means, to create such a list and to issue it publicly as a national "index of suspect organizations." The list has inevitably become the official government guide in such matters for private industry, organizations, institutions and the host of private racketeer magazines and periodicals living off the "anti-Communist" racket.

The list included hundreds of organizations. Some of them, such as the Japanese war veterans, dated back to the Russo-Japanese War of 1905; others were more than 25 years old; the vast majority of them had not existed for many, many years. It was apparent that the "specialists" advising the attorney general listed any organization they knew or had heard about which was in any way connected with the old Communist Party or the Stalinist movement. Also included in the list were now defunct totalitarian and fascist groups. Whether the new outcroppings of racist and fascist groups have been added to the list we do not know.

The list also contained the Socialist Workers Party, the IWW and the former Workers Party.

NO REDRESS

No hearings were ever held by the attorney general. None of the organizations listed was ever advised that the attorney general had it under consideration. No prior knowledge ever came to any of them of the kind of "evidence" the attorney general reviewed in making his determinations. Nor were any of them advised that they were placed on a "subversive list" by the attorney general until he had released the list to the press.

Thus there was no way to challenge the determinations of the attorney general, to review and question the evidence, to examine and refute the "witnesses." The position taken by the attorney general was that since the executive order did not specify or provide for hearings, none would be held; nor would the basis of his action be disclosed.

Except by the most expensive and circuitous means of litigation, certain to last for many years, there was no way in which an organization might obtain redress from the completely bureaucratic, anti-democratic procedures employed by the attorney general.

THE RUN-AROUND BEGINS

This account will show exactly how the process works out. It will refer to the exchange of correspondence between us and the attorney general's office which records the hopelessness and helplessness of trying to break through the bureaucratic barriers of the Department of Justice when that department decides on a course which it prefers shall not be brought into the open.

When the attorney general (at that time, in 1948, Tom Clark) sent out his list to the public press, the Workers Party immediately requested a hearing to present its position. It followed up that request with another letter dated July 20, 1948, reading as follows:

"Immediately upon the publication by your office of a list of organizations alleged to be 'subversive,' a list which included the Workers Party, I, as National Chairman of the Workers Party, addressed a letter to you requesting that a representative of our party be given a hearing by your office at which we would have the opportunity to present our point of view and to challenge your classification.

"I have just been informed by Mr. Arthur Garfield Hays, General Counsel of the American Civil Liberties Union, that such a hearing will be held by your office upon the application of any interested organization. With the authorization of the Workers Party, I hereby formally request the opportunity to present our point of view at a hearing organized by your office. We are ready to appear at any reasonable time."

A reply from T. Vincent Quinn, assistant attorney general, merely stated that "The attorney general has directed me to acknowledge receipt of your letter of July 20, 1948, and to arrange an appointment to see you or someone designated by you at my office. Please advise me of the date and approximate time when you will be here."

FAIR REQUEST

The Workers Party was faced with a considerable problem. What exactly was it to prepare for in a meeting with the assistant attorney general? It could, of course, present an affirmative position as to why it should not be on the list. But such a presentation could only be of the most general kind since, without knowledge of the grounds upon which the attorney general had acted, it could not deal with anything specific.

It therefore wrote once again to Mr. Quinn, on August 9, 1948:

"I have just received your letter of July 29, 1948, notifying me that the Attorney General has directed you to arrange an appointment at your office with a representative of our party.

"We welcome the opportunity that you are prepared to afford us to present the point of view of the Workers Party with the aim of challenging your classification of our organization among those included in the 'subversive list' originally issued by your office.

"I am ready to arrange any date and time in the immediate future which will be convenient to both of us. However, in order that the hearing may be most useful and fruitful on both sides, it seems to me necessary that your office indicate to us the grounds on which it was decided to include the Workers Party in your list of subversive organizations, that is, just what charges have been leveled at us and what evidence has been adduced to sustain them. With this information at our disposal, the matter will be enormously simplified both for your office and for ourselves. Our representative at the conference with you will thereby be relieved of the handicap of refuting charges or evidence of which we are now unaware. With the material in our hands in advance, on the contrary, the time of our conference can be efficiently devoted to a point by point consideration of every charge against our party and of all evidence that may be produced by your office.

"I am sure that you will agree with the wisdom and fairness of the procedure I propose. Once this information is provided us, it will be only a matter of a few days for us to prepare our own documentary material, to call upon any corroborating witnesses we may find necessary, and thereupon set a satisfactory date for the hearing in Washington.

"It may be that the appointment you propose with a representative of our party has as its purpose a preliminary conference between us at which the actual procedure to be followed at a subsequent formal hearing is to be discussed. In that case, I am prepared to come to your office without further delay and without being provided with the material that I request above. It would then be possible for us to discuss at this conference all the necessary arrangements for a formal hearing on our application for the removal of the name of the Workers Party from the 'subversive list' and to take up also the matter of the charges and evidence against us.

"I await your early reply with the greatest interest."

DOUBLETALK

This exchange of letters proved fruitless and on April 19, 1949 another similar effort was made to obtain from the attorney general's office some information on the basis of which the Workers Party could prepare to meet it. On April 28, 1949, the attorney general replied through his assistant, Alex Campbell, precluding any possibility that the information sought might be forthcoming. He wrote:

"Executive Order No. 9835 contains no warrant or authority for disclosing the bases upon which the designations made pursuant thereto were formulated. The designations were made after careful consideration of the available information, and in the circumstances your request for removal of the Workers Party from the list of organizations declared to come within the scope of Executive Order No. 9835 must be denied."

Who made the "careful consideration"? What was the "available information"? There was no way of knowing. Still the attorney general asserted that the request for removal from the list did not come "within the scope of Executive Order No. 9835" and "must be denied."

WHAT "CONSIDERATION"?

It was clear to the Workers Party from the very beginning, and it was confirmed by the exchange of correspondence, that the basis upon which the organization came to be on the list had nothing whatever to do with its program, writings, educational classes or activities, everyone of which was publicly known and a matter of public record. This could not be the material on which the attorney general had acted, for then the refusal to disclose the "available information" was utterly nonsensical.

The "careful consideration" of the attorney general and the "available information" must and could only have been opinions of either the Department of Justice or the Federal Bureau of Investigation, or both, or else the opinions of informers, political opponents and malicious people. If that was not wholly true, if the attorney general acted even in part upon the public material of the Workers Party, then his conclusions were based on a misconstruction of the theories, programs and activities of the organization, and an ignorance of the meaning of its history and ideas.

In any case, the first experience with the attorney general's office had ended. The Workers Party knew no more about the reasons and the basis for its being on the list of alleged subversive organizations after its exchange of correspondence than it did before. Its first efforts to obtain some kind of justice from the

Department of Justice had ended badly for its democratic rights and the democratic process in general.

TOWARD A LEGAL TEST

Simultaneously with the exchange of the above correspondence, the Workers Party, in a regular convention in April 1949, dissolved itself and established the Independent Socialist League as a propaganda organization, thus creating an organizational structure in tune with its program and tasks. At the same time, the new organization informed the attorney general of the convention decision, advising that the Workers Party no longer existed but had been superseded by the ISL.

No reply from the attorney general was received. But some months later, indirectly and unofficially, the ISL learned that it, too, had been placed on the list of "subversive organizations." Again, no notice was ever given to the ISL that the attorney general was investigating it; no information was made available to it as to the grounds upon which he had acted to place it on the list, nor was the ISL ever informed by letter or through the press that this had been done.

After some deliberation, the ISL decided to make a request for a hearing in its own name as well as in the name of the Socialist Youth League, and the dissolved Workers Party. On September 25, 1950, it addressed itself to the new attorney general, J. Howard McGrath, referring to the offer made the year before by Mr. Quinn to grant a meeting to the Workers Party.

What caused the ISL to accept a meeting this time when it knew in advance that there would be no change in the procedures of the Attorney General's office? It was the determination of the ISL, as well as the SYL and WP, to make a legal test of the subversive list and to go to court on its case as the only way to get a legal hearing.

In order to lay the ground for such an action, it was necessary to exhaust all possibilities of obtaining some relief from the attorney general. The ISL therefore decided to go through the procedure—the only one that existed—of meeting with the attorney general or his representative in a final effort to be removed from the list.

THE WDL COMES IN

An event of immense importance then occurred: We obtained the generous and fruitful counsel of the Workers Defense League and its able and indefatigable National Secretary, Rowland Watts.

Up to that time, the only ones fighting the attorney general's list had been the Stalinists. Given the times and the nature of Stalinism, no genuine test could be made by them. Together with us, Watts desired to make a more serious challenge of the procedures employed and to test the whole issue by legal action.

The attorney general agreed to meet with the ISL, and the ISL prepared a petition which it forwarded to the Department of Justice prior to the meeting, which took place on January 25, 1951. In the absence of any particulars from the attorney general, the petition protested the procedures under which the ISL, SYL and WP were placed on the list.

After citing the complete secrecy with which the attorney general had acted, the petition stated in part:

"A simple résumé of the above actions of the attorney general in the matter of Executive Order 9835 serves to establish that the procedures employed thereunder are a violation of the democratic rights of the aforementioned organizations and create a prejudicial condition for the life of the Independent Socialist League, especially in this period when the theory and practice of democracy is consistently abused, undermined and violated, very often in the very name of democracy itself."

The petition explained that it accepted a meeting in the hope of learning "the reasons behind the action of the attorney general." After stating affirmatively the nature and aims of the ISL, the petition went on to say that the attorney general had erred in placing the ISL, the SYL and WP under the listing "Communist." It also made clear why he had erred in placing the organizations under the categories "subversive" and those who "seek to alter the form of government of the United States by unconstitutional means."

ACT OF MALICE

The most malicious act of all, of course, was to place us, the most consistent anti-Stalinist organization in the country, under the heading "Communist." This was to produce an utterly strange discussion at the meeting in the attorney general's office.

Before the date of the meeting, we were to receive another communication on December 27, 1950, from the attorney general (signed this time by his new assistant, James M. McInerney) in response to our request for a hearing, which said in part as follows:

"Your letter requests an early hearing where you may discuss the matters referred to in previous correspondence.

"As you are aware from previous correspondence with the Department, Executive Order 9835 contains no provision for formal hearings in the matter of designation of organizations by the attorney general pursuant to its provisions, and there can be no disclosure of the evidence upon which such a designation was based."

This time, however, the department was more specific. How far it was willing to go even in a meeting, Mr. McInerney went on to say:

The ISL vs. the Subversive List

"However, at the direction of the attorney general, if you desire to make any further statement or to submit any additional material relevant to the designation of the Independent Socialist League, I shall be glad to meet informally with you or your representatives, at which time you can submit such further information for the consideration of the attorney general..."

We were not very sanguine about such a meeting. The IWW had had a brief experience of a similar kind, and Mr. McGrath's astonishment that they were on the list and his certainty that they would be removed after he examined their file came to exactly nothing. But we knew that the step had to be taken. The emphasis of Mr. McInerney that he would "be glad to meet informally" was not lost on us.

But on January 25, 1951, two and one-half years after our initial effort, Max Shachtman and the writer, accompanied by Rowland Watts as counsel, met with Mr. Raymond P. Whearty, representing the attorney general, and another assistant, Mr. Foley. This was a meeting! Readers of LABOR ACTION may recall that it was reported in considerable detail in two issues (February 12 and 19, 1951).

EVIDENCE FOR THE ISL

The petition previously referred to had appended to it a number of important exhibits which we hoped made clear the views and activities of the organizations. In addition, it contained as an exhibit the report of the hearing of a sympathizer of the Workers Party who had been tried by a Department of Commerce loyalty-review board. Max Shachtman had given testimony in his behalf and in the name of the Workers Party. As a result, the case against this sympathizer had been dropped and he was reinstated. The attorney general paid no attention to this action by another government department.

As supporting evidence, we appended a leaflet entitled "Stalinism Is Not Socialism," signed by Max Shachtman of the ISL, Harry Fleischman of the Socialist Party, and August Claessens of the Social Democratic Federation. This leaflet had been dropped over China by U. S. bombers in May 1950 presumably through the sponsorship of the State Department.

We also presented a letter by Norman Thomas addressed to the attorney general, requesting our removal from the list. The letter is remarkable evidence not only for the truths that it states but for the integrity of Norman Thomas, who, despite the sharpest political differences with us, was ready to champion our democratic political rights.

The letter stated in part:

"I understand that on your list of subversive organizations, the Workers Party (now the Independent Socialist League) has a place.

"Between that organization and myself and the Socialist Party USA there is at many points a sharp conflict. Nevertheless, I want to protest the inclusion of the Workers Party in your list..."

"Now to my knowledge, the Independent Socialist League in its present form, and in its older form, the Workers Party, was a sharp critic of Stalinist totalitarianism and Stalin's methods. It was engaged in promulgating its own ideas without resort to conspiracy and deceit. I believe this fact can be established in a fair hearing, as I earnestly hope that the Workers Party, like some others, may be removed from your list."

The attorney general paid no attention to this supporting material.

A SHRUG BY MR. WHEARTY

From Mr. Whearty the delegation learned that he had been a member of the subcommittee which had placed the ISL, WP and SYL on the list; also that he was familiar with the material relating to the above and the reasons for listing them. It seemed that we were meeting with the right man if we were to expect to learn why the department had so acted.

But no! We could learn exactly nothing from Mr. Whearty. He was not at liberty to disclose any information! He could not tell us why we were put on the list! All of this was "restricted" information!

But the less-than-loquacious Mr. Whearty did not hesitate to assert that the material they had was competent and admissible evidence in any court; that he was certain they had a *prima facie* case against us. Good. How could we test that? All we could get was a shrug.

Making reference to the petition we had submitted, Whearty assured the delegation that the organizations were not "discriminated" against, since the same procedure was applied to all organizations. Deliberately or not, he avoided the point of the petition which condemned the procedure itself and not merely as it was applied against the ISL.

The meeting called attention to what we believed long before the session with Whearty: that whatever written documents, articles, speeches, classes, or activities came under the purview of the attorney general, they were wholly secondary to the material supplied by what Mr. McGrath's assistant described as "official and unofficial informants."

It became clear during the course of the discussion that it was not our own material which the department feared to disclose, but the so-called evidence of government agents and private individuals of abundant variety. The disclosure of such evidence might destroy the government's case against us, for it would reveal the perhaps illegal and unseemly methods upon which the department established its position.

No argument made by us could shake the department from its determination not to reveal the evidence it had or what it was we were to reply to and refute. We cited the fact that all the material of the organization was public and that the WP, SYL or ISL did not even have an "internal" discussion bulletin. Therefore the secrecy of the department on the material in its files was utterly ludicrous unless, of course, its case was built up primarily on the material of stoolpigeons.

FUTILE EFFORTS

Despite the complete futility of trying to ascertain the charges and evidence against us, we tried to establish in the dark, so to speak, an affirmative case for the ISL by our written and oral arguments. Unsatisfactory as this had to be in the absence of any knowledge of the position of the attorney general, it was nevertheless effective enough to obtain from Mr. Whearty a commitment that the department would re-examine the case of the ISL. With that the meeting ended; a new and equally futile effort was made by the ISL to obtain the decision of the attorney general on the commitment to re-examine the case of the ISL.

On June 11, 1951, five months after the meeting with Mr. Whearty, a communication was sent to his office reminding him of the commitment made to us and requesting to know what had been done about it. Among other things, the letter stated:

"We permit ourselves to remind you, Mr. Whearty, of the commitment you made to us repeatedly toward the end of our conference, assuring us that the case of the Workers Party, and the case of the Independent Socialist League and the Socialist Youth League, in particular, would be most thoroughly and objectively reviewed by the department at a very early time. This commitment was quite satisfactory to our delegation for the time being.

"I feel it necessary to call your attention now to the fact that almost five months have elapsed since our conference with you. While we understand that you are under the press of other matters as well as this one which concerns us directly, you will, we are sure, understand in turn our desire to see our case brought to an early and favorably conclusion. I therefore take this opportunity to ask if your office has by now concluded its reconsideration of our case, or, if not, then whether you are in a position to inform us when to expect your conclusions."

NEW OBSTACLE

After waiting eight weeks in vain for a reply, another letter was sent to the same Mr. Whearty. Under the date of August 10, we wrote:

"On June 11, 1951, the undersigned [Max Shachtman] addressed a communication to you requesting information as to whether your division had acted upon the re-examination of the listing of our organization on the attorney general's list of Subversive Organizations and whether such reconsideration had taken place.

"Up to this time of writing, no acknowledgment of that communication, or reply, has been received.

"We would appreciate it very much if such a reply were forthcoming with information as to the present status of our case."

This time a reply was forthcoming and it introduced a new obstacle to our efforts. Under the date of August 16, Mr. McInerney replied saying:

"The assured re-examination of the department files concerning the Independent Socialist League has been completed and was in process of review at the time your initial letter was received. Inasmuch as procedures affecting the designation of organizations under Executive Order 9835 are currently under consideration any final determination upon your request would appear premature."

THEY SEIZE A PRETEXT

The reader may recall that during this time, as a result of the severe criticisms of the procedures employed by the department under Executive Order 9835 and congressional investigation into the question, the matter of these procedures was being reviewed with the ostensible purpose of revising them. The more direct impetus to this reconsideration came from a very confused Supreme Court decision which seemed to say that no organization could or should be placed on a list such as the attorney general had issued until and unless such an organization had first received a hearing.

This decision was made in connection with the case of the Joint Anti-Fascist Committee, a Stalinist organization, but it did not order the department to hold such hearings. Its legal ramifications are not clear to this writer; as a matter of fact, it is not always clear to lawyers. What is clear is that it did create some basis for court action, but the matter has not been pursued by the Joint Anti-Fascist Committee and the question remained unsolved during the period referred to.

Actually, however, the Supreme Court case had nothing whatever to do with the commitment made to the ISL; neither did the department's reconsideration of its own procedures. The commitment made to the ISL was independent of both. It was made by Mr. Whearty upon the grounds of the arguments presented to him at the hearing, i.e., upon objective facts that pertained to the accuracy of the reasons and evidence of the attorney general in the first place. No Supreme Court decision and no change of procedures could affect that single question, though they might conceivably end the list in the form in which it then existed.

But it was precisely upon those independent grounds that the attorney general refused to act and he did in

fact hide behind a technicality. That he did so is borne out by subsequent correspondence which recorded that the attorney general no longer was concerned with the above reasons, but had found a new one.

It was becoming clearer to us that the attorney general had no intention whatever to honor his commitment and that the ISL must prepare to pursue its relief outside the precincts of the Department of Justice. In consultation with Rowland Watts, we agreed that we must prepare to take our case into court.

LAWYERS RUN FOR COVER

And here began a sad episode. The old-timers in the labor and political movement of the working class know that so far as civil liberties are concerned, especially as they affected labor and working-class political organizations, no difficulty was ever encountered in obtaining a lawyer to take a case. A long and honorable tradition had existed in the legal profession in this respect. Some high-minded men of the profession were always proud to identify themselves with the legal movements of protest and for justice.

This great tradition has slowly disappeared. The men of the law, the lawyers who never feared to take an unpopular case, the case of the non-conformist, have virtually disappeared. They have been among the first victims of the witchhunt which has scared the legal profession. As a result of the fight against the Stalinists, initiated by the politicians in Washington, it is a risk for a lawyer to take a case involving not only Stalinists but also other non-conformist political groups, or those of revolutionary or militant socialists.

This situation has become so bad that even Truman, in one of his last speeches as president, urged that members of the Bar Association defend people in court, however unpopular their views, on the simple theory that every man ought to have his day in court. The speech made very little impression upon the legal profession, which seeks instead to expel all of the Stalinist lawyers from its ranks. Some say that the Stalinist lawyers provoked this kind of response. This isn't really true, but even if it were, the situation has spread beyond the Stalinist movement to create an atmosphere of genuine fear among lawyers.

The experience of the ISL confirmed this. It could not obtain a lawyer in the city of New York to take its case. For the one good old veteran attorney who simply could not handle it, there were others who would not. So we waited out our time to see what would happen in the Department of Justice.

PATIENCE AND FORTITUDE

Patience is its own reward, it is said. The rewards for our own patience were small indeed. On May 1, 1952, another letter was sent to the attorney general. Referring to the above exchange of letters, it said in part:

"It is now one year and three months since the original commitment was made to us and almost nine months since the above reply was made to our inquiry. We do not know whether from your own reconsiderations of procedures employed in setting up your list a new request would still be premature, but in view of the long period of time which has elapsed since we endeavored to obtain information as to your decision, we are once more requesting such information.

"As you are aware, we feel quite strongly that you erred in placing the Workers Party, now dissolved, the Socialist Youth League and the Independent Socialist League on your list without a prior hearing granted it. Our position was presented orally to your representative in a meeting, at which time we also presented you with a written statement detailing the many ways in which you erred. In asking for your decision on the re-examination of our case at this time, we feel that a sufficiently long period of time has passed to have permitted such re-examination."

Three weeks later, on May 22, 1952, we received a communication from Mr. McInerney, which contained a new evasion:

"Receipt is acknowledged of your letter of May 1, 1952, in which you refer to your letter of August 10, 1951. As you were advised by my letter of August 16, 1951, the procedures affecting the designation of organizations under Executive Order No. 9835 have been under consideration in light of the litigation in the District Court for the District of Columbia by three organizations which had been designated under the Executive Order. This case subsequently reached the Supreme Court of the United States which has remanded it for further proceedings in the District Court. Until the termination of such proceedings I cannot reply further to you in regard to your original inquiry."

"JUSTICE" WELCHES

Thus the commitment made to us and made independently of any court case or any revision of procedures, but solely upon the grounds of our argument, was not being honored by the department. Apparently, it had no intention of honoring the commitment, but we wanted to make it certain and the record to show it clearly.

On June 30, 1952, we therefore replied in part to the attorney general:

"As a result of the meeting we had with your Mr. Whearty and Mr. Foley on January 25, 1951, a commitment was made to us that the case of the Independent Socialist League and the Socialist Youth League

(Continued on page 5)

Text of the Justice Department's

In the matter of the Designation of Workers Party, Independent Socialist League and Socialist Youth League, Pursuant to Executive Order No. 10450

TO: WORKERS PARTY, INDEPENDENT SOCIALIST LEAGUE, SOCIALIST YOUTH LEAGUE

Pursuant to Title 28, Chapter I, Part 41, Section 41.1 et seq. of the Code of Federal Regulations with respect to notice, hearing, and designation of organizations in connection with the Federal employee security program, there are set forth hereinafter a statement of the grounds and interrogatories with respect thereto upon which it is proposed to continue the designation of the Workers Party, Independent Socialist League and Socialist Youth League within the purview of Executive Order No. 10450.

STATEMENT OF GROUNDS

(1) The Workers Party, the Independent Socialist League and the Socialist Youth League, hereinafter referred to as WP, ISL and SYL, respectively, were established and organized by individuals devoted to the principles of Karl Marx, Friedrich Engels, V. I. Lenin and Leon Trotsky.

(2) Continuously and at all times during their existence, the WP, the ISL and the SYL have followed, relied upon, and advocated the principles of revolutionary Marxism as expounded by Karl Marx, Friedrich Engels, V. I. Lenin and Leon Trotsky.

(3) The leaders of the WP and ISL were associated with Communist organizations and the Communist International which advocated the employment of illegal means to overthrow the existing form of Government in the United States.

(4) The WP, ISL and SYL have knowingly advocated and taught the duty and desirability of overthrowing and destroying the existing form of Government of the United States.

(5) The WP, ISL and SYL have sought to establish in the United States a Socialist State under the dictatorship of a privileged class.

(6) The WP, ISL and SYL are not attached to the principles embodied in the Constitution of the United States.

(7) The "changes" advocated by the WP, ISL and SYL, if carried out, would result in the destruction of the existing form of Government in the United States, and in place thereof would be established an entirely new social philosophy and system of "proletarian internationalism."

(8) The WP, ISL and SYL accept as a recommended formula for the establishment of a future system of social order and Government in the United States, the Russian Revolution of 1917 whereby the then existing government of Russia was overthrown by force and violence, and the principles, teachings, counsel and advice of the leaders of that Revolution, principally V. I. Lenin and Leon Trotsky, are relied on, followed, and held out to others as catechisms and textbooks directing the manner and means by which the said organizations could and would accomplish their aims and purposes in overthrowing the existing form of Government in the United States.

(9) It was further an objective of the WP, ISL and SYL that they would cause to be organized groups, clubs, sections, and district, state and national units of said organizations in major cities of the United States and other places to the Government unknown for the purposes of furthering their plan to overthrow the existing form of Government in the United States.

(10) It was further an objective of the WP, ISL and SYL that they would circulate and cause to be circulated books, articles and other publications teaching and advocating the duty and desirability of overthrowing and destroying the existing form of Government of the United States.

(11) It was further an objective of the WP, ISL and SYL that they would publish and write and cause to be published and written bulletins, pamphlets and other publications of their organizations including, but not limited to, *Labor Action*, the *New International Forum*, *Student Action*, and the *Student Socialist* teaching and advocating the duty and desirability of overthrowing and destroying the existing form of Government of the United States.

(12) It was further an objective of the WP, ISL and SYL that they would conduct, and cause to be conducted, schools and classes for indoctrination of recruits and members of said organizations in the principles of Marxism-Leninism which teach and advocate the duty and necessity of overthrowing and destroying the existing form of Government of the United States by force and violence.

(13) The WP, ISL and SYL would, if in control of the Government, confiscate, without compensation, all privately owned means of production, with force if necessary.

(14) The WP, ISL and SYL would destroy the existing machinery of Government in the United States.

(15) The WP, ISL and SYL would, if in control of the Government, confiscate, without compensation, the private land of the farmers and others with force, if necessary.

(16) The WP, ISL and SYL would, if in control of the Government, redistribute confiscated property and lands and, if necessary, use force to prevent the rightful owners from regaining their property and lands.

(17) The dictatorship of any class and the usurpation without compensation of the property rights of

individuals, as advocated by the WP, ISL and SYL, are repugnant to the existing form of Government in the United States.

(18) The WP, ISL and SYL averred at all times that they owed no loyalty to the existing form of Government in the United States.

(19) It is and has been a further objective of the WP, ISL and SYL that they would at all times subvert the national interest and Government of the United States to the unity of the privileged working class in this country with privileged working classes in other countries of the world in furthering and establishing "proletarian internationalism."

(20) The WP, ISL and SYL have openly sought to impede efforts of the United States to prepare its defense from aggression.

(21) The WP charged the Government of the United States with imperialistic designs in World War II and actively sought to impede efforts of the United States to defend itself.

(22) It is a stated objective of the ISL and SYL that the people of the United States should take no part in the Korean conflict since they allege that the Government of the United States is attempting to further its imperialistic designs and is nurturing world conflict by its actions in Korea.

(23) It is a stated objective of the ISL and SYL to influence and encourage others that they should not support this country in any possible war between the United States and the Soviet Union since it would be a clash between two imperialistic powers.

(24) It has been a policy of the WP, ISL and SYL that they would use false names, would fail to keep records and would adopt other secretive practices in order to conceal the identity of members and the operations of said organizations.

(25) The WP, ISL and SYL have regarded the existing form of Government of the United States as oppressive in that they allege that the Government of the United States is ruled by a minority which is exploiting the majority.

(26) The WP, ISL and SYL believe that force and violence is a legitimate method to employ in overthrowing any government which is oppressing the majority of its citizens.

(27) The WP, ISL and SYL have likened the Government of the United States to Hitler Germany and Stalinist Russia, which governments they advocated be overthrown by force and violence.

INTERROGATORIES

INTERROGATORY (1)

List the full legal name, party name, aliases, last known legal and business address of all members of the Workers Party (WP) from 1945 to and including 1949, the Independent Socialist League (ISL) from 1945 to and including 1953, and the Socialist Youth League (SYL) from 1945 to and including 1953.

INTERROGATORY (2)

List the past and present international, national, state and local officials or leaders of the WP, ISL, and SYL during the periods specified in Interrogatory (1).

INTERROGATORY (3)

List all the official places of meeting including number, street, city and state utilized by the WP, ISL and SYL.

INTERROGATORY (4)

List all official pamphlets, writings, bulletins or other publications printed and/or distributed during the periods specified in Interrogatory (1) under the auspices, assistance, direction or authorship of the WP, ISL and SYL or their officials. Identify the agencies or business concerns through which, or by whom, such publications were printed and distributed.

INTERROGATORY (5)

List full legal names and present legal addresses of all known subscribers to the official publications of the WP, ISL and SYL.

INTERROGATORY (6)

List the full legal names and present legal addresses of all financial contributors to the ISL and the SYL from June of 1952 to June of 1953 and the amount contributed by each.

INTERROGATORY (7)

(a) Name and identify all organizations or groups associated, affiliated or acting in collaboration with the

WP, ISL and SYL now and at any time during the periods specified in Interrogatory (1).

(b) State in what manner and to what extent such association, affiliation or collaboration was carried out.

INTERROGATORY (8)

Identify any international or foreign affiliation, working agreement or other arrangement previously entered into or presently existing between the WP, ISL and SYL and such other groups.

INTERROGATORY (9)

Have the WP, ISL and SYL, or any of them, now or have they ever had any arrangement with representatives of a foreign country or organization whereby the pamphlets, bulletins and other publications of such foreign organizations were and are distributed in this country?

INTERROGATORY (10)

Have the WP, ISL and SYL now, or have they ever had, any arrangement with representatives of a foreign government or organization whereby the pamphlets, bulletins or other publications of said organizations are distributed in a foreign country?

INTERROGATORY (11)

(a) Do the WP, ISL and SYL now receive, or have they ever received, financial support of any kind, directly or indirectly, from the instrumentality of a foreign government or international political organization?

(b) Do the WP, ISL and SYL now solicit, or have they ever solicited, financial support of any kind, directly or indirectly, for the instrumentality of a foreign government or international political organization?

INTERROGATORY (12)

Do the WP, ISL and SYL now, or did they ever, collaborate with any foreign government or international political organization in formulating the policies of their organizations or of the international political organization?

INTERROGATORY (13)

List the names and addresses of any foreign representatives or organizations with whom the WP, ISL and SYL have ever had or now have an arrangement as set forth in Interrogatories (9), (10), (11) and (12).

INTERROGATORY (14)

What were the reasons for the WP split from the Socialist Workers Party?

INTERROGATORY (15)

When the ISL and SYL were formed, were there any changes adopted in the basic principles as set forth in the Constitution or Declaration of Principles of the WP? If so, what are they?

INTERROGATORY (16)

Did the WP advocate and teach the fundamentals outlined in Declaration of Principles of the Fourth International?

INTERROGATORY (17)

Did Max Shachtman try to have the WP recognized as the official representative of the Fourth International in the United States? If so, what efforts were made?

INTERROGATORY (18)

Did the WP sever its connection with the Fourth International in 1940? If so, why?

INTERROGATORY (19)

Were any basic and fundamental principles of the Fourth International repudiated at the time of such severance?

INTERROGATORY (20)

(a) Did Max Shachtman attend the Second World Congress of the Fourth International held in Paris in 1948? Did he attend any other conferences of like nature?

(b) Has Max Shachtman or any other official of the WP, ISL and SYL visited the Soviet Union? If so, for what purpose?

INTERROGATORY (21)

Were any of the officers of the WP, ISL and SYL ever members of the Communist Party? Who?

[There is no Interrogatory 22 in the Department of Justice statement, evidently a slip in numbering.—Ed.]

INTERROGATORY (23)

Were any of the officers of WP, ISL and SYL ever members of an organization which was affiliated with the Fourth International? If so, who and of what organizations?

INTERROGATORY (24)

Did the WP, and do the ISL and SYL, or any of them, teach and advocate the following:

(a) The desirability of a system of government founded upon the principles of Marx, Engels and Lenin?

(b) The interpretation placed upon Marxism and Leninism by Leon Trotsky?

(c) That in order to achieve an international socialist state, it is necessary to abolish all existing capitalist states?

(d) That the existing form of Government of the United States must be abolished in order to have an international socialist state or proletarian internationalism?

(e) That the workers must eventually destroy the existing capitalist regime?

(f) That private means of production and land should be confiscated by force, if necessary, under a socialist form of government?

(g) That capitalists control the existing form of Government in the United States and use it against the workers as a repressive force?

(h) That the working class is a privileged class?

(i) That the working class should be organized for the purpose of engaging in a struggle for power with the other classes?

(j) That violent revolution should be considered as

Statement on the Case of the ISL

a means to obtain a socialist form of Government in the United States?

(k) That the national interests of the United States should be secondary to and under the domination of the interests of an international socialist state, of workers?

(l) That the existing form of Government of the United States should be overthrown and destroyed, and replaced by a socialist state?

(m) That the primary allegiance of the individual or worker is to an international proletariat?

INTERROGATORY (25)

Do the following named articles and quotations from the official publications of the WP, ISL and SYL represent the policy of these organizations, or any one of them?

(a) On August 28, 1944, *Labor Action* contained an article entitled "The Big Three—Hitler's Aides, Washington, Moscow, London Help Nazis Keep Power."

(b) On March 24, 1947, *Labor Action* carried an article entitled "What is Workers Control of Industry?" in which it is stated:

"To sum up: Workers control is not simply a matter of getting more influence in shops under capitalism. For full workers control, less than which nothing can eradicate the insecurity of capitalism, it is necessary to overthrow the capitalist state and establish a workers state."

(c) On March 24, 1947, *Labor Action* carried an article entitled "World Imperialist Role Now Public Policy! A Climax in U. S. Foreign Policy."

(d) The *Forum* of April, 1951, which carried an article characterizing both the United States and the USSR as "war blocs" and asks for a "revived socialist working-class struggle against both capitalism and Stalinism."

(e) On September 10, 1951, *Labor Action* carried an article by Max Shachtman stating that there is a need for a "democratic socialist internationalist power capable of withstanding Washington and the Kremlin."

(f) On October 15, 1951, *Labor Action* carried "The ISL Program in Brief" which states in part:

"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. . . ."

(g) The publication "West Coast Socialist Youth Declaration Against War" which states in part:

"The United States is the last powerful capitalist nation remaining in this era of decline. . . . Having no positive ideology with which to appeal to the peoples of the world, the U. S. can meet this threat only by force of arms. . . ."

"We socialists refuse to aid in the preparation for this war. . . ."

"Socialists cannot support either side in the Korean war. The Korean people will be enslaved regardless of which power is victorious. . . ."

INTERROGATORY (26)

Have the WP, ISL and SYL, or any of them, repudiated any of the principles of Marx, Engels, Lenin and Trotsky as appear in their writings? If so, what are they?

INTERROGATORY (27)

Do the WP, ISL and SYL, or any of them, regard the United States as an imperialistic nation which sought to expand its influence through World War II?

INTERROGATORY (28)

Is it the position of the ISL and SYL, or either of them, that the Korean conflict is an imperialistic war carried on by both the United States and the Soviet Union?

INTERROGATORY (29)

Are the WP, ISL and SYL, or any of them, opposed to ROTC, the draft and compulsory military training? If so, why?

INTERROGATORY (30)

Would the WP, ISL and SYL, or any of them, support the existing form of Government of the United States in any armed conflict with the Soviet Union or any other nation?

INTERROGATORY (31)

Did Henry Judd and Irving Howe, New York members, resign from ISL because the ISL would not support the West against the East?

INTERROGATORY (32)

Was Judd's and Howe's intention to support the West a "violation of political logic . . . and a shallow and even chauvinistic support of American imperialism"?

INTERROGATORY (33)

Did the ISL repudiate the views expressed by Howe and Judd?

INTERROGATORY (34)

Did the WP, ISL and SYL ever publish the names of their members or are they readily available upon inquiry?

INTERROGATORY (35)

Did the members of WP, and do the members of the ISL and SYL, or either of them, use Party names or other pseudonyms?

INTERROGATORY (36)

Have the WP, ISL and SYL, or any of them, adopted any security measures designed to protect the identity of members or the content of intra-organization bulletins? If so, what are the measures?

INTERROGATORY (37)

Have the official publications of WP, ISL and SYL, or any of them, ever indicated that the capitalist government of the United States can be likened to Hitler Germany or Stalinist Russia?

INTERROGATORY (38)

Have the publications of WP, ISL and SYL, or any of them, referred to the trials of the Communist leaders under the Smith Act as a persecution of individuals for their beliefs?

Your attention is hereby directed to Section 1001 of Title 18 of the United States Code which provides in part that "whoever, in any matter within the jurisdiction of any department or agency of the United States, makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both."

For the Attorney General
WARREN OLNEY III
Assistant Attorney General

July 9, 1953

Labyrinth of Justice: The Subversive List — —

(Continued from page 3)

would be re-examined on its merits, i.e., on the basis of the arguments presented in our written and oral statements as to why your office is in justice obliged to remove our organization from your List of Subversive Organizations.

"It was certainly our understanding that the re-examination would be made on the basis of the criteria and procedures employed in reaching your original decision and on the merits of the case without reference to any possible court decisions which may bear on these procedures in the future. Mr. Whearty's commitment could not have had any relationship to pending litigation and was not made contingent upon it.

"In your August 16, 1951 communication to us, you stated that a re-examination had been made, but that it would have been premature to advise us as to your decision because you were reconsidering procedures in the light of the Supreme Court decision.

"Now, you write that you cannot advise us of any decision until the termination of proceedings in the District Court of the District of Columbia.

"Though we certainly hope that in due course the courts will compel a modification of the procedures heretofore followed under Executive Order No. 9835 so that organizations such as ours will be in a position to publicly and effectively challenge any contentions that we are 'subversive' under proper and adequate legal and procedural safeguards, neither our representations to your office, nor Mr. Whearty's commitment to us were related to such an eventuality.

"The great harm to our organization and its sympathizers continues as long as we remain on the list. If the results of the re-examination of our status which you indicated your office has made under your present procedure, in your letter of August 16, above-referred to, is such as to indicate our removal from the List of Subversive Organizations, an elementary regard for justice and fair play should lead to the announcement of our removal forthwith. If the result of the re-examination is to leave our status unchanged as far as your office is concerned, we feel that it is our right to be informed that such is the case. We would then be in a position to seek such legal recourses as may be open to us."

TWO-YEAR STALL

One month later we received a reply to the above which settled the matter for us, since it established without a doubt that the attorney general had no intention of doing anything about our case or the commitment. On July 29, 1952, Mr. McInerney wrote:

"In reply to your letter of June 30, 1952, this is to advise you that the court proceedings about which you were advised in my earlier letter have not been concluded and until such time there will be no determination by this department regarding the designation of your organization pursuant to Executive Order No. 9835."

This was a subterfuge. The case in the District Court had been pending for a long time; it is still pending.

There is no way of knowing when that case will ever be decided.

In the meantime almost two years had passed since the commitment had been made to us and at the time of this writing we are approaching the third year since Mr. Whearty made what must have been to him and the department a generous offer. When the department, however, made the honoring of the commitment dependent first upon a change of its procedures and then upon a case pending in court, we knew that only one recourse remained, namely, to attempt to take our own case to court.

RAUH TAKES THE CASE

With the indispensable help of the WDL and Rowland Watts, we finally obtained the legal services of one of the ablest attorneys in the country, Joseph L. Rauh of Washington, who is a vice-chairman of Americans for Democratic Action. The Workers Defense League in an official action decided to sponsor the case as a test of the executive order setting up the List of Subversive Organizations.

In the meantime, a national election was held which resulted in a change of administration. The issues of the "list" and the procedures employed by the attorney general's office was one of the problems inherited by the new administration.

After several months' wait, President Eisenhower issued a new Executive Order No. 10450 entitled "Designation of Organizations in Connection With the Federal Employee Security Program." The new procedures provided for notice to be given to any organization the attorney general proposed to place on a new list, the issuance of statement of grounds and interrogatories to such an organization, and an administrative hearing prior to any final decision by that office. A whole series of procedural steps was adopted in connection with the notice of intention, the hearing and decision.

While the new executive order eliminated the worst feature of Truman's executive order, it nevertheless is guilty of the same offenses to democratic concepts and practices, since the very existence of a list such as this is a violation of the rights of any organization. It leads to the bureaucratic penalization of an organization by administrative act, which precludes the necessity of legal action.

Attorney General Brownell affirms this by his own acts. In employing the new procedures he did not abolish the old list drawn in the dark but kept it intact! The procedures of Executive Order No. 10450 are to be employed only for new organizations to be placed on the list, i.e., new organizations will be given a hearing before any final decision by the department. But those organizations which were placed on the list by the old procedures, apparently rejected by the new administration, remain on the list.

Their only recourse is to obtain a hearing for removal, which is a most difficult task, since it is sometimes easier to prevent a bureaucratic action than to overturn one already taken. Bureaucratic self-interest and self-justification are powerful obstacles to any remedial action.

The state of mind of the department does not bode well for any organization challenging its action, whether by an old administration or a new one. Brownell emphasized this at the meeting of the Bar Association when he announced that the National Lawyers Guild was "subversive" and that it had been served with a notice that the department planned to place it on the subversive list.

The judicial mind at work! No charges had been given to the Guild, no hearing had been held, no determination was made, and the attorney general announced publicly before a national gathering of lawyers that the National Lawyers Guild is subversive!

In any case, with the announcement of the new executive order, the ISL immediately gave notice to the attorney general that it contests his ruling and asked for an immediate hearing where its case might be heard before a board or representative of the Department of Justice. Under the procedures, the attorney general complied with the request and we thereupon received a Statement of Grounds and a series of Interrogatories which required answer before any hearing. We have done this.

WE ACCEPT THE CHALLENGE

The presentation of Grounds and Interrogatories point up the reprehensible procedures that obtained under the Truman administration. If the unquestionably more reactionary Eisenhower administration could reveal the grounds upon which the ISL was placed on the list, why couldn't Truman's attorney general have done the same?

Did he blush at the absolutely flimsy and distorted grounds upon which he had acted in the case of the ISL? If the real basis upon which he acted were the grounds presented to us by Brownell, what is contained in them that prevented their disclosure by either Clark or McGrath?

It seems possible that the false, distorted, and often stupid grounds upon which the action of the attorney general was based, are only subterfuge, and he may attempt to hold up a case against the ISL on the basis of "evidence" that has nothing to do with the theories, programs and activities of the organization, but upon the "expert" testimony of "official and un-official informants."

The Grounds of the attorney general spell out exactly what the "crime" of the ISL is: it opposes capitalism, seeks its abolition and wishes to replace it with a socialist society. Speaking in the frankest possible terms, the attorney general says that this is a crime under capitalism, and as a defender of capitalism, private property in the means of production and the whole present social structure, he finds any organization which is opposed to this kind of society subversive.

We have accepted his challenge and will see it through to the end. If we are unsuccessful in any administrative hearing of the Department of Justice, we shall take our case to the courts where we hope that genuine legal process will prove as successful as our efforts over the past three years have been unsuccessful.

Reply to the Attorney General:

Text of the ISL's Rebuttal to the Justice Department's Charges

In the matter of the Designation of Workers Party, Independent Socialist League and Socialist Youth League, Pursuant to Executive Order No. 10450

TO: HON. ATTORNEY GENERAL, DEPARTMENT OF JUSTICE

We have before us your communication of July 9, 1953, which, five years after the Workers Party and the Socialist Youth League and four years after the Independent Socialist League were designated on the Attorney General's list of "subversive organizations," finally provides us with a "Statement of Grounds" for the designation followed by Interrogatories which presumably are expected to solicit answers from us that would confirm the merit of the "Grounds" you have cited. Our experience with the administrators of your Department, particularly in the case of the listing of our organization, has given us no illusions about their concern for the cause after which the Department was named.

We find no reference in your Statement and Interrogatories to the Petition of the Independent Socialist League protesting the designation by the Attorney General under Executive Order 9835, which was sent to the Department of Justice and argued before Assistant Attorney General Raymond P. Whearty on January 25, 1951. Neither do we find any reference to the ten exhibits containing material dealing with the views and activities of the aforementioned organizations. We hereby request that our earlier petition, as well as the ten exhibits appended thereto, be regarded as a part of the present document which is our answer to the Statement and Interrogatories of the Attorney General.

In the public interest, we again welcome an opportunity to present this petition requesting the removal of the names of the Workers Party, the Independent Socialist League and the Socialist Youth League from the list of "subversive organizations."

Our petition takes the present form of reiterating the political position of these organizations with special reference to the "Statement of Grounds" set forth in your communication, and of replying to all the relevant Interrogatories addressed to us.

VIOLATING THE CONSTITUTION

We stress the matter of relevance in your Interrogatories because we challenge your right, under Executive Order No. 9835 and Executive Order No. 10450 or in pursuance to Title 28, Chapter 1, Part 41, Section 41.1 et seq. of the Code of Federal Regulations, to engage in a general fishing expedition against political organizations which oppose the political party now in power in the Administration and to pry at will and arbitrarily into the life of these organizations, their members, their sympathizers, their followers and even those who are merely interested in being informed about the views or activities of these organizations, in such a manner as clearly violates the rights of these organizations and individuals and as clearly exceeds the bounds of your avowed purpose, namely, to justify the continuation of the designation of the three organizations here in question.

Therefore, you will note that Interrogatories 1 and 2 and 3 and 6 have not been answered. It is our position that these Interrogatories and the request that we reply to them are improper and should not be answered for the following reasons:

(a) A request to list all the members of an organization, and/or their addresses, is a violation of the right of association guaranteed by the First Amendment of the Constitution. We have no intention of becoming an accessory to such violation.

NO FBI PERSECUTION!

(b) The National Office of our organization (speaking specifically of the Independent Socialist League, although in this respect the situation is the same in the two other organizations here in question) does not have in its possession or at its disposal a list of its membership. Such lists are in the exclusive possession of the authorized officers of the branches of the organization in the city where the member is resident.

However, it is not the policy of the organization to make such lists public. To make a list of our membership available would result in the harassment and abuse of our members. Our experience all over the country indicates that, where the Federal Bureau of Investigation has determined that a given individual is a member of our organization, or sympathetic with it, this results in abuse and harassment or both, either through loss of employment; through repeated visits and interrogations, or through coercive attempts to induce the individual to become an informer of the F.B.I. assigned to working in the organization, either by offers of money or by threats of dire consequences in the event of non-compliance.

The same considerations apply in the case of self-appointed private "investigators" of radical and allegedly subversive organizations or individuals; private organizations of individuals or of employers and their associations and newspapers and other periodicals engaged in the same "investigative" activity; and all oth-

The text of the reply by the ISL is published with three typographical differences from the original document as submitted to the Department of Justice, all introduced here editorially for greater ease in reading: (1) The boldface in which some paragraphs are printed is editorially added; the original document is of course typewritten uniformly. (2) All heads and subheads in the text are editorially added and are not a part of the document. (3) Very long paragraphs have been broken up into shorter ones in a number of cases.—Ed.

ers similar to them who, ostensibly in the name of the public good, likewise subject those they consider members and sympathizers of our organizations to abuses and harassments.

We cannot and we shall not subject our members or sympathizers to such action simply in order to prevail in this proceeding. It is clear to us that these Interrogatories are less an effort to obtain information relevant to the purpose of determining whether or not our organization has been properly designated on the Attorney General's list than to obtain irrelevant information for the purposes of abuse and harassment previously described.

(c) We are unable to see the relevance of these particular Interrogatories to the ideas that we advocate, the activities we engage in, and the propriety of our designation by the Attorney General. Our ideas and activities are matters of easily ascertainable public knowledge, made available in particular in the ISL organ, *Forum*, and in the pages of *Labor Action* and the *New Internationalist*. If there are any copies of these not available to you we will furnish them promptly.

THE RIGHT TO A FREE PRESS

Whether the designation is to be continued or discontinued will be determined solely by the ideas and activities of our organizations; at any rate, that is implied throughout the "Statement of Grounds" in your communication. Since we cannot see how such a determination could possibly be affected by the names and addresses of our members and sympathizers, we hold that

Answer to the "Statement of Grounds"

Your "Statement of Grounds" contains 27 points. We confine ourselves here to the following comments on the grounds:

(1) There is not a single act that the three aforementioned organizations are accused of committing in violation of the law of the land. In every case, they are accused of holding beliefs and of seeking to have others share these beliefs.

This confirms our contention that we are not and we have not been subjected to this procedure because of any unlawful actions on our part. Instead, we have been subjected to a procedure which is tantamount to a political persecution for our ideas, inasmuch as it is generally granted that for an organization to be listed as "subversive" by the office of the Attorney General brings upon it public obloquy, suspicion, antagonism and restriction, and inflicts upon it all sorts of damage, tangible and intangible, that gravely impedes its normal functioning.

The governmental persecution, prohibition or restriction of non-conformist ideas—"thought control"—are notoriously characteristic of Fascist, Stalinist and arch-military dictatorships. Such practices are utterly inimical to the elementary principles of democracy, in general, and are alien to the great traditions of American democracy, in particular. Those who, in the course of the history of this country, have violated these principles are saved from merited oblivion only by the disrepute their names evoke.

(2) We note with the greatest interest that not a single one of the 27 "Grounds" set forth in your Statement actually and directly charges that the Independent Socialist League (or the WP or the SYL) advocates or teaches the overthrow of the existing Government of the United States by force and violence or by the employment of illegal means or by the employment of unconstitutional means.

THE ISL'S AIMS

(3) Your Statement does charge that the ISL advocates and teaches the "desirability of overthrowing and destroying the existing form of Government of the United States"; that the ISL desires to "establish in the United States a Socialist State"; that the changes advocated by the ISL "would result in the destruction of the existing form of Government of the United States, and in place thereof would be established an entirely new social philosophy and system of 'proletarian internationalism.'"

These charges, objectively and fairly understood, are substantially true and the ISL has not only not made a secret of these basic views but desires nothing more than the opportunity of continuing to make them public. Only, they must be objectively and fairly understood.

In other words, what is true is this, the ISL unhesitatingly proclaims it as its main objective: to help educate, train and organize the working classes of the country (i.e., the industrial workers, the office and professional workers and the working farmers), by open and democratic means, so that they may avail themselves of all their democratic and Constitutional rights to elect a

your Interrogatories on that score and any responsive answers to them can serve no valid purpose in this proceeding.

(d) To the Interrogatories specifically referred to above, we wish to add another to which we deem it necessary to devote a special reference, namely, Interrogatory 5. We single it out only because it exceeds all the others in irrelevance, impertinence and outrageousness.

We can interpret this Interrogatory to mean only one thing: that you propose to record for the purpose of possible investigation and harassment not only the members and sympathizers of dissident organizations but also readers of their press.

As in the case of all other public periodicals, the press we publish officially or that we support is available to anyone and everyone at a stipulated price per copy or per annual subscription. As in the case of all other public periodicals, the offices of our publications solicit and accept all subscriptions appropriately paid for, without inquiring into the personal opinions, motives, activities or affiliations of the subscriber. Our publications, like hundreds of others of all kinds, are subscribed to and read by individuals whose interests, opinion, and affiliations range over the full length of the political spectrum.

As in the case of all other publications, the officers of our publications have neither the desire nor the ability to ascertain whether the name and address sent in by the subscriber is truly the "full legal name and present legal address" which you ask us to list for you. It would be a gross impertinence for any publisher to request such information from a subscriber; it is no smaller impertinence for you to request such information from us.

You are presumably examining the ideas and activities of our organizations. We can see no possible connection between them, on the one side, and the "full legal names and present legal addresses of all known subscribers" on the other. We can see a connection between the request for such a list and the design or the danger of violating the Constitutional right of free press, which includes the right to publish freely and the right to read freely.

We regard your very Interrogatory on this point as a violation of the Constitutional right of both publisher and reader. We firmly refuse to be an accessory to this violation, either.

Workers' Government, which will completely eliminate the present Government which, like its predecessors, we regard as capitalist, and the present state machinery, which we regard as likewise capitalist, and replace it with an infinitely more democratic governmental and state machinery, and then proceed gradually to reorganize the economic basis of the economy of the United States along socialist lines as the first great step in the direction of reorganizing the economy of the world along socialist lines.

But in this charge, we note again, you do not add that we advocate and teach the achievement of these changes in the form of government, or the form of social production, or any other political or social change, by force and violence, or by unlawful or unconstitutional means.

RED HERRING

(4) Your Statement does charge that the "WP, ISL and YSL accept as a recommended formula for the establishment of a future system of social order and Government in the United States, the Russian Revolution of 1917 whereby the then existing government of Russia was overthrown by force and violence," etc., etc.

But in this charge, too, we still note, you do not add and you do not say directly that we advocate and teach that the same methods as were employed in the Bolshevik Revolution of November, 1917 (that is presumably the 1917 Revolution you refer to) to establish a Workers' Government should be employed in the United States. That is understandable. Nobody could make such a statement unless he is prepared to declare that he holds, or if not he then the ISL holds, that the conditions and circumstances existing today in the United States are the same as those which existed in Russia in 1917.

That being the case, the reference to Russia is immaterial at this point. The Bolsheviks did not employ "unconstitutional means" since there was no constitution in existence. They did not overthrow an elected government, inasmuch as their action was directed against an un-

End the Persecution of Socialism!

elect, self-constituted, self-perpetuating authority which was nothing more than a "provisional government" by its own avowal.

It might be argued that the ISL does indeed accept, broadly speaking, the course taken by the Bolshevik Party in Russia in 1917 "as a recommended formula"—ambiguous as those three words are in this case—but only as a "formula" to be recommended under the conditions and circumstances that prevailed in Russia in the middle of 1917, which is not the case in the United States, as is obvious to us and, we presume, as is obvious to your Department.

"MARXISM-LENINISM"

(5) Your Statement does charge that the ISL conducts schools and classes in the "principles of Marxism-Leninism." That is quite true.

But in this charge, too, we continue to note, you do not add that in espousing these principles we advocate and teach the changes for which we stand by force and violence or by unlawful and unconstitutional means.

It is you who state that the "principles of Marxism-Leninism . . . teach and advocate the duty and necessity of overthrowing and destroying the existing form of Government of the United States by force and violence." That may be your interpretation of what is taught by the principles in question, and you have your unquestioned right to this view. You do not, however, declare that in our schools and classes, and in general in our espousal of these principles, we present or have presented this interpretation.

Our interpretation of what these principles teach and advocate is, as you know, different from yours. We ask nothing more than that our right to our view shall likewise be unquestioned.

REVOLUTION AND DEMOCRACY

(6) Your only other reference to the ISL and "force and violence" is in points 26, 16 and 27. It is true that the ISL regards the existing form of government in the United States as one in which the interests of the minority of big capitalists is promoted, protected and defended against the interests of the exploited majority of workers and against the interests, properly understood, of the nation as a whole. In one word, we hold that it is a capitalist government.

It is in this respect that the ISL has "likened the Government of the United States to Hitler Germany." (The Stalinist Russian regime is not a capitalist state, although it is a class state in which the workers are ruthlessly oppressed and exploited by the ruling totalitarian bureaucracy.)

But when you write, in Point 26, that we "believe that force and violence is a legitimate method to employ in overthrowing any government which is oppressing the majority of its citizens," you neglect to add the all-important and decisive factor which is involved in any comparison, in this respect, between a country like the United States and Russia today, or Germany under Hitler and Spain under Franco. Even the most casual acquaintance with our literature and teachings is enough to show, as you know, the basic difference we make between the anti-democratic, despotic form of government, which reaches its extremes in modern times under totalitarian Fascism or totalitarian Stalinism, on the one side, and the form of government which exists in a political democracy.

Under both, the majority of the people may be exploited. But under the former, the majority has no means of acquiring government power except by conspiratorial preparations for the forcible and violent overthrow of the despotism in power. Under the latter, contrariwise, political democracy enables the majority to choose its own government, even though the conditions of that democracy may be limited or deformed by its capitalist character. If that government is freely chosen by the majority, as is the case in countries like the United States and Great Britain then, no matter how much we may disagree with the choice made by the majority at a given time, no matter how strongly we may believe that such a choice perpetuates the exploitation of that very majority by a minority, we are duty bound to respect and abide by the democratic choice.

Nobody would be worthy of the name of socialist, or Marxist, who tried to impose upon a majority which favors one government or one social system, the government or social system which is favored by a minority. That is why, as your Department must be aware, the ISL has always bitterly fought all attempts to curtail or abolish democracy and democratic rights, be it by Fascists or by Stalinists, be it by avowed enemies of democracy or by its self-deluded friends.

Since we regard, as we have always emphasized, the government of the United States as a political democracy, even if a capitalist democracy, and the governments of Hitlerism and Stalinism as totalitarian dictatorships, there could not even be a question of applying the same attitude, in this respect, to the one as to the other.

DRAWING IN THE "COMMUNISTS"

(7) Since, therefore, your Statement of Grounds nowhere contains the plain declaration that the ISL or the WP or the SYL teach and advocate that the social changes we espouse shall be introduced into this country by force and violence or by unlawful or unconstitutional means, we propose that the names of both organizations be removed from that classification in the list published by the Attorney General which is headed, "Organizations which seek to alter the form of government of the

United States by unconstitutional means," and that the public press be notified accordingly.

(8) We note that the only relationship mentioned or referred to in your Statement of Grounds as existing between the ISL or any part of it and Communist organizations, in this country or internationally, is the one made in Point 3. Your reference invites these observations:

(9) Of those members of the ISL who may in any significant sense be considered leaders of the organization, there are only two who can be said to have been associated at any time with the Communist Party or the Communist International. They are Max Shachtman, present National Chairman of the ISL, and Albert Gates, present National Secretary of the ISL. No other member of our National Committee, no other officer of the national organization, and no officer of any of our local city organizations, is or has ever been associated with the Communist Party or the Communist International.

We cite these facts not because we consider that they reflect any special merit or demerit of the individuals concerned, but because they are facts which put the statement in your Point 3 in the proper light.

OUR RECORD AND THEIRS

(10) You neglect to mention the fact that "the leaders" you refer to, in this case Max Shachtman and Albert Gates, were expelled from the Communist Party and therewith from the Communist International for open opposition to the Stalinist leadership and the Stalinist program of these organizations as far back as the year 1928, that is, twenty-five years ago.

We cite these commonly-known facts not because they are unknown to you, but because ignorant or dishonest individuals may draw misleading conclusions about our organization and its leadership from the manner in which you have formulated your Point 3.

(11) You neglect to mention the fact that our organization as a whole, both members and leaders, have from their inception, and without interruption or alteration down to the present day, carried on an irreconcilable struggle against Stalinism and the Stalinist movement throughout the world, and in the United States in particular.

We did not support or collaborate with Stalinism or the Stalinist regime before the Second World War or after it; we did not support or collaborate with Stalinism or the Stalinist regime during the Second World War; we did not spread any propaganda about Stalinism being "our great ally" or "the great democracy" or "the champion of democracy and peace," but we did ridicule and denounce such propaganda; we did not turn over or agree to turn over any nations and peoples to Stalinism as if they were cattle for sale, but we did denounce such degraded transactions.

Our record on this score is radically different from that of the leaders of the present Government Administration and the Government Administration that preceded it. We cite these commonly known facts about our attitude toward Stalinism (to say nothing about the not less well-known attitude of the Stalinists toward us) not because they are unfamiliar to you, but because the uninformed and malicious may draw even more misleading conclusions about us from the manner in which you have formulated your Point 3:

WHAT THEY DON'T SAY

(12) It goes without saying that whether or not the leaders, or any of the leaders, of the ISL today were associated with Communist organizations a quarter of a century ago, and that whether or not these Communist organizations "advocated the employment of illegal means to overthrow the existing form of Government in the United States," your Point 3 discloses nothing whatever about the position of the ISL itself (or the WP or the SYL) with regard to such advocacy.

We note that Point 3 takes care not to say that the ISL is, as a consequence of the first part of Point 3, charged with advocating "the employment of illegal means," etc. We note with equal interest that Point 3 likewise takes care not to say that the ISL is, as a consequence of the first part of Point 3, charged with being a Communist organization.

(13) Since, therefore, your Statement of Grounds nowhere contains any declaration that the ISL and SYL are (or that the WP was) Communist organizations, and nowhere attempts even to show that you hold that there are grounds for such an assumption or charges, we propose that the names of these organizations be removed from that classification in the list published by the Attorney General which is headed, "Communist," and that the public press be notified accordingly.

NAKED ADMISSION

(14) We note that the only reference made in your Statement of Grounds about the "subversive" nature of the ISL is to be found in Point 19, which asserts that one of the objectives of the ISL "at all times" is to "subvert the national interest and Government of the United States to the unity of the privileged working class in this country with privileged working classes in other countries of the world in furthering and establishing 'proletarian internationalism.'" This assertion, like some of those that follow it with respect to the questions of national defense, war and imperialism, is false and misleading, being based at once upon an erroneous representation of our position in these matters

and an unacceptable representation of your own position.

(15) You identify the national interest with the interests of the capitalist class and the capitalist social order, that is, the private ownership of the means of production and exchange which gives a minority of monopolists a tremendous social power to hold over the lives of the great majority composed of the working classes. You identify a war for the defense of the national interest with a war for the defense of the interests of capitalist property.

Your communication to us is one of the frankest and nakedest declarations ever made officially in the name of the Federal Government of the United States to commit that Government formally to the support and defense of the capitalist social order and to the condemnation of those who seek to abolish it. Indeed, your declaration is, to our knowledge, the only one of its kind ever to be made officially in the name of a Federal Government institution.

We place it in the same category with the statement before the Senate Committee by your Secretary of Defense, Mr. Wilson, that what is good for the General Motors Corporation is good for the country. We include it with the equally candid belief expressed at the 41st Annual Meeting of the Chamber of Commerce of the United States held at the end of April, 1953, in Washington, in the address before it by your Secretary of the Interior, Mr. McKay, who said that "some people . . . seem to have the thought that this is a business man's administration, and it is"; and further, that he is speaking for "an administration representative of business and industry."

THE INTERESTS OF THE NATION

(16) If, then, by the term "loyalty," as you see it, you mean political support of any kind, then we do not hesitate to affirm that we of the ISL owe no such support and give no such support to an avowedly capitalist government.

We are bound to abide by the laws of the country, that is, by the laws that the present government is properly called upon to enforce. But we are in no way bound to support the program and policies of this government, either at home or abroad, and we do not, in fact, support them.

(17) The ISL does not seek to "subvert the national interest" or to deny or interfere with the right and duty of this nation or any other to defend its integrity. To suggest the contrary is to misrepresent our view grossly, either out of ignorance or malice.

The true national interest is one that we defend ardently and consistently. Only, in our conception, the true national interest of a country like the United States today is the interest of the vast majority made up by its working classes, and not the tiny minority made up by its capitalist class.

The interests of the nation, which include the legitimate defense of the nation from all threats that may arise against its independence, sovereignty and integrity, are the interests of the people as a whole, and these interests can, in our view, be preserved and promoted only under the political and social leadership of the working class, attaining its most effective form when the present avowedly capitalist government is replaced by a democratic workers' government.

WHO ARE THE DEMOCRATS?

(18) As revolutionary socialists we are and must be consistent democrats, inasmuch as we hold firmly to the point of view that without democracy socialism cannot be achieved and that without socialism democracy cannot reach its highest development. As socialists, therefore, we are steadfastly attached to the great democratic principle of the right of every people and nation to self-determination.

Unless this democratic principle is to be subverted and transferred into an imperialist principle, it must mean championing the right of self-determination not only for one's own nation but for all other nations and peoples, and most particularly for those nations and peoples whose right is infringed upon or denied by one's own government. That is what this democratic principle means to the ISL.

(19) Therefore, we contend that it is we who are championing the true interests of the nation when we fight against any imperialist denial of the right of self-determination to any people or nation, and that we champion it best and most effectively when we fight against any imperialist denial of the right of self-determination of which our own government is guilty.

Not only is it an outrage against democracy, and therefore against socialism, if our own government deprives another people of their national rights or if it cooperates with another government to deprive a people of their national right; it is also an outrage against the people of our own country, inasmuch as they must not only bear the immediate and ultimate burdens of imperialism but must endure the bitter hostility of the people whom our own government has deprived of their right.

Consequently, in opposing imperialist policies or imperialist wars pursued by our own government, consciously or unconsciously, in the name of "national defense from aggression" or not, we of the ISL contend that it is we who are upholding the true national interest and the government which is subverting it.

(Continued on next page)

Is Capitalism in the 'National Interest'?

(Continued from preceding page)

(20) It would be a malicious falsehood if the statement made in your Point 20, that "the WP, ISL and SYL have openly sought to impede efforts of the United States to prepare its defense from aggression," were interpreted to mean that these organizations have violated or are now violating any law of the land, in particular laws related to military affairs, the draft, etc., etc., either during World War II or since.

It would be quite right to state, however, that these organizations, without moderating in the slightest degree their opposition to and condemnation of the reactionary and imperialist nature of the Hitlerite, Fascist and Stalinist regimes, did regard the role and the policies of the United States government and of the governments allied with it, as imperialist, and therefore a role and policies which every socialist and consistent democrat should reject and not support.

We likewise regard the role and policies of the United States Government in the Korean adventure and in the preparation of World War III, to be imperialist, too, and therefore reject and oppose them.

As you know, this position does not abate in the slightest degree our opposition to the role and policies of Stalinist totalitarianism in the Korean War and in the preparations for World War III.

To this statement, we would add that the suggestion which we infer from your Point 22 that we are in some special way obligated to support the intervention of the United States Government into the Korean War, a war whose futility and tragic outcome we of the ISL predicted publicly from the very beginning—such a suggestion seems to us peculiarly impertinent coming to us from a government department under the control of a political party, many of whose outstanding leaders and spokesmen have criticized, attacked and even condemned U. S. intervention in Korea from the day it was illegally undertaken by the preceding Administration and down to this very day.

LINCOLN ON THE NATION

(21) Our rejection of the U. S. Government's role and policy in World War II and since as imperialist is based upon our conception of imperialist policy in general. Imperialism is the seizure and annexation by one country of the territory of another country without the consent of the people involved or in defiance of their expressed will, and/or the exploitation of the wealth, possessions and labor of one country by another without the consent of the people involved or in defiance of their expressed will.

On the basis of this conception, we could not and did not support either camp in World War II. We do not support either camp in the preparations for World War III—neither the camp of Stalinist imperialism which the U. S. Government supported and was allied with in World War II and with which it callously divided the international spoils of their common victory, nor the camp of capitalist imperialism, which to this hour continues to deny the elementary right of national independence and

sovereignty to tens of millions of people throughout the world.

(22) The charge that we "would at all times subvert the national interest," thus falls to the ground inasmuch as it is based upon the crude assumption that the true national interest is identical with the interests of the present Government and the present capitalist system, and upon the even more absurd assumption that the ISL believes that these divergent and, indeed, mutually antagonistic interests are identical or even reconcilable.

The ISL seeks to preserve the national interest and holds that it is best served by the establishment in this country of a democratic workers' government allied with similar governments of other countries in a fraternal union to promote the peace, prosperity and freedom of all.

In this respect, the ISL position is identical in spirit with the historic declaration made by President Abraham Lincoln during the Civil War. Lincoln's declaration is contained in the message he addressed to the First International of Karl Marx and Frederick Engels in 1865, in reply to the letter of the International to Lincoln, and which was transmitted to the International by Lincoln's Ambassador in London:

"Nations do not exist for themselves alone, but to promote the welfare and happiness of mankind by benevolent intercourse and example. It is in this relation that the United States regard their cause in the present conflict with slavery-maintaining insurgents as the cause of human nature, and they derive new encouragement to persevere from the testimony of the workmen of Europe that the national attitude is favored with their enlightened approval and earnest sympathies."

THE GULF

(23) Our attitude toward Lincoln's declaration is animated by the same spirit that is revealed in the communication he sent to the then existing organization of revolutionary Marxists. The attitude you reveal in the communication you have sent to the today existing organizations of revolutionary Marxists shows the gulf that divides the Great Republican of 1865 from those who incomprehensibly retain the name of his party today. We are proud to uphold the noble, emancipating traditions of Lincoln and extend them in our endeavor to attain freedom for all under socialism.

(24) Since, therefore, your Statement of Grounds, in its sole reference to the allegation of "subversion" in connection with the organizations here in question, bases itself upon a radical misconception and a false presentation of our position on the national interest and its relationship, in our view, with the international solidarity and interests of the working classes, we propose that the names of these organizations be removed from that classification in the list published by the Attorney General which is headed, "Subversive," and that the public press be notified accordingly.

With these preliminary commentaries on your Statement of Grounds, which we have sought to keep to an irreducible minimum, we can proceed to the now easier task of replying point by point to your Interrogatories.

Reply to the 'Interrogatories'

(1) We decline to answer this Interrogatory for the reasons which are set forth above in Paragraphs a, b, and c.

(2) We decline to answer this Interrogatory for the reasons which are set forth above in Paragraphs a, b, and c.

(3) We decline to answer this Interrogatory for the reasons which are set forth above in Paragraphs a, b, and c.

(4) Official statements of the policies of the ISL, WP and SYL are contained in the resolutions passed by the conventions of these organizations or statements issued by their elected committees and officers in their official capacities.

The following publications have been issued during the period stated by the WP, ISL and SYL, or on their behalf by various publishing companies. Generally speaking, they can be said to express the views of these organizations or to contain views of a theoretical and/or political nature which the organizations were or are desirous to bring to public attention. Exceptions to the above statement are noted with regard to *Labor Action*, *The New International*, *The Bulletin of the Workers Party* and *Forum* (see below).

Title	Published by
<i>Plenty for All</i>	N. I. Pub. Co.
<i>The Fight for Socialism</i>	N. I. Pub. Co.
<i>The New Course & Struggle for the New Course</i>	N. I. Pub. Co.
<i>Socialism, The Hope of Humanity</i>	N. I. Pub. Co.
<i>Security and a Living Wage</i>	N. I. Pub. Co.
<i>The Question of Unity</i>	Workers Party Pub.
<i>Don't Pay More Rent</i>	Workers Party Pub.
<i>Marxism in the United States</i>	Workers Party Pub.
<i>Incentive Pay</i>	Workers Party Pub.
<i>Next: A Labor Party</i>	L. A., for the WP & SYL
<i>Squash the Profiteers</i>	W.P. Cam. Com. (N.Y.C.)
<i>Stop the Enemies of the Working People</i>	Workers Party of Detroit
<i>Cold War on the Campus</i>	Berkeley, Calif. SYL
<i>The Role of the Party</i>	Workers Party Ed. Dept.
<i>The Role of the Trade Unions</i>	Workers Party Ed. Dept.

The Transitional Program Workers Party Ed. Dept.
Labor Action Labor Action Pub. Co.
The New International N. I. Pub. Co.

Although the two last-named publications generally express the views of the ISL and SYL, they frequently contain articles which do not. In its indicia box *Labor Action* carries the statement that "Opinions and policies expressed in signed articles by contributors do not necessarily represent the views of *Labor Action*, which are given in editorial statements." *The New International*, "A Marxist Review," carries articles of a theoretical and analytical nature which represent the views of the authors only. Articles signed by officers of the WP, ISL and SYL can be said to express the official views of these organizations only when signed in their official capacity.

The Bulletin of the Workers Party Workers Party
Forum Ind. Soc. League

These two are discussion publications. Articles published in them do not represent the views of the organizations, except when specifically designated as adopted resolutions of their official bodies, or signed by officers of the organizations in their official capacity. As these publications are specifically designed as media of discussion and controversy in which all members of the organizations may bring their points of view on any question before the organizations and the general public, whether or not such views be in agreement with or in direct opposition to the policies of the organizations, or the views of their elected officers or committee, or articles which appear in them, these publications can be considered official only in the sense that they are officially published channels for the democratic controversy which these organizations consider essential to the functioning of a socialist organization.

All of the above listed publications were published by the New International Publishing Co., Labor Action Publishing Co., Workers Party Publications (now defunct), which are or were business concerns registered in New York and solely owned by members of the WP or ISL; or were published by the organizations themselves or local branches thereof.

All the publications listed are distributed by the organizations themselves or by Independent Socialist

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!

LABOR ACTION
 114 West 14 Street
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The ISL Opposes Capitalism and Stalinism

Press and Labor Action Book Service, both business concerns registered in New York, and solely owned by members of the ISL.

The above list is complete, to the best of our knowledge and recollection. In addition there may be, however, local leaflets or pamphlets issued by branches or units of the WP, ISL and SYL during the nine years in question which are not available to us or of which there is no record.

(5) We decline to answer this Interrogatory for the reasons which are set forth above in Paragraph d.

(6) We decline to answer this Interrogatory for the reasons which are set forth above in Paragraphs a, b and c.

ACTIVITIES WITH OTHER GROUPS

(7) (a) In the period specified in Interrogatory (1), the ISL (or the SYL or the WP, in some of the cases in question) has cooperated for specific objectives and at different times and places, with the following organizations, either nationally or on a local level: American Civil Liberties Union, American Committee for European Workers Relief, Civil Rights Defense Committee, Committee to Aid Franco's Labor Victims, Industrial Workers of the World, James Kutcher Defense Committee, Libertarian Socialist League, Socialist Party, Socialist Workers Party, Students for Democratic Action, Students League for Industrial Democracy, Workers Defense League, Young Democrats of the University of California, Young Peoples Socialist League, Young Republicans of the University of California.

(b) The cooperation with these organizations has varied from organization to organization and from case to case. In some, the purpose of the cooperation has been to give publicity and solicit aid and support for the cases of labor, socialist and revolutionary victims of reactionary persecution and terror abroad, notably in the case of persecutions conducted by the Franco regime in Spain and by the Stalinist regime in Russia. In others, the purpose of the cooperation has been to give publicity and solicit aid and support to victims of the denial of civil rights by governmental, academic or other authorities. In still others, the purpose of the cooperation has been to give publicity and solicit aid and support to cases in which the ISL or members of the ISL (or the SYL or the WP, respectively) were threatened with the denial of their civil rights or were subjected to authoritarian arbitrariness by governmental or other public institutions. In still others, the purpose of the cooperation has been to give publicity to the elementary socialist opposition to the claim that Stalinism in any way represents the principles, objectives or ideals of socialism. In still others, the purpose of the cooperation has been to organize public demonstrations or manifestations of protest against representatives in this country of regimes, like those of Franco Spain and Stalinist Russia, which are guilty of persecuting, terrorizing, imprisoning and murdering political opponents.

THOSE "FOREIGN" QUESTIONS

(8) At no time have the ISL, the SYL or the WP had any international or foreign affiliation, international or foreign working agreement or other arrangement, and none exists at the present time, with the following single and sole exception, namely, the agreement made between representatives of the then Workers Party and the then International Secretariat of the Fourth International which provided that the Workers Party would be permitted to send a representative to the 1948 World Congress of the Fourth International in order that the point of view of the then Workers Party could be presented on the floor of the Congress.

(9) Neither the ISL, SYL nor the WP have at present or have ever had any arrangement, relationship or connection with any foreign government of any country or with any representatives of any foreign government, either in regard to the distribution of the pamphlets, bulletins and other publications of such foreign governments or in any other regard.

The ISL has for some time had and at present continues to have an arrangement with the headquarters of POUM, or Partido Obrero de Unificación Marxista (Workers Party of Marxist Unification of Spain), whereby about a dozen copies of each issue of *La Batalla* (The Battle), official organ of POUM, are distributed by the ISL in this country to interested individuals.

For certain periods of time in the past, the ISL or the WP has had arrangements with the Independent Labor Party of Great Britain for the distribution of a small number of copies of each issue of their newspaper, *The Socialist Leader*; similar arrangements with the business administration of the Ukrainian periodical, *Vpered*, published in Munich; and similar arrangements with the business administration of the French periodical *Confrontation Internationale*, once published in Paris. The ISL, SYL and the WP have not distributed and do not at present distribute the publications of any other foreign organization.

(10) No, not now and not ever before.

(11) (a) Neither the ISL, SYL nor the WP has ever received and does not now receive any financial or other material support of any kind, directly or indirectly, from any foreign government, its representatives or instrumentalities. The same reply is made with regard to international political organizations, their representatives or instrumentalities.

(b) Neither the ISL, SYL nor the WP has ever solicited or given and does not now solicit or give any financial or other material support of any kind, directly or indirectly to any foreign government, its representa-

tives or instrumentalities. The same reply is made with regard to international political organizations, their representatives or instrumentalities.

(12) Neither the ISL, SYL nor the WP has ever collaborated and does not at present collaborate with any foreign government in regard to formulating its policies or the policies of its organizations or in any other regard.

The single and sole instance in which the then Workers Party sought to influence the policies of an international organization was in the year 1948, when its representative, Max Shachtman, attended the sessions of the World Congress of the Fourth International and presented the point of view of the Workers Party on political questions in controversy at the Congress.

(13) The two international organizations or organizations abroad with which the ISL, SYL or WP have had what might be called, in your terms, an "arrangement," are, as set forth above, the POUM and the Fourth International. The former may be reached, according to an announcement in its organ, *La Batalla*, by addressing *La Batalla*, 5, Rue du Faubourg Poissonnière, Paris IX, France. The address of the Fourth International is not available to us.

THE SWP SPLIT

(14) The main difference between the two contesting groups in the Socialist Workers Party in 1939-1940, namely, the so-called Majority group and the so-called Minority group, related to the position that the Socialist Workers Party should adopt toward the Second World War which had broken out, most specifically the position it should adopt toward the role played in the war by Stalinist Russia; and related to the question of organizational relations and procedures inside the Socialist Workers Party, most specifically to the question of how the controversy should be conducted and resolved.

The so-called Minority group contended that revolutionary socialists should not only oppose the war on both sides, in general, but specifically should condemn the role of Stalinist Russian regime in the war as reactionary and imperialist and devoid of any progressive purpose or significance.

The so-called Minority group contended, further, that the difference was of so grave a nature that, even should its standpoint be rejected by a national convention of the Socialist Workers Party, the Minority would reserve the right to publish a periodical of its own which, while supporting the Party in general, would put forth its own special standpoint with regard to the war and the role of the Stalinist regime in it.

The convention of the Socialist Workers Party, supporting the so-called Majority group, rejected the position of the so-called Minority group. In a post-convention conflict between the two groups as to interpreting their respective obligations and rights under the terms of the convention decisions and the standards of party democracy, a split was precipitated. The ousted Minority constituted itself as the Workers Party in April, 1940.

FROM WP TO ISL

(15) As the name indicates, the Workers Party considered itself a political party, even though its members recognized at all times that it was not a political party in the full sense of the term. The Workers Party reconstituted itself as the Independent Socialist League in 1948 in full and open acknowledgment that the Marxists in the United States at the present time cannot and should not consider themselves as a genuine political party but only as a propagandistic and educational organization whose primary immediate objective is to help in the formation of a Labor Party, founded by and based upon the organized trade-union movement, and completely independent, organizationally and politically from the two capitalist parties.

So far as the basic principles of socialism are concerned, however, the Independent Socialist League continued to maintain those which lay at the foundation of the Workers Party. In its newly-adopted constitution, the Convention of the ISL adopted the following as Article II:

"PURPOSE: The purpose of the League is set forth in its program as embodied in the resolutions and declarations of national conventions: its purpose is to educate and organize the working class for independent political action leading to the establishment of a workers' government which aims to abolish capitalism and to achieve socialism."

POSITION ON STALINISM

(16) Insofar as the fundamental position and the main policies of the Fourth International were, in the views of the then Workers Party, in harmony with the principles and interests of socialism, they were likewise the position of the Workers Party and accordingly were taught by the Workers Party.

However, on the basic questions of the nature of the Stalinist state, of the socialist obligation to this state in case of war, of the nature and role of the Stalinist parties, of the nature and role of the Social Democratic Parties, as well as of questions related to or dependent upon these questions, the position of the Workers Party was from its very inception opposed to, or gradually developed into increasing opposition to, the position of the Fourth International.

The Workers Party regarded the Stalinist state as an anti-capitalist but also an anti-socialist and anti-work-

ing class state, characterized by its totalitarian exploitation and oppression of the toiling classes in the interests of the ruling collectivist bureaucracy. It regarded it as being in no sense whatever the duty of the socialist movement to support or defend this reactionary regime in war-time or in peace-time. It regarded the Stalinist parties not as parties of the "Left" or of the working class, in any legitimate sense of these terms, but as reactionary, anti-working class parties. It regarded it as the duty of Marxists to find their rightful place as the left wing functioning inside the Social Democratic or social-reformist movements wherever possible, defending these movements from all capitalist or Stalinist assaults and infringements, and helping develop them as effective organizations of the socialist working class.

These views of the Workers Party are held in an even firmer and clearer way by the Independent Socialist League and the Socialist Youth League today.

THE FOURTH INTERNATIONAL

(17) Neither the Workers Party nor any of its representatives ever proposed that the Workers Party shall be or shall be considered the official representative of the Fourth International in the United States. However, at the 1948 World Congress of the Fourth International, Max Shachtman proposed that, in order to allow for the possibility that the two organizations would one day come closer together in their views on controversial theoretical and political questions by a fraternal interchange of ideas, the Fourth International should recognize the Workers Party as a sympathetic section. The Congress of the Fourth International rejected the proposal.

Nothing has come of this proposal since, nor of any other proposal for any other form of relations between the Workers Party or the ISL and the Fourth International. Indeed, no other proposal has been made for any relations, either by the ISL or by the Fourth International.

(18) At the time the Workers Party was founded early in 1940, its organ, *Labor Action*, listed the party in its masthead as "Section of the Fourth International." This was not meant to indicate that the Workers Party was affiliated to the Fourth International or that the Workers Party was in any other wise officially connected with it, since that was not the case at the time or at any other time. The Workers Party listed itself in that way only in order to indicate its solidarity with the Fourth International in the sense indicated in the reply to Interrogatory 16 and as an expression of the Workers Party's desire to become an American section of the Fourth International eventually, that is, when and if political differences were either eliminated or diminished. This desire was rejected by those groups then in the leadership of the Fourth International.

In any case, upon the adoption of the so-called Voorhis Bill, *Labor Action*, under date of November 11, 1940, published an official "Statement of the Workers Party on the Fourth International," which read, *inter alia*: "Up to the time of the adoption of the Voorhis Bill, the Workers Party has listed itself as a Section of the Fourth International. By virtue of the authority vested in it by the plenary session of the National Committee of the Party held recently, the Political Committee hereby declares, in the name of the Workers Party, the suspension of any connections with the Fourth International."

Under date of December 16, 1940, *Labor Action* published a "Declaration on the Fourth International," signed by four individuals who formerly constituted the majority of the International's Executive Bureau, and which read, *inter alia*: "We must establish the tragic fact that while sections exist—the Fourth International as an organized, centralized, authoritative and representative body does not now exist. We see our primary task to be the painstaking work of reconstituting the International as it should be constituted." This Declaration represented, broadly speaking, the view of the then Workers Party as well.

(19) The answer to what is asked and what is implied in this Interrogatory is contained, in substance, in the reply to Interrogatories 16 and 18.

INTERNATIONAL RELATIONS

(20) (a) As indicated above, Max Shachtman attended the Second World Congress of the Fourth International in 1948 as the representative of the Workers Party. He did not attend any other conference of like nature.

(b) Max Shachtman has visited the Soviet Union, but not as an official of the WP, or the ISL, or the SYL, and not during the period of their existence. Max Shachtman visited the Soviet Union in the year 1925 as a delegate representing the Young Communist League and the Communist Party of the United States to the Plenary Session of the Executive Committee of the Young Communist International and to the preceding Plenary Session of the Executive Committee of the Communist International. Max Shachtman also visited the Soviet Union in the year 1927 as a representative of the International Labor Defense of the United States to an international conference of the International Red Aid.

No other official of the WP, ISL or SYL, in his capacity as such an official or in any other capacity, has ever visited the Soviet Union.

(21) Max Shachtman, National Chairman of the ISL.
(Continued on next page)

What Are the Aims of Marxist Socialism?

(Continued from preceding page)

was a member of the Communist Party up to 1928, that is, twenty-five years ago, that is, twelve years before the founding of the Workers Party. Albert Gates, National Secretary of the ISL, was also a member of the Communist Party up to 1928. Both Max Shachtman and Albert Gates were expelled from the Communist Party for the crime of "Trotskyism." Other officers of the three organizations in question here were at one time members of the Socialist Party; still other officers never previously belonged to a political organization. No officer of the three organizations in question here, other than the two previously named, was ever a member of the Communist Party or the Young Communist League.

(23) Many of the officers of the WP and ISL, including the National Chairman and the National Secretary, were at one time, prior to the founding of the ISL and the WP, members of an organization which was affiliated with the Fourth International. The name of that organization was the Socialist Workers Party, whose affiliation with the Fourth International was terminated by official decision of the Party at the time of the passage by Congress of the so-called Voorhis Act.

So far as the ISL is concerned, its position is represented by Article III of its Constitution which reads: "INTERNATIONAL AFFILIATION: The League is affiliated with no other group or organization in the United States or elsewhere. It seeks to establish fraternal relations with groups and parties in other countries, and, if they stand on the same fundamental program as its own, to cooperate with them in the elaboration of a complete world program and the speediest possible reconstruction of a genuine socialist international. Action on any such step must be submitted to a national convention of the League."

OUR MARXIST PROGRAM

(24) (a) By a "system of government founded upon the principle of Marx, Engels and Lenin" the ISL means a socialist society based upon the abolition of all forms of class rule, exploitation, oppression, privilege and conflict, achieved by way of the social ownership of the means of production and distribution, the democratic and planned organization of production and distribution, the abolition of all class privileges and distinctions, and therewith the gradual elimination of all forms of state coercion over society. The ISL advocates the desirability of such a social order and is wholly dedicated to its achievement.

(b) The founders and teachers of scientific socialism, including Marx, Engels, Lenin and Trotsky, wrote tens of thousands of pages in the last hundred years, devoted to analyzing different situations and different problems, applying to each of them the scientific methods of socialist analysis and advocating in each case what they regarded as the most effective measures to promote the socialist goal that were consonant with that goal. To endeavor to reconcile every word they ever wrote with every other word, every idea they ever put forth with every other idea, to make of any formula they uttered a universal, uniform, absolutist dogma valid for all people at all times, in all places and under all conditions, is an absurdity in itself which we have never countenanced. It is on top of all, a flagrant renunciation and abuse of methods and traditions of Marxism which deny the validity of any doctrine or teaching that is separated from considerations of time, place and circumstances.

It is always with this basic thought in mind that the ISL, like its forerunner, the WP, has supported the interpretation of Marxism and Leninism that was rightly associated with the name of Leon Trotsky. Although, as is known, the ISL differed radically with the views of Trotsky on the class nature of the Stalinist state and the political conclusions flowing therefrom, it did support and does support Trotsky's views of the teachings of Marxism and Leninism, broadly speaking, in his championing of socialist internationalism as against imperialism and chauvinistic nationalism, of democracy as against Fascism and totalitarianism, of

the unremitting struggle for socialist freedom as against capitulation to capitalist exploitation and reconciliation with it, of struggle against Stalinism as against capitulation to it and reconciliation with it, of democracy and equality for the masses as against arbitrariness and privilege by bureaucrats, of intellectual freedom as against government-dictated conformity, of political honesty and honor as against political chicanery, hypocrisy and mendacity, of the progressive political solution of social problems as against the blackjack solution of the reactionary police-mind.

INTERNATIONALISM

(c) The ISL holds that in order to achieve the international socialist society—not "international state"—it is necessary to abolish all the existing capitalist states, or at least the most important among them.

The basis for eliminating all superficial or outlived barriers between nations and for "internationalizing" relations among them, has already been laid by the development of capitalism, particularly in its creation of the world market, and this development constitutes one of the great progressive achievements of capitalism which socialism aims to continue on a new social and historical level.

To this should be added that, for the goal indicated, the Stalinist state regimes must likewise be abolished.

(d) The ISL holds that in order to achieve the international socialist society, it is necessary to abolish the existing forms of government of the United States insofar as it is capitalist in nature and in function, but not at all insofar as it is republican and democratic.

(e) The ISL holds that the working class, at the head of the nation, must eventually abolish capitalist ownership of the means of production and exchange, capitalist relations of production along with it, and therewith the fundamental basis for the economic and therefore the political and social rule of capitalist exploitation.

CONFISCATION AND COMPENSATION

(f) Socialism is based upon the collective ownership of the means of production and distribution, consequently also of the land. As one of the first steps toward realizing a society free of exploitation, poverty and inequality, a socialist government would proceed to the nationalization of the big monopolistic industrial and financial enterprises, and of large-scale corporation- and absentee-owned farms and estates.

Since the ISL, as a Marxist organization, desires the most peaceful, orderly and smooth transition from capitalism to socialism, it favors any measures that would facilitate such a transition, including appropriate compensation to owners whose property is to be nationalized, the nature and extent of which compensation would be freely and legally determined by a socialist government.

In dealing with the main measures to be carried out by a socialist government, Frederick Engels therefore speaks of the "Gradual expropriation of landowners, industrialists, railroad magnates and shipowners, partly through competition by state industry, partly directly through compensation in the form of bonds." In dealing with the main measures carried out by the British Labour Government, the official resolution on the subject adopted by the 1951 convention of the ISL therefore writes that "There is, to be sure, no question of principle involved in the question of compensation per se, even of such over-generous compensation as has been accorded by the Labour Government. Marxists have always, with good reason, proclaimed their willingness to buy off the capitalists' resistance to expropriation wherever and whenever that is feasible."

The question of confiscation of property could properly arise in cases of treason and rebellion against the legally and democratically constituted socialist government on the part of capitalists, as individuals or as a group, who would seek to flout the authority of the government with arms in hand and by such armed action to impose the will and interests of a minority upon the will and interests of the majority. Engels, in the sen-

tence following directly upon the one quoted above, therefore speaks of "Confiscation of the possessions of all emigrants and rebels against the majority of the people." In such cases, in all likelihood, a socialist government would proceed no less resolutely, as well as no less legally, than did the Republican Party government of Abraham Lincoln against the rebelling slaveholders when it "confiscated by force," to use your term, the "private means of production" i.e., the slaves, of the plantation aristocracy.

ENGELS ON LAND POLICY

So far as the attitude of a socialist government toward the private ownership of land is concerned, the classical socialist position, always put forth by the ISL, is stated in a famous passage by Frederick Engels, which reads, *inter alia*:

"When we are in possession of the powers of the state, we shall not even dream of forcibly expropriating the poorer peasants, the smallholders (with or without compensation), as we shall have to do in relation to the large landowners. Our task as regards the smallholders will first of all consist in transforming their individual production and individual ownership into cooperative production and cooperative ownership, not forcibly, but by way of example, and by offering social aid for this purpose. We shall then have the means of showing the peasant all the advantages of this change—advantages which even now should be obvious to him."

This point of view applies to the overwhelming majority of the agricultural population and proprietors in the United States.

From all the above, therefore, it is clear that the charge made in Points 13 and 15 of the Statement of Grounds is false and misleading.

CAPITALIST GOVERNMENT?

(g) The ISL holds that the Government of the United States is a capitalist government, which never fails to protect and promote the interests of the capitalist class, which indeed exists in order to protect and promote them, and which, by virtue of this, is used, now openly, now covertly, now violently, now with velvet gloves, to maintain the workers as an exploited and oppressed class. Seldom in history has this been so clearly the case as today, under the present Government.

Seldom in our history was an Administration so openly sponsored by big capital before it was elected as was the present Administration. Never before in our history was the executive department so openly staffed by big capitalists and their representatives as to be known throughout the land as the cabinet of millionaires and multi-millionaires. Seldom in our history has a cabinet member said so openly, as did Secretary of the Interior McKay, quoted above, that "this is a business man's administration" and "an administration representative of business and industry."

Seldom, if ever, in our history has an official government institution, such as yours, issued an official document, like your communication to us, which so openly presents the government as the representative of the interests of capitalist property. Of course we hold that this is a capitalist government!

(h) The ISL holds that quite the contrary is the case. The working class is not a privileged class but an underprivileged class. To be more exact, we hold that it is only the capitalist classes that have special privileges, whereas the working class has no privileges.

If the Interrogatory means to suggest that we are in favor of converting the working class into a class with special privileges that is an absurdity on both counts, inasmuch as, firstly, socialism is for abolition of all special privileges and, secondly, socialism is for the abolition of all classes, class distinctions and class conflicts.

ROLE OF THE WORKING CLASS

(i) The ISL holds that a classless socialist society can be achieved by the nation only under the leadership of the working class, and that it is therefore the duty of socialists to help organize the working class in alliance with the middle classes against their main enemy and the main obstacle to social progress, namely, the capitalist class.

The aim of the organization of the working class into an independent political party of its own, a Labor Party in the United States, is to fight, in the words of Marx and Engels, "to raise the proletariat to the position of ruling class, to establish democracy."

The ISL believes that this historical role has been assigned to the working class in the struggle for power against the capitalist class, because, among other reasons: capitalism has succeeded in converting the working class into the most numerous and most representative of all classes in society today; capitalism has succeeded in organizing and training the working class in the presently prevailing process of production to be the most socially cooperative and solidarized class; the working class is by its very nature the class most interested in democracy and in the extension of democracy to its highest degree and is by its very social position driven willy-nilly to fight for democracy; and finally because the working class is the only class in history which, being a propertyless class by its very nature, has no social interest in perpetuating itself as a class in power but only in creating those conditions whereby eventually it "will have abolished its own supremacy as a class" (Marx and Engels).

The charge against us, made in Point 5 of the Statement of Grounds, that we have "sought to establish in the United States a Socialist State under the dictatorship of a privileged class," therefore comes down to this, that we advocate a democratic Workers' Government which is building toward a socialist society.

The term "dictatorship of the proletariat," which is to be found in Marxian literature, was understood by

The Workers Defense League Issues A CHALLENGE TO THE ATTORNEY GENERAL

Rowland Watts, national secretary of the Workers Defense League, issued the following statement on the Justice Department's "Statement of Grounds and Interrogatories" in the case of the ISL, announcing that the defense organization has taken the ISL's case under its sponsorship.

Watts said:

"The Workers Defense League has taken the case of the Independent Socialist League as a means of challenging the whole procedure of the attorney general in setting up his list of subversive organizations.

"The list was drawn in the most undemocratic manner. No organization ever received notice that it was under consideration by the attorney general. None was even notified directly that it had been placed on a list. Thus these organizations never had an opportunity to examine any evidence against them, or to cross-examine witnesses who presumably gave allegedly damaging evidence to the attorney general.

"We are challenging the validity of the list itself, procedurally and politically. The WDL does not believe that the ISL is subversive and it should not have been added to the list under the Executive Order.

"After having seen the Interrogatories of the attorney general submitted to the ISL, this is even more apparent than before. What the administration has done is to equate capitalism and democracy. It is the first time to our knowledge that an official government document has done this."

Socialists Fight Against Imperialist War

the great teachers of Marxism to mean a Workers' Government that would represent an infinitely greater extension of democratic institutions, democratic rights and customs than anything ever before known even under the most democratic of capitalist republics. It would be a Workers Government as an indication that the working class and not the capitalist class now has the responsibility of leading the nation, for the reasons set forth in the first part of this reply.

If, however, no reference is to be found in the literature of the ISL to the term "dictatorship of the proletariat," the reason is that Stalinism, on the one hand, and ignorant or malicious capitalist propaganda, on the other hand, have made this term, originally saturated with the spirit of socialist democracy, synonymous in the public mind with the oppression and exploitation of the people by a tyrannical minority.

THE "RIGHT TO REVOLUTION"

(j) Like every other section, be it right wing or left wing, of the socialist and Marxian movement, the ISL believes that a violent revolution not only can but must be considered as a means of establishing a socialist government under certain circumstances.

The ISL believes that where a people have been so disfranchised and subjugated by a governmental regime as to have no legal means of expressing and enforcing the democratic will of the population, it should not slavishly suffer such a regime but aim to overturn it by violent revolution as soon as possible. Hence, the ISL believes that a people has the "right to revolution," i.e., even to violent revolution, under a tyrannical, autocratic or totalitarian despotism, and that to abandon that right forever is to encourage such despotisms to inflict ill upon the people with impunity.

The "right to revolution" is a democratic right. It is therefore assured the people of the United States by the Declaration of Independence, and is reiterated by such great American leaders as Jefferson and Lincoln.

To speak of or to advocate a violent revolution under the conditions of political democracy which still prevail in the United States could only mean to advocate imposing the will of an armed minority over the great majority. It would therefore be reactionary, preposterous, anti-democratic and anti-socialist.

If the advance of reaction should continue without interruption and resistance in the United States and should eventually reach a point where the conditions of political democracy have been wiped out, neither the people in general nor the socialists in particular would be left with any other recourse against a dictatorial regime than to overturn it by violence.

Short of such a situation, however, the ISL, as in the case of the present petition, seeks and advocates nothing more than the democratic rights that belong to it, the maintenance of the democratic rights that now exist, resistance to any and all infringements upon and violations of now existing democratic rights and the extension to their maximum of all democratic rights, in order that it shall be able to advocate its views in favor of socialism.

IMPERIALISM AND THE PEOPLE

(k) There is no conflict between the national interests of the United States, as these interests are understood from the standpoint of democracy and therefore from the standpoint of the ISL, and the interests of the working class of this and all other countries. Our standpoint on this question is set forth in detail above. There is a conflict between the imperialist interests of the United States (or of any other imperialist power) and the interests of the working class.

In such a conflict, we unhesitatingly defend the interests of the people, not of imperialism. But we not only refuse to identify the imperialist interests of a government or its ruling class with the true national interests of the people; we fail to find any compatibility between such conflicting interests.

(l) Our view in favor of changing the present capitalist government to a socialist government, and the present capitalist social order for a socialist order, are clearly outlined and explained above. Our teachings, to use the terms of your Interrogatory, "that the existing form of Government of the United States should be overthrown and destroyed, and replaced by a socialist state," do not imply advocacy of the forcible and violent overthrow of a government democratically supported by a majority, and the imposition upon this majority of a regime supported by a minority.

We have set forth our view on this repeatedly in the present petition. Our teachings are, in our view, completely in consonance with the spirit of the Declaration of Independence, which states:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are Life, Liberty and the Pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."

(m) We have already set forth above our views in

favor of the international solidarity and mutual allegiance of the working class as it relates to allegiance to the true national interests of the people of any country, the United States included. Support of imperialist interests is something else again, for they manifest themselves in policies which deny to other peoples or nations the elementary democratic rights which our people enjoy or to which they aspire.

FOREIGN POLICY

(25) (a) Max Shachtman, the author of the article in question, entitled "The Big Three—Hitler's Aides, Washington, Moscow, London Help Nazis Keep Power," is alone responsible for the words in which he couches the views presented. But the views presented were in substance those of the Workers Party at that time.

They argued that the plans proposed for Germany by Roosevelt, Stalin and Churchill at various war-time conferences only made it easier for Hitler to maintain the flagging war-morale of Germany and therewith to prolong the war. The article said that according to these plans by the Allied spokesmen:

"Germany is to be occupied militarily by the three big powers. She is to be dismembered, carved up into a number of small, helpless states incapable of sustaining life on a decent plane. Parts of Germany are to be detached altogether and incorporated under the rule of other countries. Millions upon millions of Germans are to be sent to other countries as slave laborers. A back-breaking tribute is to be imposed upon the German people. Their industries are either to be taken from them whole and transported elsewhere, or their operations suspended altogether. The Allies aim to accomplish by sheer military force what American imperialism sought to do by its great economic power after the First World War, namely, reduce Germany to a Balkanized colony.

"This mad plan can mean only one thing: chaos, not order, in Europe, and fertilizing the soil of a Third World War even more surely than the infamous Versailles Treaty fertilized the soil of a second."

These views were set forth in *Labor Action* of August 28, 1944, and repeatedly since then. We consider that these views and the warnings they contained have since then been strikingly confirmed.

We do not clearly understand the complaint implicit in your citing this article against us. Can it be that you find it reprehensible because we rejected then, as we do now, the dismemberment of Germany which turned half the country and tens of millions of the population over to enslavement under Stalinism?

THE WORKERS' STATE

(b) Stanley Grey, the author of the article in question, entitled "What Is 'Workers Control of Industry?'" (*Labor Action*, March 24, 1947), is alone responsible for the words in which he couches the views presented. The editor of *Labor Action* prefaced the article with the notation that this was a discussion article and that "the author does not claim that his is the last word on the matter," inasmuch as it deals, among other things, with the theoretical question of just what forms would be assumed by workers' control under a workers' state.

Nevertheless, that part of the article which you quote, and which is followed by the assertion that "Such a state (i.e., a workers' state) must allow the widest democratic rights in order to allow workers' control to function at all and not degenerate into bureaucratic control," is nothing more than a restatement of the views of the WP and ISL in the sense in which they have been repeatedly set forth in the present petition.

(c) Irving Howe, the author of the article in question, entitled "World Imperialist Role Now Public Policy! A Climax in U. S. Foreign Policy," (*Labor Action*, March 24, 1947) is alone responsible for the words in which he couches the views presented and the various points he presents to sustain them. Insofar, however, as the author was setting forth the point of view that the development of American capitalist economy had reached the stage where so-called "isolationism" could no longer be supported either by responsible Democratic or responsible Republican Party spokesmen because the maintenance of capitalism demanded that the U. S. play a decisive imperialist role throughout the world, he was stating in popular form an elementary fact understood by all socialists.

In warning of the terrible consequences of the impending conflict between the two rival imperialisms, and urging that the working class should oppose it with the same unity and determination as is shown by those who are preparing it, the author was expressing the elementary socialist view that was held then by the Workers Party and is still held by the ISL and SYL.

WAR AND THE NATION

(d) Unlike the three preceding articles, which were written by individuals, the document in *Forum* of April, 1951, is an official resolution which was adopted by the regular national convention of the ISL. It is the official position of the organization at the present time.

The key passage, with regard to the socialist position toward the conflict between capitalism and Stalinism and the problem of war between them, is represented by the following section of the resolution, which is cited here as a particularly clear and authentic presentation of our view:

"The Independent Socialist League, while rejecting the standpoint that it is necessary to support American imperialism in the war with Stalinist Russia, is, how-

ever, not indifferent to the question of the conduct of the war or its outcome.

"It rejects as reactionary the criminal policy, put forward in the name of socialism, of 'defense of the Soviet Union'—unconditional or otherwise—a policy which serves, at best, as a cloak and apology for Stalinist imperialism, its enslavement of the working classes, its subjugation of nations and its extirpation of the socialist movement.

"It rejects as reactionary and deceitful the policy, put forward in the name of democracy, of supporting American imperialism in the war or pre-war period—a policy which, at best, confers upon the vast bulwark of rotting capitalism the task of saving democracy which it cannot possibly perform and which, by subordinating the working class to imperialism, precludes it from performing the tasks of democracy and socialism it is called upon to accomplish.

"One of these tasks in the present period is precisely the defense of the nation and of the only consistently progressive and democratic class in the nation, the working class. In the Third World War, unlike the First, the national integrity and independence of the country are at stake. This applies both to Russia and the United States.

"The ISL recognizes that if the working classes are unable to prevent the outbreak of the Third World War and they alone can prevent it, the triumph of Stalinism in the war would mean the subjugation of the United States and most of other nations and the enslavement of the working class by the totalitarian bureaucracy. But those are exactly the dangers that cannot be warded off by entrusting the 'defense of democracy' to the imperialist reactionary bourgeoisie of the U. S. It is not at all concerned with the question of the freedom or enslavement of the working class but only with its preservation as a producer of unlimited profits. It is not at all concerned with the question of the defense of the nation's integrity, except in the sense of an imperialist metropolis which is in a position to dominate and dictate to the world and to check or repress all popular democratic movements throughout the world, that is, it is animated by those very considerations which have brought world-wide discredit upon the nation and produced the very situation and war danger that imperil the nation and its working classes.

THE TASK OF DEFENSE

"The socialist movement does not have, and the working class should not have the slightest confidence in the democratic pretensions or intentions of the American capitalist class, its government, its war, and its conduct of the war, its war objectives, its war allies. The socialist movement places its confidence exclusively in that class whose very political existence makes indispensable and imperative its attachment to democracy, democratic rights and institutions, namely, the working class and its labor movement.

"This applies to the pre-war period and, if it is not averted, to the war itself. Faced by the coming war crisis, the socialist movement will more urgently than ever call upon the working-class movement to take command of the nation and should it prove necessary as a result of the reactionary and imperialist drive to Stalinism, to take command also of the defense of the nation.

"Even if, at the outset, a labor government, which takes over the nation and defends the interest of the working people on the basis of a genuinely democratic course in foreign and domestic policy which is not in fact subordinated to the interests of capitalism and imperialism, should not yet be socialist labor government, the socialist movement stands pledged to support and defend it in word and in deed in any war in which it is threatened by a reactionary enemy, Stalinist Russia included. It is precisely by confiding the national defense to the reactionary capitalist class, which has and can have only reactionary purposes, that the working class movement abandons its great responsibility to the true and best interests of the nation, to the true and best interests of itself, and what is related to them, to the true and best interests of democracy all over the world. The task of the defense of the democratic nation is the task of the working class itself."

FOR A THIRD-CAMP MOVEMENT

(e) Max Shachtman, the author of the article in question entitled "The Socialist Left and the Social Democracy, Some Problems of the European Marxist Movement" (*Labor Action*, September 10, 1951), is alone responsible for the words in which he couches the views presented. Nevertheless, the article is a presentation of views previously adopted in an official resolution by the ISL, which urged that the small and isolated individuals and Marxian groupings in Europe should give up their illusory and artificial "independence" and enter as a left wing into the broad, democratic organizations of the socialist workers of Europe, the Social Democratic and Labor Parties with the aim of enhancing their socialist consciousness and combativity; with the aim, as the article said, "above all in Western Europe, to weld together a democratic, socialist, internationalist power capable of withstanding Washington and the Kremlin"—that is, of withstanding the encroachments and policies of the government of American capitalism and the infiltration and consolidation of power by Stalinist totalitarianism.

(Continued on next page)

No War, No Witchhunts—For Socialism!

(Continued from preceding page)

Insofar as the article was a presentation of the views contained in the aforementioned resolution of the ISL, the ISL takes complete corresponding responsibility for it.

(f) The Statement entitled "The ISL Program in Brief" is contained not only in the October 15, 1951 issue of *Labor Action*, but in virtually every issue of that paper. It was prepared by the ISL as a highly condensed but entirely accurate summary of the main points in the program of the organization. It was adopted officially by the Political Committee of the ISL and continues to represent its views.

PRINCIPLES OF MARXISM

(g) The terms employed in the "West Coast Socialist Youth Declaration Against War" are those finally agreed upon by its signatories, namely, the Young Peoples Socialist League of Los Angeles, the Libertarian Socialist League of Los Angeles, and our own Socialist Youth League branch of Berkeley, California. Consequently, this document does not have the same status as an official document of the ISL or the SYL.

Nevertheless, irrespective of the terms, the essential ideas are the important thing in the Declaration and the views of the ISL and SYL are completely in harmony with them. So far as our views on the war in Korea dealt with in the "West Coast Socialist Youth Declaration Against War," are concerned, they are summarized in the reply to Interrogatory 28.

(26) The basic principles of Marxism, as elaborated and taught by Marx and Engels, and subscribed to and developed by Lenin and Trotsky, may be stated, in the opinion of the ISL, as follows:

The fundamental role of the socialist movement is to support the working class against the capitalist class in the irrepressible class struggle between them which is spontaneously and constantly generated by the contradictions inherent in the capitalist mode of production, and to help organize, educate and train the working class in this struggle so that it becomes fully conscious of its social position under capitalism and of its historic task of transforming the class struggle into an open political struggle for state power which will enable it to abolish capitalist exploitation and social rule and to save society from a relapse into barbarism by reorganizing production and distribution on the rational foundations which assure the freedom, abundance, peace and equality that make up the essence of socialism.

That is how the ISL understands and teaches the principles of Marxism. It finds no reason whatever for modifying its adherence to this principle, let alone for repudiating it.

All the other political teachings of Marxism, while sometimes referred to as "principles," come down to questions of the strategy and tactics recommended for facilitating the performance of the role of the socialist movement or for the attainment of the historic goal of the working class. Which tactics to employ is determined by the socialist movement not on the basis of abstract or universally valid considerations, but on the basis of time, place and circumstance. That is what is meant by Engels in his classical phrase, that "Our teachings are not a dogma, but a guide to action."

Inasmuch as we do not know what the Attorney General has in mind when he refers in the communication to us to "the principles of Marx, Engels, Lenin and Trotsky," we cannot deal with the question otherwise than we have, that is, on the basis of what we of the ISL mean by Marxian principle.

THE U. S. AND THE KOREAN WAR

(27) The ISL holds that the United States Government followed an imperialist policy in World War II, defending and promoting the imperialist interests of American capitalism and of imperialist powers allied with it.

To what extent this was done consciously or unconsciously, as a result of deliberate and planned action or the entire ideological training and social relationships of the Government, in a stupid or wise manner, is of completely subordinate importance and interest.

American imperialism not only sought to expand its power and influence during and after World War II, but succeeded outstandingly in achieving this aim. That is one of the basic reasons why it must now face the task of preparing for World War III with ever-decreasing support from the peoples of the world and even with growing opposition from these peoples. The other basic reason lies in the no-less imperialist drive of Stalinism.

(8) From the start of the war in Korea, the ISL held that this is an imperialist struggle between the United States Government and the Russian Stalinist regime; that it is a futile struggle; and that no matter what its outcome, the entire Korean people will be the losers and bear the heaviest burdens. We consider today that our analysis and position have been fully, if tragically, confirmed.

The people of Korea were in no way consulted about the decision to split their country into two separate and antagonistic parts; this was decided by Russia and the United States without any regard for democratic principles or procedures.

The people of Korea had nothing to do with the launching of the war in Korea three years ago and were at no time consulted about the course of the war, the policies to be followed in the war, the aims of the war; these questions were all decided for them by

Russia on the one side and by the United States on the other, in both cases without even the formality of a declaration of war.

The people of Korea had nothing to do with the truce that has just been signed and were in no way consulted about it. The truce was decided basically by Russia and the United States, with the government claiming to represent North Korea and the government claiming to represent South Korea playing no part at all in achieving the truce or no part of any importance.

We do not see how this war can be regarded as anything but imperialist.

NOT PACIFIST

(29) The ISL is opposed to ROTC, to the draft and to the proposed compulsory military training on the same ground on which it is opposed to all capitalist wars and to all military measures and appropriations of capitalist governments.

This ground is not that of pacifism, since Marxian socialists are not pacifists and are not opposed to war in the abstract. Our opposition simply represents and is meant to manifest our complete lack of confidence in the ability of the capitalist class or of its government to defend the true national interest from possible armed assault from the outside and an equal lack of confidence in the declarations or suggestions of the capitalist class or its government that these armed forces are not instruments to be used against the working class in class conflicts at home. In other words, our opposition to capitalist militarism derives from our irreconcilable political opposition to capitalism itself.

It should go without saying, of course, that while continuing our political opposition, it is the policy of the ISL to abide by those measures which have been legally enacted into law, as in the case of the draft, for example, from which it is the policy of the ISL and SYL, as it was of the WP, to claim no exemption or other special consideration either on grounds of morality, conscience, or political position. It also goes without saying that at the same time we reserve the right to advocate the repeal of any law.

(30) The ISL takes no position on wars in general, wars in the abstract or wars speculated about, and cannot take such a position. It can and does take a position on wars that are taking place or that are clearly in preparation. Accordingly, it took a position with regard to World War II and has a position with regard to World War III. That position is clearly indicated in our reply to Interrogatory 25-d, and requires no further elaboration at this point.

ON JUDD AND HOWE

(31) According to the terms of their resignation from the ISL, Judd and Howe did not take this action because, in the words of your communication, "the ISL would not support the West against the East." While stating that they disagreed with the ISL on the war question, they wrote: "We believe that the major task of socialists today is to engage in sustained intellectual activity, mainly with the end of reorientation and educating themselves. Were this possible in a sect atmosphere, we would have remained in the ISL despite our differences of opinion."

(32) The statement of the Political Committee of the ISL on the resignation of Howe and Judd, in analyzing the developments preceding the resignation of these two members, states that from the foregoing, "it was inevitable therefore that the 'third camp' position should become to them 'meaningless, a fetish.' Their talk about opposing the war and urging resistance 'to those who accept or desire a Third World War,' then becomes a violation of the political logic of the newly-stated views which they have taken over from the chauvinists."

The statement of the Political Committee of the ISL adds, further on, with reference to the developments preceding the resignation of Judd, "A vigorous anti-war position detailed in the *New Internationalist* of a year ago, is now followed by a shallow and even chauvinistic support of American imperialism."

It might be added, furthermore, that the ISL views the reference to the conflict between Stalinism and the forces of capitalism led by the U. S. Government as a conflict, in the words of your communication, between "The West Against the East," not only as utterly misleading, but as an expression of chauvinism.

(33) Insofar as the views expressed by Howe and Judd conflict with those of the ISL on questions which it considers of vital importance, these views are rejected in the aforementioned statement of the Political Committee of the ISL.

"PARTY NAMES"

(34) The names of the members of the WP, ISL and SYL have not been published any more than the names of the members of the Democratic or Republican Parties have ever been published. What is more, the names of the members of the ISL and SYL are not in the possession of the respective national headquarters of these two organizations, as explained above. And finally, it is the policy of the ISL and SYL not to make public or available upon inquiry the names of their members which are in the possession of their respective local organizations for the reasons explained above.

(35) Some members of the WP did, and some members of the ISL and SYL do, on occasion, employ "party names" or pen names or other pseudonyms and are freely permitted by these organizations to do so. One of the reasons for this is already implied in the

answer to the Interrogatory 34 and elsewhere in the present petition. It is a perfectly legal and legitimate device whereby the individual concerned avoids the harassment or persecution or discrimination or public obloquy which often is the consequence of being known to the Federal Bureau of Investigation, or in other cases, to reactionary employers, self-appointed witch-burners and witch-hunting newspapers as a member of an allegedly "subversive" organization.

"SECURITY MEASURES"

(36) Our "intra-organization bulletin," called *Forum*, is a public periodical, available to any interested individual or group at the regular price. We have no "internal" periodical of any kind.

The ISL has permitted, and in specific cases, has encouraged some members to adopt party names, for the reasons indicated above. It has also advised all members against volunteering information about themselves or other individual members of the organization which they are not required by law to provide to anyone, not even to the Federal Bureau of Investigation. The reason for this advice is clearly implied in the reply given to two preceding Interrogatories and elsewhere above.

Other than this, the ISL has not taken, nor has it felt the need to take, any "Security" measures in the interests of the organization as a whole or of its members individually. Therefore, the charge made in Point 24 of the Statement of Grounds that it has been our policy that we "would fail to keep records and would adopt other secretive practices in order to conceal the identity of members and the operations of said organization," is false and misleading.

U. S., GERMANY, RUSSIA

(37) The ISL holds that the United States is a capitalist political democracy, that Hitlerite Germany was a capitalist totalitarian state, and that Stalinist Russia is a bureaucratic-collectivist totalitarian state.

Consequently, the ISL and publications expressing its views could liken Stalinist Russia to Hitlerite Germany, in any basic respect, only with regard to their political regimes but not their social foundations; could liken the United States to Hitlerite Germany, in any basic respect, only with regard to their common foundations, capitalism, but not with regard to their political regimes; and could liken the United States to Stalinist Russia, in any basic respect, neither with regard to their social foundations nor with regard to their political regimes.

However, in the past as today, it has been possible for the ISL to liken this or that policy, this or that act, this or that aspect of the social life of the United States to similar policies, acts or social aspects of Hitlerite Germany or Stalinist Russia, or to assert that such and such a policy, act, or aspect of social life in the United States helps Fascism or helps Stalinism. Of such cases, in our opinion, there have been many examples in the United States in the past, and there are many examples at the present time.

AGAINST WITCHHUNT TRIALS

(38) The ISL has repeatedly denounced the trials of the Stalinist leaders under the Smith Act as a persecution of individuals for their political beliefs and affiliations, without in the slightest degree associating themselves with the Stalinists or modifying our opposition to and struggle against them.

The United States is the only democratic country in the world in which the Stalinists, among other non-conformist political groups, are subjected to the legal restraints, attacks and prosecutions which has become the sole stock-in-trade of the official and unofficial government campaign against them, and this distinction from the rest of the world is an unenviable one.

The ISL not only holds that the trials are a persecution for political beliefs and affiliation; it not only holds that the trials are a product of political stupidity and reactionary policy; but it holds that the trials, and the kind of campaign of which the trials are a part and symbol, only help sustain Stalinism and facilitate its demagogical propaganda both here and in the rest of the world.

The ISL, like the WP before it, is an intransigent opponent of Stalinism in all its forms, regarding it as a grave threat to the labor movement and to the nation itself because of its completely anti-democratic, anti-working class and anti-socialist nature. But while it holds that Stalinism must be unrelentingly and vigilantly combated, it believes that there is a progressive way of doing that and a reactionary and futile way. The trials under the Smith Act are an exemplification of the latter.

Having herewith completed the replies requested by the Interrogatories and thus complied with the regulation established by the Attorney General, the ISL and the SYL which it represents in this proceedings, reiterates its request for an early hearing before the Attorney General or any one deputed to act for him in our petition to be removed from the "Subversive List."

Sept. 3, 1953

Max Shachtman,
National Chairman of the ISL
Albert G. Gos,
National Secretary of the ISL