
STAGES

IN THE

HISTORY

OF THE

**COMMUNIST
PARTY**

A POLITICAL REVIEW

ISSUED BY THE COMMUNIST PARTY, U.S.A.
35 EAST 12TH STREET, NEW YORK, N. Y.

PRINTED IN THE U.S.A.



FOREWORD

WE ARE glad to present this booklet to you, a new member of the Party.

This booklet is an important chapter from the brief submitted by attorneys for the Communist Party in the famous case of deportation proceedings instituted by Attorney General Francis Biddle against the President of the International Longshoremen's and Warehousemen's Union, Harry Bridges of San Francisco. The Communist Party was not made a party to the case. The purpose of the brief of the Communist Party was to put an end to the slanders against the labor movement in general and the Communist Party in particular which were voiced by the Attorney General. It was designed to help expose the "bogey of Communism" which, as Earl Browder pointed out in his Lincoln Day address, is Hitler's secret weapon to create disunity in our country and among the United Nations. The Communist Party asked the right to intervene and to present fully its true position in contrast to the false statements of Attorney General Biddle. Both the Attorney General and Judge Welch, before whom the case was tried, rejected the Communist Party's request for the right to intervene, thus showing their fear of facing the disproof of their charges, which are without foundation and could be maintained only by denying a hearing to the Party.

This booklet is presented to the new members because it helps to acquaint them with the history of the great Party of the working class, and equips them to refute the false and slanderous charge of "force and violence." Herein it is shown how ridiculous, how un-American, how harmful it is to the interest of our country in war, when a public official

repeats the false statement that the Communist Party does now advocate, or has ever advocated, the overthrow by force and violence of the government of the United States.

We urge every new member to read this entire booklet. It should be studied in conjunction with Earl Browder's book *Victory—And After*; the Constitution of the Communist Party and its Preamble; the pamphlet *Invitation to Join the Communist Party* by Robert Minor; and the *Handbook for New Members*.

By acquiring the knowledge contained in this booklet and the other literature mentioned above, the new member will be a more effective member of the Communist Party. And further, the new members should know that a constant study of the history and the theory of the Communist Party is one of the highest duties and privileges they undertake in becoming a member.

*Organization-Education Department
National Committee, Communist Party*

March, 1943

Stages in the History of the Communist Party

THE Communist Party of the United States of America traces its history back to the period of 1919, when a large number of members of the Socialist Party, separated themselves from that organization to form two separate political bodies, one known as the Communist Party and the other as the Communist Labor Party.

It is a matter of common knowledge that these two organizations were harassed almost from the time of their birth by the notorious raids conducted by the then Attorney General, A. Mitchell Palmer, and as a result these organizations were not permitted in their formative years to function in the normal manner of American political parties, and thus achieve a record upon which fair judgment could be passed.

In December, 1921, the members of the Communist Party and of the Communist Labor Party, together with a group of persons known as the Workers Council, which had remained in the Socialist Party, and various trade union groups led by William Z. Foster, joined together to form the Workers Party of America. In 1925 the Workers Party of America became known as the Workers (Communist) Party of America; and finally, in 1929, the organization took its present name, the Communist Party of the United States of America.

“The Workers Party was the first united organization of the American Communists; it was a sharp break with the ro-

mantic 'Leftism' of underground days, for which it accepted no responsibility."*

During its first decade the development of the Communist Party was hindered by factional disputes within the organization, and the existence in its ranks of elements who declined to follow the scientific laws and principles upon which the Party was grounded. By 1929 these persons had been expelled from the organization.

The Communist Party operated under 'an unwritten constitution until 1938, when the general laws and rules which had been in effect during the past decade were codified in the Constitution of the Communist Party of the United States of America, originally adopted officially by the Tenth National Convention, the organization's highest governing body, in May, 1938.

The Attorney-General of the United States, Francis Biddle, has made the allegation that the Communist Party advocates the forcible overthrow of the Government of the United States. It is striking that he has failed to cite even one example of any attempt to commit such illegal act on the part of any member of the Communist Party or of the Communist Party itself. If the principles of the Communist Party, as the Attorney-General alleges, contained the tenets of force and violence, if the Communist Party has publicized such views far and wide among the people, gaining a membership of 100,000 based on such principles, common sense dictates that the Attorney-General should be able to produce at least one instance of political violence or sabotage by one of the members of the Communist Party on at least one occasion in at least one place. The Attorney-General has been unable to cite such an instance because none has occurred; and none has occurred because the principles of the Com-

* Earl Browder, *The Communist*, September, 1939, p. 795.

munist Party do not embrace the principle of advocacy of force and violence and are inconsistent with advocacy of force and violence.

“Party members found to be strikebreakers, degenerates, habitual drunkards, betrayers of Party confidence, provocateurs, persons who practice or advocate terrorism, sabotage, espionage, and force and violence, or members whose actions are otherwise detrimental to the Party and the working class, shall be summarily dismissed from positions of responsibility, expelled from the Party and exposed before the general public.”*

Despite the fact that the Communist Party has held six national conventions in the past decade, despite the fact that its governing body, the National Committee, has met even more frequently, and despite the fact that both have adopted resolutions, programs and platforms, and issued official statements of the position of the organization, the Attorney-General has not seen fit to refer to a single resolution, declaration or statement made by the Communist Party or its elected officials during the past twenty years.

The Attorney-General has chosen to rely upon three quotations taken from three different pamphlets, dated, respectively, 1848, 1920, and 1921.

A. The quotation of 1848 is an excerpt from the immortal Communist Manifesto. The Attorney-General quotes the following from that document:

“The Communists disdain to conceal their views and aims. They openly declare that their ends can be attained only by the forcible overthrow of all existing social conditions.”†

As is usually the case when quotations are torn out of con-

* Constitution of the Communist Party, Article IX, Section 5.

† *The Communist Manifesto*, International Publishers, p. 44.

text, the Attorney-General has created a wholly erroneous and false impression. He failed to mention in his decision the fact that a statement directly before the quotation used by him reads:

“Finally, they [the Communists] labor everywhere for the union and agreement of the democratic parties of all countries.”*

and failed also to mention that on page thirty of the same Manifesto there appears another statement which reads:

“We have seen above that the first step in the revolution by the working class is to raise the proletariat to the position of ruling class, to establish democracy.”†

When these are placed beside the isolated sentences selected by the Attorney-General, we have the clearest indication of the futility of understanding a political theory from isolated phrases. The quotations standing alone appear contradictory. However, when read in context and the entire document examined in proper historical study, all confusion disappears. It then becomes clear that Karl Marx, in the Communist Manifesto, applying the law of social development which he had evolved, was presenting the general principles governing the historical development of society and social systems, from the slavery of early Rome to the capitalism of his day, 1848. In the Communist Manifesto, he was projecting the system of socialism as the next historical stage, and, *at the same time*, setting forth the specific policies which had to be applied to the period in which he lived, a period of revolution throughout Europe, to the specific conditions prevailing in Germany, in France, in Poland, and in Switzerland (for

* *Ibid.*, p. 44.

† *Ibid.*, p. 30.

example, Section 4 of the Communist Manifesto is entitled "Position of the Communists in Relation to the Various Existing Opposition Parties").

Indeed, the Communist Manifesto, upon which the Attorney-General relies so heavily, itself negates the idea of force and violence as construed by Mr. Biddle, by setting forth a program for social gains some of which have now been achieved in this country, such as a progressive and graduated income tax, free public education, the abolition of child labor in factories, and universal suffrage.

Karl Marx, who had prepared the Communist Manifesto, as an official and at the direction of the Communist League in London, was addressing himself, in the quotation singled out by the Attorney-General, to the peoples of the countries of Germany, Italy and other parts of Europe, in support of their progressive struggles for democratic rights and the abolition of the remnants of the feudal system. This can be easily established by the examination of any history book used in American schools, wherein the leaders of these revolutionary movements of the 1840's against feudalism, such as Carl Schurz and Louis Kossuth, are acclaimed as heroes, and great pride taken in the fact that America furnished them with asylum when they fled into exile.

For Marx to have "advocated" that the aspirations and movements for democratic rights springing up all around him could or should be confined to mere "peaceful" requests or petitions, would have constituted hypocrisy of the grossest kind. It would have been comparable to a statement by a leader of the United Nations advising the people of the conquered nations to employ peaceful methods against a Quisling or a Laval or a Hitler. It is the erroneous methodology employed by the Attorney-General, not the principles of Marx, which is to blame for the baseless finding of fact

made by the Attorney-General, directed against the Communist Party and scientific socialism.

In the same manner as the Attorney-General has quoted a sentence out of context from the Communist Manifesto, he has made the fundamental error of tearing living facts out of their historical context. Karl Marx, the founder of scientific socialism, specifically stated that his theory was not a dogma, but a guide to action; that his theory was therefore to be employed in such a way as to make it applicable to the objective conditions which prevailed in a particular country at a particular time and in accordance with the institutions and traditions of the people in each country. The Attorney-General has violated the elementary rules of reason and law by his mechanical transposition of the times, conditions and activities of another period to the present era.

By this method, the Republican Party would be forever condemned on the basis of Abraham Lincoln's wholly admirable theory of social change, enunciated in his first inaugural address, a statement which, if torn out of textual and historical context, could similarly be used to establish that the President who defended the United States Government during the Civil War at the same time advocated its forcible overthrow. For, in his first inaugural address, Abraham Lincoln stated:

"This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government, they can exercise their constitutional right of amending it, or their revolutionary right to dismember or overthrow it."

An honest historical analyst would appraise the words and writings of Lincoln in the historical setting in which they were made, and he would be compelled to hold that Abraham Lincoln actually defended the Government of the United States against those whose sought its destruction.

On another occasion, much earlier in his career, Lincoln, then a young Congressman from Illinois, arose in the House to state:

“Any people anywhere being inclined and having the power have a right to rise up and shake off the existing government, and form a new one that suits them better. This is a most valuable, a most sacred right—a right which we hope and believe is to liberate the world. Nor is this right confined to cases in which the whole people of an existing government may choose to exercise it. Any portion of such people that can may revolutionize and make their own so much of the territory as they inhabit. More than this, a majority of any portion of such people may revolutionize, putting down a minority, intermingling with or near about them, who may oppose this movement. Such a minority was precisely the case of the Tories, of our own revolution. It is a quality of revolutions not to go by old ideas or old laws; but to break up both, and make new ones.”*

And if the unscientific methods of the Attorney-General were adopted, the Democratic Party, too, could be chargeable with unlawful conduct because Thomas Jefferson declared that:

“A little rebellion now and then is a good thing and as necessary in the political world as storms in the physical,” and “The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure.”

Torn out of historical context, the words may appear to be nothing but the comments of an irresponsible demagogue or an enemy of democracy. But, when placed in their appropriate settings, these words become encouraging guides for action by freedom-loving peoples the world over.

In their proper setting—the Europe of 1848, a period when

* Stephens, Alexander H., *The War Between the States*, Vol. I, p. 520.

the peoples throughout the whole world, fired by the experience of our own war of independence, were making desperate efforts to free themselves from the rule of tyrants—the words of Karl Marx were as appropriate and encouraging then as they would be today in the Nazi-controlled and Axis countries, where the rule of tyranny again threatens the world.

It is significant that the Attorney-General has not hesitated to wilfully transpose a statement of general principles from a document written in Europe almost one hundred years ago, to the present historical conditions in the United States, without mentioning specific utterances made by Karl Marx concerning the capitalist system and the political institutions of the United States.

Karl Marx studied the Revolutionary War, which gave us our national existence and independence, and the Civil War, which saved and maintained the Union, and from them he drew inspiration and experience, as examples of progressive social development consistent with his theories of social change. Indeed, these historic struggles for democracy and the progress of our country have inspired not only the American people and the American Communists, but the Communists in the entire world.

“As in the eighteenth century the American War of Independence sounded the tocsin for the European middle class, so in the nineteenth century the American Civil War sounded it for the European working class.” *

Had the Attorney-General examined further into the writings of Karl Marx, he would have found an article by Marx, published in the *New York Daily Tribune* on February 1, 1862, wherein our Government, then headed by President

* Karl Marx and Frederick Engels, *Selected Correspondence*, International Publishers, p. 136.

Abraham Lincoln, was admirably termed "the only popular government in the world."

Had the Attorney-General made even a superficial examination of the archives of the United States Government, he would have found the official records of correspondence between Karl Marx and President Lincoln, in one of which letters Karl Marx wrote:

"From the commencement of the titanic American strife the workingmen of Europe felt instinctively that the star spangled banner carried the destiny of their class." *

Certainly the Attorney-General must have known that it was Karl Marx who headed a world-wide movement organized to obtain popular support for the United States Army forces against the efforts that were being made to overthrow the Government of the United States by force and violence. It is well-known that two of the closest political associates of Karl Marx were Brig. Gen. August Willich and Col. Joseph Weydemeyer, both of the United States Army, prominent Communists, commissioned by President Abraham Lincoln, and who served faithfully in the Civil War. Their patriotic behavior met with the hearty approval of Marx, who found their conduct completely consistent with the classic document, the Communist Manifesto, to which the Attorney-General of the United States gives such distorted meaning.

The Europe in which Marx wrote, almost one hundred years ago, was a place in which democratic institutions, as we know them, were unknown. The severe oppression under which the people—the peasants and increasing numbers of industrial workers—suffered from the kings, lords and barons who ruled in the Europe of that day, and from the primitive

* Marx and Engels, *The Civil War in the United States*, International Publishers, p. 279.

conditions of early capitalism, generated fierce opposition everywhere. Marx analyzed the reasons for this oppression, and evolved a scientific method of overcoming it. But there were many persons and groups in Europe who were not prepared to accept Marx's scientific analysis, and advocated different methods. They used anarchistic methods. Marx fought against that tendency of theirs to use anarchistic methods, and insisted upon a scientific method. He struggled throughout his career against the anarchists and the theory of Anarchism, and equally against the pseudo-Communist sects, whose misconceptions the Attorney-General attributes to Marx and to a political party of American citizens in the United States in 1942.

Marx was compelled to fight against the policy of "physical action" of the anarchists, and their refusal to accept the scientific principle of revolutionary social changes as they mature in history; that the emancipation of the working people could not be gained except through persistent efforts by the people to broaden their democratic rights and improve their economic conditions, thus learning from each successive advance the necessity and inevitability of socialism.

The opposition of Karl Marx and Frederick Engels, the founders of scientific socialism, to conspiratorial methods is a matter of record. Their views on the occasion of the first court action—in Europe—in which Communists were accused of force and violence, appeared in an American newspaper. The *New York Daily Tribune*, of December 2, 1852, carried an article by Frederick Engels, reporting the Communist trials held by the German (then Prussian) Government, after the failure of the 1848 people's revolution. Engels stated:

"The Communist or Proletarian Party, as well as other parties, had lost, by suppression of the rights of association and meeting, the means of giving to itself a legal organization

on the Continent. . . . Hence, both in France and Germany sprang up those numerous secret societies, which have, ever since 1849, one after another been discovered by the police and prosecuted as conspiracies. . . . There were some other societies which were formed with a wider and more elevated purpose. . . . The organization of the advanced Communist Party in Germany was of that kind. In accordance with the principles of the 'Manifesto' (published in 1848) and with those explained in a series of articles on 'revolution and counter-revolution in Germany,' published in the *New York Daily Tribune*, this party never imagined itself capable of producing, at any time and at its pleasure, that revolution which was to carry its ideas into practice . . . thus the secret organization of the Communists could not have the direct purpose of upsetting the present government of Germany. . . .

"Now according to no law upon the face of the earth could such an association be called a plot, a conspiracy for purposes of high treason."

It thus can be readily seen that the Marxist theories of scientific socialism, (communism) not only do not advocate but are incompatible with the advocacy of force and violence, except in the sense of organized military defense of democracy, which is a part of the philosophy of citizenship of every good American; no one has a right to judge the Communist Party by standards of the false philosophy of pacifism. The completely false theory of force and violence, which the Attorney-General wrongfully attributes to the Communist Party, is the theory that social changes and advances can be accomplished by eliminating the persons, groups or classes, who happen to possess political control, in *coup d'état* manner. The theory of scientific socialism, as set forth in the Communist Manifesto, is based upon the idea that social systems change only when they have outlived their social usefulness. This change can take place only when the necessity for the change is recognized by a majority of the people in the particular country. It is

only then, when the people, cognizant of the necessity for change, are ready to inaugurate a new social system, that this new social system, with its economic, political and cultural modes, can come into existence.

“To a modern student of social science the identification of revolution with political upheaval and the consequent emphasis on violence as its salient characteristic appears misplaced. The government does not function *in vacuo*; its personnel, organization and policies reflect the correlation of forces in the society which it rules. It is unnecessary to argue a perfect correspondence between state and society to maintain that a major change in the political order—not merely a shift in the personnel of the government or a reorientation of its concrete policies—must be preceded or accompanied by a drastic change in the relations among the different groups and classes in society. Thus a recasting of the social order is, at least in modern times, a far more important characteristic of revolutions than a change of the political constitution or the use of violence in the attainment of this end. This aspect of revolution distinguishes it also from *coup d'état*, rebellion and insurrection, with which it is sometimes confused. . . .” *

It thus becomes evident that those who adopt the principles of scientific socialism cannot at the same time be advocates of any theory of force and violence, since one theory excludes the other. The theories of Marxism have allowed for the possibility of peaceful transitions in the accomplishment of social changes in general, or the transition to socialism, in particular. In 1872, nearly 25 years after the appearance of the Communist Manifesto, Karl Marx stated:

“Of course, I must not be supposed to imply that the means to this end [the establishment of a new organization of labor] will be everywhere the same. We know that special regard must

* Meusel, Alfred “Revolution and Counter Revolution” in *Encyclopedia of the Social Sciences*, Vol. 13, p. 367.

be paid to the institutions, customs, and traditions of various lands; and we do not deny that there are certain countries, such as the United States and England, in which the workers may hope to secure their ends by peaceful means." *

In similar fashion, when the Tsar was overthrown by the Russian people and the Provisional Government co-existed with the Soviets, V. I. Lenin, head of the Russian Communist Party in 1917, advised taking advantage of the possibilities of the situation to "secure a peaceful development of the revolution."

"The democracy of Russia, the Soviets and the Socialist-Revolutionary and the Menshevik Parties, are now confronted with the opportunity, very seldom to be met with in the history of revolution, of securing the convocation of the Constituent Assembly at the appointed date without further delay, of saving the country from military and economic catastrophe, and of securing a peaceful development of the revolution.

* * *

"By seizing power now—and this is probably their last chance—the Soviets could still secure a peaceful development of the revolution, the peaceful election of deputies by the people, the peaceful struggle of parties within the Soviets, the testing of the programs of the various parties in practice, and the peaceful transfer of power from party to party.

"If this opportunity is allowed to pass, the entire course of development of the revolution, from the movement of May 3 (April 20) to the Kornilov affair, points to the inevitability of a bitter civil war between the bourgeoisie and the proletariat.

* * *

"On the other hand, the proletariat would support the Soviets in every way if they were to avail themselves of their

* Stekloff, *History of the First International*, p. 240.

last chance of securing a peaceful development of the revolution." *

Still another example of the application of the principles of scientific socialism is the conduct of the Communist Party in Spain, when it staunchly defended the country against the rebellion by force and violence initiated by Franco and the fascists at the instigation of Hitler in 1936. The Communist Party of Spain, adapting itself to the concrete economic development and social institutions existing in Spain at the time of the People's Free Government, advocated a transitory people's economy, which was not socialism.

Again, the Communist Party of China has, by its policies and deeds, strengthened the unity of the Chinese nation, and, heroically in unison with the Chinese Government, is fighting and destroying the Japanese invaders; and at the same time adapting its program to the economic development of institutions of China.

"As to the question of unity, the Communist Party maintains that all anti-Japanese parties must cooperate not only during the war of resistance, but also after the war.

"Post-war China must be an independent state, live in a family of nations on the basis of equality and mutual benefit and not as a colonial, semi-colonial or vassal state. Post-war China must be a united and peaceful state and not torn by internal strife. It must be a democratic state, neither dictatorial, semi-feudal, nor Soviet nor Socialist. Post-war China must make possible the economic well-being and prosperity of the entire population and not merely one section of it. It should not confiscate land nor factories by force. Post-war China must be a democratic republic on the basis of universal suffrage and the cooperation of all parties. In a word, the new order in post-war China must be built on the principles of

V. I. Lenin, *Selected Works*, Vol. VI, pp. 248-249.

San Min Chui, Doctor Sun Yat Sen, on the Kuomintang program for resistance and post-war construction.

"Since the beginning of the war, the Communist Party of China has been struggling for carrying on the present war and reconstruction by means of unified efforts. ,

* * *

"The Communist Party maintains that the military and civilian population of China must unitedly support Generalissimo Chiang Kai-shek as the leader of the war of resistance. The Communist Party of China recognizes the Generalissimo not only as the leader of the war of resistance, but also of the reconstruction of post-war China. Our party wishes to discuss and settle past disputes between itself and the Kuomintang through the latter's authorized representatives as well as to discuss also with other party representatives the questions relating to the winning of the war.

* * *

*"All for victory! All for carrying on our counter-offensive! All views and actions harmful to the war of resistance must be suppressed!" **

From these examples of unswerving loyalty by the various Communist Parties of the world, the clearest evidence is presented that "force and violence" are not inherent elements of the laws of scientific Socialism.

Of course, it is incontrovertible that social changes or revolutions, in the historic scientific sense, have in the past been accompanied by violence, as witness our own Revolutionary War. Even slight social advances are not always free from violent disturbances, engendered by the enemies of progress, as witness the recent riots at the Sojourner Truth Housing Project in Detroit. But in none of the aforementioned instances

* Statement of the Central Committee of the Communist Party of China, published July 20, 1942. See *The Communist*, September, 1942, pp. 749-750.

were those who sought social progress guilty themselves of advocating force and violence. The Communist Party, therefore, opposes the attempt upon the part of individuals and officials of government to foist upon it anarchistic ideas and principles, to which it does not adhere and which it has constantly fought.

It is worth noting that although the Communist movement existed in 1903 when the first criminal anarchy statute was passed in this country, in New York, the law was directed not at Communists but at Anarchists. The so-called criminal syndicalism laws passed in 1919-1921 followed the New York law in concept and even in language. The basic theory of scientific Socialism had not changed since 1903 or since it was formulated by Marx, and Communists do not advocate force and violence today any more than scientific Socialism (Communism) did in 1903. But the distinction between the theories of Socialism and Anarchism have been blurred over. In the early 1900's the anarchist movement was still active in Europe and even in this country. The difference between it and Communism was more clearly recognized and attempts to treat the two as if they were the same would not have been easy. But today with the decline of the anarchist movement—thanks largely to the efforts of scientific Socialists—there are those who do not hesitate to foist upon the Communist Party ideas and principles not only not their own but which they have persistently fought.

B. The Attorney-General places further reliance, in his decision concerning the objectives of the Communist Party, upon a quotation from a document allegedly adopted in 1921 as the program of the American "Section." That quotation from a 1921 document is the statement of a small group which, because of immaturity and repression, had had little opportunity to study and apply the principles of Marxism, and never expressed the policy of the Communist Party. This solitary

quotation, torn out of context and standing alone, does not describe the Communist Party. The Communist Party can be fairly judged in a court of law as well as in a court of public opinion only by its policies over the whole twenty years of its existence and of its activities during that period.

The Communist Party maintains that the history of the development of the Communist Party of America conclusively establishes that it cannot and does not take responsibility for any document or any activity of any group prior to the formation of the Workers Party, in December, 1921, and further, that the Communist Party since 1921 has repudiated the ideas and expressions as contained in the quotation found in the decision of the Attorney-General.

The use by the Attorney-General of a 1921 excerpt in support of his conclusions is another example of the un-American inquisitorial technique, which rejects historical evidence, the testimony of unimpeachable social scientists and philosophers, the words and actions of the Communist Party itself, and accepts the patent falsehoods of disgraced ex-Communists, avowed enemies, professional stoolpigeons and provocateurs.

A recent example of the recurring attempt to brand the Communist Party as an organization advocating force and violence was the Reichstag fire trial in Germany. In that case, the defendant, George Dimitroff, did not rest with denying the fabrication presented by the Nazis through the mouth of their dupe, Van der Lubbe, that the Communists had burned down the Reichstag as part of an attempted overthrow of the government. He boldly accused the Nazi government of planning the fire in order to have a pretext for suppressing all democratic organizations in Germany. This case, perhaps more clearly than any single incident in recent years, revealed the nature and the underlying purpose of those who accused Communists of force and violence. The record to date is replete

with proof that, in those countries where fascism gets the upper hand, social and democratic rights are abolished and popular organizations suppressed, the Communist Party invariably being the first target.

The flagrant conduct of individuals and officials of government, in their attempts to foist spurious versions of Marxism upon the Communist Party, was met by the following unequivocal official resolution, reiterating the Communist Party's position:

"That the Convention formally and officially declares that the Communist Party of the United States is responsible for no political document, policy, book, article, or other expression of political opinion, except such as are issued by itself, through its regularly constituted leadership, on the basis of the Eleventh National Convention deliberations and decisions, and of this present Special Convention." *

Indeed, the Communist Party has repeatedly denied the slanderous assertions made against it, through its official spokesmen and its constitution.

"Because we are advocates of a future socialist system, which as yet is supported only by a small minority of the population, we Communists declare that it is the duty of adherents of socialism to join hands with all progressives not ready for socialism, on the basis of such a platform of democratic and progressive measures, which will guarantee our country from the horrors of fascism and war, and make the future social transformation less difficult and painful." †

* * *

"Mr. Browder, we have heard a great deal of Communists

* "Report to the Emergency National Convention of the Communist Party," New York, November 16, 1940. See Earl Browder, *Internationalism; Results of the 1940 Election*, Workers Library Publishers, p. 15.

† Earl Browder, *The People's Front*, International Publishers, 1938, p. 85.

advocating the overthrow of the United States Government by force. I think it will clarify the situation greatly were you to tell us just what the stand of your party is on that particular question."

*"The Communist Party does not advocate force and violence. It is a legal party and defends its legality. Communists are not conspirators, not terrorists, not anarchists. The Communist Party is an open revolutionary party, continuing under modern conditions the revolutionary traditions of 1776.**

* * *

"The Communist Party repudiates now as in the past, all theories or proposals looking toward a forcible imposition of socialism or any utopia upon the majority of the people. We repudiate the 'reckless resolve to seize power' by any minority. If there should arise in America anything similar to the situation in Spain, where the democratic republic while repulsing the fascist invasion was stabbed in the back by the 'uncontrollable extremists' (a minority of the anarchists and the Trotskyist P.O.U.M.), that we, like our brothers of the Spanish Communist Party, would be in the forefront of the struggle to suppress such 'extremists,' who are really agents of fascism, and render them harmless."†

* * *

"The Communist Party must smash once and for all the superstition, which has been embodied in a maze of court decisions having the force of law, that our Party is an advocate of force and violence, that it is subject to laws (Federal immigration laws, State 'criminal syndicalism' laws) directed against such advocacy. The Communist Party is not a conspirative organization; it is an open revolutionary Party, continuing the traditions of 1776 and 1861; it is the only organization that is really entitled by its program and work to

* *Ibid.*, p. 197

† *Ibid.*, p. 239.

designate itself as 'sons and daughters of the American revolution.'

"Communists are not anarchists, not terrorists. The Communist Party is a legal party and defends its legality. Prohibition of advocacy of force and violence does not apply to the Communist Party; it is properly applied only to the Black Legion, the Ku Klux Klan and other fascist groupings, and to the strikebreaking agencies, and the open-shop employers who use them against the working class, who are responsible for the terrible toll of violence which shames our country."*



"The Communist Party of the U.S.A. upholds the democratic achievements of the American people. It opposes with all its power any clique, group, circle, faction or party which conspires to subvert, undermine, weaken or overthrow any or all institutions of American democracy whereby the majority of the American people have obtained power to determine their own destiny in any degree. It condemns and opposes all policies and acts of sabotage, espionage, and all other forms of 'Fifth Column' activity. The Communist Party of the U.S.A., standing unqualifiedly for the right of the majority to direct the destinies of our country, will fight with all its strength against any and every effort, whether it comes from abroad or from within, to impose upon our people the arbitrary will of any selfish minority group or party or clique or conspiracy."†

The Communist Party submits that the charge made by the Attorney-General that it advocates force and violence is untrue; that the issue of force and violence is one totally irrelevant to and unconnected with the nature of the Communist Party; and that the Communist Party cannot and does not, by reason of the tenets of scientific Socialism which it upholds,

* *Ibid.*, pp. 112-113.

† Constitution of the Communist Party of the United States of America, Article VI, Sec. 1.

advocate the forcible overthrow of the Government of the United States.

C. The third quotation upon which the Attorney-General relies is from "The Thesis and Statutes of the Third International," a document formulated in 1920.

At the outset it should be noted immediately that the Communists in America were not affiliated with the Third International in 1920; nor is it at the present time affiliated with any international organization or association.

The Communist Party of the United States of America is an American political party. It makes its own decisions, maintains its own policies and activities, guided solely by the needs and desires of the American people, and based solely upon the social, political and cultural institutions and traditions of our country.

Its policies and activities are necessarily constantly undergoing changes, as the basic conditions upon which these policies and activities are grounded are themselves altered. In formulating its policies and determining the nature of its activities, the Communist Party studies the conditions prevailing in the nation at the given time, and the relation of these conditions to past events. It adopts this scientific method because it believes that present customs, institutions and ideas are the outgrowth of the historical development of our country.

For these reasons, the Communist Party has studied and analyzed the history of our country; and honors and endeavors to emulate the great leaders of the past, such as Thomas Jefferson, Thomas Paine, Andrew Jackson, and Abraham Lincoln.

From its study of the history of our country, the Communist Party is aware of the opposition which the honored founders of our country encountered when they sought to establish a

society consistent with the conditions that existed in their day—a society founded upon a democratic constitution, a Republican form of government, and the right of suffrage. In similar fashion and with equal understanding, the Communist Party is aware of, and struggles against, those groups today who oppose all efforts to improve our system of society or fundamentally change that society in conformity with modern conditions.

The Communist Party bases its principles and policies upon the scientific law that the economic development of an epoch or of a nation is the foundation upon which particular social, political and cultural systems are erected; that this economic foundation of society is in a constant state of motion and change; and that, when the economic structure of society is materially changed, the superstructure of social, cultural and political institutions must also change and become more compatible with the material economic changes.

The Communist Party believes that this law of social development provides a scientific explanation for the history of past eras, and provides the only reliable guide for the progress of present and future society. Because of this scientific analysis, the principles evolved by the Communist Party, and therefore its policies and activities, are constantly being developed and improved; and the party does not hesitate to replace outdated propositions and conclusions with new policies which correspond to new historical conditions. This application of the principles of scientific Socialism has been recognized by leading scholars and jurists.

Dean James M. Landis, in his Findings and Conclusions, in the Matter of Harry R. Bridges, stated:

“. . . whether the Communist Party of the United States of America as of a particular time falls within the statutory ban of advising, advocating, or teaching the overthrow by force

and violence of the Government of the United States is also a question of fact. . . . Not only is there the possibility that the characteristics and objectives of the Communist Party of the United States of America have changed, but it is possible, in the light of changing economic and political conditions, to view the type of radical advocacy indulged in by that party as now so indefinitely related to force and violence as to cast doubt upon its appropriate inclusion within the ban of the statute. 'See *Antolish v. Paul*, 283 Fed. 957, 959. Constant re-examination of the theses and aims of such radical organization is thus under the statute, the responsibility of the Secretary of Labor" (pp. 6-7).

And again, in the case of *Strecker v. Kessler*, 95 Fed. (2) 976 (C. C. A. 5th, 1938), affirmed with modification 307 U. S. 22 (1939), the Circuit Court, per Hutcheson, J., stated at page 978:

"Much water, socially and politically, has gone under the bridge since 1920. Russia itself is more vigorously organized than almost any other country in the world to prohibit and suppress those who teach and preach the overthrow of government by force. In this country, in the Presidential elections of 1932 and 1936, the Communist Party, seeking by political means rather than by violence, to re-make the United States according to its heart's desire, into a government of the proletariat, by the proletariat, and for the proletariat, had a candidate for President. Nothing in our Constitution or our laws forbids the formation of such a party, or persons from joining them. The statute invoked here does not forbid membership in the Communist, or in any other party, except one which teaches the overthrow, by force and violence, of the Government of the United States.

"It seems to me to be a kind of Pecksniffian righteousness, savoring strongly of hypocrisy and party bigotry, to assume and find that merely because Strecker joined the Communist Party of America he is an advocate of, or belongs to, a party which advocates the overthrow by force and violence of the Government of the United States. It seems to me, too, that

the cause of liberalism is more retarded than advanced by forays for deportation on evidence like this. But whatever may be thought to be the propriety, from the standpoint of tolerance and liberalism, of this proceeding, it may not be doubted that, from the standpoint of its legality, a deportation order requires more than a mere fiat. There must be evidence in the record supporting the finding on which the order rests. Such evidence is wanting here."

The principle and viewpoint enunciated by the founders and exponents of scientific Socialism that their theory is a guide to action and not a dogma emphasizes the need for the application of the theories of scientific Socialism to the concrete settings of time and space. In a recent quotation from an authoritative Marxist publication, the following appears:

"It may seem that all that is required for mastering the Marxist-Leninist theory is diligently to learn by heart isolated conclusions and propositions from the works of Marx, Engels and Lenin, learn to quote them at opportune times and rest at that, in the hope that the conclusions and propositions thus memorized will suit each and every situation and occasion. But such an approach to the Marxist-Leninist theory is altogether wrong. The Marxist-Leninist theory must not be regarded as a collection of dogmas, as a catechism, as a symbol of faith, and the Marxists themselves as pedants and dogmatists. The Marxist-Leninist theory is the science of the development of society, the science of the working-class movement, the science of the proletarian revolution, the science of the building of the Communist society. And as a science it does not and cannot stand still, but develops and perfects itself. Clearly, in its development it is bound to become enriched by new experience and new knowledge, and some of its propositions and conclusions are bound to change in the course of time, are bound to be replaced by new conclusions and propositions corresponding to the new historical conditions." *

* *History of the Communist Party of the Soviet Union*, International Publishers, p. 355.

The Communist Party seeks to convince the American people that a change from a capitalist to a socialist society is desirable, believing that the overwhelming majority of the American people would inevitably be benefited by such a change. It is of the firm conviction that the economic development of human society has reached a stage in history where the present social order, the system of capitalism, should be replaced by one in which the material forces and means of production are owned socially.

In many respects these views can be compared to the views of the Republican Party, in its formative period, in 1852. The founders of the Republican Party, believing that the feudal system prevailing in the South, and which the Southern slave owners sought to extend everywhere, hampered the development of private industry, the capitalist system, and the growing democracy, organized themselves into a political party to convince the American people of the truth of their ideas. Fortunately for the welfare of our nation, the Republican Party, then under the leadership of Lincoln, met with success. The Communist Party, therefore, submits that its democratic program and activities are based on the aforesaid laws of social development and should be tested on that basis.

Hence, the Communist Party seeks only an ever-increasing development and expansion of our productive forces, the mines, the factories, the farms, so that we may produce increasing quantities of material goods, which can be utilized by all the inhabitants of our country. In the Preamble of the Constitution of the Communist Party of the United States of America it is stated:

“The Communist Party of the United States of America is a working class political party carrying forward today the traditions of Jefferson, Paine, Jackson, and Lincoln, and of the Declaration of Independence; it upholds the achievements of

democracy, the right of 'life, liberty, and the pursuit of happiness,' and defends the United States Constitution against its reactionary enemies who would destroy democracy and all popular liberties; it is devoted to defense of the immediate interests of workers, farmers, and all toilers against capitalist exploitation and to preparation of the working class for its historic mission to unite and lead the American people to extend these democratic principles to their necessary and logical conclusions.

"By establishing common ownership of the national economy, through a government of the people, by the people, and for the people; the abolition of all exploitation of man by man, nation by nation, and race by race, and thereby the abolition of class divisions in society; that is, by the establishment of socialism, according to the scientific principles enunciated by the greatest teachers of mankind, Marx, Engels, Lenin, and Stalin, embodied in the Communist International; and the free cooperation of the American people with those of other lands, striving toward a world without oppression and war, a world brotherhood of man.

"To this end, the Communist Party of the United States of America establishes the basic laws of its organization in this Constitution."

The Communist Party and its immediate win-the-war policies; its activities for the improvement of the conditions of the American people, to secure and expand their democratic liberties, are all consistent with the general scientific principles under which it operates. It anticipates that the people of this country will learn from their daily experiences in their efforts to improve their condition, that the material advantages which they today enjoy will be manifoldly increased when private ownership of the means of production is replaced by social ownership of the productive forces.

In every sphere of political and social life the Communist Party endeavors to put its principles into practice. It has ad-

vocated the principle of industrial unionism as a further advance for the workers of our nation. It has, as one of its fixed policies, the principle of equal rights for the Negroes, believing that national discrimination against thirteen million Negroes is a survival of an outgrown and reactionary system and a vital factor which retards the social and political and economic advance of the entire country. The Social Security Act has become the law of the land, embodying a sound principle of security for the people long advocated by the Communist Party.

In the field of foreign affairs the Communist Party has adopted policies fully familiar to the American people. It has urged upon our Government the adoption of an anti-imperialist policy, believing that the practice of oppression of other nations is not only immoral, but stifles the growth of social forces in the oppressed nation, as well as our own, thus retarding social development and progress.

For similar reasons it has advocated a policy of collective security among those nations who are prepared to resist fascism—a policy which was resisted by other groups and political associations. It now can be acknowledged that, had the policy of collective security which it advocated been adopted, such a policy would have served to protect democracy everywhere, would have been the most effective method of preventing the outbreak of the present world war and the resultant destruction of life and property.

In a manner similar to the Democratic and Republican Parties, the Communist Party has conducted election campaigns in accordance with constitutional and statutory provisions applicable to those who exercise the franchise. It has nominated candidates of its own choosing, seeking office on platforms which specifically set forth its views on the issues of the day, and its program for the welfare of the nation, and

its candidates have campaigned throughout the country on these platforms.

An examination of its platform in the past three Presidential campaigns will supply ample proof that the policies of the Communist Party are determined solely on an analysis of prevailing conditions, and are consistent with the general law of social development upon which its policies are based.

Of course, the Communist Party understands that its principles, and the social system which it advocates for the United States, are opposed by groups who are interested in maintaining the status quo, and that its views have as yet not been accepted by large numbers of persons, unaware of the benefits which they might derive from a Socialist society.

*"We of the Communist Party never did and never will hold to a program of forcible establishment of Socialism against the will of the people. While the majority of the people, and above all of the working class, do not yet accept the program of socialism, our program of socialist reconstruction of society is a matter of educational work to win the majority, while our practical and immediate political work is to be in the forefront in the organization of the majority of the workers and of the people generally, against the reactionary menace to their rights and interests, for a program of betterment of their lives such as the majority is ready to accept and fight for now—the program of the People's Front. If our understanding of history is correct, this is the surest and least difficult road to winning the majority for socialism in the long run. Those who do not believe in socialism have no reason, on account of our understanding of history, to fear our collaboration with them in the People's Front; if they believed with us that history itself will reinforce the Communist Party program they would either join our Party or the fascists. As long as they think a democratic and progressive road short of socialism is possible, and will fight for it, they have the guarantee of our loyal cooperation as long as the majority of the people agree with them." **

* Earl Browder, *The People's Front*, pp. 266-67.

The Communist Party does not make this application to the Court for any partisan reasons. The application is not made for the purpose of defending the Communist Party as a party of socialism, nor, indeed, is the application made for any academic reasons or merely in the interests of abstract and historic truth. The Communist Party is impelled at this crucial moment in the life of our country to take issue with the allegations made by the Attorney-General against the Communist Party, an American working class party, solely for the reason that it is convinced that the unfounded charges made by the Attorney-General must be answered in the interest of national unity, a unity essential for winning the war against the Axis powers.

It is extremely tragic and harmful for the nation, at the very moment when it is engaged in the struggle for survival against a ruthless enemy, for an official of Government to direct his attack against more than 100,000 of his fellow citizens, members of the Communist Party, known to the Attorney-General to be loyally, devotedly and unselfishly fighting the common enemy.

The false statements that the Communist Party controlled a union or "maneuvered" a strike are slanders against the independence and integrity of our trade unions, and harmful to the welfare of the nation. The Communist Party has never controlled a union or suggested a strike. It has supported strikes by trade unions because it seeks to do everything possible to aid the workers of the nation, and thus to aid the nation.

" . . . While American workers go on strike, it is not because Communists are stirring up trouble, but because in those places the forces of big business are denying these workers the right to organize and bargain collectively and denying it by force and violence. Workers do not lightly go

on strike. A strike is a difficult struggle, requiring heavy sacrifices. Communists do not lightly advise workers to strike. To strike is a weapon of last resort, to which the workers turn only when the capitalists have blocked every other road of redress for their grievances. And when strikes occur—and when bloodshed takes place in connection with them, that is not the result of Communist policies, or Communist activities. That is the work of the reactionary capitalists and their agents who are directly responsible for the strike and for troubles that arise out of the strike. . . .

“The Communist Party is not stirring up strikes. The Communist Party is helping in every way possible to organize the workers. The Communist Party will do everything to help the workers use their organizations to get better wages, shorter hours, better working conditions; and when there is no other way, when the capitalists refuse to deal with the workers and try to break up their organizations, then the workers have the right to strike. That is a fundamental American right which the American workers will never surrender and the Communists will advise and help the workers of America to preserve their right to strike under all circumstances and to use it whenever it becomes necessary.”*

Were the charge against the Communist Party allowed to stand, together with the charge that domination of a union by the Communist Party makes membership in that union illegal, there would be nothing to prevent the Attorney-General or his successor from considering past membership of aliens in unions as a deportable offense. It would not be difficult, by the same line of reasons and legal conclusions, to charge union leaders and their present or past alien members with being subject to deportation. Reactionary forces in our country, exemplified by such persons as Martin Dies and Westbrook Pegler, have charged and continue to charge that

* *Ibid.*, pp. 63-64.

many unions affiliated either with the American Federation of Labor or the Congress of Industrial Organizations are Communist organizations.

The technique of dividing nations and peoples by a hue and cry against the alleged danger of Communism and Marxism was a familiar and principal weapon of Hitler and his agents in every country that he conquered. Through the complete distortion and falsification of the tenets of Marxism and Communism; by the false assertion that those tenets included a policy of forcible overthrow of the democratic institutions of a country, Hitler and his agents created national disunity, blinded the people in each country, weakened the vigilance of the governments against the political activities of the treacherous fifth columnists, the spies and saboteurs, and thus paved the way for national demoralization and conquest, for the fascist rule of Hitler's agents, the Quislings and Lavals.

Certainly it is of grave concern that the baseless allegations and erroneous findings made by the Attorney-General are being used and will undoubtedly be used in the future by the fifth columnists and appeasers in our country to continue their campaign of national disunity, to weaken the morale and will of the nation for an all-out effort to smash the Axis.

It is common knowledge that the maintenance of the false charge against the Communist Party that it advocates the forcible overthrow of our Government makes it possible for the defeatist elements to use the bugbear of Communism as a cover for their disruptive and anti-war activities, by denoting every anti-fascist and progressive person a "Communist." Almost without exception those persons who are now convicted or under indictment for treasonable activities aimed at disrupting national unity are agents of Hitler who for

years have employed the method of studied red-baiting as a means of accomplishing their treasonous tasks.

The determined and unqualified support of this just war by the Communist Party of the United States of America; the readiness of every member of the Communist Party to make every sacrifice in defense of our liberties, our democratic institutions, and our country's existence and independence, to do everything possible to strengthen our armed forces, to develop to the maximum the production of war materials—all contradict and disprove the spurious charge that Communists seek to overthrow our Government by force and violence, or otherwise.

The present position of the Communist Party of the United States of America, its support of the war policies of the Government and the Commander-in-Chief of our country, is not an accident, but is consistent with and flows directly from all the principles that have guided the activities of the Communist Party through its existence. No Communist Party, no party guided by the principles of Marxism, could have adopted a different position; and this position is not newly acquired since Pearl Harbor or since June 22, 1941.

The Communist Parties of all countries—in England, in China, in India, in France, in Spain, as well as in the occupied countries, and in Germany—stand in the very forefront of the struggle against Hitler and Japan, for democracy, and their country's freedom.

It is interesting to note that at about the same time that the Attorney-General rendered his unfounded charge against the Communist Party of the United States of America, Lord Linlithgow, Viceroy of India, declared the official legality of the Communist Party of India, thus recognizing that the Communist Party in every country is an invaluable national

organization in the life-and-death struggle against fascism.

As early as 1933, soon after Hitler came to power, the Communist Party called attention to the danger of Nazi aggression, and urged measures to preserve world peace and collective security and to safeguard our national independence and democratic institutions. The alertness of the Communist Party to this world danger was made possible by the application of the scientific principles of Marxism, principles applied as a guide to action and not as dogma, and upon which principles the party is founded.

It was this correct understanding of world events, based on a policy attuned to the nation's welfare and needs, that made it possible for the Communist Party to come to the conclusion that it was necessary for the United States to adopt a policy of collective security in order to meet the Axis threat to this nation, as well as to all freedom-loving peoples.

Based upon its understanding of world events, and a policy dedicated to the welfare of the American people, the Communist Party exposed the Japanese attack upon China as a threat to our country's security and independence; it condemned the fascist invasion of Spain; it exposed and fought against the policy of appeasement which led to the Munich betrayal; it urged collaboration between our country and the Soviet Union in order to safeguard peace; and throughout the period from September, 1939, to June 22, 1941, it struggled constantly against those forces which sought to come to an agreement with Hitler at the expense of the small nations for a war against the Soviet Union.

The Communist Party submits that its policies and activities through all the years of its existence have helped to create greater understanding among the American people concerning the danger of fascism and fascist aggression; to promote those policies now embodied in our national policy and in the pol-

icy of the United Nations, and to foster the closest collaboration and alliance of our country with the Soviet Union, China and Great Britain. It submits further that its policies through all the years of its existence on the domestic front, in the struggle for labor organization, for greater social security, for equal rights for the Negro people, for the battle for production, for the exposure of the Hitler fifth column in this country, must now be recognized to have been helpful in the development of today's national unity.

A political party based on a scientific law, which requires the fullest development of existing latent productive forces cannot have the advocacy of force and violence as one of its principles.

A political party which advocates force and violence would not at the same time go through the laborious process year after year, in the face of repression and calumny, of convincing more and more people to accept a program opposed to force and violence. The Communist Party has spent all its time urging the people to accept a program which calls for social security, democratic rights, national unity and support for the Government.

The Communist Party submits to this Court that at the present time, when the entire country is engaged in a life-and-death struggle for its survival, the Communist Party subordinates all other activities for the one purpose of winning the war; all its work, all its activity, has this goal in mind, and nothing else; all its proposals spring solely from the consideration of how to effectively strengthen the war effort; and in this war, which is not a war for socialism, but a war for national liberty, the Communist Party advocates and fights for the unity of all patriotic Americans, regardless of class, creed, color, national origin, or political belief.

In conclusion, the Communist Party respectfully addresses

At the Court in the words of the Manifesto of the National Committee of the Communist Party of the United States of America, addressed to the American people on December 8, 1941, the day after the treacherous attack upon Pearl Harbor, and the Axis acts of war against our country:

“Never in the history of our country has the need for unity of the nation been so great as now. The Communist Party pledges its loyalty, its devoted labor and last drop of its blood in support of our country in this greatest of all the crises that ever threatened its existence. In the tradition of the Communist leaders who in 1861 joined the United States Army under commissions issued by President Lincoln, 100,000 American Communists today step forward to support the bigger war against slavery, a war in defense of the whole world’s freedom.

* * *

“All Americans must join in one mighty stream of national unity to assure that ‘government of the people, by the people, and for the people shall not perish from the earth.’

*“Everything for national unity! Everything for victory over world-wide fascist slavery!”**

* *The Communist*, December, 1941, pp. 1043-1044.

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