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Communists Photo

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FRIENDS OR FOES OF CIVIL LIBERTIES

?

by Irwin Ross

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The Communists — **FRIENDS OR FOES OF CIVIL LIBERTIES?**

BY IRWIN ROSS

One of the major reasons for the confusion which still reigns in some liberal minds over the true nature of Communism is the professed passion proclaimed by American Communists for our traditional freedoms.

But is this passion real? Are Communists *sincere* advocates of the rights of minorities? Or have they appropriated the coin of liberalism for hypocritical ends?

Let's examine the facts.

Civil liberties for US . . . but not for YOU!

Few political performances have been as ironical and illuminating as the shifting position of the American Communist party on the Smith Act. This piece of legislation—which outlawed any advocacy of the violent overthrow of the government—was first invoked against a small band of Minneapolis Trotskyites in 1941. The government won a conviction and sent eighteen defendants to jail. Many felt that the government had acted unwisely and unconstitutionally. Not so the Communists. Mortal enemies of the Trotskyites, they gleefully applauded the government's action.

In 1943, the government again invoked the Smith Act—this time against a group of die-hard isolationists and crypto-fascists. Again the Communists fervently supported the strong arm of the law.

A few years later—in 1948—the Communists changed their tune. Now the Smith Act was employed against *them*. Their principal leaders were arrested on the charge of conspiring to advocate the forcible overthrow of the government. Suddenly the Communists discovered that the Smith Act was a grave threat to American liberties. The Act, they now argued, penalized *opinions* as well as deeds; it violated the constitutional guarantee of free speech and free press; it subverted democracy and was little short of totalitarian. In their

righteous wrath the Communists neglected to explain why the Smith Act had possessed none of these disabilities when applied to others.

As the Communist propaganda campaign grew more feverish, the curious distinction between what constitutes "proper" and "improper" application of the Smith Act was still maintained. In July, 1949, a Communist-controlled Bill of Rights Conference convened in New York City. The 800 delegates, after passing a series of sonorous resolutions, castigated the government for the trial of the eleven Communist leaders. And then an innocent resolution was proposed calling upon President Truman to grant pardons and full restoration of civil rights to the eighteen Trotskyites convicted in Minneapolis.

Bedlam broke loose. Paul Robeson sprang to his feet, thundering at the delegates: "These men are the allies of fascism who want to destroy the new democracies of the world. Let's not get confused. They are the enemies of the working class."

And he put a simple question to the delegates: "Would you give civil rights to the Ku Klux Klan?"

"No!" shouted the delegates.

That effectively disposed of the matter. The resolution was defeated with a few scattered dissents.

This contretemps highlights the hypocrisy of the Communists' current pose as civil libertarians. To Americans, the essence of civil liberties is its universality—freedom of speech and press and assembly are guaranteed all comers. To the Communists, civil liberties mean freedom only for themselves and their allies, and the denial of freedom to that vast, shadowy multitude whom they characterize as "enemies of the working-class."

Despite this double standard, the Communists still attempt the role of "stalwart" and "selfless" champions of political freedom and minority rights. And the sad fact is that thousands of Americans are still so ignorant of Communist history that they are willing to accept the party at its own valuation. Many regard the Communists as overzealous radicals, utopian in their goals and somewhat unsavory in their methods, but properly belonging in the capacious fraternity of the left. Nothing could be further from the truth. Even a cursory examination of the Communist record reveals the absurdity of their claims that they are either civil libertarians or "progressives."

What is the Communist record?

The Communist record on civil liberties is *throughout* as shabby a performance as their oscillations on the Smith Act. The Communists have long been capable of the most fulsome rhetoric in favor of the Bill of Rights. When they get down to cases, however, they are as eager to suppress their opponents' freedoms as they are to protect their own.

During the Popular Front period (1935-39), when the Communists were fervently anti-fascist, they demanded that the authorities suppress the activities of Nazi and fascist sympathizers. What outraged them was not alone the threat of espionage and sabotage, but the holding of meetings and the circulation of propaganda. The latter are eminently legal enterprises, even when their purposes are obnoxious. The Communists, however, cared not a whit for these distinctions. In their view, fascists were without the pale of the law because they sought to subvert the law. The fact that the same logic might apply to them apparently never occurred to the Communists.

Not only did they seek to abolish the civil liberties of the native fascists, but the Communists have never been concerned about the political rights of respectable conservatives. Their attitude has been completely unlike that of the American Civil Liberties Union, which has consistently defended the rights of all victimized individuals and groups, no matter what their politics.

On the other hand, the Communists have always been quick to demand the suppression of books and films which outraged their delicate sense of public decency. Some years ago their ire was aroused by the romantic extravaganza, *Gone With The Wind*, a film which the Communists—alone among movie critics—regarded as a gross insult to Negroes. Forthwith, the Communists called for a nationwide boycott and mass picketing of the theaters in which it was shown—an obvious attempt to intimidate managers into withdrawing the picture. More recently, the same tactics were employed against *The Iron Curtain*, a film about Soviet spies in Canada. The net result of the campaign was to precipitate a riot outside the Roxy Theater in New York, a strange enterprise for “civil libertarians” to engage in. One can imagine the outraged cries that would greet any attempt by

anti-Communists to block off the sidewalks outside a theater showing a Russian film.

Over the years, numbers of books which have offended Communist sensibilities have also brought similar censorship moves. Perhaps the most notorious case on record involved a novel by Mark Aldanov entitled *The Fifth Seal*, which appeared in 1943. Since the book was reputed to be critical of the Soviets, the Communists were dismayed to learn that it had been selected for distribution by the Book of the Month Club, an accolade which automatically guarantees any volume a wide sale. The Communist letter-writing brigade immediately jumped into action, seeking to pressure the book club into withdrawing its sponsorship. One theme, plaintively reiterated, was that the book would give offense to our Russian allies—and hence would impede the war effort!

A revealing incident occurred when Christopher Morley, a Book of the Month Club judge, wired one of the protesters: "Assume principal objection is to chapter where Commissar Dlugash, Georgian renegade, makes burlesque of Stalin. Would your committee approve if this passage was canceled?" Morley received an immediate reply: "Other passages equally objectionable as one you mention." The embarrassing fact, it developed, was that no such episode appeared in the volume. The Communist book-burners hadn't even troubled to read the book! In the end, their campaign backfired, and *The Fifth Seal* received vastly more publicity than would otherwise have been the case.

Communists and minority groups

The Communist record in "defending" the civil rights of minority groups is equally scandalous. The prime example of Communist deceit and inconsistency in this field is displayed in their prolonged campaign to win the allegiance of the Negroes. Over the years, the Communists have blown hot and blown cold; at some periods, they sought to stir Negroes to a fierce militancy; at others, to persuade them that any agitation for their rights would be unpatriotic. The determining factor, of course, was never the needs of the Negroes themselves, but the overall strategy of the Communist party.

In the early thirties, when the Communists were still displaying

their "revolutionary" exuberance, they made impassioned appeals to Negroes to cast off the chains of white domination. They inflated every Negro grievance, real or fancied; they intruded in any situation which they could exploit for party ends; they castigated the old-line Negro organizations as traitorous "Uncle Toms"; and they sought to capture any legitimate campaign for ameliorating the Negroes' lot.

Shrewd and persistent in their press-agentry, the Communists managed to persuade many Negroes that they were their one true friend. A showpiece of Communist strategy, of course, was their exploitation of the Scottsboro case. After the nine Negro lads were falsely accused of rape by two young women of dubious virtue, the Communist party rushed on stage, thrust aside the reputable National Association for the Advancement of Colored People, and clasped the nine defendants to its bosom. The party stormed up and down the land, denouncing lynch law, proclaiming its own purity on the race question, and reaching deeply into the pockets of its new-found sympathizers.

Walter White, head of the NAACP, describes in his autobiography, *A Man Called White*, [Viking, 1948] how the Communists capitalized on the Scottsboro case: "Public meetings of the NAACP were particularly the target of the campaign. A favorite device was to announce in such a meeting that one of the Scottsboro mothers was present and demanded the right to speak. If permission was granted, a Communist would make a lengthy introduction expounding the merits of communism. If permission were denied, at a pre-arranged signal Communists in the audience or their sympathizers would join in a shout demanding that the mother be heard. There were only five living mothers of the nine defendants, but many more than five 'mothers' were produced in various parts of the country at public gatherings. In one instance a colored woman presented as a Scottsboro mother had lived for more than twenty years in the Northern city in which she spoke."

The Communist campaign was designed less to "Free the Scottsboro Boys," as the banners proclaimed, than to exploit every last propaganda possibility in the case. For this purpose the Communists sought, as always, to exacerbate racial tensions rather than to help ameliorate them by constructive action. Their pressure campaign

grew so abusive that even had there been a chance for a fair trial, the Communist antics made it impossible. During the initial trial, when the NAACP was still handling the defense, the presiding judge received a telegram from the International Labor Defense, a Communist organization, demanding that he forthwith release the defendants—on pain of being held personally accountable. When he revealed the contents of the Communist telegram, the prejudice in the courtroom grew even uglier. In the ensuing months, the Communists created increasing antagonism throughout Alabama by deluging state officials with wires and cablegrams demanding immediate freedom for the Scottsboro boys. In the face of such Communist bullying, the Alabama authorities, never noted for their benevolence towards Negroes, became more than normally resistant to persuasion and legal argument. The Communists succeeded in losing the case for the defendants, and winning a campaign for themselves.

As they promoted themselves as champions of Negro rights, the Communists also advanced their grandiose design for the Negro future in America. Importing the slogan of "national self-determination," which may have had some validity in the polyglot lands of eastern Europe and Russia, the Communists proclaimed that the ultimate aim of American Negroes must be a separate nation in the "Black Belt." A preposterous notion—which not one Negro in a hundred favored—the sole effect of this campaign was further to aggravate racial frictions in the south and render even more difficult the peaceable restoration of the Negroes' civil rights.

Until 1935, the Communists denounced as a traitor any Negro who opposed "self-determination in the Black Belt." Then their "line" suddenly changed—not in response to any change in the Negroes' condition, but to a basic shift in world Communist strategy. For the Popular Front period had now begun. Revolution was no longer publicly mentioned; democratic resistance to fascism became the new slogan. In the Negro field, this meant Communist support for the "reformist" position of the NAACP, which they had formerly excoriated.

Greater wonders were still to follow. After the Soviet Union was attacked by Nazi Germany in June, 1941, virtually all Communist agitation for Negro rights ceased. The new line was that Negro

militancy would destroy national unity; that the overriding aim was to win the war; that all other goals must be indefinitely postponed. And, as might have been expected, the Communists were as extreme in their docility as they had formerly been in their militancy. They frequently denounced A. Philip Randolph and his March-on-Washington movement as a divisive effort at a time of national crisis. Randolph's tactic, it will be recalled, had helped produce the wartime Fair Employment Practices Commission, a milestone in the campaign for Negro rights.

After the war, Communist policy on the "Negro question" took another sudden U-turn. As post-war tensions increased between Russia and her former allies, the Communists recovered their long-lost aggressiveness. Once again, they tried to jump to the van of the civil rights procession. Their campaign recovered the shrill rhetoric and flamboyant demands that had characterized their agitation in the early '30's. The program for "self-determination in the Black Belt" was resuscitated; and the Communists instituted a program of self-purification to prove their devotion to Negro rights. The aim was to root out every trace of "white chauvinism" within their ranks.

This commendable effort often assumed ludicrous proportions. Sports coverage in the *Daily Worker* was now heavily Negro-angled. So were movie and art reviews. And from time to time the editors indulged in orgies of repentant breast-beating for unwitting racial errors. In June, 1950, for example, the *Sunday Worker* carried an eye-goggling two-column headline: WORKER EDITORS OFFER APOLOGY FOR WHITE CHAUVINIST ERRORS. The errors had occurred in the presentation of a short story many months before. According to the confession, one illustration showed a Negro with distorted features—"an example of the false and vicious slanders against the Negro people, which portrays them as animals." Another picture displayed Negro men dancing with white women only—obviously another "mean slander."

It was a bit late in the day, however, for the Communists to persuade Negroes of the purity of their intentions. Disillusionment had set in. Despite the most strenuous efforts the Communists have been unable to recover the sizable Negro following which they possessed in the '30's.

The real Communist blueprint for America

The hypocrisy of the Communists' devotion to libertarian values is equally apparent when they set forth their program for a Communist America. It has been a number of years since Communist leaders have written frankly on this subject, but when they did, they left a vivid impression of the contours of the New Utopia. In 1932, William Z. Foster set forth his grand design in *Toward A Soviet America*. "The American Soviet government," he asserted forthrightly, "will be organized along the lines of the Russian Soviets. The American Soviet government will join with the other Soviet governments in a world Soviet Union. The American Soviet government will be the dictatorship of the proletariat."

That phrase was no mere theoretical device, as Foster made abundantly clear: "Under the dictatorship of the proletariat," he continued, "all the capitalist parties—Republicans, Democrats, Progressive, Socialists, etc.—will be liquidated, the Communist party alone functioning as the party of the toiling masses." To Foster, this startling development represented a happy solution to our parliamentary agonies, for the Soviet form of government would mean nothing less than "the birth of real democracy in the United States." The difference between real and sham democracy was ever-present in Foster's mind; to him "the right to vote and all the current talk about democracy" should be regarded as "only so many screens to hide the capitalist autocracy and make it more palatable to the masses."

Such are the goals of the Communists—denial of the free ballot, suppression of all parties but the Communist party, totalitarian dictatorship in the name of the "proletariat."

"Rights and Freedoms" in Soviet Russia

Since 1919, Communist lip-service to civil liberties in the United States has never squared with Communist practice in the Soviet Union. In the United States, the Communists daily protest their devotion to the Bill of Rights. Yet they are not at all distressed that in the Soviet Union there is neither freedom of speech, press nor assembly; that these rights have never existed, despite the guarantees in the 1936 Soviet constitution, since the early months after the

October Revolution. Similarly, there exists in the Soviet Union no right of habeas corpus, no protection against unreasonable search and seizure, no safeguard against self-incrimination and double jeopardy, no protection by due process of law against the deprivation of life, liberty or property.

On any objective reading of the facts, the Soviet citizen is a vassal of the state. Consider: he is restricted in his movements, requiring a passport and administrative permission to travel inside his own country. He must carry a "work book"—listing all his former jobs, dismissals, disciplinary punishments or transfers—without which he cannot get a job. Once he has a job, the Soviet worker cannot leave it without permission. He is denied the protection of a trade union independent of the state machinery; he cannot strike; he cannot engage in a boycott.

This is by no means the full extent of his vassalage. As a youth, the Soviet citizen is subject to a labor draft; as an adult, the slightest infringement of the law is punishable by incarceration in a labor camp. The punishments are severe. Theft of state property brings ten years or death. Ten year terms have been imposed for stealing four kilograms of grain; death penalties have been meted out for the "illegal" use of rowboats or horses belonging to collective farms. Little wonder that the population of Soviet labor camps is immense. The exact figure is a matter of dispute. Some authorities put the number of slave laborers at five million, others at fifteen million. But no one (apart from the Communists) denies that forced labor is an important constituent of the Soviet economy.

Even if he is not a factory worker, the Soviet citizen leads a life bound by innumerable restrictions. If he is an artist, a scientist, a university teacher, his professional activities are dictated by the authorities. Academic freedom, as we know it, is non-existent in the Soviet Union. The state rewrites the history books, enforces the "purity" of Marxist-Leninist doctrine in every item in the curriculum, maintains virtually military discipline over the professors.

The heavy hand of the Politburo is felt in all areas of the nation's cultural life. Every newspaper reader recalls how the late Andrei Zhdanov enforced a complete shift in the character of Soviet music,

denouncing the "formalism" of Western composers and demanding a return to the melodic simplicities of the nineteenth century; how Eugene Varga, patriarch of Soviet economists, was made to repudiate his analysis of the recuperative powers of western capitalism to accord with the official hypothesis of imminent depression; how Mendelian genetics was cast into outer darkness by ukase of a party committee. Those scientists and artists who resisted the official edicts lost their positions, if not their personal liberty; and most capitulated. Famous artists like Shostakovitch and Eisenstein were compelled to undergo the embarrassment of public self-accusation and recantation. Only after effusive promises of reform were they allowed to resume their work. Seldom before in the history of western civilization have the best brains of a nation been subjected to such degradation.

Jewish "Rights" in Russia

The history of modern dictatorships discloses an inevitable momentum of repression; as time goes on, the state more and more encroaches on the rights of the individual. One freedom which the Soviet citizen seemed to possess until recent years was freedom from racial persecution; but even this freedom has gradually been withdrawn—nowhere with as poignant effect, perhaps, as in the case of the Jews. The campaign against Jews in the Soviet Union—on the whole a by-product of the crusade against all forms of "rootless cosmopolitanism"—began in 1948. While ostensibly directed against Jewish nationalism and "bourgeois Zionism," the campaign took on undeniable anti-Semitic overtones. Much of the Soviet Jewish intelligentsia was purged. Many Jews in "sensitive jobs" in the armed forces, the foreign service and higher education were gradually weeded out. Jews were continually tagged with epithets drawn from the traditional arsenal of anti-Semitism—they were "alien," "wandering," "rootless." When they were castigated in the press for their "cosmopolitan" derelictions, their Russian names or pseudonyms were invariably followed by their original "Jewish" names—a practice which in former years would have brought a jail sentence to the editor. While hardly as blatant as the persecution of Czarist days,

there seems little doubt that anti-Semitism has officially reentered Russian life. Our local Communists, however, took this development in their stride.

American Communists do not disavow responsibility for any events occurring in the USSR or in the satellite states of Eastern Europe, which reproduce every repressive feature of the "worker's fatherland." Instead, they glory in their commitment to the Soviet system. They celebrate Soviet dictatorship as a "higher" form of democracy; they see repression as a happy example of proletarian fortitude in the face of implacable hostility. While they demand for themselves the free exercise of every democratic liberty at home, they endorse its extinction abroad. While they insist on freedom of speech for themselves in the United States, they justify its denial in the Soviet Union. While they denounce a so-called capitalist "press monopoly" in the United States, they are unperturbed by an actual Communist press monopoly in the Soviet Union. While they protest the slightest infringement of academic freedom in the United States, they are wholly unmoved by a thought-control apparatus in Soviet universities that rivals the repressions of Nazi Germany.

Follow the Soviet line

The same type of "inconsistency" that characterizes the Communist record on civil liberties has distinguished every aspect of Communist policy down through the years. So contradictory and hypocritical have been their views that the Communists deserve as little to be regarded as "progressives," a term they immoderately favor, as they do to be called civil libertarians. Not the interests of American workers, to which they piously dedicate themselves, but the dictates of Soviet foreign policy have throughout guided their course.

In the early twenties, when the Soviet leaders still hoped to export revolution in order to bolster their domestic position, the American Communists were broadcasting incendiary calls to the barricades. The unresponsiveness of American "workers and peasants" hardly deterred them. When the revolutionary fires were banked in Europe, and the Russian party gave the nod, the American Commu-

nists modified their language and undertook the more prosaic task of infiltrating trade unions and carrying their message to the public through normal electoral channels. Their official "line," however, was still to talk big about revolution, and to smear every liberal and Socialist as a "misleader of labor" and a "social fascist"—a particularly vile miscreant who, by exploiting his radical facade, sought to pave the way for fascism.

In Europe, however, the real fascists came to power, and the Communist International was forced to switch signals. In 1935, the new Popular Front strategy was unveiled—resistance of all "democratic elements" to fascism. Overnight, the "misleaders of labor" became proletarian heroes; bourgeois democracy revealed unsuspected virtues; and our local Communists boned up on Jefferson and Tom Paine while they broadcast their new slogan, "Communism is Twentieth Century Americanism." They also cast aside their proletarian attire and tried to look as much as possible like Rotarians.

This period of democratic "respectability" endured four years, long enough for the party to beguile thousands of Americans with the happy illusion that Communists were loyal anti-fascists who merely stood a little to the left of Roosevelt. Disillusion was rude and abrupt—arriving with the sudden announcement, in August, 1939, of the Nazi-Soviet pact. Forthwith, the Popular Front was shattered as the Communists marshalled their legions behind the new tangent in Soviet foreign policy. Now they vowed undying opposition to the "imperialist war," denounced Roosevelt as a dictator, and proclaimed throughout the land that "The Yanks Are Not Coming!"

The "New Look" in the class struggle

Twenty-two months later, another switch occurred in the fortunes of the Russian state, and again our local Communists abruptly changed sides. Once the Nazis attacked the Soviet Union, the "imperialist war" again became an anti-fascist crusade. The Communists abandoned their isolationist allies in the U.S. as unceremoniously as they had dumped their anti-fascist allies in the summer of 1939. They did more than that. As the months passed, the Communists subordi-

nated every other interest to the prosecution of the war. They betrayed the liberal professions they had made in the past as they embarked on an hysterical effort to forge a "wartime coalition" of all Americans, regardless of politics. In a reversal of position that was cynical even for Communists, Earl Browder began to woo the National Association of Manufacturers, an organization which the party had for years denounced as a "fascist-minded outfit."

Browder distributed a speech he had prepared at a meeting of the National Association of Manufacturers and was pleased with a report, he told *PM's* Harold Lavine, that the members had read it through. Lavine told him that he sounded like a member of the NAM himself. Browder was hardly taken aback. "That's fine," he responded genially, "I'm awfully glad to hear that." For Browder had already abandoned the "perspective of the transition to socialism." He saw, instead, a glowing future for free private enterprise in America, and an infinite compatibility of American and Soviet interests in the world at large. He reprimanded those liberals who still voiced resistance to monopoly and imperialism; he discerned unsuspected elements of enlightenment within the ranks of big business; and he emerged with the happy thought that our industrial behemoths could benevolently police their smaller brethren without government intervention. The important thing, he and his fellow Communists declared, was that big business should not be alienated. The wartime coalition had to be maintained at all costs.

In the interests of national unity, Browder disbanded the Communist party and created a soft-voiced Communist Political Association in its stead. The *Daily Worker* began to sound like a rightist edition of the *Daily News*. And in those trade unions which they controlled, the Communists gladly sacrificed the interests of the members to propitiate the employers—all in the name of the war effort. The Communists' economic demands became more moderate than those of company unions; individual members' grievances were not prosecuted with any vigor; and the Communists endorsed speed-up plans, in the guise of incentive work systems, which other unionists denounced as gross betrayals. Harry Bridges, in the flush of wartime unity, went so far as to propose that the unions' no-strike pledge be indefinitely extended into the post-war period.

The "far left" had swung full circle over to the far right. It was only after the end of World War II, and the beginning of the cold war, that the Communists once more beat the drums for the class struggle. Castigating themselves for their ideological sins, they reconstituted the Communist party, tossed Browder into the dust-bin of history, and set themselves to storming the bastions of "American imperialism." In the trade unions, the Communists became as intransigent as they had formerly been complaisant. Once again, they were the workingmen's only true defender. And there were still thousands of new innocents whom they could fool.

The nature of the Communist Party

How can one explain the inconsistencies that exist in Communist practice—the great gulf between declared principle and shabby performance? This question leads us to a consideration of the nature of the Communist party. To understand the party, one must penetrate the double-layer disguise with which it shields its true purposes. The first, outer facade is that of a legal political party, employing the normal forms of political persuasion appropriate to a democratic society. In this guise, the Communist party is a "progressive" party, dedicated to the amelioration of the worker's lot, the struggle against war, and the democratic victory of socialism. This is the public face the party puts on its activities.

By contrast, its private face, as revealed in its own councils, is that of a party devoted to the proposition that the peaceable victory of socialism is impossible, and that on the morrow of revolution the "dictatorship of the proletariat" will be as necessary in the United States as it had been in the Soviet Union. Abundant evidence that the doctrines of violent revolution and revolutionary terror are still being taught within the Communist party was furnished during the recent trial of the American Communist high command. The fact that the Communist party is still, as in the twenties, a *revolutionary* party—dedicated to the proposition that the "workers' enemies" must be crushed—explains why the Communists find no difficulty defending their own civil liberties and simultaneously applauding the persecution of their enemies. As revolutionists, they find the inconsistency

more apparent than real, for their single concern is what furthers Communist revolution. Their public embarrassment comes solely from the fact that they insist on parading as liberals while holding opinions that are decidedly illiberal.

But we must press our analysis still deeper to explain the full range of Communist "inconsistency." Underneath its revolutionary facade, the Communist party stands revealed as an entirely different type of political instrument—it is the arm of a foreign state, dedicated to its interests, both foreign and domestic, and only incidentally concerned even with the cause of Communist revolution in America. Indeed, in their franker moments, U.S. Communist leaders have proclaimed that what serves the cause of the "Workers' Fatherland" benefits the workers everywhere—ultimately, at least, if not presently.

The Communist party, in short, is American only in coloration; in essence, it is part of the apparatus of the Russian state. It is a multiple-purpose organization. Political propaganda favoring Russia's cause is only one of its activities. Equally important is sabotage and espionage. One inevitably recalls the numerous strikes that American Communists pulled during the period of the Nazi-Soviet pact in order to hamper our defense effort. Espionage seems to have gone on since the early 1920's. In the 1930's, Communist operatives succeeded in penetrating agencies of the federal government, as some recent disclosures have abundantly indicated. The underground's greatest coups, however, came during World War II. The Canadian spy trials and the later confessions of Klaus Fuchs and others indicate a truly frightening degree of espionage activity. Indeed, the astounding confession of Klaus Fuchs, the British scientist and long-time Communist sympathizer, indicated that the secret information he furnished the Russians was probably responsible for the speed with which they learned how to manufacture the atom bomb.

In the purely political sphere, it is only if we view the Communist party as an extension of the Soviet foreign office that it is possible to explain the innumerable "contradictions" in its public policies—shifts and reversals that have often cost it dearly in influence. For, from the point of view of the Russian state, the U.S. Communist party has never been inconsistent. During the Popular Front

period, when the Soviet Union was trying to build a united front with the western nations against Nazi Germany, the local Communists dropped any public effort to overthrow the capitalist system and became fervently anti-fascist. Between August, 1939 and June, 1941, when Stalin was aligned with Hitler and determined to impress him with the sincerity of his intentions, it was to the interest of the USSR that foreign Communists become pro-Hitler by opposing the "imperialist war"; American Communists obligingly undertook the "pacifist" chores expected of them. After June, 1941, when Hitler double-crossed Stalin, our Communists made another quick about-face because their primary concern now was the military defense of the Soviet Union. They immediately discarded any talk of American "imperialism," became fervently pro-war—and went much further in their sacrifices for "war-time unity" than did any legitimate group in the community. Thus, while genuine liberals maintained that the war effort would be aided by the extension of democracy at home, the Communists denounced any attempt to improve the Negroes' lot—for fear it would divert energies from the war. Similarly, they ceased to push for any trade union gains, in part because they feared that industrial disputes might impede the flow of goods to Russia, in part because they wanted to stimulate the enthusiasm of businessmen for our Russian ally. *In all their many public shifts, the Communists persistently followed one underlying principle: the interests of the Soviet Union take precedence over all other concerns. In their devotion to the Soviet Union, the Communists have never been inconsistent. All else is appearance and "tactics."*

Innocents, fellow-travelers and fronts

Not all members of the Communist party, however, are aware of the true nature of the organization. Over the years, numbers of sincere folk have been attracted by the public pronouncements of the party—anti-fascist in one era, isolationist in another, win-the-war in a third. When they lose their illusions, they leave the party.

Other members, though sufficiently sophisticated to distinguish between the democratic rhetoric of the party and its revolutionary ideology, manage to persuade themselves that their comrades are

native radicals, with only a fraternal bond of sympathy uniting them with the Russians.

It is only a third, smaller group—the “hard core” of experienced Communists—who are aware of the real mainsprings of party action and have had any experience with the underground espionage apparatus. Most students of American Communism put that hard core of members—who have remained in the party from five to thirty years—at no more than 10%. The turnover in the rest of the membership is very high.

With the public at large, the Communist party has often been able to keep its best face forward for extended periods—largely because it is deft at working by indirection. The party hates to speak in its own name when it can get some apparently non-Communist group to spout its lines. The deception is easy to perpetrate, for the average citizen can hardly remember the genealogy of the innumerable satellite groups which the Communist party controls. These groups are generally of three types. First, legitimate non-Communist organizations which the Communists have infiltrated and captured. In the early days of the CIO, for example, the party, by getting in on the ground floor, was able to take over a number of the smaller unions and to win sizable influence in two or three of the large ones. By seldom avowing their identity, by arriving early at meetings, staying late and always speaking and voting as a cohesive bloc, the Communists managed to beguile the innocent and win control largely by default. The same process occurred, to a lesser extent, in some AFL unions. Fortunately, in recent years non-Communist unionists have undertaken a vigorous housecleaning. The Communists have been driven from all their positions of power in the CIO—first losing their stake in the strategic United Auto Workers, then being forced out of their long-time control of the National Maritime Union, Transport Workers, Furniture Workers and other groups, and finally seeing the remaining, bitter-end Communist-dominated unions ignominiously expelled from the CIO.

Apart from “captured” organizations—by no means exclusively trade union—there are two other types of groups through which the Communist message reaches the public. First, we find satellite outfits in which the party makes little effort to disguise its control, but which

it still finds convenient for public relations purposes: the International Workers Order (of which the Jewish People's Fraternal Order is a section), the Civil Rights Congress, the Jefferson School of Social Science, etc.

More important are the "innocent front" groups, in which the Communists go to great pains to conceal their sponsorship. These groups are set up by secret Communists, who recruit an impressive list of non-Communists to serve as letterhead-camouflage and to grace public platforms. These "respectables"—sincerely interested in the ostensible purpose of the group—are often unaware of any Communist participation, let alone control. The public is similarly unacquainted with the genesis of the outfit—a state of innocence which has often allowed the Communists to collect huge sums of money and to broadcast their message to millions of people before the inevitable unmasking occurs—often when the ostensible purpose of the group conflicts with a new tangent in Soviet foreign policy. Such a sad fate overtook the American League for Peace and Democracy, when the Nazi-Soviet pact collided with the League's program of collective resistance to fascism; the American Peace Mobilization, when the Nazi invasion of the USSR in June, 1941 made the APM's militant isolationism a positive Communist hazard; the National Council of American Soviet Friendship, which still leads a forlorn existence, when the outbreak of the cold war revealed that it was neither above the battle nor friendly to anyone but the Soviet Union. The Communists, however, are indefatigable. Forced to discard an old "front," they immediately fabricate a new one to take its place. And they usually uncover a new reservoir of innocents, with illusions and money aplenty to squander.

This last fact highlights a major difficulty in dealing with the Communist problem: there seems to be a new political generation every four or five years, a new flock of innocents who lack any previous contact with Communist intrigue. In part, this is due to the Communists' diligence in recruiting among the young, but they also manage to attract numbers of older people who have never before been politically active. These neophytes have no recollection of the Moscow trials, or the Nazi-Soviet pact, or Browderite conservatism, and must have their illusions scorched by first-hand experience.

Communist menace to democracy

By this time, however, most American liberals are immune to the Communists' appeal. They realize, first of all, the sheer illogicality of cooperating with Communists—even when certain views temporarily coincide, as during World War II. For it is clear that despite the Communists' occasional democratic pretensions, they do not share the liberals' aims or methods. The Communist seeks totalitarian dictatorship on the Soviet model; the liberal is pledged to democratic renovations—political as well as economic—which never overlook the moral primacy of individual rights. There is no common ground for creeds so diverse in aspiration. With regard to methods, the liberal seeks his ends through fair discussion and the arbitrament of the ballot; the Communist believes in deceit, intrigue and conspiracy as the normal modes of political agitation. Bracketing democrats and Communists in the same organization—or on the same *ad hoc* committee for some good cause—is thus as senseless as aligning democrats and fascists. A Communist has no more right to join a democratic organization than a democrat has to join the Communist party. (Trade unions present special problems, which will be considered later). As a practical matter, of course, any organization is hopelessly prejudiced before the American public if it is at all tainted with Communist influence—and with good reason.

Moreover, the Communist movement in America is a positive menace to democratic institutions and to liberal hopes. It is a totalitarian importation, which regards liberal democracy as an implacable foe that must be vanquished before a new "People's Democracy" can be reared on these shores. Liberals should properly regard Communists with the same realism and the same hostility. The problem is no longer that of merely avoiding entangling alliances with the local Muscovites, but of forthrightly combating their influence wherever it exists—in trade unions, in civic organizations, and in the community at large.

Some liberals, however anti-communist their private convictions, remain loath to tangle publicly with the party's minions. Echoing the illusions of the 1930's, they still murmur that "to fight Communists is to play into the hands of reaction." The slogan is as demonstrably

false as it is logically absurd. Combating Communists does not require aligning oneself with Pegler or McCormick. In both Europe and America, the most successful opponents of the Communists have been aggressive liberals and socialists. In Great Britain, Communist influence has been held to meager dimensions by the achievements of the Labor government, which has built the most advanced social welfare state in the world. In Sweden, where a socialist regime has long held power, the Communists have never been able to make any considerable headway. In the United States, progressive trade unionism has long been linked with militant anti-Communism. Few trade unions, for example, have brought so many benefits to their members as the International Ladies' Garment Workers' Union and the United Automobile Workers; and there have been few which have so resolutely set their faces against the Communists. Aggressive liberalism can always defeat the Communists; stand-pat conservatism is far less effective, for it can only answer Communist demagoguery with empty rhetoric or repression.

A positive program against Communism

An effective program to combat Communist influence in American life might be built around the following three-point approach:

1) *Fundamental civil liberties must be safeguarded.* Nothing could be more tragic than to emulate the totalitarians in an effort to curb their power. Reasonable prophylaxis against the Communist menace certainly does not necessitate the hysterical actions of the last several months. We all recall these excesses: Birmingham, Alabama had the dubious distinction of being the first city to exile all Communist party members—a flamboyant gesture which produced a rash of newspaper headlines, but which so far has led to no diminution of Communist enterprise within the city. (The statute has since been declared unconstitutional). Los Angeles tried a new tack—not exiling, but registering local Communists, apparently to prevent their infiltrating civilian defense organizations. The only trouble was that Communists refused to register. New Rochelle, N. Y., which adopted a similar ordinance, has up to the present writing got a single regis-

trant—an aged Republican, who thought that the law referred to *commuters!*

Other anti-Communist actions have been equally dangerous and equally absurd. Detroit banned the sale of the *Daily Worker*. Communist groups have been denied permits to hold meetings. A few irresponsible trade unionists have pulled wildcat strikes to force employers to fire suspected Communists. Public libraries have been pressured to remove books by pro-Communist authors. A prominent actress lost a television assignment because a group of private investigators alleged that she had once been affiliated with a number of fellow-traveling organizations. She denied the allegations, but her employer fired her, without even investigating the charges, on the ground that she had now become a “controversial” personality.

Fortunately, the extremist clique has not been the only voice heard in the land. Numbers of newspapers, a few courageous elected officials and, above all, the courts have moved to reassert the primacy of our traditional freedoms. Supreme Court Justice Robert H. Jackson, in denying the government’s petition to withdraw bail from ten of the convicted Communist leaders, wrote a memorable opinion. “The very essence of constitutional freedom of press and of speech,” he declared, “is to allow more liberty than the good citizen will take.” And later: “The plea of the admitted Communist leaders for liberties and rights here, which they deny to all persons wherever they have seized power, is so hypocritical that it can fairly and dispassionately be judged only with effort. But the right of every American to equal treatment before the law is wrapped up in the same constitutional bundle with those of the Communists. If, in anger or disgust with these defendants, we throw out the bundle, we also cast aside protection for the liberties of more worthy critics who may be in opposition to the government of some future day.”

2) *Communists should be exposed and eliminated in private organizations.*

The Bill of Rights protects the Communists in the exercise of free speech, press and assemblage. But it offers no sanction for their participation in non-Communist groups. These are private organizations which have every right to establish membership qualifications.

Certainly, a reasonable qualification, in any organization devoted to democratic ends, is that the enemies of democracy should be excluded. The American Civil Liberties Union, the American Veterans Committee, the Americans for Democratic Action and many another liberal group now make that stipulation. No one can challenge the devotion of these organizations to civil liberties.

Trade unions present a somewhat different problem. Communists should not be excluded from membership, for present-day unions are no longer strictly voluntary organizations. By their very nature, unions seek to include all workers in a given craft or industry; indeed, in many instances, a worker cannot hold a job without belonging to a union. Thus, to deny a Communist the right to union membership would be to deny him a livelihood in many areas of American industry. This is a patent absurdity, whose final logic would find the rest of the community supporting the Communists on relief. Yet one can maintain this position and still endorse the CIO's expulsion of Communist-dominated unions. For the CIO *is* a voluntary federation; no man's job is at stake if his entire union is expelled from the CIO on grounds of persistent Communist control.

While individual Communists should not be excluded from union membership, there is nothing undemocratic in preventing them from assuming positions of leadership. What the Communists are pleased to call "red-baiting" is in this instance but another term for unmasking disguised Communists; it is as legitimate as any other form of electoral debunking.

The Communists can readily be kept from office—whenever the anti-Communists are alert to the danger and vigorous in exposing them. While some unions deny Communists the right to run for office, it is both fairer and in the long run more effective to allow them to campaign—and then defeat them decisively. Such has long been the practice in the International Ladies' Garment Workers' Union, which has easily held the Communists at bay for over twenty years, and in many another progressive union.

3) *Vigorous government action is necessary to counter Communist intrigue; but such action should be selective and scrupulous in its regard for basic liberties.*

Two acts of Congress arm the government with considerable powers to combat Communism: the McCarran Act and the Smith Act. Most enlightened citizens who evidence any concern for civil liberties deplore the McCarran Act; counsels tend to be divided on the Smith Act.

The McCarran and Smith Acts

The McCarran Act was passed in great haste and under unprecedented pressure in the face of a Presidential veto; many Congressmen who voted for the bill privately deplored its excesses, but feared reprisals at the polls if they opposed it. In a brilliant critique, President Truman detailed its blunders: the provisions requiring registry of members of the Communist party, and of officers of Communist front organizations, would be difficult, if not impossible, to enforce, and might victimize non-Communist groups; the immigration provisions of the act would deprive us of the intelligence services of former Communists now eager to fight totalitarianism; the provision requiring a complete listing of defense plants, in which Communists were to be excluded from employment, would furnish valuable information to a potential enemy. Other sections of the act are equally inimical to its declared purposes.

As this pamphlet went to press, the McCarran Act had still not resulted in any noticeable abatement of Communist activity. The Communist party immediately announced its refusal to register its members. Under the procedure established by the act, remarked President Truman, "it is almost certain that from two to four years would elapse [before] the final disposition of the matter by the courts." Then, "all the leaders of the organization would have to do to frustrate the law would be to dissolve the organization and establish a new one with a different name and a new roster of nominal officers." We have the example of Canada before us. During World War II, she outlawed her Communist party. Not long afterwards, it reappeared as the Labor Progressive party and calmly went about its old chores.

The Smith Act, passed in 1940, has indeed resulted in action: the Communist high command stands convicted of a conspiracy to

advocate the overthrow of the United States government by force and violence. Liberal opinion is divided over both the wisdom and constitutionality of the act. The basic issue turns on whether the government has the right to outlaw *advocacy*—as distinct from *commission*—of crimes, be they murder, polygamy, revolution or whatever.

“Clear and Present Danger”

The traditional liberal view is that there must a “clear and present danger” of the crime occurring before the government can forbid its advocacy. Wrote Justice Holmes: “We should be eternally vigilant against attempts to check the expression of opinions that we loathe and believe to be fraught with death, unless they so imminently threaten immediate interference with the lawful and pressing purposes of the law that an immediate check is required to save the country.”

This measuring-rod for free speech has long served us well. Today, however, some liberals believe that it would be foolhardy to wait until Communist advocacy of revolution constitutes a “clear and present danger”; it might then be too late to thwart the Communist plot. Hence, these critics argue, the “clear and present” criterion must be discarded; the Communist party should be outlawed—through the instrumentality of the Smith Act or otherwise—before the country is brought to the brink of revolution.

Liberals who hold a contrary view, this writer among them, believe that the “clear and present” standard *does not* require that the government delay action until the eve of revolution. To determine what constitutes a “clear and present danger,” after all, involves making a factual estimate at any particular time—a process which necessarily endows the government with a good deal of discretion, and hence allows it to move in on the Communists long before they can attempt a revolution. Thus the “clear and present danger” rule provides us with a good deal of protection.

On the other hand, to discard the “clear and present danger” test would be a great mistake. It would involve a grievous infringement of freedom of speech and press—for it would mean that the

government could prohibit any advocacy of a "substantive evil," no matter how remote its commission. Thus, in Utah, Mormon fundamentalists could be forbidden to *preach* polygamy; today the government merely forbids them to *practice* it. The distinction is crucial.

Judge Learned Hand, in writing the Court of Appeals decision upholding the Communist conviction, advanced the argument a step further: he stated that the "clear and present" test could affirmatively be applied in this case; that in the unsettled world conditions of 1948—when the indictment was handed down—there was a grave and probable danger that the Communist party, as a part of a world-wide conspiracy which also indulges in overt acts of aggression, could bring about the forcible overthrow of the United States government. This, again, is a factual estimate of political conditions, with which laymen can reasonably differ.* On the other hand, *there was and is a "clear and present danger" of the Communists committing acts of espionage and sabotage*; but that was not the charge in the indictment.

Protection against such Communist crimes is the immediate necessity—however the argument is resolved over the prospects of a Communist revolution. The government has been shoring up its defenses since 1947, when the Federal loyalty program was started. On the whole, despite certain blunders, the Communist house-cleaning has worked well. Equally important, the Federal Bureau of Investigation has given every indication of being adept at counter-espionage. The trial of the eleven Communist leaders was reassuring on this score, indicating that the FBI has a network of informants planted throughout the Communist party. It is presumably in a position to move quickly whenever the attempt is made to supplement political agitation with the "direct action" of espionage or sabotage. The ill-advised McCarran Act can only divert government energies from this necessary police job.

The task confronting both government and private citizens is to combat Communism and at the same time maintain our traditional civil liberties. Even though Communists seek the ultimate demise of the Bill of Rights, they must be allowed its free exercise—limited only by the traditional "clear and present danger" test. This tolerance

*As this pamphlet went to press the Supreme Court had not yet ruled on the entire issue.

necessarily involves the paradox that freedom is granted to the enemies of freedom. But it is a glorious paradox. It testifies to our faith in ourselves as a people, our faith in the stability and resiliency of our institutions—and our faith in the ability of our police power to thwart any attempt to convert evil doctrine into criminal action.

Although we uphold the civil liberties of Communists—and of KKKers and anti-Semites and fascists of every description—we must never be deluded by the Communists' pose as civil libertarians. The Communists are about as devoted to the Bill of Rights as Hitler was to the Brotherhood of Man. They must be exposed and fought at every turn. The true believer in civil rights combats the Communists with one hand while he shores up the Bill of Rights with the other. Both tasks are equally crucial if American democracy is to be preserved.

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