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*Activities*

*Mr. Luck*

# REPORT ON THE NATIONAL LAWYERS GUILD

## Legal Bulwark of the Communist Party



SEPTEMBER 17, 1950  
(Original release date)

September 21, 1950.—Committed to the Committee of the Whole House  
on the State of the Union and ordered to be printed

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Anonymous  
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COMMITTEE ON UN-AMERICAN ACTIVITIES U. S. HOUSE OF REPRESENTATIVES

EIGHTY-FIRST CONGRESS, SECOND SESSION



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## REPORT ON THE NATIONAL LAWYERS GUILD—LEGAL BULWARK OF THE COMMUNIST PARTY

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SEPTEMBER 21, 1950.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. Wood, from the Committee on Un-American Activities, submitted the following

### REPORT

[Pursuant to H. Res. 5, 79th Cong., 1st sess.]

The National Lawyers Guild is the foremost legal bulwark of the Communist Party, its front organizations, and controlled unions. Since its inception it has never failed to rally to the legal defense of the Communist Party and individual members thereof, including known espionage agents. It has consistently fought against national, State, and local legislation aimed at curbing the Communist conspiracy. It has been most articulate in its attacks upon all agencies of the Government seeking to expose or prosecute the subversive activities of the Communist network, including national, State, and local investigative committees, the Department of Justice, the FBI, and law enforcement agencies generally. Through its affiliation with the International Association of Democratic Lawyers, an international Communist-front organization, the National Lawyers Guild has constituted itself an agent of a foreign principal hostile to the interests of the United States. It has gone far afield to oppose the foreign policies of the United States, in line with the current line of the Soviet Union.

These aims—the real aims of the National Lawyers Guild, as demonstrated conclusively by its activities for the past 13 years of its existence—are not specified in its constitution or statement of avowed purpose. In order to attract non-Communists to serve as a cover for its actual purpose as an appendage to the Communist Party, the National Lawyers Guild poses benevolently as “a professional organization which shall function as an effective social force in the service of the people to the end that human rights shall be regarded as more sacred than property rights.” In the entire history of the guild there is no record of its ever having condemned such instances

of the violation of human rights as found in Soviet slave labor camps and in the series of Moscow trials, which shocked the civilized world.

The National Lawyers Guild was formally organized at a convention held in the Washington Hotel in Washington, D. C., on February 19-22, 1937. National headquarters were established in the Nation's Capital, where they remain today.

Communists publicly hailed the founding of the National Lawyers Guild. *New Masses*, a weekly publication of the Communist Party, featured an article entitled "Defense for the Counsel—The Need for the National Lawyers Guild" in its issue of June 14, 1938 (pp. 19-21). This article, written by Charles Recht, an attorney for the Soviet Government and a member of the guild, observed that—

With the growth of the American Labor Party in New York, and kindred progressive movements throughout the United States, the lawyers, who in many of the smaller communities are the nerve centers of political activities, will be an invaluable aid in galvanizing the latent liberal elements of the country into a political force. The National Lawyers Guild can and will form one of the most important adjuncts to a progressive movement representing the interests of the workers and farmers.

The International Labor Defense, which was cited by former Attorney General Francis Biddle as "the legal arm of the Communist Party," also enthusiastically welcomed the new front, the National Lawyers Guild. The *ILD* stated in its 1936-37 yearbook that—

The emergence of the National Lawyers Guild is regarded by the International Labor Defense as a heartening expression of the devotion of thousands of American attorneys to the American principle of democracy, and a concrete step on their part in the struggle to maintain and enlarge democratic rights (p. 64).

Earl Browder, testifying before the House Committee on Un-American Activities on September 6, 1939, in his capacity as general secretary of the Communist Party, admitted that the National Lawyers Guild was a Communist transmission belt.

This has been corroborated by Louis F. Budenz, former member of the National Committee of the Communist Party and one-time managing editor of its official newspaper, the *Daily Worker*. Testifying before the House Committee on Un-American Activities on April 3, 1946, Mr. Budenz described the National Lawyers Guild as a working ally of the Communist Party and stated that members of the guild would be under the influence of the party while "officers would be Communists or fellow travelers." Testifying again before the committee on July 20, 1948, Mr. Budenz said:

In the National Lawyers Guild there is a complete duplicate of the Communist Party's hopes and aspirations in that field, although there are a number of non-Communists in the National Lawyers Guild. In fact, some of their lawyers locally are not Communists, but they play the Communist game either wittingly or unwittingly.

#### INTERCEDES FOR INDIVIDUAL COMMUNISTS

The National Lawyers Guild, as an organization, has intervened in the major court cases which have involved individual Communist leaders or officials of Communist-front organizations or unions. In every instance, the guild has interceded on the Communist side.

The guild submitted a brief *amicus curiae* in the case of Robert Wood, an Oklahoma Communist official who was convicted of criminal syndicalism in that State in 1940. When, in the same year, avowed Communist Ben Gold and other leaders of the Communist-controlled

Fur and Leather Workers Union were convicted in court of using terrorism in the labor field, the National Lawyers Guild again appeared as a friend of the court in behalf of the defendants.

A resolution opposing deportation proceedings against Communist Harry Bridges was adopted by the fifth convention of the National Lawyers Guild in 1941. The guild also submitted a brief *amicus curiae* in the case.

In recent years, the National Lawyers Guild has intervened as *amicus curiae* on behalf of the following leading Communists:

*Gerhart Eisler*, Communist international agent convicted in United States courts of passport fraud and contempt of Congress;

*Leon Josephson*, Communist attorney exposed as an official procurer of false passports for Communist agents such as Gerhart Eisler; Josephson was convicted of contempt of Congress;

*Carl Aldo Marzani*, convicted of concealing Communist affiliations while employed by the United States Government;

*John Howard Lawson* and *Dalton Trumbo*, Communist screen writers from Hollywood convicted of contempt of Congress;

*Eugene Dennis*, secretary of the Communist Party, U. S. A., convicted of contempt of Congress.

The National Lawyers Guild also intervened in behalf of—

*Richard Morford*, who as head of the subversive National Council of American-Soviet Friendship was convicted of contempt of Congress;

*George Marshall*, head of the now-defunct Communist front, the National Federation for Constitutional Liberties, also convicted of contempt of Congress;

*Edward K. Barsky* and other officers of the subversive Joint Anti-Fascist Refugee Committee, convicted of contempt of Congress;

*Eleven top officials of the Communist Party, U. S. A.*, convicted of conspiracy to advocate the overthrow of the United States Government by force and violence.

The committee is reproducing below a list of National Lawyers Guild members who have represented witnesses before the Committee on Un-American Activities. In each case, the witnesses have refused to answer questions regarding Communist affiliations propounded by the committee. In a number of cases espionage activities were involved. It should be noted in this connection that it is standard Communist practice to accept as attorneys only those who agree to abide by the party's propaganda and conspirative directives. Cases are known where attorneys who have volunteered their services have been summarily rejected because they would not become partners to the party's ulterior purposes.

Attorneys	Witnesses	Dates of appearance	
EMANUEL H. BLOCH, 270 Broadway, New York, N. Y.	Marion Bachrach.....	Dec. 14, 1948	
	Steve Nelson.....	Sept. 14, 1948	
	do.....	Apr. 26, 1949	
MAURICE BRAVERMAN, 15 South Gay St., Baltimore, Md.	do.....	June 8, 1949	
	Marcel Scherer.....	June 21, 1950	
	Addie Rosen.....	Sept. 8, 1948	
	William Rosen.....	Aug. 26, 1948	
HAROLD CAMMER, 9 East 40th St., New York, N. Y.	do.....	Sept. 9, 1948	
	John J. Abt.....	Aug. 20, 1948	
	do.....	Sept. 1, 1950	
	Charles Kramer.....	Do.	
ALBERT L. COLLOMS, 170 Broadway, New York, N. Y.	Lee Pressman.....	Aug. 20, 1948	
	Elizabeth Sasuly.....	July 12, 1949	
	Nathan Witt.....	Aug. 20, 1948	
	do.....	Sept. 1, 1950	
BARTLEY CRUM, 598 Madison Ave., New York, N. Y.	Clarence F. Hiskey.....	Sept. 9, 1948	
	do.....	May 24, 1949	
	Marcia Sand (Hiskey).....	Sept. 9, 1948	
	Lester Cole.....	Oct. 30, 1947	
MITCHELL A. DUBOW, 705 Knickerbocker Bldg., Baltimore, Md.	Edward Dmytryk.....	Oct. 29, 1947	
	Ring Lardner, Jr.....	Oct. 30, 1947	
	John Howard Lawson.....	Oct. 27, 1947	
	Samuel Ornitz.....	Oct. 29, 1947	
	Adrian Scott.....	Do.	
	Dalton Trumbo.....	Oct. 28, 1947	
	Maurice Braverman.....	Sept. 9, 1948	
	CLIFFORD J. DURR, 1625 K St, NW., Washington, D. C.	John Anderson.....	June 29, 1949
		Rose Anderson.....	June 28, 1949
		David Joseph Bohm.....	May 25, 1949
do.....		June 10, 1949	
Irving David Fox.....		Sept. 27, 1949	
Mary Jane Keeney.....		May 24, 1949	
do.....		June 9, 1949	
Philip O. Keeney.....		Do.	
Ken Max Manfred.....		Sept. 14, 1949	
Frank F. Oppenheimer.....		June 14, 1949	
JOSEPH FORER, 1105 K St. NW., Washington, D. C.	Jacquetta Oppenheimer.....	Do.	
	Bella Rodman.....	June 28, 1949	
	Samuel J. Rodman.....	July 28, 1949	
	Toma Babin.....	May 27, 1949	
	P. L. James Branca.....	June 29, 1949	
	Louise Berman (Bransten).....	Sept. 20, 1948	
	do.....	Nov. 7, 1949	
	Maurice Braverman.....	Sept. 9, 1948	
	Hanns Eisler.....	Sept. 24, 1947	
	Margaret C. Hinckley.....	June 8, 1950	
IRA GOLLOBIN, 1441 Broadway, New York, N. Y.	William W. Hinckley.....	Do.	
	Alexander Koral.....	Aug. 9, 1948	
	Elsa K. Miller.....	July 6, 1949	
	Tilla Minowitz.....	Do.	
	Helen Travis.....	Aug. 30, 1950	
	Charles Kramer.....	Aug. 12, 1948	
	Victor Perlo.....	Aug. 9, 1948	
	Hanns Eisler.....	Sept. 24, 1947	
	HERMAN A. GREENBERG, 1105 K St. NW., Washington, D. C.	Abraham George Silverman.....	Aug. 12, 1948
		do.....	Aug. 31, 1950
Herbert Biberman.....		Oct. 29, 1947	
Lester Cole.....		Oct. 30, 1947	
BERNARD JAFFE, 52 Broadway, New York, N. Y.	Edward Dmytryk.....	Oct. 29, 1947	
	Ring Lardner, Jr.....	Oct. 30, 1947	
	John Howard Lawson.....	Oct. 27, 1947	
	Samuel Ornitz.....	Oct. 29, 1947	
ROBERT W. KENNY, 250 North Hope St., Los Angeles, Calif.	Adrian Scott.....	Do.	
	Dalton Trumbo.....	Oct. 28, 1947	
	Gerhart Eisler.....	Feb. 6, 1947	
	Alexander Stevens (J. Peters).....	Aug. 30, 1948	
CAROL KING, 220 Broadway, New York, N. Y.	Samuel Lipzzen.....	Mar. 5, 1947	
	Henry H. Collins.....	Aug. 11, 1948	
	Eugene Dennis.....	Apr. 9, 1947	
EDWARD KUNTZ, 207 4th Ave., New York, N. Y.	Alexander Koral.....	Aug. 9, 1948	
	Frank Hashmall.....	July 14, 1950	
	Charlotte Oram.....	June 28, 1949	
HARRY C. LAMBERTON, 1645 Connecticut Ave. NW., Washington, D. C.	Nathan Gregory Silvermaster.....	Aug. 4, 1948	
	William Ludwig Ullmann.....	Aug. 10, 1948	
	Julius Empsak.....	Dec. 5, 1949	
DANIEL LAPIDUS, 100 5th Ave., New York, N. Y.	James Matles.....	Do.	
	Esther M. Tice.....	July 15, 1950	
	Robert C. Whisner.....	Aug. 10, 1949	
LEO PRAEGER, 401 Broadway, New York, N. Y.	do.....	Do.	
	do.....	Do.	
	do.....	Do.	
DAVID REIN, 1105 K St. NW., Washington, D. C.	do.....	Do.	
	do.....	Do.	
	do.....	Do.	
DAVID SCRIBNER, 11 East 51st St., New York, N. Y.	do.....	Do.	
	do.....	Do.	
	do.....	Do.	

The committee does not dispute the right of witnesses appearing before it to have the benefit of counsel. However, the committee believes that the attorneys mentioned above knowingly or unknowingly function under a directive issued by the Central Control Commission of the Communist Party which prohibits its members from cooperating with the committee when subpoenaed before it. Cases are known where persons subpoenaed before the committee indicated a willingness to cooperate with the committee, but when these persons consulted certain of the attorneys listed above they refused to answer questions put to them by the committee.

### CONTEMPT FOR AMERICAN COURTS

The real nature of the guild's philosophy comes into sharp focus during court procedures. Almost without exception, its leading members, despite their oath as lawyers to uphold the dignity of the court and respect the constitutional mores of jurisprudence, seek to bring the courts and its procedures into disrepute. They substitute insult for argument, resort to intimidation of judges by picket lines, parades, and personal abuse. In other words, these leaders of the National Lawyers Guild have followed standard Communist practice which provides that—

A Communist must utilize a political trial to help on the revolutionary struggle. Our tactics in the public proceedings of the law courts are not tactics of defense but of attack. Without clinging to legal formalities, the Communist must use the trial as a means of bringing his indictments against the dominant capitalist regime and of courageously voicing the views of his party (Johannes Buchner, *The Agent Provocateur in the Labour Movement*, Workers Library Publishers, New York, pp. 51-52).

Federal Judge Harold Medina, in citing for contempt the attorneys who defended the 11 Communists convicted in New York of advocating the overthrow of the United States Government by force and violence, noted the frequent, and deliberate efforts on the part of the guild attorneys to inject Communist propaganda into the trial. Medina handed down sentences of contempt of court to the following attorneys for the Communists, all of whom are members of the National Lawyers Guild: Richard Gladstein, 6 months; George Crockett, 4 months; Maurice Sugar, 30 days; Louis McCabe, 4 months; Abraham Isserman, 4 months; Harry Sacher, 6 months.

Abraham L. Pomerantz, a member of the guild, appeared as defense attorney for Valentin Gubitchev, a Russian charged with spying against the United States. Pomerantz based most of his questions on notes passed to him by a representative of the Soviet Embassy, seated at his side during the trial. The Russian official, an agent of the NKVD (Soviet secret police) named Novikoff, literally stage-managed the Gubitchev defense, a procedure without precedent in United States court history.

Not only has the behavior of guild attorneys been noted officially by several Federal judges, but the American Bar Association in 1949 received from its board of governors a recommendation that the American Bar Association bar from membership any person holding membership in the National Lawyers Guild. The action was based on the grounds that guild lawyers held beliefs "incompatible with membership in the American Bar Association."

## ATTACKS ON THE FBI

Any action on legislative or executive levels of the Government which tends to interfere with the Communist fifth-column operations in this country is guaranteed to evoke a vicious campaign of opposition from the National Lawyers Guild.

A striking example is the present attack by the guild on the Federal Bureau of Investigation, echoing the current line of the Daily Worker and Moscow. The guild today is crying for an investigation of the FBI, the vigilant guardian of our national security, on the ridiculous grounds that it is a "gestapo" or "political police" whose—

practices and policies \* \* \* violate our laws, infringe our liberties, and threaten our democracy.

This attack was timed simultaneously with the tactics employed by the defense in the espionage case involving Judith Coplon.

This campaign is simply an intensification of a long-standing guild effort to discredit and vitiate the Federal Bureau of Investigation. At its fifth annual convention in 1941, the guild also took action opposing "the gestapo activities of the Federal Bureau of Investigation." At that time, the guild called for removal of FBI Director J. Edgar Hoover, demanded that Congress reduce the FBI appropriation, and registered opposition to a—

pending appropriation bill to allot that Bureau \$100,000 for the investigation of so-called subversive activities of Government employees (Lawyers Guild Review, June 1941, p. 66).

J. Edgar Hoover, testifying on February 7, 1950 before a Senate Subcommittee on Appropriations, noted that the National Lawyers Guild has vociferously denounced the FBI since 1940. Mr. Hoover quoted a guild member as having stated the following at a meeting of this front organization in 1940:

If we keep up the constant criticism of the FBI and of Hoover, and if this criticism is systematically kept up and followed all the time, particularly by organizations, it can and it will weaken the power of the FBI and hamper them very effectively.

There is no doubt in the opinion of the committee that the National Lawyers Guild attacks on the Federal Bureau of Investigation are part of an over-all Communist strategy aimed at weakening our Nation's defenses against the international Communist conspiracy.

The propaganda disseminated by the guild regarding the FBI is a duplicate of the line put out by Moscow, as demonstrated by the following broadcast by the Soviet Home Service short-wave network, dated February 7, 1950:

## FBI CENTER OF ACTIVITIES

The center of the police terror organization of the United States is the notorious FBI. This institution was founded in 1908. From the day of its foundation the FBI became the jailer of the population. The head of this organization is responsible to the United States President and keeps him informed of future plans and results of past activity. The true bosses of the FBI, however, are the 60 families of American millionaires. All of the activities of the FBI as well as the rest of the United States Government are directed toward the defense of the interests of these actual rulers of modern America.

The FBI has been turned into an organization for intimidating the United States man in the street by means of all forms of violence, blackmail, terror, and other police measures. The monopoly press knows no limit to its praise of the FBI, which was some time ago pronounced by the UP to be "the greatest national

institution of the United States." The FBI budget grows yearly. In 1949 it was almost \* \* \* dollars. To this must be added the so-called special funds allocated by the President and the Government and the generous and certainly not insignificant presents from the monopolies who wish to develop still further the regime of police terror with a view to the final subjugation of the American people.

#### SUPPRESSION OF PROGRESSIVES

At a time when the United States is the mainstay of the greatest imperialist offensive, the FBI has openly become the tool of hysterical, imperialist reaction determined to suppress all progressive thought in the country. The kings of Wall Street, the FBI, and the United States Department of Justice act in close contact with the ultrareactionary Committee for the Investigation of Un-American Activities.

The attitude of the National Lawyers Guild and the Moscow broadcasts bears a striking resemblance to the following editorial of the Daily Worker of June 13, 1950, page 7:

#### ALIBI FOR STOOL PIGEONS

America's No. 1 lawbreaker, J. Edgar Hoover, wants more stool pigeons.

His private police machine gets bigger and bigger every year. This government within the government taps phones illegally, opens private mail illegally, and infests American life with criminal perjurers. As it grows, it devours what is left of the United States Constitution. No secret political police can ever be justified on the basis of the American Constitution. This police makes its own laws and its own rules and operates with its own definitions of "disloyalty" and "subversion."

\* \* \* \* \*

The boss of this imitation-Gestapo now wants more money from Congress for more secret stoolies. Naturally, he can only get his dough if he drums up a picture of the terrible menace we face from the "Communists." The FBI's "thought control" boss hints that there are 540,000 Americans he would like to put in jail. He says they are "operatives" who are just crawling all over J. Edgar Hoover looking for our "secrets." \* \* \*

#### AGAINST LOYALTY PROGRAM

The National Lawyers Guild has also conducted a malicious campaign against the loyalty program, which was inaugurated under Executive Order 9835, on March 21, 1947, in the executive branch of the Government, to rid the Government of subversive and disloyal employes.

Resolutions attacking the loyalty program as illegal and demanding that the courts declare it unconstitutional were adopted at the national convention of the guild held in New York City in May 1950. At a public forum held under guild auspices on February 11, 1948, the loyalty program was attacked as a thought-control measure.

The guild's opposition to the loyalty program was compiled into a 23-page report entitled "The Constitutional Right to Advocate Political, Social, and Economic Changes—An Essential of Democracy," which was sent to Government officials, Members of Congress, the judiciary, the bar, labor and civic organizations. The conclusion of this report charged that "our citizens are denied the right to advocate fundamental social, economic, and political change."

The guild has denounced the Attorney General's listing of subversive organizations to be used in the Federal loyalty program as a menace to the liberty of the American people. The Guild's committee on constitutional rights and liberties has issued a report on the legality of the action of the Attorney General of the United States in issuing

a listing of organizations as subversive pursuant to the President's loyalty order, in which it urged revocation and cancellation of the list.

#### OPPOSES LEGISLATIVE ACTION ON COMMUNISM

Any legislation which would curb the activities of Communists, regardless of the importance of such legislation to our national security, is faced with bitter opposition from the National Lawyers Guild.

At its first convention, the guild opposed statutes providing that teachers take a loyalty oath or those "making criminal advocacy of or membership in any political party" (Daily Worker, February 23, 1937, p. 5). The latter was directed against pending legislation against criminal syndicalism, affecting the legal status of the Communist Party in various States.

It has opposed legislation directed against the Communist Party, Voorhis registration bill, H. R. 1054; the Tenney law in California barring the Communist Party from the ballot (Lawyers Guild Review, June 1941, p. 66; Daily Worker, May 18, 1942, p. 5).

The National Lawyers Guild denounced the anti-Communist provisions of the Taft-Hartley law on the ground that it was unconstitutional. Leonard B. Boudin, chairman of the labor law committee of the National Lawyers Guild, testified before a labor subcommittee of the House of Representatives concerning the non-Communist affidavit of the Taft-Hartley bill. At that time, Mr. Boudin stated that the non-Communist affidavit was an insult to the American worker because Congress thereby told the workers they were not wise enough to manage their own affairs.

On May 7, 1948, the National Lawyers Guild denounced the Mundt-Nixon bill to control subversive activities. In commenting on the Mundt-Nixon bill, the Lawyers Guild Review, bimonthly publication of the National Lawyers Guild, made the following statement:

It would be a costly error to treat this measure as merely another unwise legislative proposal to be analyzed and then routinely disapproved. We believe it is far more than that. Its concepts are so hostile to our democratic way of life that its enactment into law would amount to nothing less than a coup d'état in constitutional guise.

The parallel between the above opinion and that of Simon W. Gerson, who represented the Communist Party, U. S. A., before the Committee on Un-American Activities on May 2, 1950, is striking. We quote his comment in part:

Any bill which seeks such objectives will necessarily do force and violence to the American Constitution and the Bill of Rights. Let us therefore understand the issue clearly: The United States can have the Constitution or it can have the Mundt-Nixon bill. It can't have both.

On May 2, 1950, Harry C. Lamberton, representing the National Lawyers Guild, testified before the Committee on Un-American Activities against the Nixon bill (H. R. 7595).

In the July 14, 1949, issue of the Daily Worker, the National Lawyers Guild was reported as urging the defeat of the Government's bill to fix heavier penalties for unlawful possession of secret documents, as referred to in the Foreign Agents Registration Act, and to lengthen the statute of limitations on prosecution of peacetime spies.

The autumn 1949 issue of *The Guild Lawyer* listed the following as highlights of the guild's activities:

(a) Opposition to S. 595 and H. R. 4703 (internal security bill) as written, and urging drastic revisions to conform to constitutional guaranties;

(b) Opposition to S. 1694 and S. 1832 giving Attorney General authority to deport aliens associated with or aiding groups which he finds (without standards or hearings) are "subversive of 'Communist' controlled";

(c) Opposition to H. R. 1002 to require labeling, as issued by a "Communist-front organization," of anything mailed by a group which engages in activity which it is reasonable to believe is intended to further the objective of establishing here a Communist government or economic system, or if the group is "under Communist control or influence"

The National Lawyers Guild has submitted a brief *amicus curiae* in an attempt to obtain a Supreme Court reversal of Maryland's Ober law which outlaws all organizations advocating the overthrow of the Government of the United States or of the State of Maryland (*The Guild Lawyer*, spring, 1950, p. 7).

At its tenth national convention in New York in May 1950, the guild demanded a repeal of the "advocacy sections" of the Smith Act, under which the 11 top Communist officials in the United States were convicted (*Daily Compass*, May 8, 1950, p. 5).

#### AGAINST COMMITTEES INVESTIGATING SUBVERSIVE ACTIVITIES

Not only has the guild opposed legislation directed against the Communist Party, but it has also fought every committee which has been effective in exposing Communist activity.

The guild has opposed the Rapp-Coudert committee investigating subversive activities in the public school system of New York City, for example. It has also opposed the York committee investigating subversive activities among State employees of California; the Ellis committee investigating subversive activities in the New York Civil Service; and the Special Committee on Un-American Activities, predecessor of the present House Committee on Un-American Activities.

Abolition of the present Committee on Un-American Activities is called for by the National Lawyers Guild. A resolution to this effect was adopted at the guild's ninth national convention held in Detroit, Mich., in February 1949. Typical of the guild propaganda regarding the Committee on Un-American Activities is the following statement in January 1948 by the then Guild President Robert Kenny:

For years I have been saying that it was my opinion that the Un-American Activities Committee had no foundation in law, had no power to compel disclosures, and that their procedures were improper.

It would appear that the guild is not so much concerned over alleged violations of "democratic processes" as it is over the possible exposure of the Communist fifth column.

In this connection, it might be recalled that in 1940 the Special Committee on Un-American Activities conducted investigations which led to the exposure of wholesale fraud and corruption in Communist Party election petitions in many States. More than 100 indictments and between 50 and 60 convictions resulted from this investigation. The National Lawyers Guild, however, addressed a communication

to the Attorney General of the United States suggesting an injunction against the committee to restrain it from investigating the petition frauds.

Such obstructionist tactics are a regular part of guild procedure whenever an investigation of communism is concerned.

#### FOLLOWING THE COMMUNIST PARTY LINE

The National Lawyers Guild has faithfully followed the Communist Party line throughout its existence.

In the mid-1930's when the Communist line called for collective security against the Fascist aggressors, the National Lawyers Guild dutifully called for the repeal of the existing Neutrality Act (Lawyers Guild Quarterly, June 1938, p. 255) and opposed shipments of ammunition to Germany (*ibid.*, September 1938, p. 304).

A crisis arose in this Communist front in February 1939 when non-Communist liberals who had been ensnared into the guild demanded that guild resolutions include condemnation of communism as well as nazism and fascism. To avoid a mass exodus of these liberals, the Communist behind-the-scenes leaders in the guild temporized and permitted a resolution to pass which opposed communism. Shortly thereafter, the Hitler-Stalin pact was signed and the conflict between the Communists and the non-Communists in the guild increased. The conflict was resolved in favor of the Communists when the June 1940 guild convention resulted in the election of the fellow-traveler, Robert W. Kenny, as guild president, and numerous other officers of the same ilk. During this controversy it was announced for the first time, on June 6, 1940, that the executive board had adopted in December 1939 a resolution against the Soviet attack on Finland. But the guild did not again buck the party line during the Stalin-Hitler pact. In fact, until the end of the pact in June 1941, the guild actually aided the Nazi-Communist alliance with thinly veiled attacks on United States legislation dealing with conscription and antisabotage measures.

When the crisis in the National Lawyers Guild was resolved during the Stalin-Hitler pact in favor of the Communists in the guild, non-Communists resigned en masse. In many instances, these non-Communists publicly repudiated the guild as being a Communist organization. Typical of their comments are the following:

From a letter of resignation of Nathan B. Margold, Solicitor for the Department of the Interior, dated May 29, 1940:

In recent elections for delegates from the District of Columbia to the 1940 convention of the National Lawyers Guild, a group of candidates stood on a platform of unequivocal opposition to nazism, communism, fascism, and other movements which similarly reject the principles of free press, free speech, freedom of assembly, right of religious worship, and fair trials. These candidates understood, if elected as delegates, to cast their votes at the 1940 convention for national officers of the guild who share their views. Of the 20 candidates who stood on this platform, 14 were defeated.

A. A. Berle, Jr., Assistant Secretary of State, resigned with the following statement:

The National Lawyers Guild was formed in the hope that expression might be given to the liberal sentiment in the American bar.

It is now obvious that the present management of the guild is not prepared to take any stand which conflicts with the Communist Party line. Under these circumstances, and in company, I think, with the most progressive lawyers, I have no further interest in it (Washington Times-Herald, June 5, 1940).

Attorney General Robert H. Jackson had resigned the previous week. Charles Poletti, Lieutenant Governor of New York State, resigned because he understood some members of the guild were "more interested in communism than anything else" (New York Times, June 26, 1940, p. 14).

Paul R. Hays, a prominent New York attorney, summarized the situation as follows in his letter of May 21, 1940, to Prof. Herman A. Gray, which was circularized among members of the New York chapter:

My experience, and the experience of many others (including the present national and New York chapter presidents), who have been similarly active in the guild and other liberal organizations, has led us to the conclusion that the presence of Communists in policy-making positions in such organizations inevitably results in deflection of the organizations from the liberal ends which they were set up to achieve. This is true because Communists are devoted to achieving the ends of another organization, whose purposes are illiberal and at variance with the purposes of such organizations as the guild.

With Germany's attack on the Soviet Union on June 22, 1941, the Communist Party line changed immediately. The war ceased being imperialistic in the eyes of the Communists, and the National Lawyers Guild suddenly took a similar view of the situation. On October 4, 1941, the guild adopted the following resolution:

The National Lawyers Guild accordingly gives its unlimited support to all measures necessary to the defeat of Hitlerism and to the present Roosevelt policy of "all out aid" to and full collaboration with Great Britain, the Soviet Union, China, and other nations resisting Fascist aggression and to all further steps necessary for the military defeat of Hitlerism (Lawyers Guild Review, October 1941).

This meeting also urged the repeal of the Neutrality Act.

The end of World War II introduced a new Communist Party line which is one of extreme hostility to the United States Government and all of its defense efforts against the postwar aggressions of the Soviet Union. The present policy of the National Lawyers Guild coincides with this new line almost completely. The guild opposes our military training programs and other internal security measures, and it condemns the entire European recovery program and North Atlantic Pact which are Stalin's chief anathema on the European front. The guild views as "democracies" the new Communist-satellite governments in eastern Europe, and encourages the Communist revolutionary movements in Korea, Indonesia, and China. The guild is demanding United States Government recognition of the Red regime in China. All of these viewpoints are also found in the Daily Worker, official organ of the Communist Party in this country.

There is some evidence to indicate, however, that in recent months a split may be again developing in the membership of the National Lawyers Guild. This time, in contrast to the crisis of 1940, the split is rather between those pro-Communists who support Stalin only, and those on the other hand who want to support Stalin and Tito and call for a united front between the two dictators.

At the tenth national convention of the guild held in New York City in May 1950, a resolution was adopted reversing the action of two guild delegates who voted at Rome to expel the Yugoslav delegates from the International Association of Democratic Lawyers. The latter organization is an international Communist-front for lawyers,

of which the National Lawyers Guild is an affiliate. The international group will be dealt with in a later section of this report.

Apparently the guild conflict between Titoites and Stalinists is not too serious at the present time, for the Daily Worker, official organ of the Communist Party, continues to promote and publicize the National Lawyers Guild. The Daily Worker attributed the guild's pro-Tito resolution to "O. John Rogge, who is admittedly on the payroll of the Tito regime" and gave this warning to the guild:

If the progressive attorneys who courageously challenged the cold-war blackout of civil liberty here will get the facts on the Tito conspiracy, they will have no difficulty seeing that in falling for the Tito bait they fell for bait planted by the reactionary forces they are opposing (Daily Worker, May 11, 1950, p. 7).

Included in the appendix to this report will be found an exhaustive analysis of propaganda issued by the National Lawyers Guild and that issued on the same subject by the Communist Party. This analysis shows that the guild and the Communist Party have taken the same and sometimes simultaneous stand on a host of important issues and should resolve any doubts regarding the fealty of the guild for the line of the party.

Another early front for lawyers was the International Juridical Association. This was formed in 1931 and its members were closely interlocked with the International Labor Defense as well as the National Lawyers Guild. Among its prominent members was Alger Hiss.

#### INTERNATIONAL JURIDICAL ASSOCIATION

In 1922, the Communist International established the International Red Aid with the idea that it would have sections in various countries of the world. The purpose of such organizations in the language of the Communist International was—

to render material and moral aid to the imprisoned victims of capitalism \* \* \* (Resolutions and Theses of the Fourth Congress of the Communist International, published for the Communist International by the Communist Party of Great Britain, p. 87).

In plain language, this meant that the Communists wanted to provide an agency which would protect their subversive agents whenever they ran into difficulties with the law of the various countries in which they were operating.

An American section of the International Red Aid was established in 1925 and it was known here as the International Labor Defense. The International Labor Defense continued to function until 1946, when it merged into a new subversive organization known as the Civil Rights Congress. The International Juridical Association cooperated closely with the International Labor Defense.

The following leaders of the National Lawyers Guild have been actively associated with both the International Labor Defense and the International Juridical Association: Joseph R. Brodsky (deceased), a charter member of the Communist Party; David J. Bentall, Osmond K. Fraenkel, Walter Gellhorn, Herman A. Gray, Abraham J. Isserman, Paul J. Kern, Carol Weiss King, Edward Lamb, Louis F. McCabe, and Maurice Sugar.

The International Juridical Association actively defended Communists and consistently followed the Communist Party line. The Special Committee on Un-American Activities cited the organization as a front in a report dated March 29, 1944.

At the time of its inception, Isadore Polier was executive director, Carol King was secretary, and Joseph Kover editor of the International Juridical Association's monthly bulletin. An examination of the bulletin reveals consistent support of Communist legal cases during its entire career.

In fact, the New York City Council Committee Investigating the Municipal Civil Service Committee in 1940 and 1941 declared:

The bulletins of the International Juridical Association from its very inception show that it is devoted to the defense of the Communist Party, Communists, and radical agitators and that it is not limited merely to legal research but to sharp criticism of existing governmental agencies and defense of subversive groups.

The International Juridical Association quietly disappeared from the American scene in the early 1940's.

In 1942, the IJA Monthly Bulletin, a publication of the International Juridical Association, was combined with the Lawyers Guild Review, an official organ of the National Lawyers Guild. The December 1942 issue of the IJA Monthly Bulletin, in announcing the merger, indicated that the opportunity for joining forces with the National Lawyers Guild would "greatly widen the area of our influence." It was also announced that writers for the IJA Monthly Bulletin who remained available would go to the board of editors of the Lawyers Guild Review and take primary responsibility for the material in the IJA section of the Review.

#### INTERNATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS

The current international Communist front for attorneys is known as the International Association of Democratic Lawyers. This organization is sometimes referred to as the International Association of Democratic Jurists.

The idea for the International Association of Democratic Lawyers was conceived during the Nuremberg trials as a threat to all those considered as "war criminals" by Soviet militarists. The first congress met in October 1946 with some 15 countries represented.

The National Lawyers Guild immediately affiliated with the new international front and sent representatives to the first congress in 1946.

Communist leaders in the United States, recently convicted on conspiracy to advocate overthrow of the Government by force and violence, are being vigorously defended by the International Association of Democratic Lawyers.

At the close of its third congress, held in Prague, Czechoslovakia, in September 1948, the International Association of Democratic Lawyers voted to send 25 attorneys to observe the trial of the aforementioned Communist leaders in New York. This proposal was made by Martin Popper, American representative. A resolution was also unanimously adopted expressing "grave concern over the indictment of the American Communist leaders in New York."

The fourth congress of the International Association of Democratic Lawyers met in Rome in October–November 1949, with 30 affiliate national sections. According to the autumn 1949 issue of *The Guild Lawyer*, quarterly publication of the National Lawyers Guild, Executive Secretary Robert J. Silberstein, and William L. Standard, a member of the guild's national executive board, were sent as guild representatives to the fourth congress.

The following national sections were represented in the congress by their delegations: Albania, Argentina, Austria, French Black Africa, Belgium, Bulgaria, Czechoslovakia, Egypt, France, Germany, Great Britain, Holland, Hungary, Italy, Iraq, Iran, Luxemburg, Poland, Rumania, Republican Spain, Soviet Union, Switzerland, Syria, Tunisia, and the U. S. A. The theme of the fourth congress was "law in the service of peace," in line with the current "peace offensive" of the international Communist apparatus.

The following were among the resolutions which were adopted:

(1) The Resolution on the Necessity of Respect for International Agreements expressed the view that lawyers have the duty to condemn actions which violate international engagements and especially when their own governments are involved. The resolution offered no criticism of Soviet policy but insisted that the North Atlantic Pact, which is supported by the United States, is irreconcilable with the Charter of the United Nations.

(2) Resolution asserting that the prosecution of the leaders of the Communist Party in the U. S. A. is in violation of articles 19 and 20 of the Universal Declaration of Human Rights of the United Nations. An appeal along this line was then made to UN Secretary General Trygve Lie.

(3) Resolution protesting strongly the prison sentences for contempt meted out to the attorneys for the Communist leaders in the United States.

(4) Clearly intended as a measure of support for Communist insurrections in colonial areas, the Resolution on Dependent Countries declared that the actual independence of these countries can only be achieved by national liberation struggle in alliance with the people of the exploiting country and the progressives of all countries. In Communist jargon all efforts to subvert democratic countries are referred to as "liberation struggles." Russia is always the liberator while the U. S. A. is considered the exploiter. The resolution intended to encourage rebellion in the home country is support of Communist uprisings. The meeting also created a permanent Commission on the Colonial, Semicolonial, and Dependent Countries.

Commenting on the afore-mentioned convention, The Guild Lawyer of Autumn 1949 stated that the convention "marked a significant change in the strength and influence of the progressive lawyers of the world."

Reflecting the current line of Moscow and the Cominform in its dispute with Marshal Tito, the Association of Democratic Lawyers voted to expel the Yugoslavian delegates. This proposal was supported by Robert J. Silberstein, American delegate.

The proceedings of the Association of Democratic Lawyers were considered of sufficient importance to warrant a report by Soviet Delegate Kirgin in May 1949 before the Soviet Society for Cultural Relations with Foreign Countries, the Soviet equivalent of the Nazis League for Germandom in Foreign Countries. This was made the subject of a Moscow broadcast on May 11, 1949. In conformance with the current Soviet "peace offensive," Kirgin urged democratic lawyers to intensify their fight against war propaganda. He stated that upon the Soviet delegate's initiative, a resolution was passed by the AODL to identify war criminals and publish their names. The organization has not as yet published the names of those responsible for the assault upon the peaceful South Korean Republic.

It was well known that the drive of the World Peace Congress for endorsement of the so-called Stockholm Appeal and for interference with shipments of material sent by the United States in support of the Atlantic Defense Pact is the main present objective of international communism. The following excerpt from the Moscow Home Service Broadcast of May 21, 1950, therefore demonstrates how the International Association for Democratic Lawyers functions on an international scale to protect the Communist sabotage and espionage apparatus, just as the National Lawyers Guild functions on a national scale:

Among the organizations who have sided with the Stockholm declaration during the last week are the International Association of Democratic Lawyers and others. The International Association of Democratic Lawyers has also addressed dockers and railwaymen refusing to transport war material in a declaration in which they state that they consider their actions are well-founded from a legal and juridical point of view because their actions are aimed at the prevention of war crimes.

It should be remembered that the National Lawyers Guild, as a subordinate of the International Association of Democratic Lawyers, is in duty bound to comply with this directive in our own country.

At the previous Prague Congress in 1948, the International Association of Democratic Lawyers officially solidarized itself with the Wroclaw Congress of Intellectuals, attended by a number of leading American Communists, which devoted itself primarily to assailing the foreign policies of the United States and extolling the "peace policies" of the Soviet Union.

According to the Daily Worker of October 19, 1949, page 10, the Fourth Congress of Democratic Lawyers held in Prague went even further in its service to international communism. Welcomed by Klement Gottwald, Communist President of Czechoslovakia, it worked out a "people's law code," intended as a guide for Communist dictatorships. In concluding the session, Dr. Nordman compared the administration of justice in Communist Czechoslovakia with that of the western democracies.

"The American Constitution," remarked Nordman, "particularly the first amendment, guarantees freedom of thought, but we can see in the trial of the 12 Communists in New York that they are being prosecuted only for their thoughts, only because they are Marxists and the jury is selected not democratically \* \* \*."

Incidentally, Czechoslovakia has been the scene of a number of recent Communist purge trials in which the right to trial by jury and accepted juridical practices were ruthlessly violated, without protest from the Association of Democratic Lawyers for the National Lawyers Guild.

The headquarters of the International Association of Democratic Lawyers is at 19 Quai d'Orleans in Paris, France. The president of the organization at the time of its 1949 convention was D. N. Pritt, K. C., a British lawyer prominent in the defense of Communist causes. Its general secretary is Joe Nordman, who recently defended the French pro-Communist publication, *Les Lettres Françaises*.

#### GUILD COMMUNISTS AND FELLOW TRAVELERS

The files of the Committee on Un-American Activities show that the dominant forces in the National Lawyers Guild have been composed of known Communists and fellow travelers.

The committee notes, for example, that John Abt, Lee Pressman, and Nathan Witt were associated with the National Lawyers Guild from its inception, and have held positions on the guild's executive board or on its various committees. Abt, Pressman, and Witt have been identified as Communist members of an underground group established by the Communist Party for the purpose of infiltrating Federal Government agencies. This identification was made by Whittaker Chambers, confessed former courier for Communist espionage agents. The three individuals so accused subsequently refused to submit to congressional inquiry regarding their Communist activities on grounds of self-incrimination.

On August 28, 1950, Lee Pressman again appeared before the committee. This time, he answered questions propounded to him by the committee. In the course of the questioning, Pressman admitted his membership in a Communist group in Washington, D. C., during the years 1934 and 1935. He also identified Nathan Witt and John Abt as members of this Communist group. On September 1, 1950, Nathan Witt and John Abt again appeared before the committee and refused to answer all inquiries regarding their Communist activities on the ground of self-incrimination.

Another initial member of the National Lawyers Guild was Charles Recht, who at the same time was attorney for the Soviet Embassy in the United States. Still another charter member was Joseph R. Brodsky, general counsel and charter member of the Communist Party, now deceased. The National Lawyers Guild, at its 1948 national convention, unanimously adopted a special resolution regarding the death of Mr. Brodsky which stated:

His death is an inestimable loss to the profession and to the National Lawyers Guild of which he was a charter member.

Martin Popper, one of the 1949 vice presidents of the guild whom the Daily Worker of June 27, 1943, credits with being a "founder" of the guild, is a faithful Communist Party liner. His many other Communist-front connections include Civil Rights Congress, American Committee for Protection of Foreign Born, Joint Anti-Fascist Refugee Committee, Committee for a Democratic Far Eastern Policy, American Committee for Spanish Freedom, Emergency Peace Mobilization, National Federation for Constitutional Liberties, National Council of the Arts, Sciences, and Professions, National Negro Congress, Southern Conference for Human Welfare. Popper recently represented the Chinese Communist government.

Thomas J. Emerson, a law professor at Yale University, was elected president of the National Lawyers Guild at its national convention in New York City in May 1950. Mr. Emerson has been associated with the guild from its very beginning, and served on the guild's executive board during its first year, 1937. The records of the Committee on Un-American Activities show that Mr. Emerson has an unusual affinity for Communist-front organizations and that in addition to the National Lawyers Guild he has associated himself with such groups as Civil Rights Congress, Jefferson School of Social Science, Southern Conference for Human Welfare, National Council of the Arts, Sciences, and Professions. He has further associated himself with the Communist-blessed Progressive Citizens of America and with the Communist-dominated United Public Workers of America.

The present executive secretary of the National Lawyers Guild is Robert J. Silberstein, who has held that same position for many years.

Mr. Silberstein's connections with the guild date from its earliest days. The files of the committee disclose that Mr. Silberstein is the signer of a public statement defending the Communist Party and that he has associated with such subversive organizations as the International Workers Order, Committee for Citizenship Rights, Lawyers Committee on American Relations with Spain, and Progressive Committee to Rebuild the American Labor Party.

Clifford J. Durr, 1949 head of the guild, who has appeared before the Committee on Un-American Activities representing clients who declined to answer questions as to Communist affiliations on the grounds of self-incrimination, in August of 1948 attended the World Congress of Intellectuals for Peace behind the iron curtain, at Wroclaw, Poland. In May of 1948, Durr, in a speech before the Federation of American Scientists, charged that United States scientists are forced to "work in an atmosphere of corrosive fear." This was prior to the disclosure regarding the spying of the British atom spy, Klaus Fuchs.

Durr sponsored a committee to defeat the Mundt-Ferguson Communist control bill. He charges that the "loyalty program is above the Constitution."

Durr presently serves as a vice president of the guild.

The 1950 vice presidents of the National Lawyers Guild include the following other individuals with significant records of associations with Communist enterprises:

*Osmond Fraenkel*: Associated with Consumers National Federation, American Labor Party, National Committee for the Defense of Political Prisoners, American Student Union, Consumers Union, American League Against War and Fascism, New York Tom Mooney Committee, National Emergency Conference for Democratic Rights, International Juridical Association, National Committee for People's Rights, Medical Bureau and North American Committee To Aid Spanish Democracy, Greater New York Emergency Conference on Inalienable Rights, Film Audiences for Democracy, Films for Democracy, Coordinating Committee To Lift the Embargo, Citizens Committee To Free Earl Browder, School for Democracy.

*Louis F. McCabe*: Associated with Philadelphia School of Social Science and Art, National Federation for Constitutional Liberties, Civil Rights Congress, American League for Peace and Democracy, Joint Anti-Fascist Refugee Committee, North American Committee To Aid Spanish Democracy, National Council of the Arts, Sciences and Professions, American Committee for Protection of Foreign Born, International Labor Defense, National Emergency Conference for Democratic Rights, International Juridical Association, American Student Union.

*Bartley C. Crum*: Associated with California Labor School, National Committee To Win the Peace, National Federation for Constitutional Liberties, Veterans of the Abraham Lincoln Brigade, Joint Anti-Fascist Refugee Committee, American-Russian Institute, American Slav Congress, American Youth for Democracy, American Committee for Spanish Freedom.

*Richard Gladstein*: Associated with the Civil Rights Congress. Mr. Gladstein sent Labor Day greetings to the People's Daily World, west coast organ of the Communist Party, in 1947, and sent May Day greetings to the same subversive newspaper in the present year. Mr. Gladstein was one of the attorneys who were sentenced to jail

for contempt of court as a result of their abusive attitudes while defending the 11 Communist leaders recently convicted in New York.

## OFFICERS OF THE NATIONAL LAWYERS GUILD

(As of December 1949)

<i>President</i>	<i>Executive board members—Continued</i>
Clifford J. Durr, Washington, D. C.	Detroit—Continued
<i>Executive secretary</i>	Walter M. Nelson
Robert J. Silberstein, Washington, D. C.	Patrick S. Nertney
<i>Treasurer</i>	Hon. Patrick H. O'Brien
Nathan B. Kogan, New York City	Nedwin L. Smokler
<i>Vice presidents</i>	Maurice Sugar
Bartley C. Crum, San Francisco	Hon. Henry S. Sweeney
Prof. Thomas I. Emerson, Yale Law School	G. Leslie Field
Osmond K. Fraenkel, New York City	Los Angeles-Hollywood:
Mitchell Franklin, New Orleans	Robert W. Kenny
Elmer Gertz, Chicago	Clore Warne
Charles H. Houston, Washington, D. C. [deceased]	John T. McTernan
O. John Rogge, New York City	George Slaff
Hon. Ira W. Jayne, Detroit, presiding judge, Circuit Court, Wayne County, Mich	Hope, Ark.: George Patrick Casey
Daniel G. Marshall, Los Angeles	Houston, Tex.: Herman Wright
Louis F. McCabe, Philadelphia	Lima, Ohio: Elmer McClain
Martin Popper, New York City	New York City:
<i>Executive board members</i>	Benjamin Algase
Baltimore:	Leonard B. Boudin
I. Duke Avnet	Louis Boudin
Donald Murray	Joseph H. Crown
Cedar Rapids, Iowa: Allan Heald	Hon. Hubert T. Delaney
Chicago:	Bernard D. Fischman
Paul G. Annes	Albert C. Gilbert
Earl B. Dickerson	Carol King
Irving H. Flamm	Leo J. Linder
Solomon Jesmer	Thurgood Marshall
Sidney A. Jones, Jr.	Paul O'Dwyer
John Ligtenberg	Milton Paulson
David B. Rothstein	Marian Wynn Perry
George L. Siegel	Lee Pressman
Euclid L. Taylor	Paul L. Ross
Richard F. Watt	Harry Sacher
Eugene Cotton	Hon. Nathan R. Sobel
Nelson Willia	William L. Standard
Harry L. Diehl	Abraham Unger
Cleveland:	Benedict Wolf
Hon. Lewis Drucker	Arthur G. Silverman
Elsie Tarcai	Philadelphia: Saul C. Waldbaum
Herschel G. Holland	Pittsburgh: Hyman Schlesinger
Charles M. Goodwin	St. Louis: Victor B. Harris
Allen Madorski	San Francisco:
Denver: Samuel D. Menin	J. Bruce Fratis
Detroit:	George G. Olshausen
Alan N. Brown	Seattle: John Caughlan
Alvin Davenport	Washington, D. C.:
James Montante	George M. Johnson
	Donald M. Murtha
	David Rein
	Herbert S. Thatcher
	Belford V. Lawson, Jr.
	Boston: Arthur L. Brown
	Youngstown, Ohio: John F. Kicak
	Miami: Harold Tannen
	Student division:
	Martin Tucker, Cambridge
	Robert Silverstein, Chicago
	Samuel Rosenberg, New York City

## OFFICERS OF THE NATIONAL LAWYERS GUILD

(As of May 1950)

*President*

Thomas I. Emerson, Yale University

*Executive secretary*

Robert J. Silberstein, Washington, D. C.

*Treasurer*

Nathan B. Kogan, New York

*Vice presidents*

Clifford J. Durr, Washington, D. C.  
 Osmond Fraenkel, New York City  
 Bartley Crum, San Francisco  
 Louis McCabe, Philadelphia  
 Richard Gladstein, San Francisco  
 Earl B. Dickerson, Chicago  
 Victor B. Harris, St. Louis  
 George Slaff, Los Angeles  
 Henry Weihofen, New Mexico  
 Martin Popper, New York City  
 Hon. Ira W. Jayne, Detroit  
 Elmer Gertz, Chicago  
 Mitchell Franklin, New Orleans  
 O. John Rogge, New York City

*Executive board*

Benjamin Algase, New York City  
 Paul G. Annes, Chicago  
 I. Duke Avnet, Baltimore  
 Leonard B. Boudin, New York City  
 Alan Brown, Detroit  
 George Patrick Casey, Arkansas  
 John Caughlin, Seattle  
 Eugene Cotton, Chicago  
 Joseph H. Crown, New York City  
 Elvin A. Davenport, Detroit  
 Hon. Hubert D. Delany, New York City  
 Earl B. Dickerson, Chicago  
 Harry Diehl, Gibson City, Ill.  
 Hon. Lewis Druckner, Cleveland  
 G. Leslie Field, Detroit  
 Bernard D. Fischman, New York City  
 Irving H. Flamm, Chicago  
 J. Bruce Fratis, San Francisco  
 Albert C. Gilbert, New York City  
 Charles M. Goodwin, Cleveland  
 Victor B. Harris, St. Louis  
 Allen Heald, Chicago  
 Charles H. Houston, Washington, D. C.  
 [deceased]

*Executive board—Continued*

Solomon Jesmer, Chicago  
 Sidney A. Jones, Jr., Chicago  
 Robert W. Kenny, Los Angeles  
 John F. Kicak, Youngstown, Ohio  
 Carol King, New York City  
 Belford V. Lawson, Washington, D. C.  
 John Lightenberg, Chicago  
 Leo J. Linder, New York City  
 Elmer McClain, Lima, Ohio  
 John T. McTernan, Los Angeles  
 Allan Madorski, Cleveland  
 Samuel D. Menin, Detroit  
 James Montante, Detroit  
 Donald Murray, Baltimore  
 Donald M. Murtha, Washington, D. C.  
 Walter M. Nelson, Detroit  
 Patrick S. Nerthney, Detroit  
 Patrick H. O'Brien, Detroit  
 Paul O'Dwyer, New York City  
 Geo. H. Olshausen, San Francisco  
 Milton Paulson, New York City  
 Marion Wynn Perry, New York City  
 Lee Pressman, New York City  
 David Rein, Washington, D. C.  
 Samuel Rosenberg, New York City  
 Paul L. Ross, New York City  
 David B. Rothstein, Chicago  
 Harry Sacher, New York City  
 Hyman Schlesinger, Pittsburgh, Pa.  
 George L. Siegel, Chicago  
 Arthur G. Silverman, New York City  
 Robert Silverstein, Madison, Wis.  
 George Slaff, Los Angeles  
 Hon. Nathan R. Sobel, New York City  
 William L. Standard, New York City  
 Nedwin L. Smokler, Detroit  
 Maurice Sugar, Detroit  
 Hon. Henry S. Sweeney, Detroit  
 Harold Tannen, Miami  
 Elsie Tarcai, Cleveland  
 Euclid L. Taylor, Chicago  
 Herbert S. Thatcher, Washington, D. C.  
 Abraham Unger, New York City  
 Morris Wainger, New York City  
 Saul C. Waldblum, Philadelphia  
 Clore Warne, Los Angeles  
 Richard F. Watt, Chicago  
 Nelson Willis, Chicago  
 Benedict Wolf, New York City  
 Herman Wright, Houston, Tex.

OFFICERS, WASHINGTON CHAPTER, NATIONAL LAWYERS GUILD  
(as of July 1950)

*President*, Harry Lamberton

*Vice president*, Belford V. Lawson, Jr.

*Executive secretary*, David Rein

*Recording secretary*, Selma Salmons

*Treasurer*, Charlotte A. Hankin

*Board of directors*: Jack Blume

James A. Cobb

Arthur Christopher, Jr.<sup>1</sup>

Milton Freeman

Samuel Jaffe

Howard Jenkins

Samuel Levine

Harry N. Rosenfeld<sup>2</sup>

Herbert S. Thatcher<sup>3</sup>

Ruth Weyand

Donald M. Murtha<sup>4</sup>

ORGANIZATIONAL DATA

Headquarters of the National Lawyers Guild are located at 902 Twentieth Street NW., Washington, D. C.

The National Lawyers Guild claimed a membership of 3,891 individuals as of June 1, 1950. Its chapters number 14 and are located in the following cities: Baltimore, Boston, Albany, Troy, Schenectady, Chicago, Cleveland, Detroit, Washington, D. C., Hollywood, Los Angeles, New York City, Philadelphia, and San Francisco. For the purpose of comparison, the Journal of the American Bar Association in 1948 estimated the total number of attorneys in the United States at 180,000. To carry the comparison still further, the American Bar Association reported its own membership to be 28,400 in 1937 and 42,000 in 1949, according to the World Almanac.

Since 1946, the National Lawyers Guild has maintained a student division to permit law students to become members of the guild. The 3,891 total guild membership figure as of June 1, 1950, includes 702 individuals who are listed as members of the guild's student division. The guild lists the locations of its student divisions as follows: University of Michigan, University of California at San Francisco, University of Southern California (Boalt Hall), University of Chicago, Harvard University, New York University, Columbia University, Brooklyn Law School, Yale University, University of Washington at Seattle, Wayne University, Washington, D. C. (sic).

Dues paid by its members provides the National Lawyers Guild with some of its funds. Another source is contributions from interested individuals and organizations.

The House Committee on Un-American Activities, in a report dated June 7, 1946, referred to its investigation of organizations which financed communistic and subversive causes in the United States. The committee named the Sound View Foundation, Inc., of New York as a typical example. The National Lawyers Guild received

<sup>1</sup> Dropped membership through nonpayment of dues, April 1949, and refused nomination to board of directors.

<sup>2</sup> Dropped membership through nonpayment of dues, April 1949, and refused nomination to board of directors.

<sup>3</sup> Dropped membership through nonpayment of dues, April 1949, and has not attended a guild meeting for over three years.

<sup>4</sup> Resigned.

\$700 from the now-defunct Sound View Foundation, according to the report.

In 1949, the Communist-dominated International Fur and Leather Workers Union contributed \$3,000 to the National Lawyers Guild. In 1947 and again in 1948, the Communist-dominated United Electrical, Radio and Machine Workers Union contributed \$750 to the National Lawyers Guild.

Another contributor to the National Lawyers Guild was the Robert Marshall Foundation of New York City, which in 1947 contributed \$2,000. This foundation was described in the March 29, 1944, report of the Special Committee on Un-American Activities as "one of the principal sources for the money with which to finance the Communist Party's fronts generally in recent years."

Frederick Vanderbilt Field, whose adherence to Communist causes is well known, has also contributed money to the National Lawyers Guild.

Over 40 employees of the Federal Government who are currently carried on the rolls of the National Lawyers Guild as members were contacted by the staff of the committee. The majority of those contacted have, in their opinions, ceased their membership through the nonpayment of dues, although only three had submitted formal letters of resignation. However, the National Lawyers Guild still considers these persons to be members. Two individuals carried as members of the board of directors of the Washington chapter of the National Lawyers Guild are still carried as such even though they refused the nomination to the board of directors and had stopped paying dues. One person carried as a member of the board had neither paid dues since April of 1949 nor attended a meeting in over 3 years.

Many persons interviewed, and these interviews were limited to present Government employees, stated that as a result of their memberships in the National Lawyers Guild they had been receiving literature from Communist-front organizations.

#### CONCLUSION

The Committee on Un-American Activities recommends that the National Lawyers Guild be placed on the Department of Justice subversive list and that it be required to register as an agent of a foreign principal.

It recommends further that members of the National Lawyers Guild be barred from Federal employment and that the American Bar Association consider the question of whether or not membership in the National Lawyers Guild, a subversive organization, is compatible with admissibility to the American bar. It calls on decent lawyers and those sincerely interested in the liberal principles of American justice to warn the younger members of the bar of the real nature of the guild, as an arm of the international Communist conspiracy.



## APPENDIX

### COMPARISON OF GUILD PROGRAM WITH COMMUNIST PARTY LINE

Through resolutions of its conventions, declarations of its national executive board, and statements of its officials, the National Lawyers Guild has expressed its position with regard to many foreign and domestic issues. Some high lights of these pronouncements are compared in the following pages with statements on the same issues as found in the *Daily Worker*, *Daily Peoples World*, *New Masses*, *The Communist*, and *Political Affairs*. The first four publications mentioned were identified as Communist in the Special Committee on Un-American Activities, United States House of Representatives, report dated March 29, 1944, while the last was similarly described in the same committee's Report No. 1920 dated May 11, 1948, pages 5 and 6.

The only striking example of conflict with the Communist Party line occurred when the guild's executive board denounced the Russian invasion of Finland in December 1939, when it still included a sizable number of non-Communists who have since resigned. This resolution was, however, not widely publicized.

### A. DOMESTIC ISSUES

#### 1. ALIENS

(EXPLANATORY NOTE.—Many members of the Communist Party, U. S. A., are aliens subject to deportation proceedings. In some cases Russia has refused to accept Communist deportees from the United States. The Hobbs bill (H. R. 10) therefore provided for the internment of such aliens, just as was done with Nazi deportees during World War II.)

#### COMMUNIST PARTY, U. S. A.

Defeat the Bill for Concentration Camps \* \* \* We are referring to the fact that the "Concentration Camp" Bill introduced by Congressman Hobbs, of Alabama, has just been reported out of Committee.

\* \* \* The reactionaries behind it hope to sneak it through before the people have a chance to act. The Bill provides that all foreign-born non-citizens shall be imprisoned for life in concentration camps if they have no passports to the countries of their birth. Such persons will be seized without trial, and without any possibility of appeal to higher courts.

\* \* \* We urge that you wire your Congressman now, and urge him to vote "No" to the Hobbs Bill (*Daily Worker*, April 27, 1939, p. 1).

#### NATIONAL LAWYERS GUILD

\* \* \* The National Lawyers Guild in convention assembled opposes passage of the Hobbs Concentration Camp Bill, or any similar legislation which would establish concentration camps in America (*Lawyers Guild Review*, vol. 1, No. 4, June 1941, p. 64).

(EXPLANATORY NOTE.—The Smith bill was adopted just prior to World War II as a necessary defense precaution and provided for the registration and fingerprinting of aliens.)

## COMMUNIST PARTY, U. S. A.

The Smith Bill—one of the most repressive of a long list of "antialien" measures now hanging fire in Congress—may come up any day. \* \* \*

This is an omnibus bill, combining all the vicious features of a number of measures, and a few of its own. It requires registration and fingerprinting of all aliens, a domestic passport system which, unquestionably would involve the whole population. At the same time, it makes it more difficult for the foreign-born to become citizens \* \* \* (*Daily Worker*, May 29, 1939, p. 6).

\* \* \* The tory members of the Senate Committee on Immigration approved a bill that violates the very fundamentals of the Declaration of Independence and of American democracy.

\* \* \* In providing for the registration of all aliens, the measure strikes a direct blow at the Bill of Rights. Let no one try pretend that such a measure is aimed at aliens alone. Its real purpose is to intimidate aliens and foreign-born citizens in order to weaken the unions and other democratic organizations to which they belong. This is not an "antialien" bill. It is a sedition bill to undermine democracy. The measure is an opening wedge against the rights and liberties of all Americans (*Sunday Worker*, July 2, 1939, p. 6).

Fifth column hysteria swept both houses of Congress today and included in its destructive sweep the civil liberties of the American people and the rights of organized labor as well as the welfare of the foreign born.

Direct consequences of the President's national defense program included:

(1) Passage of the LaFollette oppressive Labor Practices Act. \* \* \*

(2) Unanimous approval by the Senate Judiciary Committee of the Smith Omnibus Anti-Alien Bill. \* \* \*

(3) Approval by the House of the President's reorganization plan transferring the Bureau of Immigration from the Department of Labor to the Department of Justice, thus subjecting the foreign born to persecution by J. Edgar Hoover's FBI \* \* \* (*Daily Worker*, May 28, 1940, p. 1).

## NATIONAL LAWYERS GUILD

At its 1940 convention the Guild opposed all proposals to fingerprint or require identification cards of aliens inasmuch as such proposals were deemed discriminatory and necessarily "lead to the registration and fingerprinting of the entire population." (*National Lawyers Guild Quarterly*, vol. 3, No. 2, p. 119, July 1940.)

Guild opposed H. R. 5138, the Alien Registration Act, pointing out that the act not only provided for the registration of aliens but contained a Federal Sedition law and a military disaffection law which it criticized as a violation of the First Amendment to the Federal Constitution (*Lawyers Guild Review*, October 1940, p. 591).

The National Lawyers Guild \* \* \* disapproves all proposals, whether federal, state, or local, to register fingerprint or require identification cards of all aliens, as such proposals are discriminating and must of necessity also lead to the registration and fingerprinting of the entire population; \* \* \* The impending transfer of the Immigration and Naturalization Service from the Labor Department to the Department of Justice; \* \* \* (*National Lawyers Guild Quarterly*, vol. 3, No. 2, July 1940, p. 119).

## 2. BRIDGES CASE

(EXPLANATORY NOTE.—Harry Bridges, an alien member of the Communist Party, USA, has been the subject of deportation proceedings for a number of years. He has recently been convicted of perjury for denying his party membership in such proceedings.)

## COMMUNIST PARTY, U. S. A.

Bridges, as it is well known by informed people, is not a Communist nor is it against the law to be a Communist. But if the shipowners can get away with the kind of frame-up they are perpetrating against Bridges, what trade-union or liberal leader is safe? For it is progressive unionism and the New Deal which the shipowners are trying to destroy in this frame-up farce against Bridges (*Daily Worker*, July 28, 1939, p. 6).

The victory which has been won by the unions and the people in the Harry Bridges case \* \* \* is a bitter disappointment to the reactionaries (*Daily Worker*, January 2, 1940, p. 6).

And so, after years of persecution and a man hunt of such proportions as this country has never witnessed, with months of coaching and preparation by the FBI, the Department of Justice of this great Nation could produce nothing more against Harry Bridges than the, at best, questionable words of two witnesses \* \* \* (*New Masses*, June 9, 1942, p. 12).

## NATIONAL LAWYERS GUILD

H. R. 9766 ordering the deportation of Harry Bridges after he has been found not guilty of any conduct which would justify his deportation under laws applicable to all aliens would be a dangerous precedent for an objectionable practice \* \* \* The National Lawyers Guild disapproves H. R. 9766 as a contravention of the historical American opposition to anything in the nature of a Bill of Attainder expressly prohibited by the Federal Constitution (*National Lawyers Guild Quarterly*, vol. 3, No. 2, July 1949, p. 119).

By letter dated June 28, 1940, to the Senate Committee on Immigration and Naturalization the Guild opposed H. R. 9766, "a bill directing the Attorney General to deport Harry Renton Bridges forthwith to Australia." Described it as an "un-American proposal."

Guild cited the action against Bridges as an attempt by "opponents of the labor movement \* \* \* to thwart the development thereof by prosecuting its leaders." (*Washington Evening Star*, February 25, 1941).

According to the New York Times, March 19, 1945, the Guild sent a legal memorandum and petition to the President urging cancellation of deportation proceedings against Bridges. Stated: "If Harry Bridges, a well-loved leader of a strong American trade-union were permitted to suffer the punishment of exile from a land in which he had lived for almost 25 years \* \* \* would not fair-minded men everywhere tend to suspect the good faith of our commitments and the sincerity of our program for a lasting peace?" (*New York Times*, March 19, 1945).

## 3. COMMITTEES INVESTIGATING COMMUNISM

## HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

## COMMUNIST PARTY, U. S. A.

## NATIONAL LAWYERS GUILD

It is with real Hitler brazenness that Dies asks Congress for more funds—to be exact, for \$150,000—in order that his gang can help the Nazi bunds and the Wall Street Tories tear down American democracy. Every American should answer this insolence with an increasing stream of protests to his Congressman urging an end to the Dies outfit. Let Congress establish a committee to ferret out the un-American forces which Dies witch-hunters are hiding. (Editorial, *Daily Worker*, January 23, 1939, p. 6).

Attention, All Readers!

Write your Congress today on dissolving the Dies Committee \* \* \* (*National Issues*, January 1939, p. 18, Published monthly by National Committee, Communist Party).

The November 18, 1939, issue of the *Daily Worker*, page 6, editorialized favorably on the Guild pamphlet and concluded:

“Not another cent for Dies: This should be the thunderous demand of the American people upon the January Congress.”

Abolish the Un-American Dies and Smith Committees (Resolution Adopted by the National Committee of the Communist Party, U. S. A., February 1940, *The Communist*, March 1940, page 216).

An end must be put to such instruments of fascism as the Dies Committee \* \* \* (Manifesto of the National Committee, Communist Party, USA, adopted at its Plenary Meeting, June 28–29, 1941, *The Communist*, August 1941, p. 681).

But why does the Congress of the United States continue to vote confidence in Mr. Dies, and provide him

In January 1939, the New York City Chapter of the National Lawyers Guild sent a resolution to the New York State Assembly and the U. S. House of Representatives stating:

“1. That we urge the resolution to continue the Dies Committee be disapproved and that no further funds be appropriated to it, and

“2. That we urge Congress to request the Department of Justice to carry on an investigation of un-American and subversive activities \* \* \*

“3. That we urge the legislature of the State of New York to memorialize the Congress of the United States to discharge the Dies Committee for the reasons hereinabove set forth” (*Daily Worker*, January 23, 1939, pp. 1 and 4).

In November 1939, the San Francisco Chapter of the National Lawyers Guild released a pamphlet entitled “In the Court of Public Opinion, Indictment, People of the United States of America vs. the Dies Committee.” This pamphlet contained the statement: “Propaganda groups such as the Dies Committee must be condemned by the American people, if American democracy and the Bill of Rights are to be maintained” (*Daily Worker*, November 15, 1939, p. 1).

Now, Therefore, Be It Resolved: That the House of Representatives be urged to deny the request of Chairman Dies for an additional one hundred thousand dollars as a supplemental appropriation for the Dies Committee to investigate un-American activities.

That the House of Representatives be urged to discontinue and disband the Dies Committee except for the submission of a report on its activities and that the Dies Committee be directed forthwith to turn over to the Department of Justice or other appropriate governmental agencies any information which might be of aid to such governmental agencies in the performance of their duties (Fourth Annual Convention, National Lawyers Guild, May 29–June 2, 1940, *National Lawyers Guild Quarterly*, vol. 3, No. 2, July 1940, p. 121).

\* \* \* the National Lawyers Guild in convention assembled urges \* \* \* the abolition of the Dies Committee \* \* \* (Resolution, Fifth National Convention, National Lawyers Guild, May–June 1941, *Lawyers Guild Review*, vol. I No. 4, June 1941, p. 67).

By letter of February 7, 1942, the New York City Chapter of the Guild

## COMMUNIST PARTY, U. S. A.

## NATIONAL LAWYERS GUILD

with unlimited public funds with which to carry on his work which "helps Hitler's cause, not ours"? (*Victory and After*, Earl Browder, p. 69, International Publishers, Inc., 1942).

sent to each member of the U. S. House of Representatives a report of the record of the Dies Committee in the four years of its life. The letter concluded:

"Wherefore, we respectfully submit that the resolution to continue the Dies Committee and to appropriate additional funds thereto be disapproved" (*Daily Worker*, February 10, 1942, p. 4).

By letter of February 15, 1942, over the signature of Martin Popper, executive secretary, the Guild criticized Representative Dies to President Roosevelt and said:

"We pledge to continue our efforts to convince Congress that the Dies Committee must be discontinued since it represents an impediment and obstacle to American victory" (*Daily Worker*, February 16, 1942, p. 4).

In a letter to U. S. Representative Frank Hook, Michigan, the Detroit Chapter of the Guild urged him to vote down any further appropriation for the Dies Committee, declaring it stands exposed "as a home-made pattern of Hitler's international anti-Comintern technique" (*Daily Worker*, February 28, 1942, p. 3).

Eventual readers of the history of this war will be amazed at the extent and with what insolence this protection of the enemies within our gates had been carried on by members of Congress. The worst thing done in this respect by Congress (so far at least) has been the recommissioning of the Dies Committee and voting it \$75,000 with which to continue its subversive work (The Reactionary Offensive and the War, William Z. Foster, *The Communist*, April 1943, p. 306).

The American people must therefore conclude that while the United States can easily dispense with the House Committee on Un-American Activities, it cannot afford to do without the American Communist Party (America Needs the Communist Party, Speech of Eugene Dennis at Madison Square Garden, New York, September 18, 1945, *Political Affairs*, October 1945, p. 875).

At every stage of its career, and especially now in wartime, the Dies Committee has been a hindrance to the honest aspirations of the American people. In the past, he has repeatedly come before Congress and promised to redeem his errors. He has never once fulfilled those promises. There is no reason for risking the public money by trusting a broken promise again repeated (The Dies Committee, *Lawyers Guild Review*, vol. III, No. 1, January-February 1943, p. 28).

The Guild was listed as one of twenty groups which had joined together and pledged a "fight to the finish campaign to abolish the Un-American House Committee" (*Daily Worker*, October 24, 1945).

The Guild was one of several organizations announcing a nation-wide campaign to abolish the Rankin Un-American Activities Committee. The groups' first objective was the completion of signature drives for a petition to abolish the Committee (*Daily Worker*, December 9, 1945).

This Committee, for nine long years has distinguished itself by its utter disregard of the constitutional rights of minorities with whose ideas it disagrees. \* \* \* The Guild urges the House of Representatives to abolish the House Committee forthwith (Guild Resolution, February 23, 1948, *Lawyers Guild Review*, vol. VIII, No. 1, January-February 1948, p. 319).

## Civil Rights:

\* \* \* End the witch hunts, loyalty orders and phony spy scares. Abolish the Un-American Committee (*Political Affairs*, September 1948, p. 941 article: "1948 Election Platform of the Communist Party").

## COMMUNIST PARTY, U. S. A.

The drive against witch hunting must take the form of outright abolition of the Un-American Activities Committee. \* \* \* (Popular Mandate vs. Monopoly Policy in the New Congress, Max Gordon, *Political Affairs*, January 1949, p. 82).

## NATIONAL LAWYERS GUILD

On December 13, 1948, the Guild sent a statement to all House Members demanding abolition of the House Committee on Un-American Activities. The statement alleged that the "existence and activities of such a committee are inherently inimical to the most fundamental rights guaranteed by the Constitution" (*Daily Worker*, December 13, 1948, p. 2, *Washington Star*, December 13, 1948).

*The House Committee on Un-American Activities* \* \* \* should be abolished (Resolution of the National Guild Convention, February 23, 1949, *Lawyers Guild Review*, vol. IX, No. 1, Winter 1949, p. 51).

## RAPP-COUDERT COMMITTEE

(EXPLANATORY NOTE.—The Rapp-Coudert Committee was active in 1940 in investigating Communist activity in the public school system of New York City.)

## COMMUNIST PARTY, U. S. A.

Contempt proceedings by the Rapp-Coudert Committee against five members of the Brooklyn College faculty are a striking exposure of the fascist character of the committee.

The charge is that the teachers refused to testify before the Committee. But actually, they justifiably refused to attend a secret one-man hearing in which they would be denied benefit of counsel \* \* \* (*Daily Worker*, December 23, 1940, p. 6, editorial).

The Rapp-Coudert Committee, which is taking the lead in the fight to destroy public education in New York State, is this week conducting "little Dies" hearings in New York City against the Teachers Union and its membership.

The Rapp-Coudert Committee and the State Legislature have been carrying the banners of the Middle Ages particularly high during the past few months. The Committee was created to "investigate, study and review State aid, administration, conduct, methods, subject matter and subversive activities in the public schools \* \* \* and every other matter deemed relevant."

What the Committee deemed relevant was to instigate an attack of unprecedented proportions against progressive education and against the Teachers Union, organization of progressive-minded men and women in the New York's school system (*Sunday Worker*, December 1, 1940, p. 5, article by Beth McHenry entitled "Coudert Waves Middle Age Banner in School Attack").

## NATIONAL LAWYERS GUILD

\* \* \* The National Lawyers Guild in convention assembled condemns all attacks on academic freedom and particularly condemns the actions of the Rapp-Coudert Committee, the New York Board of Education, the Board of Higher Education, the refusal of the College of the City of New York to review the appointment of Dr. Max Yergan and the termination by Swarthmore College of the appointment of Josephine Truslow Adams (*Lawyers Guild Review*, vol. 1, No. 1, No. 4, June 1941, p. 63).

Lawyers Guild Raps Coudert Witch-Hunt.

Charges Body Failed to Uncover Activity of pro-Fascists.

Although the Rapp-Coudert Committee has spent more than a quarter of a million dollars in public funds, it has failed to unearth a single example of fascist or pro-Nazi activity in our public school system, the New York Chapter of the National Lawyers Guild charged yesterday.

The Lawyers Guild called upon the state legislature to at least give opponents of the Rapp-Coudert Committee an opportunity to be heard before acting upon its extension.

The statement pointed out that the Rapp-Coudert Committee was created to investigate the cost of education in the State and that up to now nothing has been heard of this phase of the inquiry (*Daily Worker*, March 25, 1942, p. 5).

## TENNEY COMMITTEE

(EXPLANATORY NOTE.—The Tenney Committee was the California Joint Fact Finding Committee on Un-American Activities.)

## COMMUNIST PARTY, U. S. A.

State Senator Jack B. Tenney today initiated his version of a book-burning crusade against *The Daily People's World*.

Enraged at the paper's forthright opposition to his activities, the senator concluded his Un-American committee hearings late yesterday by receiving rubberstamp approval of a resolution urging a boycott of the *Daily People's World*. (*Daily People's World*, February 21, 1948, p. 1).

## NATIONAL LAWYERS GUILD

The California Tenney Committee on Un-American Activities is the counterpart on a state scale of the Committee on Un-American Activities of the House of Representatives \* \* \* the National Lawyers Guild reiterates its position that the rights of an individual against interference or inquiry into his political, social and economic views and beliefs are inviolate and may not be the subject of inquisition by any agency of government \* \* \* (National Lawyers Guild Convention Resolution, February 1948. *Lawyers Guild Review*, January-February 1948, pp. 329, 330).

## 4. TRIAL OF COMMUNIST LEADERS

The destruction of the rights of the Communist is the classical first step down the road to fascism. (1948 Election Platform of the Communist Party, *Political Affairs*, September 1948, p. 940).

End the witch hunts, loyalty orders and phony spy scares.

Abolish the Un-American Committee. Withdraw the indictments against the twelve Communist leaders and the contempt citations against the anti-fascist victims of Congressional inquisitions (1948 Election Platform of the Communist Party, *Political Affairs*, September 1948, p. 941).

Martin Popper, an executive of the National Lawyers Guild, addressed the World Congress of International Democratic Lawyers at Prague, September 7, 1948, and proposed that it send a European lawyer to observe the trial of the 12 American Communist leaders. Popper warned that "the indictment of Communist leaders presages the beginning of the end of the Constitutional form of government in America." (*Daily Worker*, September 9, 1948, p. 2).

An *amicus curiae* brief, filed by the National Lawyers Guild, October 7, 1948, before U. S. District Judge Murray Hulbert regarding the indictment of the twelve leaders of the Communist Party, contained the following statements:

"These indictments are part of the ominous pattern that has come to threaten the entire Bill of Rights.

"They are a direct outcome of the anti-Communist hysteria, spy hunts, etc., that daily fill the press and every other channel of public information. \* \* \*

"We respectfully urge this court to assert the judicial integrity of our Constitutional system by dismissing these indictments as the clearest violation of the First Amendment." (*Daily Worker*, October 8, 1948, p. 1).

As construed and applied to these indictments, therefore, the Smith Act infringes the basic rights of the defendants to speech, press and assembly, destroys their right to organize and assemble with others as a political party, suppresses their right to expound, and advocate a social science—and is therefore unconstitutional. \* \* \*

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The indictments should be dismissed (From the Briefs on the Unconstitutionality of the Smith Act, *Political Affairs*, November 1948, pp. 1026-1032).

It is thus made abundantly clear that a government is attempting by the use of the law and courts to eliminate political opposition. This strikes at the vitals of our whole democratic process (*Ibid.*, p. 1015).

What is needed here in an all-out mass campaign that will \* \* \* secure the dismissal of the Grand Jury indictments against our Party, repeal the "Loyalty order" and the Smith Act \* \* \* (The Fascist Danger and How To Combat It—Eugene Dennis, *Political Affairs*, September, 1948, pp. 795, 796).

Our attack is upon the grand jury, the petit jury panels, all panels, all of the lists from which both grand and petit juries are drawn, and indeed, the entire system of jury selection here (*The Federal Jury is stacked Against You*, Marion Bachrach, Communist Party Defense Committee, New York, January 1949).

Immediately after the infamous verdict was rendered the judge "turned to some unfinished business" and, in a manner bristling with hate and sadistic satisfaction, found all the defense lawyers guilty of criminal contempt and sentenced them to severe prison sen-

The persecution of the Communist Party and its members has for some time now been an avowed governmental objective. A campaign of calumny and slander emanating from governmental sources has accompanied every legal device used by officialdom to limit the activities and silence the voice of this Party and its members \* \* \* We witness every day \* \* \* the label of "Communist" and "subversive" placed upon persons whose only crime appears to be hostility towards present day governmental policy, domestic or foreign.

There can be no talk of freedom if the ideas of the Communist Party are suppressed. \* \* \* We call for a repeal of the Smith Act and the end of all prosecutions thereunder (Resolutions of February 1949, National Convention, National Lawyers Guild, *Lawyers Guild Review*, vol. IX, No. 1, Winter 1949, p. 52).

\* \* \* The duty of a Court is to see that juries are fair and impartial, and fairly represent a cross section of the community; and to halt a prosecution where such fair and impartial jury does not exist. It is time for Courts, and legislatures to overhaul the entire method of selecting juries to the end that justice shall be fairly administered (*Ibid.*, p. 53).

On March 2, 1949, the New York Chapter of the Guild filed an *amicus curiae* brief in the case of the Communist Party leaders supporting a defense motion to quash the indictment on the ground that the jury lists, which were the source of the Grand and Petit Jury, were illegally selected and constituted (*Guild Lawyer*, Spring 1949, pp. 12 and 13).

A committee of prominent attorneys will shortly begin a study to determine whether the freedom of Counsel effectively to represent the Foley Square defendants has been preserved, it was announced yesterday by the New York City chapter of the National

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tences. This unprecedented procedure in an American court is not only an attack upon the rights and duty of the legal profession faithfully to defend their clients, but it deprives the defendants, who were rushed to jail without bail, of the indispensable services of the lawyers most familiar with the case to carry forward their appeals (Elizabeth Gurley Flynn in Introduction to *In Defense of Your Freedom*, by Eugene Dennis, New Century Publishers, New York, October 1949).

Lawyers Guild (*Daily Worker*, September 12, 1949, p. 3).

#### 5. FEDERAL BUREAU OF INVESTIGATION

Investigate the Federal Bureau of Investigation because of "vicious assaults upon civil liberties" Editorial, *Daily Worker*, March 13, 1940, p. 6).

An article in the *Daily Worker* indicated that the FBI had gone beyond the scope of its authority in conducting general intelligence investigations. Reference was made to the increase in the FBI's appropriation over a period of years, and it was alleged that because of its Director's "absorbing interest in investigating alleged subversive activities" the FBI was falling behind in its regular job of dealing with other types of specific Federal violations (*Daily Worker*, March 25, 1940).

The Nazi Gestapo is Hoover's Model of Conduct for FBI (*Daily Worker*, December 19, 1940, p. 5, columns 5, 6, and 7).

Federal Bureau of Investigation Director J. Edgar Hoover was referred to as "Chief of the national thought police \* \* \*" (Editorial, *Political Affairs*, January 1948, p. 10).

It seems that the FBI \* \* \* is worried that the American people may get wise to its real function—which is thought control on the Gestapo and Japanese police model (Editorial, *The Worker*, June 6, 1948, p. 6).

The FBI and the Department of Justice have developed into a secret political police which exists outside the law and beyond the U. S. Constitution. \* \* \* An aroused nation must stop the FBI effort to replace the American Constitution by the reign of the political spy (Editorial, *Daily Worker*, June 13, 1949, p. 7).

Continuation of \* \* \* protests can turn the rumors about J. Edgar Hoover's resignation into actual and heartening fact (Editorial, *Daily People's World*, June 16, 1949, p. 6).

The FBI's "undercover network" is a menace to the internal security of the nation \* \* \* The American people

\* \* \* the National Lawyers Guild in convention assembled opposes the Gestapo activities of the Federal Bureau of Investigation, calls for the removal of its Director, and urged Congress to reduce its appropriations so as to restrict its jurisdiction to the field of federal crime and to deprive it of authority to act in matters which affect labor or civil rights (National Lawyers Guild Convention Resolution, May-June 1941; *Lawyers Guild Review*, vol. 1, No. 4, June 1941, p. 66).

\* \* \* the FBI has taken upon itself the role of a political police on the Continental model \* \* \* The Guild believes it is not the province or function of the FBI or other police agencies to maintain dossiers of individuals' lawful political activities. The Guild requests the Congress to conduct an investigation into the activities of the FBI \* \* \* (National Lawyers Guild Convention Resolution, February 1948; *Lawyers Guild Review*, February 1948, p. 320).

The American people are entitled to full information on the extent to which the FBI has developed into a dangerous secret police. \* \* \* The National Lawyers Guild recommends "a comprehensive investigation into the operations and methods of the FBI" (National Lawyers Guild release, *Daily Worker*, June 20, 1949, p. 4, c3).

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must rid the nation of this "undercover network," which serves not the nation but a class, the minority of the financial-industrial cliques. The Bill of Rights and the FBI's "undercover network" are incompatible. One or the other must go. We have no doubt which the people will choose (Editorial, *Daily Worker*, June 21, 1949, p. 8).

Surely the American people must see the FBI with new eyes today. The time has come to investigate its methods, its scandal-mongering lists, its blackmailing data, its misuse of public funds, its usurpation of power, its tentacles gripping all parts of our country and its people (*Daily Worker*, p. 10, June 29, 1949, written by Elizabeth Gurley Flynn).

#### 6. HOLLYWOOD TEN

(EXPLANATORY NOTE.—In 1947 the Committee on Un-American Activities held a hearing in which ten Hollywood writers refused to answer questions regarding their Communist affiliations. They held that the Committee had no such authority. The authority of the Committee on this matter has since been upheld by the U. S. Supreme Court.)

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No Hollywood grade B stinkeroo ever was as hammy in acting, as corny in plot, or as phony in general as the probe now being staged by the headline hunters of the House Un-American Committee.

\* \* \* The men running this show are not the little puppets of the Un-American Committee. These ambitious little ward-healers are merely the dollar-a-day extras in the business. It is Big Business—the National Association of Manufacturers and the Wall Street labor-hating industrialists—which is writing the script and giving the commands.

\* \* \* Appeasement by this or that Hollywood producer and actor will not satisfy these un-American totalitarians. Only American courage and bold defiance of their book-burning witch-hunt benefit any American worthy of the name \* \* \* (Editorial, *Daily Worker*, October 22, 1947, p. 9).

#### 7. LOYALTY PROGRAM (UNDER EXECUTIVE ORDER 9835.)

The implications of President Truman's executive order for "loyalty" tests among federal employees reach far beyond the 2,200,000 federal workers and their families. The order flashes the signal for inquisitions and intimidation of all who disagree with the government's foreign and domestic policy.

\* \* \* Executive decrees bypassing legally elected bodies were the path taken in many European nations to install police states and fascist rule. To

The New York Journal American of October 17, 1947, stated that 18 screen writers, producers, and actors had released an open letter sponsored by the National Lawyers Guild on the issue of "Freedom of the Screen from Political Intimidation and Censorship."

The Washington Post of October 19, 1947, stated that the Guild was to sponsor a meeting October 20, 1947, at the National Press Building, Washington, D. C., to afford the Hollywood personalities summoned by the House Committee on Un-American Activities an opportunity to state their case.

On June 7, 1947, in testimony before a U. S. House of Representatives Committee concerning proposed loyalty legislation a Guild official objected to the legislation as well as to Executive Order 9835 on the grounds that the FBI would be the investigator, the judge, and the jury. He stated further, "When it is considered that both the House Committee on Un-American Activities and the FBI are sources of information specifically included in the

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bow before these steps would be the height of disloyalty to every principle upon which our nation was founded.

Not only the Communists, but all labor, the Negro people, professionals, small business men, farmers and all who value their right to oppose Wall Street dictation of our foreign and domestic policy—all should call for the repeal of President Truman's executive order. The President and Congressmen should hear from the people back home in letters, telegrams and resolutions (Editorial, *Daily Worker*, March 25, 1947, p. 3).

Nearly two million Americans are going to have their heads examined. Not that they are crazy or anything like that. They are the 1,900,000 Government employees who will all face a "loyalty purge" for which Congress has voted.

There is no greater patriotic duty today than for progressive Americans to stand up to the witch-hunters and to defy them to forbid the "dangerous thoughts" of the American democracy (Editorial, *Daily Worker*, July 29, 1947, p. 7).

Two items in yesterday's news bring home to us the fact that the police state is rapidly taking shape in our land.

The process of checking the "loyalty" of the 2,000,000 government workers was initiated, a check ordered by President Truman and endorsed by the GOP-dominated Congress with an appropriation of \$11,000,000.

Loyalty to what? One tip-off is the fact that the "loyalty check" questionnaire goes back to organizational ties of 10 years ago. It was then that millions of Americans, including many government workers, were actively aiding the people of Spain in their heroic battle to prevent Hitler and Mussolini from taking over their land as a fascist satellite.

Such support of democracy is "disloyal" in Washington today, as is allegiance to the ideals of peace and the destruction of world fascism advanced by FDR \* \* \* (Editorial, *Daily Worker*, August 19, 1947, p. 7).

\* \* \* End the witch hunts, loyalty orders, and phony spy scares.

Abolish the Un-American Committee. Withdraw the indictments against the twelve Communist leaders and the contempt citations against the anti-fascist victims of congressional inquisitions \* \* \* (*Political Affairs*, September 1948, p. 941, Article: "1948 Election Platform of the Communist Party").

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Bill \* \* \* the dangers of the Bill are emphasized." He submitted to the Committee a copy of a pamphlet entitled "The Constitutional Right to Advocate Political, Social, and Economic Change—An Essential of American Democracy," and subtitled, "An Analysis of Proposed Federal Legislation and Executive Order 9835." Pamphlet, prepared by the Guild, stated:

"The publication by the Attorney General, pursuant to the 'Loyalty Order,' of a list of organizations which he characterizes as disloyal, is a direct attack on the rights of freedom of association and expression protected by the First Amendment. There is no ascertainable source of power for this action. It is clear that constitutionally no sanctions may be imposed upon political beliefs. \* \* \*

The Guild urges that the President rescind Executive Order 9835 (*Lawyers Guild Review*, vol. VIII, No. 1, January-February 1948, p. 319).

More than a year has elapsed since the promulgation of the *Loyalty Order* by the Executive arm of the Government. \* \* \* Already, political parties, civic organizations, fraternal organizations, organizations of the most diverse character, have been stigmatized as disloyal and subversive. Tax exemptions have been canceled. Licenses to collect funds for relief have been denied. Each day men and women, good public servants, find themselves facing an inquisition into their lives, both past and present, by loyalty boards, F. B. I. agents, supervisors and a host of other petty officials. \* \* \*

\* \* \* men's ideas, opinions and beliefs are beyond the pale of government interdiction. \* \* \* We urge the revocation of the President's loyalty and all similar test oaths (*Lawyers Guild Review*, vol. IX, No. 1, Winter 1949, pp. 51, 52).

## 8. PEEKSKILL INCIDENT

(EXPLANATORY NOTE.—A New York State Grand Jury has found that certain incidents which occurred in Peekskill, New York, on August 27 and September 4, 1949, indicated that they were “used by the Communist Party as proving ground to test its machinery for mobilizing its forces, manipulating public opinion, and, more important, for rehearsing its strong-arm forces.”)

## COMMUNIST PARTY, U. S. A.

The would-be lynching of Paul Robeson by the Peekskill, N. Y., mob can mean to America what the burning of the books in Berlin, 1933, meant to Germany and the world.

Let no American delude himself into thinking that this was a local affair with local significance only.

This would-be lynching, this burning of books and music to the accompaniment of savage yells against Jews and N—rs impose police state terrorism in the U. S. A. against the entire Negro people and the nation as a whole. \* \* \* (*Daily Worker*, August 29, 1949, p. 7).

\* \* \* Peekskill demonstrated to progressive forces throughout the nation that Fascist forces can be successfully challenged by the people once the people are sufficiently aroused to the Fascist peril. \* \* \* (*Daily Worker*, September 7, 1949, p. 2).

## NATIONAL LAWYERS GUILD

Lawyers Guild asks McGrath act on Peekskill.

The National Lawyers Guild yesterday called on Attorney General McGrath to investigate the Peekskill attack of August 27 and “to take vigorous action against those responsible” for any violation of federal law.

“So widespread were the rumors and so well-grounded the apprehension that a riot would take place, that we cannot believe the authorities were not fully aware of the situation,” says the Guild letter to McGrath (*Daily Worker*, September 5, 1949, p. 9).

## 9. PROSECUTION OF GERHART EISLER

(EXPLANATORY NOTE.—Gerhart Eisler, an agent of the Communist International, was exposed as such by witnesses before the Committee on Un-American Activities and later the subject of proceedings by the Department of Justice on charges of passport violation.)

## COMMUNIST PARTY, U. S. A.

The treatment handed out to Gerhart Eisler, noted German Communist and antifascist, by the U. S. Department of Justice is an international disgrace.

\* \* \* the sole “crime” which the authorities could frame him for is a measly alleged technical violation on a passport application to quit the country, and the “crime” of contempt of the House Un-American Committee — a contempt which every decent American will heartily share \* \* \*. (Editorial, *Daily Worker*, May 16, 1949, p. 7).

Eisler, who fled from the United States in May 1949, was during that same month “unanimously elected to the government of East Germany” (Soviet Sector) (*Daily Worker*, May 31, 1949, p. 2).

## NATIONAL LAWYERS GUILD

The National Lawyers Guild, among others, filed a statement with the United States Supreme Court in behalf of Gerhart Eisler urging reversal of his conviction for Contempt of Congress (*Daily Worker*, March 28, 1949, p. 3 c. 2-3).

## 10. NON-COMMUNIST AFFIDAVIT IN THE TAFT-HARTLEY ACT

COMMUNIST PARTY, U. S. A.

\* \* \* it must be made clear that the anti-Communist clause in the Taft-Hartley Act is clearly intended to be used against every trade-union leader who is progressive and militant, whether he be a Communist or not. It is clearly unconstitutional and must also be challenged on that basis, although the main fight must be made by the workers and the union (Portion of a report delivered by John Williamson at the June 27-30, 1947, meeting of the National Committee CP USA. *Political Affairs*, August 1947, p. 709).

NATIONAL LAWYERS GUILD

We call for the immediate repeal of the Taft-Hartley Law with its infamous test oath (National Lawyers Guild Convention Resolution, February 1949; *Lawyers Guild Review*, vol. IX, No. 1, Winter 1949, p. 52).

## 11. UNIVERSAL MILITARY TRAINING

The Communist Party is opposed to both universal military training and the peacetime draft. These proposals \* \* \* are not required to defend our nation from any foreign threat \* \* \* The proposal to militarize our youth goes hand in hand with steps toward the militarization of the nation as a whole, and the sacrifice of the people's living standards to the requirements of a war economy \* \* \* Those who today make our bipartisan foreign policy seek to \* \* \* unloose a war of aggression against the Soviet Union and the East-European democracies. (Testimony submitted on April 2, 1948, to the Senate Armed Services Committee, in behalf of the Communist Party; *Political Affairs*, May 1948, pp. 412 and 415).

End the "cold war," the draft, and the huge military budget \* \* \* (1948 Election Platform of the CP USA; *Political Affairs*, September 1948, p. 938).

The proposed military mobilization, if approved by Congress, will greatly accelerate our steady drift toward war \* \* \* The President's message calling for the draft and universal military training has presented no facts to support his charge that American security is threatened \* \* \* no facts have yet been adduced to support the charges of aggression or intervention levelled at the Soviet Union (Statement on Conscription and Universal Military Training by the National Lawyers Guild, April 16, 1948).

The United States Congress should "repudiate the concept of compulsory peacetime military training and repeal the Selective Service Act of 1948 and then reduce appropriations for military expenditures, applying the saving thereby produced to programs needed for the improvement of housing, health, education, social security, and the conservation of national resources" (National Lawyers Guild Convention Resolution, February 1949; *Lawyers Guild Review*, vol. IX, No. 1, Winter 1949, p. 56).

## 12. VOORHIS ACT

(EXPLANATORY NOTE.—The Voorhis Act provides for the registration of certain organizations within the United States which are under foreign control. It was followed by the formal disaffiliation of the Communist Party, U. S. A., from the Communist International for the specific purpose of evading the act.)

COMMUNIST PARTY, U. S. A.

The Voorhis bill — "is such a diabolical attack on all trade-unions peace and progressive organizations that they dare not give the people any notice \* \* \* no time can be lost, if another blitzkrieg against civil rights is to be prevented." Demand "that the Voorhis Act be killed" (Editorial, *Daily Worker*, July 3, 1940, p. 6, c. 1).

NATIONAL LAWYERS GUILD

\* \* \* the bill is an invasion on the civil liberties and political freedom of American citizens and should be defeated (Statement of the Committee on Civil Rights and Liberties of the National Lawyers Guild, *Daily Worker*, August 2, 1940, p. 2, c. 3-4).

## B. FOREIGN AFFAIRS

## 1. CHINA

(EXPLANATORY NOTE.—The line of the Soviet Union and the Communist Party, U. S. A., in 1945 veered against the Chiang Kai-shek Nationalists regime, for open support of the Chinese Communists and against American support of the Nationalists.)

## COMMUNIST PARTY, U. S. A.

Workers in the factories, farmers, church groups, all the great democratic organizations of the American people must protest the use of American arms and American personnel in the effort of the Chungking dictatorship to uproot and destroy Chinese democracy (Avert Civil War in China, Frederick V. Field, *Political Affairs*, September 1945, p. 850).

An aroused American people can check the aggressive, interventionist drive of U. S. imperialism along a course that can only lead to a new world slaughter \* \* \*

Stop the reactionary intervention of the U. S. A. in Chinese internal affairs.

Repudiate and recall Hurley and Wedemeyer.

Withdraw American Troops from China.

Speed demobilization and bring the boys home. (Stop American Intervention in China, Rob Fowler Hall, *Political Affairs*, December 1945, pp. 1067-1068).

Let us end U. S. bribing of Kuomintang reaction and clear our armed forces out of China. (U. S. Imperialist Intervention in China, B. T. Lo, *Political Affairs*, July 1946, p. 613).

A democratic American policy for China must include immediate withdrawal of all U. S. military forces, advisors, equipment, and installations from Chinese soil and Chinese waters. It must cease all financial, industrial, and political aid to the reactionary Nanking government. All forms of relief to China must be stopped because they directly aid Chiang's civil war. The promises of support to a democratic coalition government should be made, but it should not be given effect until such a government has replaced the type of regime which now seeks to control the country (The New China Program of the American Interventionists, Frederick V. Field, *Political Affairs*, January 1948, p. 63).

\* \* \* we must now help organize the widest support and nation-wide demonstrative activity \* \* \* to render the most complete political, moral, and economic aid to the people's democratic movement in China, Latin

## NATIONAL LAWYERS GUILD

The National Lawyers Guild was one of 15 organizations represented at a meeting November 28, 1945, in the office of U. S. Representative Hugh De Lacy to discuss the fight for an "anti-Chinese intervention resolution" offered in Congress the previous Monday by Representative De Lacy and five other West Coast representatives (*Daily Worker*, November 29, 1945, p. 2).

Withdraw all American armed forces from China (Resolution on American Foreign Policy, Seventh National Convention, National Lawyers Guild, July 4-7, 1946; *Lawyers Guild Review*, vol. VI, No. 2, May-June 1946, p. 518).

A resolution adopted at the February 1948 convention of the National Lawyers Guild urged that—

"1. Aid be given to the Chinese people without regard to their geographical location or political beliefs.

"2. Such aid should be given only through an agency created by the United Nations in accordance with the principles which governed the operation of U. N. R. R. A., and

"3. The United States should immediately withdraw all military and naval personnel from China, and cease operation of air bases and naval installations in that country" (*Lawyers Guild Review*, vol. VIII, No. 1, January-February 1948, p. 317).

COMMUNIST PARTY, U. S. A.

NATIONAL LAWYERS GUILD

America, and Greece (The role of the Communist Party in the Present Situation, Eugene Dennis, *Political Affairs*, March 1948, p. 211).

The following major issues confront the people in the present election struggles:

\* \* \* for withdrawal of all American military aid and personnel from Greece, China, and Turkey \* \* \* (Draft Resolution for the National Convention, C. P. U. S. A., *Political Affairs*, June 1948, p. 501).

Stop military aid and intervention in China, Korea, and Greece (1948 Election Platform of the Communist Party, *Political Affairs*, September 1948, p. 938).

Be assured, dear comrades, we shall play our part in the united mass struggle for effectuating the Cairo and Potsdam agreements, for stopping Wall Street's imperialist intervention in China \* \* \* (*Political Affairs*, December 1948, p. 1140. From a telegram sent by the Communist Party, U. S. A., to the "Glorious Communist Party of China.")

This month, a new Congress convenes in Washington. It is incumbent on the American people, in the first place the American labor and progressive movements, not to overlook this opportunity to demand an end to all political, military and financial intervention in China. The Chinese people must be allowed to find their own way to freedom, independence, and democracy without American interference in any guise (The meaning of the Chinese Revolutionary Victories, Frederick V. Field, *Political Affairs*, January 1949, p. 73).

The American people have the duty to raise the demand for the withdrawal of all American armed forces and ships from Chinese territory and waters; for an end to all other support of the corrupt, decadent and counter-revolutionary elements; for an end to all imperialist intervention; for the defeat of all current proposals for new aid to the enemies of the Chinese people; for the establishment of a real "Hands off" policy toward China.

The common interest of the American and Chinese peoples, and of world peace, demands the complete recognition of the new Chinese Democracy by the United States Government and the establishment of normal trade relations on the basis of equality (National Committee, C. P., U. S. A., Salute to the Chinese People's Victories, *Political Affairs*, May 1949, pp. 1, 2).

#### Resolution on China

\* \* \* We urge an immediate economic end to the continuing military, economic, and other aid to the Koumintang regime. A great nation in Asia is being reborn and unlimited opportunity exists for restoring the immense reservoir of good will between the American and Chinese people which was once and should be again the keystone of our relations.

We urge that immediate economic assistance be given to the impoverished Chinese people without regard to their geographical location or their political beliefs, such assistance to be given through an agency of, or in cooperation with, the United Nations (Resolution of February 1949, National Convention of National Lawyers Guild, *Lawyers Guild Review*, vol. IX, No. 1, Winter 1949, p. 56).

## 2. EUROPEAN RECOVERY PROGRAM

COMMUNIST PARTY, U. S. A.

NATIONAL LAWYERS GUILD

\* \* \* Giving Greece aid through the United Nations—only civilian, not military aid—is the heart of the Pepper-Taylor idea. It reflects the popular fear for the fate of the United Nations, and it should get support from the widest circles, even those who may not agree with Pepper or Taylor on other matters.

And the resolution should provide that the United Nations give aid without strings attached and no help to the monarchist-fascist regime. Failure to mention these points weakens the resolution; we believe these provisions should be added.

But the first thing is to stop the rush on the Truman-Vandenberg monstrosity, and get full public hearings for the alternative—the Pepper-Taylor resolution (*Daily Worker*, March 28, 1947, p. 7).

\* \* \* Stop military aid and intervention in China, Korea, and Greece \* \* \* (*Political Affairs*, September 1948, pp. 938-939, Article: "1948 Election Platform of the Communist Party").

\* \* \* Scrap the Marshall Plan and the Truman Doctrine. Furnish large-scale economic assistance to the war-ravaged victims of fascist attack. Give this aid through the United Nations without political strings \* \* \* (*Political Affairs*, September 1948, pp. 938-939, Article: "1948 Election Platform of the Communist Party").

The violation of the Charter and the bypassing of the United Nations are fraught with grave consequences to world peace. The legislation to implement the President's proposals is violative of the UN Charter, would tend to undermine the United Nations, and destroy the only hope for world peace. Congress should reject the Greco-Turkish aid bills \* \* \* (Committee on International Law, National Lawyers Guild, *Lawyers Guild Review*, vol. VII, No. 2, March-April 1947, p. 86).

The hearings on the bill indicate that the European Recovery program would retard rather than promote trade and economic relations between the countries of Eastern Europe and Western Europe and foster division among the nations of the world.

ERP fails to fulfill the objectives of a sound plan for genuine aid for European reconstruction.

The unilateral approach of ERP is contrary to the sound policy of utilizing the United Nations organization \* \* \* The direction of ERP may be gauged in the light of American Foreign Policy of which it is a part. The Truman Doctrine, which remains in operation today, sanctions military intervention in Greece, Turkey, and China which serves to maintain in power corrupt and antidemocratic regimes (*Lawyers Guild Review*, vol. VIII, No. 1, January-February 1948, pp. 316, 317).

## 3. GERMANY

Boycott all goods to or from Germany, Japan, and Italy. Refuse to load goods on ships going to or coming from Germany, Italy, or Japan.

Not a ton of coal, not a barrel of petroleum, not a bar of steel, nothing for the troops of invasion and the traitor Franco (*Daily Worker*, January 27, 1939, p. 1).

Our government must be held to its obligations under the Potsdam agreement for a Big Four settlement that will assure a democratically unified Germany, able and willing to pay just reparations, and ready to rejoin the family of democratic European nations. Any other course, such as the present maneuvering for control of the Ruhr and for a West European bloc under American cartel domination, would lead away from peace and would strengthen the forces of reaction here at home. (James S. Allen, The Marshall Offensive for Imperializing the Ruhr, *Political Affairs*, vol. XXVI, No. 8 (August 1947), p. 750).

The National Lawyers Guild \* \* \* urges the National Munitions Control Board to terminate the practice of approving munitions exports to Germany and further urges the National Munitions Control Board to modify its practice of denying the public access to approved licenses for munitions exports (Resolution adopted at 3d Annual Convention of the National Lawyers Guild, February 10-13, 1939; *National Lawyers Guild Quarterly*, vol. 2, No. 1, April 1939, p. 86).

Resolved that the Ruhr be placed under four-power control as part of a general settlement looking toward the unification of Germany and the rebuilding of Europe for world peace (Resolution of National Lawyers Guild National Convention, February 1938; *Lawyers Guild Review*, vol. 8, No. 1, January-February 1948, p. 318).

## 4. INDONESIA

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Britain and America \* \* \* are acting to stifle all freedom movements in India, Egypt, Indonesia, etc.

Support the national liberation struggles of the colonial and dependent peoples (Statement issued on March 5, 1946, by the National Secretariat of the Communist Party, USA. *Political Affairs*, vol. XXV, No. 4 (April 1946), pp. 292, 293).

The report of the Committee on International Law and Relations, adopted by the National Executive Board of the Guild in February 1946 stated:

"7. We have given support to British-Dutch imperialism in Java and Indonesia by supplying arms for the suppression of national movements in these countries." (*Lawyers Guild Review*, vol. VI, No. 1 (January-February 1946), p. 414).

## 5. IRAN

The Myth of the Iranian "Dispute"

The so-called Iranian issue before the Security Council was a fraud. By March 26, when the Council began discussing it, no dispute existed. The myth of a "dispute" was systematically fabricated by the American and British governments in a deliberate attempt to embarrass the Soviet Union \* \* \* In perpetrating this fraud the imperialists had several interconnected motives.

\* \* \*

The myth of the Iranian dispute was invented partly in order to direct world attention from these imperialist policies. It was concocted as part of the entire policy of US-British imperialism to leave unfulfilled the agreements reached at Moscow, Yalta, and Potsdam \* \* \* (Exploding the Iranian Myth, by Frederick V. Field, *Political Affairs*, May 1946, pp. 397, 398).

The Guild's special committee on the United Nations recommended April 13, 1946, that the Iranian question be dropped from the agenda of the Security Council in view of the declaration by Premier Ahmad Ghavam of Iran, and Premier Stalin that the controversy between Iran and the Soviet Union had been settled to the satisfaction of both nations.

The Committee also expressed the opinion that the application of the Soviet delegate to the Security Council for an adjournment to April 10, should have been granted without question, thus eliminating "the friction and the appearance of crisis which was propagated in the press" (*New York Times*, April 14, 1946, p. 46).

## 6. KOREA

What we are faced with in the policy of intervention against Chinese democracy is not a mere aberration in American foreign policy \* \* \* It is part of a general pattern of American imperialism's foreign policy which, while adopting different tactical approaches to different parts of the world, shows a reactionary consistency throughout. This explains \* \* \* the imposition of a coalition of the "Right" upon the Koreans, the obliteration of a "Lidice" in North China and the undermining of Big Three unity and the authority of the Security Council of the United Nations (Frederick V. Field, *The Record of American Imperialism in China*, *Political Affairs*, vol. XXV, No. 1 (January 1946), p. 31).

Referring to U. S. foreign policy, the National Lawyers Guild's Committee on International Law and relations stated:

"We (the U. S. A.) have opposed the national aspirations of the Korean people" (*Lawyers Guild Review*, vol. VI, No. 1, p. 414 (January-February 1946)).

## 7. ARGENTINA

COMMUNIST PARTY, U. S. A.

Certainly there can be no thought of inviting Argentina to attend the San Francisco parley. And the American people through all their organizations must make this very clear in Washington (*Daily Worker*, April 11, 1945, (editorial), p. 6).

Molotov Fights Argentine Bid But Conference Approves Entry (*Daily Worker* (headline) May 1, 1945).

Break diplomatic relations with fascist Spain and Argentina \* \* \*

Remove from the State Department all pro-fascist and reactionary officials (Resolution of the National Convention of the C. P., U. S. A., adopted July 28, 1945; *Political Affairs*, vol. XXIV, No. 9 (September 1945), p. 823).

Even under the liberal Roosevelt regime, when the Latin-American republics were accorded more democratic treatment by the United States Government than ever before, the agents of the great American trusts, most of which were in violent opposition to Roosevelt, busily cultivated fascist-minded reaction throughout Latin America. Their most recent blows against democracy (struck by two big businessmen holding office in the State Department, Rockefeller and Stettinius) were to maneuver fascist Argentina into the Pan-American Union and also into the United Nations \* \* \* (William Z. Foster, Letter to Luis Carlos Prestes, General Secretary, Communist Party of Brazil, September 19, 1945; *Political Affairs*, vol. XXIV, No. 10 (October 1945), p. 916).

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National Lawyers Guild Urges State Department Bar Argentine at Frisco

Washington, April 22.—Secretary of State Stettinius was urged by the National Lawyers Guild this week to oppose membership of Argentina in the United Nations and to bar its participation in the San Francisco Conference (*Daily Worker*, April 23, 1945, p. 9).

Lawyers Ask U. S. Lead in Breaking With Argentina

Secretary of State Byrnes was urged yesterday by the National Lawyers Guild to institute joint consultation among the American Republics for breaking diplomatic relations with Argentina. The Guild also called for the removal of the State Department officials "responsible for the recognition of the Farrell-Peron dictatorship," and urged that "their places \* \* \* be taken by those who will steadfastly adhere to a policy of fighting fascist and pro-fascist forces and of advancing democracy in the hemisphere and in the world" (*Daily Worker*, August 9, 1945, p. 8).

We urge the following immediate course of conduct by our government.

Sever diplomatic relations with fascist Argentina and move to expel her from UNO (Committee on International Law and Relations, National Lawyers Guild, *Lawyers Guild Review*, vol. VI, No. 1 (January-February 1946) p. 415)

## 8. MEXICO

Mexican Oil Expropriation

Full support for the Cardenas government of Mexico in its defense of democracy and its struggle against the financiers of fascism, the oil monopolies and the Tory Chamberlain Government (William Z. Foster, Win the Western Hemisphere for Democracy and Peace, *The Communist*, vol. XVII, No. 7 (July 1938), p. 614 (based on speech delivered at the Tenth Convention of the C. P., U. S. A., New York, May 28, 1938)).

The American imperialists dread the growth of a great mass democratic, peace, national liberation movement in Latin America \* \* \* They seek to make the Good Neighbor policy an instrument of American imperialism, as they did the old Monroe Doctrine, and they are thus bringing the greatest pressure \* \* \* upon Roosevelt to

Whereas:

(1) The Mexican Government has recently expropriated the oil properties of American and other foreign corporations \* \* \*

Now, therefore, be it resolved:

We request that the Government of the United States shall not engage in any acts of intervention on behalf of said oil companies, because the action of the Mexican Government in this matter affords with respect to the oil companies which have violated the laws and defied the courts of Mexico no ground for protest by the United States (Resolution adopted at Third Annual Convention of the National Lawyers Guild at Chicago, February 10-13, 1939;

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make the American government aggressively support their capitalist interests by violent measures against their imperialist rivals and against the Latin American peoples. This imperialist pressure must be offset by democratic pressure upon Roosevelt by the masses in the United States and Latin America (ibid., p. 612).

*National Lawyers Guild Quarterly*, vol. 2, No. 1 (April 1939), p. 86).

(Word-order of last lines in original text was garbled.)

## 9. BRAZIL

The Fight for Prestes' Freedom Has Just Begun

The brutal sentence of 30 years imposed upon Luis Carlos Prestes by the Vargas regime in Brazil is a challenge, not only to the oppressed people of this South American country, but to labor and the public here as well.

This is the second out-and-out frame-up against the Brazilian people's "Knight of Hope." He has been languishing in jail under a 16-year sentence for the political "crime" of uniting the people in the progressive National Liberation Alliance. The last conviction of Prestes and six of his coworkers was based on the fantastic slander that he was the "intellectual author" of the murder of a 17-year-old girl.

This outrage heralds a fresh wave of attacks against labor and the Brazilian people as the Vargas dictatorship sells out to the war plans of the Roosevelt Administration and Wall Street.

Notwithstanding this long torturous sentence against Prestes, the Vargas dictatorship had intended to murder him instantly with a "legal" death decree. This was prevented by the wave of protests which came from the Brazilian people and from labor and liberals in the United States, Mexico, Cuba and other American countries.

Once these protests are raised to greater volume, they can remove Prestes entirely from the fascist dungeons. Demands for his freedom and that of his co-workers, should deluge the Brazilian embassy in Washington and Vargas (*Daily Worker*, December 2, 1940, p. 6 (editorial)).

Continental Activity in Defense of Prestes, Brazil's "Knight of Hope"

(By Dionisio Encina, General Secretary of the Communist Party of Mexico)

\* \* \* \* \*

The ferocious persecution organized against him by Public Enemy No. 1 of the Brazilian people, Getulio Vargas, is directed toward physically liquidat-

Lawyers Guild Sends Member to Aid Prestes—Will Act as Observer at Trial of Brazil Popular Leader

The Council for Pan American Democracy announced today that the National Lawyers Guild has decided to send an observer to Brazil to extend legal aid to the defense of Luis Carlos Prestes, Chairman of the National Liberation Alliance and leader of the democratic movement of Brazil.

The Council for Pan American Democracy has learned that the retrial of Prestes has been ordered by President Vargas of Brazil because of the desire of the Vargas dictatorship to secure, via his Special Tribunal, a death sentence for Prestes.

The National Lawyers Guild is now in communication with the Brazilian Embassy in Washington to secure official recognition for its observer, and to guarantee contact with Prestes and attendance at his trial \* \* \* (*Daily Worker*, December 20, 1940, p. 2).

[The Council for Pan American Democracy was cited by the U. S. Attorney General as a Communist organization.]

According to *The Communist*, vol. XV, No. 11 (November 1936), p. 1076, the Communist Party of Brazil issued the call for the formation of the above-mentioned National Liberation Alliance.

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ing the best-loved leader of the Brazilian masses. \* \* \*

By means of this trial it is hoped to terrorize the revolutionary movement in Brazil. \* \* \*

The struggle for the liberation of Prestes and his companions is a task for the whole continental anti-imperialist movement. \* \* \*

We can talk, write, agitate, organize meetings and demonstrations. We can bring up problems in trade-union meetings, in political, women's, youth, sport or cultural reunions. We can demand the intervention of our governments against dictator Vargas. We can raise the matter, as in Mexico, in our Parliaments. We can mobilize the lawyers so that they will expose the monstrous legal procedure of the Tribunal of National Safety and the intellectuals in order that they may raise their voices in indignation. \* \* \*

Among us, throughout the continent, there should be a revolutionary movement for Luis Carlos Prestes and his comrades (*Daily Worker*, December 26, 1940, p. 6).

(By way of identification of Prestes, it may be noted that on September 19, 1945, William Z. Foster, Chairman of the Communist Party, U. S. A., wrote to "Luis Carlos Prestes, General Secretary, Communist Party of Brazil" (October 1945) *Political Affairs*, vol. XXIV, No. 10, p. 913)).

## 10. NEW DEMOCRACIES

EXPLANATORY NOTE.—The international Communist press refers to the Communist governments of Eastern Europe and Asia as "new democracies."

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The facts are that in Eastern Europe—in Poland, Czechoslovakia, Roumania, Hungary, Bulgaria and Yugoslavia—now anti-fascist democracies are arising. In these countries the U. S. S. R. has great prestige and mass influence. It enjoys this because the Soviet Union respects the national sovereignty of these nations, encourages and abides by the democratic processes of the peoples and their anti-fascist decisions. \* \* \*

It is the Soviet Union, with its pacts of collective security with her East European neighbors, as with France, China and Britain, which \* \* \* obstructs the way to reactionary Bloc formations, including that of the projected Western Bloc—an ill-disguised cover for a renewed *cordon sanitaire*. \* \* \*

The Anglo-American bloc postpones or refuses to recognize, and hence to reach diplomatic agreements with, most of the democratic anti-fascist governments that have come to power in these

The United States continues to use diplomatic and economic weapons to discourage the development of new forms of democratic government in Poland, Yugoslavia, Roumania, and Bulgaria. A recent example of this interventionist policy is the threat of Ambassador Arthur Bliss Lane to the Polish Government that we would withhold economic assistance if Poland continued to carry out a domestic program of appropriation of certain large industries. Another example is the implied threat of withdrawal of diplomatic recognition of Yugoslavia unless internal policy was made to conform with our concepts. In both these instances our activities have been directed against the democratic groups which most actively participated in the resistance to Nazi occupation, and we provided encouragement to the forces of collaboration in their efforts to reconstitute a *cordon sanitaire* around the Soviet Union (Report of the Committee on

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countries. The United States and Britain intervene in a reactionary way in the popular elections and democratic processes in these countries. Alternately, they withhold or withdraw diplomatic recognition or necessary UNRRA aid, and refuse to grant adequate credits or loans on a democratic basis (Eugene Dennis, The London Conference, *Political Affairs*, vol. XXIV, No. 11 (November 1945), pp. 967, 968).

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International Law and Relations; adopted by the National Executive Board of the Guild at its meeting in Washington, D. C., February, 1946; *Lawyers Guild Review*, vol. VI, No. 1 (January-February 1946), p. 414).

## 11. PHILIPPINE REPUBLIC

The people need a stop put to military interference in China, repeal of the Ball Act hamstringing real Philippine independence, freedom for Puerto Rico, long-term loans to non-fascist countries that need them without regard to political maneuvering, ratification of peace treaties jointly arrived at with other members of the Big Three (*The Worker*, January 5, 1947, p. 3).

To help maintain the sovereign independence of the Philippine Republic and the development of good neighborly relations, we recommend:

1. Repeal of the Philippine Trade Act of 1946.

2. Repeal of Section 601 of the Rehabilitation Act of 1946 which made payment of war damages conditional on Philippine acceptance of the Trade Act.

3. Execution of a trade agreement with long-time credits providing for the exchange of Philippine products for American industrial equipment (*Lawyers Guild Review*, vol. VII, No. 1, January-February 1948, pp. 317, 318).

## 12. PUERTO RICO

Grant immediate national independence to Puerto Rico (Draft Resolution of the National Board, CPA, as amended and approved by the National Committee on June 20, 1945; *Political Affairs*, July 1945, p. 584).

To begin with, the United States must concede the full right of self-determination to Puerto Rico, without any "ifs," "ands," or "buts." In doing this, the United States must also grant the necessary funds to the Puerto Rican people as indemnification for their long colonial status, as well as make trade agreements of such a character that Puerto Rico may prosper economically (U. S. Relations with Latin America, William Z. Foster; *Political Affairs*, March 1946, p. 209).

Enact legislation acknowledging the complete rights of independence of Puerto Rico with economic assistance (*Lawyers Guild Review*, vol. VI, No. 2, May-June 1946, p. 518).

## 13. AMERICAN NEUTRALITY

(EXPLANATORY NOTE.—Prior to World War II, when the Soviet Union feared Nazi aggression, the line of the Communists was prowar, against neutrality and for a united front of the democracies against Fascism.)

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The camp of peace faces the problem of organizing a serious mass movement against war and fascism. \* \* \* This problem will be solved in the first instance by breaking down the conception of isolation and neutrality as the road to peace and by preparing the masses for active collaboration with the

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The June 1938 issue of the National Lawyers Guild Quarterly (p. 255) urged the repeal of the existing Neutrality Act, while the September 1938 issue (p. 304) opposed ammunition shipments to Germany. The third national convention of the guild held in Chicago, February 10-13, 1939, urged "the

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peace forces of the world upon the basis of a real international policy of peace (Excerpts reprinted from the *Daily Worker* of July 3, 1937, from the Central Committee Resolution on the Report of Earl Browder, National Secretary of the Communist Party of the United States).

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National Munitions Control Board to terminate the practice of approving munitions exports to Germany" (*National Lawyers Guild Quarterly* April 1939, p. 86); warned against "Fascist economic and ideological penetration in Mexico"; and condemned "German military aggression in Spain."

September 1937 issue of the *Guild News*, official organ of its New York chapter (p. 4): "The Executive Committee has decided that our present neutrality legislation must be condemned for its marked deficiencies and has passed a resolution urging Congress to amend the embargo provisions of the Act so as to make them applicable only to aggressors \* \* \*. The Committee has also decided to call upon the President to apply the existing provisions of the Neutrality Act to Italy and Germany on the ground that they are engaged in a state of war with the legitimate Government of Spain."

## 14. WORLD WAR II AS IMPERIALIST

(EXPLANATORY NOTE.—The Communist Party, USA, denounced the war as imperialist as soon as the Stalin-Hitler Pact was signed on August 23, 1939.)

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The Communist Party has issued as the slogan of the day: "Keep America Out of the Imperialist War!" In this slogan are implicit what we consider the only correct answers to all those pressing questions about this war.

The course of events since the signing of the Soviet-German Non-Aggression Pact has confirmed a hundred times over the correctness of that action from every point of view except that which incorrigibly against mountains of evidence, considers Chamberlain and the British Empire the full and sufficient foundation for international order and world peace (Speech of Earl Browder, General Secretary, Communist Party, USA, delivered at Town Hall, Philadelphia, September 29, 1939).

For the flower of the American youth the right to life itself is challenged by those who claim the privilege to conscript them and to throw them into reactionary war for the benefit of the propertied classes. \* \* \* But with 11,000,000 Americans unemployed, the Democratic Party Administration is sacrificing all social legislation, unemployment and old-age insurance and educational guarantees for the youth, in order to pour all resources of the nation as well as the blood of our people into the scramble of monopoly capital for domination of the world (Election

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The following active leaders of the National Lawyers Guild, members of the lawyers committee to keep the United States out of war, attended the Emergency Peace Mobilization. From there they sent the President a telegram of protest to condemn the Burke-Wadsworth conscription bill as "unconstitutional and as representing a violent upheaval in the social, political and economic life of our country" and as "a direct step toward American involvement in war": Samuel M. Blinken, Leo Linder, Edward Lamb, Pearl M. Hart, Abraham J. Isserman, Maurice Sugar,

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Platform of the Communist Party, 1940 (p. 3).

As events have shown, the joint "national unity" drive of the warmongering social reformists and the bourgeoisie has not been crowned with too much success. \* \* \* The anti-imperialist stand of the American Youth Congress, the National Negro Congress, and the nation-wide Emergency Peace Mobilization at Chicago, etc., bear eloquent testimony to this \* \* \* This explains, in part, the discrepancy between the mass opposition which has developed against the interventionist moves and unneutral acts of the government and Congress in foreign affairs, and, above all, to the military conscription bill, and the limited opposition registered against the colossal armaments program and the dictatorial "national emergency" powers granted to and exercised by the President (Eugene Dennis in *The Communist*, September 1940, pp. 822, 823).

Keep America Out of the Imperialist War! Oppose all war loans and credits to the imperialist warmakers and their lackeys. Repudiate the militarization and armaments program (Resolution of the National Committee of the Communist Party, USA, from *The Communist*, March 1940, p. 215).

Following the Stalin-Hitler pact, the Communist Party denounced the war as "imperialist"; urged a policy of isolation; opposed the national defense program, conscription, and aid to the Allied Nations. It played the leading role in building up the American Peace Mobilization which picketed the White House and in strikes in defense industries such as Allis-Chalmers, International Harvester, North American Aviation, and Vultee Aircraft.

## 15. SECOND FRONT

(EXPLANATORY NOTE.—Immediately after Hitler's attack on the Soviet Union, Communist forces throughout the world demanded the immediate opening of a Second Front, although these forces had opposed the war as imperialistic prior to that time.)

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While Hitler flings everything into the Eastern Front, labor should urge Washington and London to smash Hitler in the West (*Daily Worker*, October 9, 1941, p. 1).

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and Martin Popper, Secretary of the Guild (*Daily Worker*, September 4, 1940, p. 3).

The fourth annual convention of the Guild, held May 29, 30, and June 1, 1940, denounced alleged attempts to use the European war as a "shield to cover repression and as an excuse for reaction" (*Daily Worker*, June 2, 1940).

In line with the Guild's policy of protecting those engaged in retarding the national defense effort were the resolutions adopted at the meeting of its national executive board on February 22, 24, 1941, against the Model Sabotage Prevention Act, compulsory arbitration in labor disputes, cooling-off periods before resorting to the strike, and anti-strike legislation (*Lawyers Guild Review*, March 1941, pp. 26 to 29).

The position I have taken excludes, of course, the notion that labor disputes shall be settled by compulsory arbitration or that they shall be restrained by "Work or Fight Orders." These methods are unnecessary as they are undesirable (Harry Sacher in the *Lawyers Guild Quarterly*, December 1940, p. 28).

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"Robert W. Kenny, President of the Guild, sent a letter to President Roosevelt recently declaring that the National Executive Board of the Guild by an overwhelming majority had adopted

COMMUNIST PARTY, U. S. A.

NATIONAL LAWYERS GUILD

It is our war and it must be won. It must be won in the battle of production, in the battle of delivery, and in the battle of arms for the annihilation of the enemy \* \* \* It means an all-out participation in the Battle of the Atlantic, for its eastern shores, for the freedom of the seas. It means all measures necessary to bring about the opening of a new front in Western Europe (*The Communist*, vol. XX, No. 11 (November 1941), pp. 956, 957).

For a Second Front in Europe! (*The Communist*, April 1942, p. 199).

Open A Western Front in Europe! (*The Communist*, May 1942, p. 296).

\* \* \* fight for and demand the opening of a Second Front against Hitler in Europe immediately (*The Communist*, June 1942, p. 401).

The demand for the Second Front for the all-out offensive to smash Hitler in 1942, embraces ever wider circles of the population and becomes more insistent (*The Communist*, July 1942, p. 488).

No Delay in Opening the Western Front! (*The Communist*, August 1942, p. 579).

It is time to Open the Western Front Against Hitler Without Further Delay (*The Communist*, September 1942, p. 675).

a statement urging the opening of a second front in Europe without delay." (The latter is quoted—no date given—and a copy of the statement is set forth; it is quoted in part:)

"It seems clear to us that if the present advance of the Axis forces in the Soviet Union is not stopped, victory for the United Nations will at least be delayed for many years with the enormous cost in human life and sacrifice that will entail. Indeed we believe that the security and independence of our nation is critically at stake. It seems evident to us that only the immediate opening of a second front will make it possible to assure the victory of the United Nations \* \* \*" (*Lawyers Guild Review*, Vol. II, No. V (September 1942) p. 45. Article: "The Guild and the Second Front").

## 16. SPAIN

\* \* \* Break diplomatic and economic ties with Franco-Spain \* \* \* (1948 Election Platform, CP-USA, *Political Affairs*, September 1948, pp. 938-939).

The National Lawyers Guild called for "severance of all economic and diplomatic relations with Franco Spain" (National Lawyers Guild, Convention Resolutions, February 1949. *Lawyers Guild Review*, Winter 1949, p. 56).

(Vigorous opposition to Franco by both the Communist Party and the National Lawyers Guild, throughout the period of instant survey, is a matter of public record.) *Daily Worker*; *The Communist*; *Political Affairs*; *National Lawyers Guild Quarterly*; *Lawyers Guild Review*.

## 17. SOVIET UNION

Red Army hurls back invading Finnish troops, crosses frontier (*Daily Worker* (headline), December 1, 1939, p. 1).

### Wall Street Uses Finland for War

The newspapers of the country are giving the American people a heavy dose of war propaganda on the latest developments in Finland.

The press has obviously determined to drug the intelligence of the American people, to paralyze all common-sense

Osmond K. Fraenkel, Guild Vice President, was quoted as saying that the National Executive Board in December 1939 denounced the Soviet invasion of Finland (*New York Times*, June 6, 1940, p. 27).

COMMUNIST PARTY, U. S. A.

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questioning in a wave of war hysteria aimed at the Soviet Union.

The remembered lies of the press on the Munich "peace" are being surpassed.

The plain truths are twisted or ignored.

The Finnish bourgeois-landlord rulers, incited and supported by world imperialism, continued their violations of the Soviet borders—they attacked at two points yesterday morning. They were repulsed by the Soviet Union which took the necessary steps in defense of its national interest.

It is the sheerest hypocrisy for the press to pretend moral indignation at "a little country" engaged with a "big country like the Soviet Union." They know that behind the Finnish ruling cliques stand the mighty forces of British and American imperialism, goading, encouraging, supporting the hostile acts of Finland.

The Finnish bourgeois-landlord cliques were willing to play this role of provocateur. They stood at the Soviet borders holding open the doors of war. The Soviet Union yesterday closed the doors. No war dogs of world imperialism will pass through (*Daily Worker*, December 1, 1939 (editorial), p. 1).

Forge the friendship and peaceful cooperation of the American-Soviet-British coalition and all the freedom-loving peoples \* \* \* (Statement issued March 5, 1946, by National Secretariat of the Communist Party, *Political Affairs*, April 1946, p. 291).

End the "cold war," \* \* \* Restore American-Soviet friendship, the key to world peace and the fulfillment of the people's hope in the United Nations \* \* \* (*Political Affairs*, September 1948, pp. 938-939, Article, 1948 Election Platform of the Communist Party).

Take steps to restore Anglo-American-Soviet unity as the cornerstone of cooperation among the United Nations \* \* \* (*Lawyers Guild Review*, vol. VI, No. 2, May-June 1946, p. 518).

\* \* \* The revitalization of cooperative relations among the great powers and especially between the United States and the Soviet Union, points the path to peace. To aid in the revitalization of the cooperative relations among the great powers it is imperative that the United States and the Soviet Union compose their differences in the briefest possible time and lay the groundwork for the composing of differences among other nations and thus advance the cause of peace and the principles and purposes of the United Nations.

\* \* \* Adherence to the principle of concurrence and cooperation will eliminate the need to consider measures inconsistent with the spirit of the United Nations, such as the contemplated North Atlantic Pact or any other military arrangement by any powers which may breed hostility and suspicion \* \* \* (*Lawyers Guild Review*, vol. IX, No. 1, Winter 1949, pp. 55-56).

## 18. ATLANTIC PACT

COMMUNIST PARTY, U. S. A.

Despite all threats and persecutions we will continue resolutely to work for peace. Instead of an aggressive North Atlantic Pact—a resurrected anti-Communist Axis—we shall continue, in company with millions of other Americans, to urge that our nation shall sign a Pact of Friendship and Peace with our great wartime ally, the Soviet Union (*Political Affairs*, April 1949, p. 4; article: "Is the Advocacy of Peace Treason?" by William Z. Foster and Eugene Dennis).

American trade-unionists, workers, all progressives and peace-loving Americans must make their voices heard. End the cold war! Scrap the Atlantic Alliance for aggression! Defend the hard-won democratic rights of the people! Stop the war preparations! Jobs and homes—not guns! For an American-Soviet Peace Pact! (*Political Affairs*, April 1949, p. 17; article: "The Struggle for Peace" by Marvin Reiss).

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The Guild adopted a "Resolution on the Cold War in the Light of the New Concept of International Law" which called for an end to the "cold war" and the "revitalization of cooperative relations among the great powers and especially between the United States and the Soviet Union." "Adherence to the principles of concurrence and cooperation will eliminate the need to consider measures inconsistent with the spirit of the United Nations, such as the contemplated North Atlantic Pact or any other military arrangement \* \* \*" (*Lawyers Guild Review*, Vol. 9, No. 1, Winter 1949).

## 19. ATOMIC ENERGY

COMMUNIST PARTY, U. S. A.

Put an end to atom bomb diplomacy which is paving the way to World War III.

The Churchill-Byrnes-Truman \* \* \* "outlook is to impose their will on the world, including the Soviet Union, by overwhelming military power based on the atom bomb (Statement issued on March 5, 1946, by the National Secretary of the Communist Party, USA; *Political Affairs*, vol. XXV, No. 4 (April 1946), pp. 292-293).

What a country does on a specific issue at home is a pretty good index to how it treats the same issue in its foreign policy. This is particularly true of our government's policy on the international control of atomic energy. The Baruch Plan was designed by the same men who have established monopoly-control over atomic energy at home \* \* \* Their objective, plainly discernible in the domestic and international control policy, is to retain the monopoly of atomic energy at home and abroad, for war or for peace. Here is to be found the real obstacle to atomic disarmament and the effective outlawing of the atomic bomb (*Daily Worker*, Nov. 4, 1946, p. 6; article: "The Trustified Atom" by James Allen).

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The National Lawyers Guild reportedly (1) criticized American secrecy concerning atomic bomb, (2) urged that control of atomic energy be placed with the UN Security Council, (3) stated U. S. Atomic bomb policy "has antagonized the Soviet Government, alarmed the French Government and created disquiet among the English" (*Daily Worker*, December 27, 1945).

Our insistence upon maintaining a monopoly of the "secret" atomic bomb manufacture has caused widespread doubt, throughout the world, regarding our peaceful intentions (*Lawyers Guild Review*, vol. VI, No. 1, p. 415, January-February 1946).

## COMMUNIST PARTY, U. S. A.

\* \* \* The main forces in the world today are: \* \* \* the camp of the monopolists who are plotting atomic war and the world-wide peoples' camp of peace in which the Socialist Soviet Union plays the leading role (*Political Affairs*, April 1949, pp. 64-66; article: "The Atom Bomb; Myth and Truth" by Joseph Clark).

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\* \* \* We proposed: That our government announce its immediate readiness to enter into an international agreement providing for the prompt destruction of all atomic weapons and all other weapons adaptable to mass destruction and the complete cessation of all further production thereof. The international agreement should provide for establishing effective compliance with its provisions and prescribe sanctions for violation thereof. The abolition of the veto power should not be required as a condition to reaching an agreement on atomic energy (*Lawyers Guild Review*, May-June 1946, p. 521).

## 20. BRETTON WOODS

The labor movement must speak up for the Bretton Woods plan as a whole, and demand that it be reported out of committee intact. The rest of the world is watching the United States on this issue. Our allies will not believe that we have abandoned political isolation if we still permit the narrow, private interests of a handful of bankers to keep us bound to economic nationalism.

\* \* \* The passage of the Bretton Woods Plan before April 25, certainly during the San Francisco conference, is the best way of guaranteeing the parley's success (Editorial, *Daily Worker*, April 6, 1945, p. 6).

The failure to ratify the Bretton Woods agreement, without crippling amendments, would speed up the tendencies revealed by the aviation conference. \* \* \* (From Teheran to Crimes, by Joseph Starobin, *Political Affairs*, March 1945, p. 219).

During April 1945, the National Lawyers Guild in San Francisco sponsored a series of talks, under the direction of Benjamin Dreyfus of the San Francisco Chapter. The talks were reported to have followed the Russian views that the Dumbarton Oaks agreement should not be amended and that the Bretton Woods proposals should be adopted as they were.

## 21. DUMBARTON OAKS AGREEMENT

The Dumbarton Oaks draft provides for the settlement of disputes on a regional basis, where possible. But only with the prior authorization of the Security Council itself. We oppose any changes in this respect (Editorial, *Discussing Dumbarton Oaks*, *Daily Worker*, March 19, 1945, p. 6).

The trade-unions must be particularly alert to back up the Dumbarton Oaks and Bretton Woods proposals, without emasculating amendments. These are the very heart of the Crimean postwar program, and it would be a disaster if the reactionary opposition were allowed to devitalize them as it is now trying to do (Article: "The Danger of American Imperialism in the Postwar Period," William Z. Foster, *Political Affairs*, June 1945, p. 499).

(Please see material set forth immediately above under the caption, "Bretton Woods.")

## 22. YALTA-POTSDAM

COMMUNIST PARTY, U. S. A.

NATIONAL LAWYERS GUILD

The immediate basic cause for the deterioration of relations between the Soviet Union and the British-American imperialists lies in the fact that Britain and America have refused to carry out the Yalta and Potsdam pledges.

Britain and America have refused to denazify Germany and crush feudal militarist reaction in Japan. They have refused to let the small countries of Europe decide their own fate. They are acting to stifle all freedom movements in India, Egypt, Indonesia, etc.

Carrying out the Yalta-Potsdam agreements would restore Big Three peaceful working relationships (Statement of the Secretariat, CP-USA, *Political Affairs*, April 1946, p. 292).

\* \* \* at Yalta a new epoch in international law was unfolded through the establishment of the principle of the concurrence or unanimity of the Great Powers \* \* \*.

But it was at San Francisco soon after the present administration took office that the country first witnessed a whole series of official actions constituting a departure from the policies to which the United States had subscribed in the Atlantic Charter and at Moscow, Teheran, Yalta, and Dumbarton Oaks \* \* \*.

The National Lawyers Guild vigorously opposed the whole policy of the United States delegation as a flagrant violation of the spirit and content of United Nations unity (Resolution of the Committee on International Law and Regulations, National Lawyers Guild, *Lawyers Guild Review*, January-February 1946, pp. 412-413).

\* \* \* since February, the pattern of our foreign policy has not been altered. The present trend can and must be halted \* \* \* we urge the following immediate course of conduct by our government:

Take steps to restore Anglo-American-Soviet unity \* \* \*.

Fulfill the Potsdam agreement to complete the destruction of Nazism and militarism. Bring to trial German industrialists as war criminals \* \* \*.

Establish an international war crimes tribunal for the prosecution and punishment of Japanese war criminals, including Japanese industrialists and the Emperor.

Extend financial credits to nations in need without interference in their internal affairs (National Lawyers Guild Convention Resolutions, July 1946, *Lawyers Guild Review*, May-June 1946, pp. 517-518).



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