

# McNamara, Framed Labor Leader Begins 23rd Year in Jail

Betrayed by False Friends, Clarence Darrow, Gompers, and S. P. Leaders, His Spirit Still Unbroken

By WILLIAM Z. FOSTER

It is high time that a powerful mass movement be set on foot to fight for the release of the political prisoners, J. B. McNamara and Mat Schmidt. These working class fighters have been languishing in San Quentin penitentiary, California, even longer than their fellow prisoner, Tom Mooney. McNamara has served 23 years, and Schmidt, 18. McNamara is the oldest in point of time served of any political prisoner now in jail in any country in the world.

The imprisonment of these men grew out of the bitterly fought general metal trades strike in Los Angeles in 1910. The unionists of San Francisco, strongly organized themselves, were carrying on a big campaign to organize the notorious open shop city of Los Angeles. This culminated in the metal trades general strike. The employers, led by General Otis of the Los Angeles "Times," used every violent method to break the strike: professional scabs, injunctions, wholesale arrests of workers, police brutality, etc. It was a ruthless struggle.

McNamara Betrayed, Attacked by A. F. of L. Leaders

As the fight grew more and more intense, suddenly on Oct. 1, 1910, the L. A. "Times" building was dynamited. The bomb, it turned out later, was intended only to damage the building, but through the ignition of the gas mains and because of faulty fire escapes, it caused the death of 21 non-union workmen. In April, 1911, J. J. McNamara, General Secretary of the International Union of Bridge and Structural Iron Workers, and his brother, J. B. McNamara, were arrested and charged with the dynamiting. The employers mustered every force to convict these men. The Steel Trust and the Merchants and Manufacturers' Association saw in the situation an opportunity to destroy the powerful Iron Workers' Union and to cripple the whole labor movement of the Pacific Coast. They cooked up a lynch atmosphere in Los Angeles.

The workers rallied all over the country in support of the McNamaras. The A. F. of L. top officialdom had to make a gesture of assistance. The workers held great protest demonstrations and parades everywhere and over a quarter of a million dollars was raised for a defense fund. The Socialist Party and the union leaders riding the movement, put up a candidate for Mayor, Job Harriman, and conducted an active election campaign. Altogether, it was the greatest defense movement ever organized, before or since, by the American working class.

Socialist Party Leaders Cut Loose From Defense

Right in the midst of this tense situation, suddenly the announcement was made that the McNamara brothers had pleaded guilty. This came as a terrific shock to the labor movement. The employers were quick to use the guilty plea to heap insult and injury upon the trade unions. The great defense campaign collapsed like a pricked bubble. The S. P.-Union labor majority candidate in Los Angeles was overwhelmingly defeated. It was a devastating anti-climax.

At once, throughout the trade union movement, the labor fakers joined in the bosses' bloody cry against the McNamaras, thereby aiding the former's attack upon the workers. Numbers of union officials denounced the prisoners as murderers and traitors. Many others demanded that they be hanged. The Socialist leaders also, of course, cut loose from the McNamaras with loudsounding cries of treachery. Doubtless great masses of workers, even many revolutionaries, were confused by this wholesale denunciation of the McNamaras.

Hypocrites Raise Hands in "Horror"

These attacks by the so-called leaders of labor upon the integrity of the McNamaras did the latter a great injustice. They were based upon cowardice and hypocrisy. Of this rotten character was their nation-wide cry of "surprise" and "horror" of these people that the McNamaras had actually used dynamite in the labor struggle. Now it is a matter of common knowledge that upon innumerable occasions, American workers, undertaking to repay the bosses with their own coin, have used violence in strikes with the full knowledge and consent of their "law abiding," patriotic and "respectable" union leaders. In such cases the main consideration of these leaders has been to see to it that they did not endanger their own safety. And it is also a known fact that the top leadership of the A. F. of L. were quite aware of the militant tactics that had long been used by the McNamaras and others in building the Ironworkers' Union and they had said nothing against them. Hence the union officials' "horror" at the exposure of the McNamaras as labor dynamiters was just so much hypocrisy. It was an attempt to protect themselves by throwing these fighters to the lions.



J. B. McNAMARA

Forced "Guilty" Plea on McNamaras

Labor officialdom's "indignation" at the McNamaras' plea of guilty was no less treacherous and hypocritical. It is an established fact that the guilty plea did not originate with the McNamaras, but was practically forced upon them by their "friends" and "defenders" and was made by the McNamaras unwillingly and against their better judgment.

The originator of the guilty plea idea was Lincoln Steffens, a then famous muck-raker and capitalist journalist. Something of an anarchist and petty-bourgeois utopian, Steffens developed the fatal notion that this bitter struggle could be harmonized. By a practical application of the Golden Rule the fight could be liquidated and Capital and Labor would become friendly brothers. All that was necessary was for the McNamaras to plead guilty and for the capitalists to agree to give the McNamaras light sentences, abandon all further prosecutions, and then sit down and work out an agreement with the unions.

Entered Agreement with Bosses

The capitalist forces, led by Otis, were acute enough to agree to this bizarre proposal. They realized what a weapon the whole arrangement would be against the workers. Next Darrow, leading attorney for the defense, accepted it. At the time he was threatened with jail for attempted jury fixing and plain cowardice seems to have been his impelling motives, as he saw a way to save himself. Finally, the Pacific Coast labor leaders handling the case were likewise won over to the plea-of-guilty scheme. Many of them also feared indictments in connection with the dynamiting and the proposed plan was a providential way out of their difficulty. Gompers' representatives on the ground also agreed, and it is inconceivable that the Socialist, Job Harriman, who was working very closely with the defense, was not fully acquainted with the widely discussed plan.

All these powerful forces began to work upon the McNamaras to get

them to agree to plead guilty. But they refused, and especially militant in his refusal, was the iron-willed J. B. McNamara, the younger of the brothers and the real center of the case. They insisted that the fight be carried on to the end, expressing their willingness to die on the gallows if necessary. Then every conceivable pressure was put upon the McNamaras. They were told that they would surely be convicted and that their conviction would not only deal a fatal blow to the trade unions all over the country, but would also send many of their labor union friends to the gallows with them. And all this could be avoided if they would simply change their plea to one of guilty. They would then get off lightly, no one else would be arrested, the unions would be saved, etc. etc. On August 7, 1915, Anton Johannsen, a San Francisco labor official, closely connected with the McNamara defense, said at a McNamara-Schmidt-Caplan defense meeting, held in the Labor Temple of Kansas City, and organized by the local Syndicalist League:

"The McNamaras were led to believe, and they did believe, that they and they only would suffer (by a plea of guilty) and there would be no further prosecutions in Los Angeles, that the strike in Los Angeles would be settled, that the 8-hour day would be recognized, and that organized labor would be greeted and met and be remained with by the Merchant and Manufacturers' Association in Los Angeles."

Lawyers, labor leaders, friends and relatives pressed upon the McNamaras to force them to accept the plan. The prisoners were pleaded with, argued with, cajoled. And finally they reluctantly yielded. They changed their pleas to guilty. Of course, they did not confess or involve anyone else. Upon the urgent advice of all their friends they bared their heads and took the blow. Their change of plea was a big tactical error. It demoralized the great mass defense campaign of the workers. But it is the height of injustice to blame the McNamaras for it. They made the guilty plea not to save themselves but upon the solicitation of their friends and in the firm belief that it would protect the labor movement. It was a mistaken gesture, but the action of brave men and honest fighters in the class struggle.

Paved Way for Bosses' Drive on Unions

Then came the avalanche. As we have pointed out, the capitalists used the plea of guilty with deadly effect, and the labor fakers, the very ones responsible for this plea, helped the bosses by their confusing and demoralizing the workers through their treacherous condemnation of the McNamaras. The employers quickly repudiated their "agreement." The "Golden Rule" of Steffens never went into effect. War to the knife was waged against the Los Angeles unions. J. J. McNamara was given 10 years in jail, and J. B. McNamara sentenced to life imprisonment. Later on, in 1915, in further violation of the agreement, David Caplan and Mat Schmidt were arrested and convicted, the former serving a 10-year sentence and Schmidt still being in San Quentin doing his life sentence. As an aftermath, many other national and local officials of the Iron Workers' Union all over the country were arrested and railroaded to jail for long terms.

J. B. McNamara's imprisonment has been a long and hard one. Attacked and deserted by labor officials, who once called them "heroes" and with his motives misrepresented and his character slandered before the workers, McNamara in jail for a life term has faced a situation that would have quickly broken the heart of a weaker man. But not McNamara, the courageous militant of the Iron Workers' Union. He has survived the ordeal wonderfully. Whoever knows McNamara personally is struck by the tremendous firmness and power of the man. He is indomitable, the very epitome of courage and unbreakable fighting spirit. Strong in his loyalty to the workers and in his conviction that they were understood and believed in him, "J. B." has stood like a rock through all these hard years. Never a waver has he made and never a whimper has come from him. He has asked no quarter either from the labor fakers, the prison officials, or the state authorities. He represents the very best fighting qualities and traditions of the labor movement. Such a brave fighter is an inspiration and an honor to the working class.

Mat Schmidt, the co-prisoner of McNamara, is another real fighter. One of the militants of the old Wood Workers' Union, he has a long fighting record in the Chicago labor movement. He was also active in anarchist circles. He did not plead guilty, but he has been, nonetheless, abandoned and slandered by the A. F. of L. and Socialist misleaders. And he, too, has never lost his fighting spirit.

McNamara and Schmidt have not spent their long years of imprisonment in repining or in vain regrets. On the contrary, they have closely followed the course of the world's labor battles. They have learned well the lessons of the Russian revolution and the many bitter struggles of workers since the days when they fought in the front line trenches of the class struggle. They have become fully class-conscious workers, abreast with the vanguard of the proletariat. Long ago they have learned and admitted the folly of hoping to achieve anything for the workers by individualistic acts of terrorism. They clearly

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## Soviet She Enjoys Victory

of the Young Communist League. Batova herself is a Party member since 1925. Her oldest son is a technician in a steel mill. Her son Peotr is learning to be an artist. Her daughter Serafima, is in the fifth grade in school, and is a Pioneer. One daughter is married to a Communist Party worker on a Sovkhoz. Other daughters work in the Trikhgornaya mill.

Batova describes somewhat the life of a working woman under the regime of private ownership of mills and lands.

She regards the first 40 years of her life as lost, not really living. She started working in the fields of a rich peasant, a kulak, at the age of ten, doing needle work for his family in the winter time. She was paid 15 kopeks a day, and not provided with food. Sometimes she was paid, not with money, but with a piece of soap, or anything that was handy.

At the age of 14 she entered a cotton mill; she got seven rubles a month wages, for twelve hours work per day. Twenty-five persons rented one large room from a kulak and slept on the floor, without beds. The landlady made their dinner; each tenant providing some sort of food, which was thrown into a common pot.

All washing was done on the street, even in winter. At the factory, there was no hot water, and even in the cold water was dirty. The

Today, on Pension from Factory, She Cheers Fight in Austria

factory was like a jail, and the foremen acted like slave drivers. For laughing too much (though it sounds incredible anyone could laugh) Batova was dismissed once. Her sister knelt on the floor in front of the foreman and begged to have her taken back.

At the age of 17, Batova was married to a joiner, whose only room was a space under his bench for his belongings. He slept on the bench.

Batova's first child was born without medical attendance, and she worked up to the very hour of childbirth. Such things happen still, in capitalist countries. But they are impossible in the Soviet Union.

So Batova, in spite of her religion, became something of a revolutionist. She helped with the barricades; she was beaten up by Cossacks, even though she was eight months pregnant, because they suspected her of concealing her nephew who fought on the barricades. The beating caused a still birth. Such beatings have happened in strikes, quite often, in capitalist countries. But they will never happen again in the land that was called Russia. Batova and her son now not only feel, but they know that they "own the works."

# McNAMARA, FRAMED LABOR LEADER, BEGINS HIS 23RD YEAR IN PRISON

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realize that the emancipation of the workers can come only by the mass action of the great toiling millions.

McNamara and Schmidt must be released. The working class in its struggle needs these tried and seasoned veterans. In these later years the demand for their release has been altogether too feeble. For the most part this has not amounted to much more than an occasional resolution or meeting by the Communist Party, the International Labor Defense, or the Trade Union Unity League. This is no credit to our sense of proletarian solidarity. But now the mass demand must be built up until it becomes irresistible.

The demand for the release of McNamara and Schmidt must be placed on the first order of business in the labor movement. Their cases must be linked up with those of the Scottsboro boys, Mooney and

Billings, etc. Articles must be written in the labor press, resolutions adopted at local union meetings and trade union conventions, mass petitions circulated, workers' delegations sent to the Governor of California, and the workers of other countries must be awakened to the capitalist aims of keeping workers in jail. In short, a real fight must be made on every front for their release.

The McNamara-Schmidt case shows again the brutality and class character of American capitalist democracy, the system that framed up Mooney, Billings, the Scottsboro boys and hundreds of other brave proletarian fighters. In no other capitalist country, however reactionary it may be, and however bitter the class struggle, can there be found class war prisoners who have spent so many years in jail. Such an outrage is reserved for the boasted country of "liberty" and the New Deal. But the workers

can and must change all this. We must force open the prison doors for McNamara and Schmidt, and in doing this, we will make the fight all the more effective for the release of every class war prisoner.

## Cuban I.L.D. to Hold Convention April Seven

HAVANA, Cuba (By Mail).—Five hundred delegates, representing 12,000 members of the Defense Obrera International, and the membership of most of the trade unions and fraternal organizations in the island, will hold a national convention here April 7, it was announced today. Every effort will be made to hold the convention legally, but if these are unsuccessful, it will be held under illegal conditions.