Congress Anti-Lynch Bill Calls Mass Meetings "Mobs"

Used To Break Picket Lines; Pretends Federal Courts Are "Impartial"; Only Negro Bill of Rights in Interests of Negro Masses

By HARRY HAYWOOD

I

A flood of so-called "anti-lynching" bills have been introduced in the present Congress by politicians of both the Republican and Democratic parties. Doubtless, the introduction of these bills at this time, is the result of the rising movement of the masses against lynching. But are these bills actually directed toward stamping out lynching? Let us examine the Costigan-Wagner bill, typical of the lot.

This bill, introduced by Senator Costigan of Colorado, and Wagner of New York, is sponsored by the National Association for the Advancement of Colored People (NAACP), and has become the focal point around which the reformists and social-fascist elements, including white liberal "friends" of the Negro, North and South, are mobilized. According to its sponsors, the passage by Congress of such a bill, will put a stop to lynching. They imply that the solution of lynching does not hinge upon the organized revolutionary fight of the masses, but on the mere passage of a bill. Disregarding for the moment this treacherous assumption on the part of the reformists, a concrete examination of the bill itself, will bring out clearly its reactionary character as a weapon, not against the lynchers, but against those who seriously wish to fight lynching.

The bill provides a definition of the term "mob" which throws light upon the uses for which it is intended. It describes a mob as "an assemblage of three or more persons acting in concert, without authority of law, for the purpose of depriving any person of his life, or doing him physical injury."

This definition is similar to that used in the famous Virginia Anti-Lynching Bill, which, although there have been numerous lynchings in Virginia since its passage, has only been used once, and that not in a lynch case. It was used, on the basis of just such a definition of a "mob," against strikers who defended themselves against an attack by gangsters led by police officers. Under this definition, any assemblage of workers—a demonstration of share-croppers against a local landlord, a mass picketing of workers in a strike, and even a demonstration against lynching—could be defined as a "mob" and the participants prosecuted under an "anti-lynching" law.

In effect, the bill would leaglize the murder of Negroes by landlords and their police, as happened at Camp Hill and Reeltown, Alabama. Croppers and poor farmers organizing to resist seizure by the landlords of their land, tools and livestock, would be defined as a "mob . . . acting in concert, without authority of law," and their resistance as "for the purpose . . . of doing physical injury" to those seeking to wrest from them their means of livelihood.

* * *

THE Costigan-Wagner bill provides that the federal court shall "have jurisdiction" over the prosecution of lynchers, whether they be officers of the state or merely gangsters. It provides that a sheriff or other officer who fails to protect a prisoner in his custody from lynching, shall be liable to a fine of $5,000 and imprisonment for not more than five years, or, for proved participation, of imprisonment of from five years to life.

This on the surface appears to be a considerable concession to the anti-lynch movement. But let us analyze it carefully; let us go below the surface. It is clear that this section of the bill seeks to foster the lie that there is a difference between the attitude of the Federal and local courts on the Negro question.

The capitalists and the reformist leadership of the N.A.A.C.P., while admitting the "possible" partiality of local courts, would have us believe that this is not the case with the institution of the Federal government. Oh, no! The Federal courts are impartial, and not influenced by a vulgar class and national strife. This, in the face of overwhelming proof, that in every important issue involving conflict between oppressed and oppressor, the federal courts, including that court of "last illusions," the U. S. Supreme Court, have invariably ruled in the interest of the oppressors. Even in the Scottsboro Case, the U.S. Supreme Court at first attempted to avoid having to make a ruling. When finally forced by mass pressure to hear the appeal filed by the International Labor Defense and to grant a new trial, the U.S. Supreme Court carefully avoided all fundamental issues raised by the defense, such as the systematic exclusion of Negroes from juries in Jackson and other counties of Alabama—issues which strike at the very heart of the system of lynching and national oppression, and involve the constitutional rights of the Negro people. Instead, the Supreme Court based its decision on the least fundamental of the reversible issues—denial of adequate defense to the accused.

Is it not clear that even in this "favorable" decision, the august gentlemen of the U.S. Supreme Court had an eye to the interests of the Southern ruling class lynchers?

But an even more brazen defense of the ruling class lynchers is given in the attempt by the federal court of Baltimore to disbar Bernard Ades, I.L.D. attorney, in punishment for his militant defense of Euel Lee and his vigorous struggles for the constitutional and democratic rights of the Negro people. Here we have a case where the federal court is used by the lynchers themselves, to prosecute and to seek to disbar one who stands in the forefront of the real fight against lynching in Maryland.

* * *

IT is clear, then, that this reputed "difference" between the local and federal courts is but a new and more cunning attempt of the reformists to preserve legalistic illusions among the masses and to revive their faith in the bourgeois government and its institutions.

It is a new attempt to hide from the Negro and white toilers the class character of these institutions as instruments of class and national oppression. Federal legislation? Yes. We are not opposed to effective federal legislation against lynching, but it can only be effective when supported by an aroused and organized mass movement for its enforcement. And it is precisely this which the reformists wish to avoid.

The hypocrisy of the sponsors of the Costigan-Wagner bill, as well as the other so-called anti-lynching bills now before Congress, is further shown by the fact that in all of these bills, lynching is treated as a phenomenon entirely separate from the general oppression of the Negro people. By means of this obvious fraud, the bourgeoisie and their reformist lackeys seek to divert the masses from any real struggle against lynching, which, as the experience of the Scottsboro campaign has shown, can only be effective if carried thru simultaneously with a fight against, and exposure of the whole system of national oppression, of which lynching is only one expression.

Moreover, the bills at present before Congress, are all curiously silent on lynch frame-ups—legal or courtroom lynchings. Simultaneously with the growth of extra-legal lynchings, we witness an alarming increase of legal or courtroom lynchings in this period. Along with lynchings by "mobs" organized by "leading" citizens, the courts taken upon themselves the role of carrying through the lynchings, by frame-ups of innocent Negroes, speedy trials by all-white juries of business men and farmers, conducted in a lynch atmosphere with denial of the constitutional rights to the defendants—the right to choose their own counsel, etc. This is a maneuver to provide a legal cloak for the lynchers of the Negro people.

These legal lynchings expose more clearly than anything the system of national oppression and the courts as instruments for the maintenance of this system. Thus, anyone proposing to fight lynching without at the same time fighting against the whole system of national oppression, frame-ups and legal lynching is either an ignoramus or a sly agent of the lynchers.

In sharp contrast to these reformist measures, is the Bill of Civil Rights for the Negro People, proposed by the League of Struggle for Negro Rights and taken to Washington by the Scottsboro Marchers. The difference lies in the following: (1) that the proposals of the bill are not conceived as something to replace a mass revolutionary movement against lynching, but on the contrary, as a weapon for broadening out and strengthening such a movement which alone can put a stop to lynching; and (2) this Bill of Civil Rights treats lynching in a correct manner, not as an isolated phenomenon, but as an integral part of the whole system of jim-crow, national oppression. It therefore approaches the question of the fight against lynching as a part of the fight for the constitutional and civil rights of the Negro people and for national liberation.

(To be continued)

Jim Crow Negroes On New York C.W.A. Jobs; Are First to Be Fired

LaGuardia and Daniels Are Responsible; Workers Protest Discrimination

NEW YORK.—Marcel Work, a jobless Negro, representing the Unemployment Council, demanded of C. W. A. Administrator Daniels an end of discrimination against Negro workers on C. W. A. jobs in New York City, during yesterday's united front demonstration against Roosevelt's C. W. A. layoffs.

Daniels shirked all responsibility for the scandalous treatment of the Negroes on C. W. A. work in New York City. Under the New York C. W. A. administration and the regime of Mayor La Guardia, the unemployed Negroes have been jim-crowed and have undergone sharper and sharper discrimination.

There are at least 100,000 unemployed Negro workers in New York City, with a population of Negroes which according to the 1932 Census was 327,706. At least 60 per cent of all Negro workers in the city are jobless. In New York there is the largest concentration of Negro population in the world.

But of the 100,000 unemployed Negro workers, only about 2,700 got on C. W. A. jobs. Even in the heart of Harlem, where the Negro workers are segregated, whites predominated on C.W.A. jobs at least 5 to 1. Scores of thousands of Negro workers were not even permitted to register. Only about 10,000 Negroes were registered. Even the registration of Negro workers by the C. W. A. administration was carried out on a jim-crow basis. Negroes were forced to register in jim-crow offices in Harlem, no matter in what section of the city they lived.

The skilled work was not given to Negro workers. Almost none of the skilled Negro mechanics or building trades workers got skilled C. W. A. jobs. Those few Negroes who got C. W. A. jobs were given pick and shovel work. The C. W. A. administration offices are filled with thousands of whites. Negroes cannot be found in these jobs.

Where the Negro workers got unskilled jobs they were segregated from the whites.

In the firing of workers now going on under Roosevelt's orders, the Negroes are among the first to be fired. LaGuardia has allowed this gross discrimination to take place without so much as a word. LaGuardia as well as the Roosevelt-Tammany machine, is directly responsible for the disgraceful Jim Crow practices of the CWA administration in New York City. The same discrimination exists throughout the country.

The League of Struggle for Negro Rights, as well as the Unemployed Councils and the Relief Workers Leagues are carrying on a vigorous campaign for the rights of the Negroes on CWA jobs. All workers and workers organizations should fight against the Jim Crowing of Negro workers on CWA jobs, against the firing of Negro workers from CWA projects; for equal pay for equal work for Negroes, and against any form of discrimination against the unemployed Negro workers; with no discrimination in the giving out of jobs and relief.

Lincoln's Policies Pro

PRESERVED POWER OF PLAN

The recent celebrations of Lincoln's birthday gives the following article peculiar importance. American history, and the press today industriously foster the "Lincoln myth," the myth that Lincoln was the "Great Emancipator" of the Negro masses from slavery. The following article based on irrefutable historic facts reveals the capitalist class character of this deliberately fostered historic legend. In the present struggles of the Negro masses for liberation, as well as the struggles of the Negro and white toilers against race chauvinism, the historic truths of the following article are of the greatest importance as weapons.

* * *

By JAMES S. ALLEN

The name of Abraham Lincoln is associated with a great period in American history It was a truly revolutionary period in the history of the United States—that of the Civil

vacillating and hesitating center petty bourgeoisie. Not "Lincoln, the Great Emancipator," but "Lincoln, the Great Compromiser" is the accurate historical picture.

The Civil War Conflict

The Civil War was a conflict between the rising, still young, progressive capitalism of the North and the reactionary slave regime of the South for hegemony over the United States. The nature of the conflict was essentially similar to the social struggle which had been going on in England and Europe since the 17th century: the struggle of the rising middle class, brought into being by the development of capitalism, against the feudal regime and its supporters, chiefly the feudal landowners.

Such were the Cromwellian Revolution in England, the Great French Revolution of 1789 which broke out anew in 1848, and the revolutions which began in Germany and Austria in the same year. Capitalism was