

Fight Must Be Pressed for Scottsboro Boys

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We have passed one more milestone on the long road to Scottsboro freedom.

In a decision that was hailed with joy wherever men are oppressed, that was greeted by the Scottsboro boys themselves, in the cells of Kilby Prison and Jefferson County Jail, with happy shouts, the United States Supreme Court was forced to reverse the death sentences against Haywood Patterson and Clarence Norris. And contained in this decision is the first uncompromising and unequivocal statement by this court in favor of the right universally denied in the South—of Negro citizens to sit as jurors. The importance of this decision can hardly be over-estimated. For the Negro people, the denial of this right has become, along with the denial of their right to vote, the symbol of their outraged status as an oppressed nation.

The decision of the Supreme Court has the effect of wiping out the indictments drawn up at Scottsboro, Alabama, four years ago. In the minds of many people not yet sufficiently aware of the determined lynch-spirit of the Alabama ruling-class, illusions have been born that the Scottsboro boys will now be set free, that there will be no attempt at re-indictments. But almost immediately came word from Alabama that Thomas Knight, special prosecutor of the Scottsboro cases, would seek re-indictments, even going to the extent of calling a spe-

cial session of the Jackson County grand jury for this purpose.

The road to Scottsboro freedom is still an uphill road. There exists the possibility of smashing any attempt on the part of the State of Alabama to re-indict these boys. But this can only be done if the working-class shows more determination in the cause of Scottsboro freedom than does the Alabama ruling class in the cause of Scottsboro persecution. Thousands of telegrams and letters, pouring in at once upon Governor Bibb Graves and upon the State Supreme Court both at Montgomery, Ala., can smash any attempt to reindict the Scottsboro boys and can at last achieve the final step to Scottsboro liberation.

There are still other dangers that beset our path. There is the danger—present throughout these four long years of the Scottsboro fight, but now looming greater than ever—that the Alabama ruling-class will seek to dispose of the Scottsboro case by a rope-and-faggot-lynching. It is therefore necessary that the largest possible number of people and organizations inform the Governor of Alabama that in their eyes he is being held responsible for the safety of the Scottsboro boys.

The decision of the Supreme Court has given rise to new illusions concerning its fairness and its impartiality. To these illusions the actions of the Supreme Court itself, on Monday last, give the best answer. At the same time that

the Supreme Court handed down the Scottsboro verdict, it handed down another decision, also of far-reaching consequence. In a case specifically brought as a test of the right of the Negro in the South to vote in primaries, the court decided that the Democratic Party of Texas is a "voluntary organization and competent to decide its membership"—that is, that the Democratic Party of Texas may limit participation in its primaries to its own members, and that it may refuse Negroes membership in the party. It is not without interest to know that when the Texas voting case came up before the U. S. Supreme Court two years ago, that court was forced to declare a state law, barring Negroes from the ballot, illegal, but at the same time the decision of the Supreme Court gave the white ruling group in Texas the broadest possible hint, that it could get around the decision by making the Democratic primaries an inner-party instead of a state affair. This hint the Texas rulers immediately took. Thus, while the Supreme Court with one hand affirms a fundamental right of the Negro people—to sit on juries—it takes away with the other hand another right equally fundamental—the right to vote.

How does it come about that the Supreme Court can act in such a way that its right hand knows not what its left hand is doing! Only the most naive persons will believe that these decisions are decided solely on points of law, that the Supreme Court had no interest in

the political and social effects of its two decisions, but that it based itself, in an impartial, mechanical way upon the letter and precedent of the law. The fact is that no mass campaign had been developed around the Texas case. In accord with the well-known policy of many misleaders, white and Negro, and particularly of the leadership of the National Association for the Advancement of Colored People, the Texas case was brought before the Supreme Court, not with a demand for a fundamental right, a demand backed by the voices of indignant and determined millions. The Texas case was brought before the Supreme Court humbly and quietly, as slaves go before a master. And the Supreme Court had no hesitation in turning down the plea.

On the other hand, in the Scottsboro case, the two-fisted policy of the I. L. D., combining the greatest mass defense with the best available legal defense, has once more been proved correct. The excellent work of Osmond K. Fraenkel, constitutional attorney who was in charge of the Scottsboro appeals, the arguments presented by Walter H. Pollak constitutional expert, and the briefs in the Norris and Patterson cases, which they drew up, provided the legal hook on which the Supreme Court was forced by the mass protest to hang its decision.

The court could not help feeling the tremendous pressure, could not help hearing the loud voices of the millions determined that the nine boys should go free. During the

four long years of the Scottsboro fight, the name of this little town has been written large on newspapers in every corner of the world, has penetrated into the smallest villages and into the most backward regions. J. Louis Engdahl, late secretary of the International Labor Defense and Mrs. Ada Wright, one of the Scottsboro mothers, carried the Scottsboro case across the world, and piled up for it new mountains of strength. The slogan: "The Scottsboro Boys Shall Not Die!" swelled to a roar that echoed from one corner of the world to the other. It was this, and this alone, that kept the nine boys alive for these four years, that forced from the U. S. Supreme Court two reversals of the death sentences.

We know that last Monday a great surge of happiness swept through millions of people because the Scottsboro boys had once more been snatched from the shadow of the electric chair. We know, also, that these people paused in the midst of their joy, to ask themselves: What can we do now? How can we take the final steps to bring about complete Scottsboro liberation?

The answer of the International Labor Defense, which has led the Scottsboro struggle, is this:

Flood the Alabama Supreme Court and Governor Bibb Graves, at Montgomery, Ala., with demands for the immediate, safe release of the Scottsboro boys. Demand that there be no re-indictments. Hold greater mass demonstrations for

Scottsboro than ever before. Follow the glorious victory in the Scottsboro case with demands for the freedom of Angelo Herndon, whose fate is closely linked with the fate of the Scottsboro case. The appeal of Herndon, young Negro organizer who was sentenced to a term of 18 to 20 years on the chain-gang for the "crime" of leading Negro and white workers in a demand for bread, will be heard in the Supreme Court on or about April 11.

The tasks ahead of us are great. To strengthen the fight for the freedom of the Scottsboro boys, and of all class-war prisoners, we call on all those who have participated with us in this fight, who are sympathetic with our aims, to join and help build the I. L. D.

And, once more, the I. L. D. must appeal for funds to carry on the fight. To date, the I. L. D. has spent more than \$75,000 in the Scottsboro struggle. Though the goal is nearer, there is still a bitter fight to be waged, for the Alabama lynch-ers will not so easily give up their prey. We ask that all those who have shown their devotion in the past to the cause of the Scottsboro boys and the liberation of the Negro people and the workers, help once again to achieve final victory in this struggle.

Make your contribution today. No new indictments against the Scottsboro boys!

Immediate, unconditional, and safe release for the nine innocent Scottsboro Negro boys.