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EDITORIAL

THE CONTEST ON THE PARTY'S NAME.

By DANIEL DE LEON

THE Election Commissioners before whom the hearing was held on the objections of the Socialist Labor Party to the use of the word "Socialist" by the former Social Democratic party, decided yesterday not to sustain the objections of the S.L.P. The decision is wrong; as wrong as was last year's decision against the Democratic party's objection to the use of the word "Democratic" by the said Social Democratic party; and, the same as last year's decision by the lower tribunal in favor of the S.D.P. in the contest with the Democratic party was finally reversed this year by the Court of Appeals, the decision of the Election Commissioners this year will have to be reversed on appeal to the higher Courts. However confused and open to different interpretations the law is upon the special issue raised by the present adoption of the name "Socialist party" by the former Social Democratic party, the contention of the S.L.P. is sound and would be bound to prevail before more responsible tribunals, whither, up to the Court of Appeals, the S.L.P. will take the case if necessary.

Nevertheless, it is now up to the State Committee of the newly named Socialist party of this State whether the litigation shall continue, with the danger of their being forbidden next year by the Court of Appeals to use the name of "Socialist," or whether they will let well enough alone. The purpose of the Socialist Labor Party in raising its objections this year is not to prevent the word "Socialist" from being taken by another party. The S.L.P. cares not a rap whether the former S.D.P. calls itself "Socialist Party," or what. The determination of the great issue that divides the two organizations to-day will not, can not, depend upon Court litigations. That issue is going to be decided outside of the Courts, nor is there any doubt what that decision will be. The purpose of the S.L.P. move this year, an off-year without State election, was simply to be in position, next year, against the eventuality of the newly named Socialist party's then raising objections to our name, when, unless the S.L.P. took the step it did this year, the newly named S.P. would be in stronger position to carry out any such scheme, if any such scheme was in contemplation. This being the case, upon the decision of the Election Commissioners being known, the attorney for the S.L.P. made overtures to the attorney for the S.P. for a stipulation between the two parties—the S.L.P. to discontinue its proceedings against the S.P., the S.P. not to institute proceedings next year against the S.L.P. In this manner both the S.P. and the S.L.P. would be safe as to their names, without further legal conflict.

If the motive on the part of the S.L.P.—the forestalling of manoeuvres on the part of the S.P., next year, against the name of the S.L.P.—was unfounded, then the State Committee of the newly named S.P. will accept the proffered stipulation. It could only be the gainer by doing so, because its rights in the premises are, to say the least, very doubtful. It would retain its name without the risk of a litigation.

If, on the other hand, the motive of the S.L.P. was well founded; if, indeed, there was such a purpose on the part of the former S.D.P. as to assume the name of "Socialist Party" for the purpose of contesting, next year, the S.L.P.'s right to its full name, and the stipulation proposed by the attorney for the S.L.P. is declined, then, neither the adverse decision of the Election Commissioners, nor the possible confirmation, this year, of that decision by the Supreme Court will in any way affect the point of vantage gained by the S.L.P. through this year's move: Its name remains untouched on the ballot this year, while its appeal to the Court of Appeals next year, as well as its status to resist any move against it then by the newly named S.P., will be found materially strengthened by this year's move.

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