

14 Charles Lane
New York, N.Y. 10014
July 21, 1976

TO CAMPAIGN DIRECTORS AND SUPPORTERS

Dear Friends,

The July 15 issue of the Daily World contained a partial retraction of slanders against the ballot drives of minor parties, including the Socialist Workers Party, that had been levelled by Communist Party leaders Matty Berkelhammer and Victor Perlo in the July 3 issue of the Daily World.

Reprints of the statement by the Hall-Tyner Election Campaign Committee were received in the mail July 16 by the Militant and the national campaign committee. The statement is co-signed by Henry Winston and Simon W. Gerson, Hall-Tyner committee chairman and campaign manager respectively.

Copies of the statement are enclosed, as are copies of the original articles by Berkelhammer and Perlo.

In dissociating itself from the Berkelhammer charges, the Hall-Tyner committee states, "The Committee wishes to emphasize that characterizations in the Berkelhammer article and repetition of rumors and speculations respecting various independents and minority parties do not reflect its policies and it disavows such."

Berkelhammer had charged that the SWP, other parties, and Eugene McCarthy commit illegal acts to get on the ballot, such as copying signatures out of phone books. Calling these campaigns "phony", he charged they were part of the government conspiracy to divert dissatisfied workers from the Communist Party.

No reference is made to the Perlo article in which he charges that the SWP's electoral efforts are aided by the government as part of its alleged attempt to build up the SWP as "the leading left party."

Such a swift, public repudiation of slanderous attacks on its opponents, especially the Trotskyists, is unprecedented for the American Stalinists. It is a dramatic indication of the changed relationship of forces between us and the Communist Party.

Why the Retraction?

The retraction was prompted by a strong reaction against the attack -- particularly the charge that the other parties copy signatures out of telephone books -- from inside the Communist Party, as well as from broader circles.

Some CP members were genuinely outraged at such irresponsible charges of illegal activity being made by their leaders against the SWP, other left parties and Eugene McCarthy. William Taylor, longtime CP leader in Los Angeles, who disavowed the attack when confronted by the SWP California state campaign director Bruce Marcus at a Peace and Freedom Party gathering, is probably typical

of layers of CP'ers around the country who did not want to take responsibility for the charges. (See the July 30 issue of the Militant for a report of this encounter.)

Many movement figures contacted by Ed Heisler, SWP campaign committee chairman, expressed shock and anger. Some, like Dave McReynolds contacted the CP on their own, urging a retraction. Others, such as Ruth Gage-Colby and Fr. Phillip Berrigan, signed a statement initiated by the SWP to be sent to Gus Hall and Jarvis Tyner demanding a retraction and urging unity in the fight for ballot rights. A copy of the statement is enclosed. It was to head off this reaction that the Winston-Gerson statement was issued and then reproduced and mailed out.

The CP leaders must have known also that the reaction to their scandalous behavior would make it harder for them to win support for their right to be on the ballot. People could be expected to be reluctant about defending the CP's ballot rights when they were stabbing other candidates and parties in the back. Such a reaction would, of course, be incorrect and the statement initiated by the SWP reaffirmed support to the CP's ballot rights.

The charges Berkelhammer levelled were very serious ones. They constituted an open invitation to government attacks on SWP ballot drives and a potential threat to the party's ability to gather support for its ballot rights. Such charges only aid the government in its attempts to create an aura of illegality around left-wing parties, including the Communist Party.

Why the Attack?

The Perlo and Berkelhammer articles come in the framework of considerable difficulty, including harassment, the CP is facing in carrying out its 1976 ballot perspective. The CP leaders need to explain and prepare their members and supporters for the possibility that they may not meet the ballot goal they set at the start of the Hall-Tyner campaign. Recently Gus Hall has been quoted as saying that he and Tyner may appear on fewer ballots in 1976 than 1972 because of stiffening restrictions put up by the Democrats and Republicans. This is a central theme of Perlo's article as well. The Communist Party ticket appeared on 13 state ballots in 1972. But instead of relying on a political and organizational explanation of their problems, the CP leaders lash out at their opponents in a scab attack.

While McCarthy and several other parties were mentioned, the SWP was singled out for special attention. This reflects the pressure felt by the CP as a result of SWP election campaigns and the publicity that has been generated by the party and YSA's lawsuit against the government's harassment. The Stalinist leaders feel pressured to explain -- or to explain away -- the success of our election campaigns, ballot drives, and the effectiveness of the party's suit in exposing illegal government disruption of left-wing parties and social protest movements. Clearly this attack was reflective of an aspect of the Stalinists' relative weakness.

Unity Around Democratic Rights

The Hall-Tyner Campaign Committee statement affirms opposition to government attempts to deny ballot access to independent candidates and minority parties -- including those with a view of socialism that differs from that of the Communist Party. It calls for "unity of all democratic-minded forces ... to defend the elementary right to the ballot."

The Socialist Workers 1976 National Campaign Committee welcomes this declaration. We believe in and actively promote broad unity on a principled basis in the fight for access to the ballot and other democratic rights as the best means to win them. We support the Communist Party's right to the ballot and have repeatedly demonstrated that support concretely.

Currently, we, too, are struggling to win a place on the ballot in numerous states across the country. We face hostile officials and anticipate further challenges from Democrats, Republicans, and the so-called Labor Party as well.

In the context of the Winston-Gerson statement we want to make renewed attempts to obtain the endorsement of the Communist Party for our right to be on the ballot. In states where we are currently petitioning, or involved in legal battles or challenges, we want to approach the local officials of the Communist Party and ask them to endorse our right to be on the ballot.

Additionally, we want also to make renewed efforts to win the endorsement of the Communist Party leaders of our lawsuit. The suit has won broad endorsement from Black, women's, Chicano, civil liberties, and trade union figures and groups. In the Winston-Gerson spirit of unity in the fight for democratic rights, the Communist Party should be asked anew to endorse this landmark civil liberties suit that is doing so much to help expose the methods that were used to attempt to disrupt the CP and victimize their members and supporters.

To facilitate this effort a two-sided leaflet will be made available to all committees. It will contain a reprint of the Hall-Tyner Campaign Committee statement and an appeal from the national campaign committee to join forces in defending the SWP's ballot rights and the PRDF-sponsored lawsuit. This leaflet can be distributed to Hall or Tyner campaign meetings or other public meetings where Communist Party leaders speak.

Results of these efforts should be shared with the national campaign committee which will help publicize them if appropriate.

In solidarity,



Andrea Morell
National Campaign Director

July 1976

Gus Hall
Jarvis Tyner
c/o Hall Tyner Campaign Committee
156 5th Ave. #1100
New York, N.Y. 10010

Dear Friends,

Parties and candidates independent of the Democrats and Republicans have traditionally had to fight for their right to be on the ballot. They face obstacles such as restrictive election laws, hostile state governments, and challenges to their nominating petitions by Democratic and Republican party officials and by right-wing groups such as the National Caucus of Labor Committees (also known as the United States Labor Party).

This makes it imperative that independent parties and candidates defend not only their own ballot rights, but those of other such parties and candidates as well.

Two articles in the July 3 Daily World, which reflects the views of the Communist Party, defaulted on this responsibility. The articles are by Matty Berkelhammer, field coordinator for the Gus Hall and Jarvis Tyner presidential campaign, and Victor Perlo, a longtime Communist party leader. Perlo's article was featured in the weekly World Magazine, which is also a regular supplement to the West Coast news weekly, People's World, which also reflects the views of the Communist party.

Berkelhammer asserts that some independent parties canvassing for ballot status in Massachusetts falsified nominating petitions by copying signatures out of telephone books. He also charges that several parties—among them the Socialist Workers party, the Socialist Labor party, the Socialist Party U.S.A., the Communist Labor party, along with the independent candidacy of Eugene McCarthy—are put up by the government to divert support from the Communist party. He says further that these parties are complicit in attempts to deny Hall and Tyner's ballot rights. Perlo echoes these accusations in his article.

Perlo singles out the Socialist Workers party for special mention in this regard. In doing so he totally ignores the overwhelming evidence of decades of FBI and other official harassment produced by the SWP in its lawsuit against government agencies.

These charges against the parties mentioned above are totally false. We are distressed that the Communist party, which has itself been a target of severe government persecution in the electoral arena, should make such accusations. These allegations create openings for the government to attack the rights of all parties, including the Communist party.

This attack is particularly shocking in view of the Communist party's cooperation as co-plaintiffs with several of these parties in a lawsuit now in Michigan challenging an especially onerous election law. All such laws must certainly be combatted. This can only be done by a united defense of the victimized parties, and not by their attacking each other.

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The articles by Berkelhammer and Perlo do nothing to advance the ballot rights of the Communist party. They merely provide more ammunition to those who would deny these rights.

We urge the Communist party and Daily World to retract their charges and to immediately cease such false accusations. We ask the Communist party to join with us in a common defense of the ballot rights of all parties.



Hall-Tyner Election Campaign Committee

156 Fifth Avenue, Suite 1100 New York, NY 10010 Tel. (212) 242-5360

CAMPAIGN COMMITTEE:

HENRY WINSTON
Chairman

SIMON W. GERSON
Campaign Manager

JOE BRANDT
Ass't Campaign Manager

FRANCES BORDOFSKY
Treasurer

MATTY BERKELHAMMER
Field Coordinator

•
Angela Davis
Arnold Johnson
Claude M. Lightfoot
Victor Perlo
Robert Phillipoff
Roque Ristorucci
Betty M. Smith
James Steele

•
John J. Abt, Counsel

ELECTION CAMPAIGN COMMITTEE CLARIFIES POLICY STAND

(Editor's note: Stressing the need for wide unity in the defense of ballot rights of minority parties and independents, the Hall-Tyner Election Campaign Committee today made public a correction of an article by one of its staff members published in the July 3 Daily World. The committee's statement follows.)

The Hall-Tyner Election Campaign Committee has received a letter from one of its staff members, Matty Berkelhammer, correcting some views expressed by him in a speech to campaign workers in Massachusetts and published as an article in the July 3 issue of the Daily World.

Comrade Berkelhammer states self-critically that the speech contains passages referring to independents and minority parties which are fundamentally incorrect. 'Some of the views in my article do not reflect the policy of the Hall-Tyner Election Campaign Committee regarding the fight of independents and minority parties for ballot status,' he writes. He explains that his correction would have come earlier except that he was hospitalized for surgery on July 2.

The Committee wishes to emphasize that characterizations in the Berkelhammer article and repetition of rumors and speculations respecting various independents and minority

parties do not reflect its policies and it disavows such.

We totally oppose any and all laws that restrict the ballot rights of independents and minority parties which stand for democracy. We may disagree with one or another party in its attitude towards our view of socialism but we oppose all efforts of the state to restrict the ballot rights of such parties.

We face a national conspiracy to keep us off the ballot and thus prevent the voters from having a working class alternative to the candidates and policies of the two old parties. We see the attack on the Communist ballot rights as the leading edge of the whole assault upon the democratic rights of the people to make a choice outside the confines of the corporate-controlled two-party system.

We call for unity of all democratic-minded forces, inside and outside the two old parties, in the common struggle to defend the elementary right to the ballot. This is a crucial aspect of the struggle to maintain and extend democracy.

HALL-TYNER ELECTION CAMPAIGN COMMITTEE

HENRY WINSTON, Chairman
SIMON W. GERSON, Campaign Manager

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FOR PEACE, ECONOMIC SECURITY, EQUALITY
VOTE INDEPENDENT — VOTE COMMUNIST

DAILY WORLD

CONTINUING THE DAILY WORKER, FOUNDED 1924

Saturday
July 3
1976

Massachusetts will never be the same

Following is the text, abridged, of a speech by Matty Berkelhamer, field coordinator for the Hall-Tyner election campaign committee, in Cambridge.

By MATTY BERKELHAMER

We wish to congratulate you on the magnificent work that has resulted in the collection of 37,000 signatures, equal to the difficult and exorbitant legal requirements for Gus Hall for President and Jarvis Tyner for Vice President here in Massachusetts, while simultaneously collecting and filing 2,283 signatures for Judith LeBlanc, Communist Party candidate for Massachusetts State Senator. This is truly an achievement to celebrate.

The entire Communist Party, the entire Young Workers Liberation League, and democratic-minded people in general express great pride in the work that has been done in Massachusetts. It is a matter of great pride to know that there is a force in Massachusetts which is capable of organizing and mobilizing the people of this state to guarantee that there is an alternative to the Ford-Reagan-Carter-Dukakis-White-Hicks-Kerrigan-7-headed monster of racist, anti-working class, do-nothing politics.

More signatures have been collected in Massachusetts for Hall and Tyner than in any other state in the country. In the course of the remainder of the campaign, more will have been collected here than in any other state, with the exception of California, where 100,000 legal signatures are required.

It is a tribute to the Communist Party, in the first place, and its reliable ally, the Young Workers Liberation League, that so much has been accomplished in such a short time. It is a particular tribute to the political and organizational leadership of Comrades Ed Teixeira, Judith Wells and Judith LeBlanc, who have spearheaded this drive to obtain ballot status for the Communist Party in the state of Massachusetts.

It is a tribute to all the many comrades and friends who have taken up this challenge with a revolutionary zeal and determination matched only by their deep political commitment to the goals of the campaign.

It is a tribute to the full-timers who have made every sacrifice, who have worked day in and day out for over two months, who have gone out every day and persisted... despite harassment, competition, saturation fatigue and exhaustion. Assauls and provocations from racist and fascist elements, whether of the ROAR, Rev. Moon, or "Labor Committee" stripe, only made them more determined to see that our task was accomplished.

The collection of 37,000 signatures is a tribute to all those who became members of "the 1000 club," and "the 500 club," and now, "I understand, the "1500 club" and the "2000 club"! All those who persisted after work, before work, and at work, in the evenings, in the mornings, on Saturdays and Sundays, at every available opportunity, to help us reach our goal.

It is a tribute to all those who gave up their vacations, who could have gone to the mountains or the shore, but instead chose to contribute their hard-earned vacation time to the only meaningful alternative available to the people of this country on election day.

It is a tribute to all those comrades and friends from outside the state, particularly the youth under the leadership of the YWILL, who have rendered fraternal assistance to the drive in Massachusetts by sending help to guarantee that the people of Massachusetts, the state that has become known as the focal point of a national racist, anti-busing conspiracy, would have two anti-racist candidates, two workers, on the ballot in November.

It is also a tribute to the people of Massachusetts, 37,000 of whom have signed nominating petitions to place the candidates of the Communist Party on the ballot, that they support and recognize the democratic rights of the Communist Party to be on the ballot. This in itself is a tremendous advance. It shows a deep-seated hostility to the policies now being carried out by the White House, the State House and City Hall.

It is the other side of the coin to the poor turnout for the Democratic and Republican candidates in the Massachusetts primaries. It shows the potential for independent political action — in Massachusetts and throughout the country.

It is this potential which the ruling class fears and is desperately trying to keep from finding an organized form and expression.

As you know, our efforts to obtain ballot status for Gus Hall and Jarvis Tyner in some 30 states have been meeting with resistance and challenge throughout the country. Not from the people, but from the Democratic and Republican party hacks, the "U.S. Labor Party" and other assorted reactionaries who are desperately trying to curtail our rights to be on the ballot and the right of the people of this country to vote for whomsoever they want.

These reactionaries know that millions of people feel there is no significant difference between Ford, Reagan and Carter. They know that millions of people would vote independent if they had a chance to. They know that this year could see a dramatic increase in the vote, prestige and influence of the Communist Party USA, and this is what they fear.

That's why they are going to all lengths to keep us off the ballot. In Utah, the Communist Party is the only party challenged on the basis of "county requirements." In Michigan, the Communist Party is the only party, out of nine, challenged under the McCullough Law. In Wisconsin, the Communist Party is the only party not informed of change of dates for collecting signatures. In Alabama, the Communist Party is the only party given a run-around.

This is also why they are putting up all kinds of political parties and tickets to divert people from the only meaningful alternative, the Communist alternative, in this election year.

Is there any other reason for the limping Eugene McCarthy campaign than to channel these dissatisfied voters into a meaningless direction?

Is there any other reason for the proliferation of parties — the so-called "Socialist Workers Party," "Socialist Labor Party," "Socialist Party," "United States Labor Party," "Communist Labor Party," "Libertarian Party," etc. — than to confuse, divide and divert people and prevent them from coming together around a real meaningful alternative?

The ruling class is saying: "If you're dissatisfied and don't want to vote for Ford or Carter, you can at least vote for a McCarthy or a Trotskyite."

"If you don't want to vote for either of those, you can at least vote for a phony 'Labor Party' or a phony 'Libertarian Party.'"

And do you think these phony groups have been out there on the streets as we have?

Here in Massachusetts we know that it has been the Communists and their supporters who have been out on the streets day in and day out, on every street corner of Boston, in over 20 cities throughout the state, talking to the people, listening to the people, breaking down old prejudices and stereotypes, combating backward notions, fighting racism, forging unity, in-fusing the people. This has truly been a magnificent drive!

We know where some groups have been! In some office copying names out of telephone books!

JULY 3, 1976

WORLD MAGAZINE

Supplement of the Daily World and People's World

We know they won't get challenged because the ruling class welcomes their being on the ballot. Anything but the Communist Party. Anything to keep the people from the Communist Party.

We have already won the right to curtail petitions in the Metropolitan Transit Authority. This is a right not only for other democratic forces.

We have already gotten a ruling from the Secretary of State, telling the town halls to disregard the anti-Communist bills on the books and to examine our petitions without regard to this law. Of course, the Attorney-General may still make this law on a state level, and in any case we know that our petitions will get a very prejudiced going over.

We have already distributed hundreds of thousands of pieces of literature throughout Massachusetts.

Gas Hall has already spoken to millions in the state via TV, radio and through newspaper accounts.

We have already helped to establish the reputation of the Party as a fighter against racism, for detente, and for the workers' interests.

This has influenced the thoughts of millions in the state.

But there exists a national conspiracy to keep us off the ballot. Every trick in the book is being used to keep us off the ballot. The struggle against this conspiracy is a long-sided struggle, but there are two elements:

1. One is the broad democratic struggle for the right of the Party to be on the ballot.

2. The other element is the drive for adequate margin of signatures to enable us to survive any challenge that might be thrown our way.

The Massachusetts 1976 Hall-Tyner campaign will go down in history as one of the outstanding achievements of our Party, League and the entire democratic movement.

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The anti-communist ballot steal

By Victor Perlo

Polls show widespread disillusion with the Republican and Democratic parties. More voters consider themselves independents than supporters of either, yet 99% of all votes cast go to these two big business parties, between which the difference has become microscopic.

Despite official hoopla about U.S. democratic traditions, there isn't a single "Western democracy" with so narrow a voting pattern. How is this possible? It's possible because the tycoons and subservient politicians who own and manage the "major parties" have rigged the election procedure to prevent an effective choice. They have set up a system to keep minority parties — especially the Communist Party — off the ballot. Furthermore, millions of dollars are required for publicity in order to reach the voters with modern media methods of communication — and the minority parties have less than 1% of the funds. Then after the election, only a fraction of the votes they do get are even counted by the Republican and Democratic hacks who control the election machinery.

Finally, under the undemocratic system which bars proportional representation, no party can have elected officials until it gets a majority in some geographical electoral unit. This is used to build a mass psychology of "why waste your vote" on a candidate who cannot be elected. In the late 1930s, New York City adopted a proportional representation system for its City Council. Soon, two Communist Party candidates were elected to the 25-member council; militant trade unionists were elected on the American Labor Party ticket; the big-business monopoly was broken. Scared to death by this, the ruling powers rapidly changed the law to eliminate this democratic provision and restore the two-party monopoly.

The parties left of the Democrats and Republicans, as well as insurgent groups within the Democratic Party, are victims of electoral discrimination. Although there is a clear differentiation: all measures are applied with special force against the Communist Party, and special devices are used exclusively against the Communist Party. However, the obstacles disappear when ultra-right parties, such as those of George Wallace and the Buckleys, appear on the scene.

Never have our rulers been so open as presently in their efforts to keep Communists out of governments in other countries. Never before have they gone to such lengths: genocide in Vietnam; organization of fascist torture in Chile; bribery and intimidation in Italy. So it's not surprising that at home, in the United States, the democratic rights of the American people under the U.S. Constitution and Bill of Rights mean no more to them than their obligations under the charter of the United Nations.

They resort to every ruse to keep Communists off the ballot in this Presidential election year. And a party not on the official ballot cannot hope to get a significant vote. Write-ins are especially complicated for Presidential elections, with multiple electors in each state, and virtually impossible with the voting machines now generally in use.

There were Communist candidates for President regularly beginning in 1924, soon after the party was founded. The peak counted vote — always several times less than actual — was 102,221 in 1932. At that time, regulations were such that the Communist Party was able to get on the ballot in the great majority of states with relatively little effort.

In 1944 and 1948, Communists supported candidates of other parties, and from 1952 through 1964 the Communist Party was effectively barred from national elections by the fascist Smith Act and other measures which imprisoned Party leaders, drove its members out of employment, and made the Party virtually illegal. It was not until 1968 that a Communist ticket ran again but was able to get on the ballot in only two states, receiving 1,076 counted votes. In 1972, the Communist candidates got on the ballot in 13 states and received 25,343 counted votes. In 1974, for the first time since World War II, Communists were elected to local community offices in New York City. And now, in 1976, Gus Hall and Jarvis Tyner, the 1972 candidates, are running again.

The Communist Party and the Hall-Tyner Campaign Committee are engaged in an all-out struggle to get on the ballot in the majority of the 50 states. They are actively supported in this effort by a significant number of non-party individuals and groups, and on the legal front, by the American Civil Liberties Union.

Reaction turns to its advantage many archaic features of the original federal structure of our country. One of these is the provision that each state government can make its own voting laws, modified only by general national guidelines. Thus, during the cold-war anti-Communist hysteria of the 1950s and 1960s, state governments enacted many measures to make it more difficult and in some cases impossible, for minority parties to get on the ballot. After the 1972 campaign revealed a revival of Communist and left activity, a number of state governments enacted new tricks to make it still harder, offsetting relaxation of unconstitutional restrictions won in some cases through legal struggles.

Supporters of the Communist candidates have been forced to spend large sums of money and thousands of people have had to engage in strenuous efforts to overcome the restrictions and establish the right of the American people to a real choice of candidates for the highest offices in the land.

As early as March, this year, it became evident that this Communist campaign was far surpassing in scope and success the 1972 campaign. Then more than 200,000 registered voters signed petitions to put the Communist ticket on the ballot. It's already clear that in 1976 the number of signers will top 500,000. And in the limited time available, with restrictions on access, petitioners cannot reach one-tenth of potential signers. It is fair to say that millions of U.S. voters, a cross-section of the population, not only believe that the Communists should be on the ballot, but believe it enough to sign their names and addresses to that effect. This means that the Communist Party is no minor party, but a significant factor on the U.S. political scene. While ignoring or downgrading the Party, U.S. government and big business recognize its importance and are thus sparing no effort to prevent that from being reflected in the voting.

Seeing the early successes of the Communist campaign, reactionaries have taken more outrageous countermeasures. State legislatures have passed new laws, often in secret, changing the rules in the middle of the game without notifying the Communist Party, even when other minority parties have been notified. In every single state where the Communists have filed the required number of signatures in 1976, these have been challenged, with official "private" challengers resorting to the most far-fetched technicalities, counting on the complicity of Democratic and Republican state election officials and judges.

Now for some of the particular anti-democratic tricks. Eighteen states have anti-Communist provisions, applied exclusively against the Communist Party and its candidates. This discriminatory practice has been deleted in the courts in a number of states and is being challenged in others this year. But it is a slow and painful process. Most courts will not accept these suits until petitions are filed and validated as fulfilling all other requirements, and even then they refuse to

decide the cases until after the elections. In 1972, suits against anti-Communist provisions were won in Arizona and Indiana after the elections, too late for Hall and Tyner to appear on the ballot that year.

In 1972, the Massachusetts court ruled that that state's anti-Communist provision could not be used to keep Edward Teixeira's signature requirements — more than 1% of the ballot for a local office. But in 1976, state officials still claim it can be used against Hall and Tyner. Why? Because Teixeira's nominating petitions said Edward Teixeira, Communist, while those for Hall and Tyner say Communist Party! Thirteen states have outrageously large signature requirements — more than 1% of the registered voters: Arkansas requires 7%, Georgia, Montana, Nevada, Oklahoma, and Wyoming require 5%; Alaska, Arizona, Kansas, Maryland, Massachusetts, Oregon and, under some conditions, Missouri, require 2 or 3%.

Only a minority of potential voters are accessible to petition gatherers, and many of these consider themselves committed to major parties and will not sign petitions of other parties. Indeed, in some cases they are prohibited by law from signing for a party other than the one they are registered for.

At least 15 states require local filing by townships or counties. The township rule applies to most New England states. This relic of the town meeting, that much heralded bit of early grass-roots democracy, has been turned into an anti-democratic parasitic bureaucracy. The 350 town clerks of Massachusetts are dominated by most-backed reactionaries. At their last annual meeting they voted not to register anybody with a hyphenated name.

In 1972, a prime function of the Massachusetts town clerks was to prepare to disqualify Hall-Tyner petition signers who included or excluded a middle initial, or a Jr., in a variance from the list of registered voters. With this and equally unreasonable devices, they disqualified just enough signers to rule the Communist candidates off the ballot.

This year in Massachusetts, a petition collector has to carry separate petition forms for each town (30 or 40 usually) and spend minutes finding the right one for each signer, or even having to set up a new one. Then the minority party must get these petitions to the respective town clerks by a specified early date, and trust that the clerks will certify the signatures and get them back to the state campaign committee in time for statewide filing only one week later. The clerks are not known for their cooperation.

In every state, the minority party must list electors, equal in numbers to the size of the state's Congressional delegation. In a number of states there must be one elector from each Congressional district.

In a number of states the signatures themselves must be geographically scattered. In Missouri, 1% of the voters in each Congressional District, or 2% in half of the Congressional districts, must sign the petitions. New York requires 100 signatures in half of the Congressional districts. To obtain a significant number of signatures in many rural districts is often very difficult, if for no other reason than the scattered population. But also, the strength of most minority parties is concentrated in metropolitan areas.

Some states, including Texas and Illinois, bar signatures of persons voting in primary elections. Others require burdensome county or precinct conventions, in addition to signatures. All of the requirements must be met within specified time limits, often very restrictive. Generally, collectors are limited to a 5-6 to 12-week interval. In three states, signatures had to be filed as early as March, eight months before the election. In other states, collecting signatures is not permitted until a late date — near the end of August in the case of New York.

The anti-Communist ballot steal

Then there are the practical difficulties had him arrested on the charge of threat- placed in the way of signature collectors entering to assassinate the Vice President of Communist candidates, seriously cur- talling the Bill of Rights. Petitioners are was taken seriously by the local judge barred from gathering signatures in many and the Alabama press. The defendant was public places. For example, masses of workers go to shopping malls, where all sorts of charitable agencies, issue groups, and political candidates promote their respective causes. But petitioners for Communist candidates are usually barred. They are often harassed by police and by provocateurs in collusion with the authorities.

In West Virginia, among other forbid- ding provisions, there is one which permits only residents of a county approved by the officials of that county, to collect signa- tures in that county. Also, there is the fan- tastic requirement that the Presidential candidate of a minority party must pay a fee equal to 1% of the annual salary of the

In Utah, 10 signatures are required in each of 10 counties within the total of 500 or more. In both 1968 and 1972 more than the necessary number were filed by the Communist Party. But in each case the authorities focused on one county, intrin- sically signing and finding faults with the signatures until it got the total in that county below 10, and then the Party was ruled off the ballot.

Alabama has an anti-Communist ballot law. In 1971, the number of required signa- tures was increased from 500 to 10,000, to be submitted by May 4, 1976. Alabama's petitioners, aided by volunteers from other states, filed 15,000 signatures on May 3. In the course of this effort, collectors were harassed, and in one case threatened with stoning. They were barred from some col- lege campuses and all shopping malls. Two collectors were arrested. In one case, pro- vocateurs engaged a signature collector in conversation and, using a trick question,

had him arrested on the charge of threat- ing to assassinate the Vice President of the United States. This blatant frame-up was taken seriously by the local judge and the Alabama press. The defendant was forced to post \$10,000 bail and await trial.

When the signatures were filed, the Al- bama Secretary of State for two days re- fused to accept them and has still refused to proceed to certify them. Civil liberties lawyers are seeking to force him to and to invalidate the anti-Communist provision.

Collecting 15,000 signatures in Wal- lace's Alabama was a great achievement, made possible by the responsiveness of the workers of Alabama, especially the Black workers of Alabama. It is estimated that one out of every eight registered Black vot- ers in Birmingham signed the Hall-Tyner petition.

After the signatures were filed, the Party was informed that the legislature had reduced the necessary number of sig- natures to 5,000, and had given parties until the end of August to get them. Undoubtedly this "generosity" was motivated by the evident success of the Communists and the desire to give some other "left" party a chance to get on the ballot in order to cover up continuing efforts to get the Commu- nist Party off the ballot.

In Wisconsin, an opposite device was used. The signature collection period was secretly advanced one and a half months, from mid-July to the beginning of June. Every minority party except the Commu- nists was notified, so the Hall-Tyner ticket lost the first 10 days of collection time.

In Michigan the Communist Party filed 22,000 signatures, roughly 4,000 more than the required number. Local politicians chal- lenged the petitions of all minority parties, but they finally ended up approving all but

the Communist petitions, declaring invalid a handful of signatures more than needed for the purpose. Many names were thrown out on the claim that the signatures were illegible, and also that the person did not live at the claimed address — an obvious contradiction. The challengers and the judges of the challenge were the same — they acted as prosecutor, judge and jury.

The Communist Party is of course con- testing this procedure in the courts. Meanwhile all the Michigan old-party politicians passed a law requiring minor- ity parties, in addition to filing signatures, to run their candidates in an August pri- mary, and to get 6,000 votes in that primary, as a prerequisite for getting on the ballot in the November election.

Minority parties do not have primaries because they have single agreed candidates. To force them into an artificial primary contests against themselves is to put an enormous obstacle before them in the short time allowed. Note that those who vote in Democratic or Republican primaries are barred from voting in these third party pri- maries, although many of them would vote for minority candidates in the November election.

This blatantly discriminatory law is also being challenged in the courts. At this writing, the Communists have filed the necessary number of signatures in seven states. In only one have the authori- ties finally certified the Hall-Tyner ticket on the ballot. In almost all, there have been challenges, and court procedures are under way. The law permits anybody to challenge, and most challenges have been by politi- cians. But where some of these have come forward, the CIA-linked, neo-fascist orga- nization, the National Caucus of Labor Or- ganizers, otherwise known as the U.S. Labor

Party, has challenged the petitions of the Communists and other minority parties. This is its sole "participation" in the 1976 elections.

Authorities are less rigorous in enforce- ing the exclusionary laws against other parties than against the Communist Party. In that connection, special mention must be made of the Socialist Workers Par- ty, the Trotskyites. This group appeals to the radical youth as being "true" Commu- nists, "more left than" the Communist Party. But they readily sign all anti-Com- munist oaths and, in collecting signatures to get on the ballot, refer to themselves as "socialists" — which, in the image created by bourgeois propaganda, signifies a mild and harmless reformism.

This group is less subject to discrimina- tory ballot rulings. In some cases, where many signatures are required, they file without having appeared to canvass to col- lect signatures on a major scale, and their filing is accepted. They are notified of changes in rules kept secret from the Com- munist. And in 1972, they were given over 30,000 votes in Arizona, and over 12,000 in Louisiana, states without major radical movements, still less SWP movements. These two states, where the Communist candidates were barred from the ballot provided more than half the national vote of the SWP. It appeared as if "computer er- rors" — the explanation in Arizona — were permitted to stand so that the SWP could be built up as "the leading left party."

The Communist Party stands for the ballot rights of all, except for racists and fascists. Experience shows that prepara- tions for war and fascism begin with at- tacks on Communists. And the attack on the ballot right of U.S. Communists is a se- rious attack on the voting rights of all in this country.

Recognition of full democratic rights of Communists is an essential primary step towards broadening and giving full content to the nominal democratic rights which citizens of this country theoretically enjoy.

Honest people of varying political views are learning about and beginning to express outrage against the conspiracy to keep the Communist candidates off the ballot. The Portland Evening editorially condemned an arbitrary challenge by a local politician of the Hall-Tyner petitions filed in Maine on the grounds that there were not 13,000 Communist in the state! Of course not. But 13,000 Maine voters were reached who thought that all people who wanted to should have the right to vote for Commu- nist candidates.

All democratically-minded citizens have a role in helping to establish these rights, by collecting signatures for Hall and Tyner, by supporting changes in elec- tional laws and procedures used to bar Com- munist from the ballot.

There should be a single, simple, national procedure by which any political party can obtain ballot status for its up- coming candidates. This could be, for ex- ample, through submission of 100,000 signa- tures collected anywhere in the country. Or, alternatively, by a party's holding a nominating convention attended by more than 100 duly elected delegates.