



It was the first day of summer when we saw this  
So we know you'll forgive our un-political look this week

# NATIONAL GUARDIAN

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NEW YORK, N. Y., JUNE 27, 1955

AFTER THE TIMES' EDITORIAL

## Belfrage's condition eased after protest, but he stays in jail as court ponders

**G**UARDIAN editor Cedric Belfrage, so far denied bail pending court review of a deportation order against him, last week for the first time since his jailing on May 13 was accorded the elementary privileges enjoyed by convicted criminals. Before that he had been held under "maximum security" restrictions which denied him even the use of a knife and fork at meal time.

With his new "freedoms," he is permitted to mingle freely with the inmates of the Federal House of Detention, takes his meals in the dining room, has been given a work assignment in the prison library, and is allowed two exercise periods a day on the prison roof.

But his mail is still censored; one

letter in which he pointed out that outside protests resulted in the new privileges granted him was never received. His visitors are still limited to his wife, his lawyers and his co-editor James Aronson.

**CAN'T GET GUARDIAN:** He is not allowed to receive the GUARDIAN, the magazine Monthly Review nor the British weekly New Statesman & Nation on the ground that these publications are not on the "approved list" for federal prisons. One of Belfrage's lawyers who asked to see the list was told none was available.

The restrictions against Belfrage were relaxed after the N. Y. Times on  
(Continued on Page 10)

ANNA LOUISE STRONG AT THE UN ANNIVERSARY

## A vast prayer for peace in San Francisco

By Anna Louise Strong  
Special Guardian Correspondent

SAN FRANCISCO

**T**HE MOST IMPRESSIVE thing about the tenth anniversary session of the United Nations is the manner in which it has snowballed from the prayers of the plain people, all craving for some miracle from the United Nations. What apparently started from the desire of the City of San Francisco to hold a convention was expanded by the decision of United Nations to hold a commemorative session—and flamed into a tremendous outpouring of man's universal hope for peace.

This was especially expressed in the gigantic peace prayer which arose Monday in the Cow Palace. There 16,000 persons prayed for the future of the United Nations in many tongues and seven religions. This was initiated by the local Council of Churches and orthodox Christians, Jews, Moslems, Buddhists, Hindus and Bahais, all praying for peace in their own tongue

and in their own manner.

**A GREAT CATHEDRAL:** The vast, bare, ugly structure became a cathedral with 260 ministers—bearded orthodox priests, red-and-orange-robed Buddhist bishops and Jewish rabbis. Massed choirs of 1,600 voices entered through 14 doors and walked down 14 aisles, chanting: "See the vision of the world." There were readings from Confucius, Bhagavat Gita, the Old and New Testaments, the Buddhist Scriptures and the Koran: "In the name of Allah the Gracious" . . .

"Blessed are the peace makers" . . . "Om, peace, peace. Om."

The Indian ambassador presented a Hindu resolution. A Buddhist resolution representing 550 million adherents was affirmed: "Negotiation and arbitration can solve man's problems." A Moslem resolution joined in by 13 nations affirmed "the equality and the brotherhood of man."

**THE PEOPLE SPEAK:** Meanwhile the delegates poured in from 60 nations by plane and train. Proudly featuring a cool, sunny breeze, the

Miss Strong in S. F.

Anna Louise Strong has been assigned as a special GUARDIAN correspondent to cover the 10th anniversary celebration of the UN in San Francisco. This issue went to press too early for full coverage. Watch for Miss Strong's color story and analysis next week.

San Francisco weather invigorated visitors from the over-heated East. The tone of the people of San Francisco was indicated when an almost unknown local committee, working in a strictly amateur fashion, circulated petitions which got 25,000 signatures. The petitions said: "We call on the United Nations and all countries to outlaw atomic war."

The biggest collection of top diplomats seen anywhere in ten years is gathered here. The speakers listed at the official sessions include 63 "excellencies" and three royal highnesses—from Thailand, Yemen and Afghanistan. Additional luncheons, dinners, banquets and meetings were listed by the dozens all over the city. The most important, of course, was the Big Four foreign ministers' conference to decide the agenda of the Geneva "summit" conference.

**WAIT AND WATCH:** While the San Francisco press still insists that the United Nations session is "commemorative only," the people clearly hope that something real may happen. They line up before dawn hoping that they will be the lucky ones who will gain admission to see the United Nations in action. They note that Soviet Foreign Minister Molotov brought over 50 assistants, which shows that the Russians take the event seriously.

So the people watch and hope.



United Nations drawing  
THE CHARTER OF THE UNITED NATIONS  
After 10 years, it is still the hope of the world

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the spirit  
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From one who knows

HOUSTON, TEX.  
Belfrage, our good friend, my heart goes out for him in all his days of sorrow which I know by my own experience. For one time years ago I was taken away from my home and my little children whom I did love. I suffered days and nights in prison and the crime I committed was breaking the prohibition law. I had no money to feed and clothe my big family, so was breaking the law to make some money for to feed the children. I took the chance and lost, but I never violated that law any more. Now in the Belfrage case, he has broken no law and still has to suffer, simply because he has been fighting for justice for all.

Well, I am sad and sorrowful for it all. Now I am old, sick and no money and helpless. All I can do now is sit and pray that some way Belfrage and his family and all who love him will soon not have to suffer like this any more. So please find enclosed 30c and my heart and prayers. I am sure our God will richly reward all the just who suffer these things for the sake of His people and the poor and downtrodden. Name withheld

For Belfrage defense

TACOMA, WASH.  
The Peace Committee of St. Paul's Methodist Church, 1209 So. L St., Tacoma, Wash., voted to contribute \$5 to the defense of Cedric Belfrage. Henry W. Thoren, Treas.

Materialized conditions

BERKELEY, CALIF.  
Re the report on "The Role of the ALP" by Peter K. Hawley (June 6). He writes: "Do we of the ALP have a contribution to make? ... The answer is a ringing yes!"

This statement would appear to be highly incongruous when placed alongside a paragraph further along in his report concerning the question, should a third party be organized? He says: "We do not believe so. The conditions for it have not as yet materialized."

One is constrained to inquire if New York is the only place in the U.S. where "conditions have materialized?" What about an ALP in Minn., Calif., etc., etc.?  
John C. Taylor

The dope traffic

SHANGHAI, CHINA  
From time to time, and with increasing vehemence, the various American-sponsored short-wave news reports I listen to are bringing up the subject of People's China's "manufacture" and "smuggling" of narcotics into the U.S. This monstrous lie is evil: the object is to slander China. But two evils America is inflicting on herself are still greater: first, the moral foulness of perpetrating this accusation; second, the allowing the drug traffic to continue by shielding the real culprits.

This last aspect is so noticeable, one thinks back to the Reichstag fire, and it almost seems, God forbid, that the U.S. government wants this illegal drug trade, as an excuse to malign People's China.

Beyond a doubt narcotics are flowing in a steady stream into the U.S. The Federal Narcotics

How crazy can you get dept.

An enterprising firm in Los Angeles has brought out an individual "loyalty kit" for those who have not been required to sign an oath but who wish to do so anyway.

The red-white-and-blue certificate, suitable for framing, contains pictures of Lincoln and Washington and the statement that the signer is not now and never has been a member of the Communist Party. James Caselman, president of Loyalty Enterprises, offers this "opportunity to demonstrate your patriotism" at the price of \$1.  
—Christian Science Monitor, May 31, 1955.

One-year free sub to sender of each item printed under this heading. Winner this week: W. M. Kaufman, Bronx, N. Y.

Bureau puts all the blame on this government, which is supposed to be smuggling the opium, morphine, etc., into Thailand and Japan (neither of which countries even touches China!) and thence to America. So the UN is asked to view China with horror—while dope continues to pour into the U.S.

One wonders: Does the Narcotics Bureau want to discredit communism or does it want to halt the illegal narcotics trade? If the latter, it had better change its tactics.  
Dorothy Fischer

From Charles Chaplin

CORSIER SUR VEVEY, SWITZ.  
I have the pleasure of sending you herewith a cheque for \$100. After deducting my subscription for a further year, please use the balance as a contribution towards the revolving debt to your printer. With best wishes. Charles Chaplin

Moscow gold

MOSCOW, U.S.S.R.  
The first paragraph of your appeal makes me bleed in heart bleed, as we limeys say. If you know of any sympathetic soul coming to, or now in, Moscow who could take a thousand roubles from me and pass the proceeds on to you, you are very welcome. It's not impossible.  
Archie Johnstone

The crisis in auto

BERKELEY, CALIF.  
On January 12, 1914, the Ford Motor Co. instituted its famous five-dollars-for-eight-hours policy, thereby reducing hours from nine to eight, and upping wages about 80c to \$2½ per hour minimum. This was in answer to the mere threat of organization. Great factory-gate meetings were being addressed by such union organizers as Elizabeth Gurley Flynn in the summer and fall of 1913. The present writer, then a Ford employe, was blacklisted for joining a union. The 10-hour day had been established in Michigan much less than 41 years before 1914 by strike action of the workers in the then basic lumber industry of Michigan. Before that, hours had been from sun to sun, or at the bosses' whim. Before 1915, Ford had completed its first conveyor, starting the great rationalization of industrial processes—of which Ford was initiator and leader. With the revolution in industrial methods and labor productivity since, the eight-hour day in the soon-to-be crisis-ridden auto industry, is really a stone-age survival, utterly unnecessary economically.

Now with the auto industry organized these 20 years, the union leadership fails to raise the one basic question—shorter hours. The

next year or two will reveal this failure as a definitive measure of its bankruptcy.

The auto workers' union was born in the midst of the greatest economic crisis the world has ever known, and its leaders have that crisis as their most important social experience. Today these "leaders" ignore the chief lesson of that crisis, that our economy must be organized to give assured place in industry and full security to each member out of its vast productivity. Shorten the hours, and increase real wages on the take-home level, is the slogan for today.  
William Reynolds

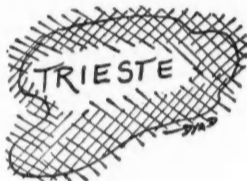
To the people

LOS ANGELES, CALIF.  
Drop a pebble in the pond  
See the circles round and round  
How they move each other.  
I the pebble,  
You the pond  
I the starter  
You the doer  
We the richer for our love.  
David Feldman

For service

GLASGOW, MONT.  
In reading a newspaper published in Oslo, Norway, in an effort to promote better world understanding, I note the name Cedric Belfrage listed among those who have done mankind a great service. I noted the names of Bertrand Russell, Herbert Spencer, Voltaire and Socrates also in the same list, but I fail to find the names of Brownell or McCarthy anywhere as having helped mankind.

To live comfortably, one has only to move with the pack, speak with the pack and think with the pack. All great men who have tried to lift men up out of their barbarous ways have had very rough going, but we remember them and forget their tormentors.  
Mrs. Charles W. Cotton



Drawing by Dyad, London  
"D'ya think the Yanks will advocate preventive war against Tito for talking to the Russians?"

On angels

NO. HOLLYWOOD, CALIF.  
Correction please! Joseph T. Kuperberg on behalf of the Bahai Faith, takes me to task for denying the existence of angels. This was not my intent as I neither affirm nor deny that which is unknown to me. In applauding Robert Joyce's "Guardian Angel" as a practical scamp, who serves to amuse as he awakens mankind to reality, I suggested that critical readers save their pot-shots for the ethereal kind which lull men to sleep.

Because my friend is good enough to recognize that the suggestion of violence upon Heavenly Hosts is nothing more or less than gross ignorance, I am grateful to him and offer sincere apologies to all faithful believers who were offended by my rash thoughtlessness.  
Mildred Gross

Cause of mental ills

DRY BRANCH, W. VA.  
The American Medical Assn. reported in 1950 there were 700,000 hospital beds occupied by mental cases and two or three times that many beds were needed. In May, 1955, the Ford Foundation said half of the hospital beds in the U.S. are occupied by mental cases.

What is the cause of mental illness in the U.S.A., Canada and many other so-called free nations? The answer is very simple: free enterprise, capitalism, profit and its over-productive system which keeps thousands out of work.

The cure for these and many other ills is socialism. Some say it will not work, but it has worked for one nation 88 long years and is working in many other nations.

Mental sickness is costing the U.S. more than one billion dollars per year.  
C. B. Bryant



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CEDRIC BELFRAGE  
Editor

JOHN T. McMANUS  
General Manager

JAMES ARONSON  
Executive Editor

ELMER BENDINER, Editor of New York Section. TABITHA PETRAN, World Analysis. LAWRENCE EMERY, National Affairs. EUGENE GORDON, Negro Affairs and Civil Liberties. KUMAR GOSHAL, World Affairs. ROBERT JOYCE, Art Editor. ROBERT E. LIGHT, Advertising and Buying Service. GEORGE EVANS, Promotion and Circulation. TIBA G. WILLNER, Los Angeles representative. MALVINA REYNOLDS, 1199 Spruce St., Berkeley, Landscape 4-4289, San Francisco-Bay Area representative.

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JUNE 27, 1955

*This Constitution can end in despotism, as other forms have done before it, only when the people shall become so corrupted as to need domestic government, being incapable of any other.—BENJAMIN FRANKLIN.*

REPORT TO READERS

## Strawberry sociable

SOMEBODY IN YOUR NEIGHBORHOOD has had a letter from us in the last week or so, proposing that you and your friends in the GUARDIAN family get together some time in July or August—barbecue, picnic, strawberry sociable, house gathering or what you will—for the benefit of the GUARDIAN and especially our fight in the Belfrage Case.

The answers have been coming in from all over creation, so maybe you know about this already—but maybe you don't. If not, why not volunteer yourself to get something started? Just drop us a note, saying approximately what and when, and we'll do everything we can from here to make the thing a success.

Just to give you an idea of where things are stirring already (not everywhere, but a regional cross-section) we'll start with New Llano, La., and branch out east, west and north to include Lakeland, Fla.; Brownsville, Tex.; Knoxville, Tenn.; Tucson, Ariz.; Miami, Fla.; Denver, Colo.; Morrisville, Pa.; Madison, Wis.; St. Paul, Minn.; Chicago, Detroit, Cleveland, Couer d'Alene, Idaho; Springfield, Mass.; San Cristobal, N. Mex.; Philadelphia, Boston, Trenton, N.J.; Seattle, Portland (both Ore. and Me.), and a scattering from California, which really hasn't yet had a chance to get our letter, figure things out and reply.

WE CAN TELL YOU NOW that we'll need the boost, however small or large, in the forthcoming eight to ten weeks. So don't exclude a Labor Day week-end event from your figuring, if that seems the best time to get people together.

SEEMS TO US that we have been writing to groups of readers constantly for the last several months, for renewals and catching up with pledges, for summer parties for the GUARDIAN Sustaining Fund, and to all hands for help in fighting the Belfrage Case along with getting the paper out each week.

On the whole, the response has been prompt and generous. But percentage-wise, we still can't seem to get past that overall 10 per cent level—which means that 90 per cent of YOU don't answer your mail. The result is that the 10 per cent carry the extra burdens, while the rest ride along.

You might do your bit toward mending this situation right now—with a little note saying you'll pitch in on a summer party for the GUARDIAN. Even a postcard will do. —THE EDITORS

Swift Buying Service

SAYREVILLE, N.J.  
Thank you for your speed and efficiency on my Buying Service orders. So far, all the things I have ordered from your paper have been wonderful.  
The Unforgotten Man is indeed an unforgettable record. Keep up the good work. Muriel C. Hyman

Call to struggle

CHICAGO, ILL.  
Your newspaper is much more than just a newspaper for us, and has been so for many years. One of the finest things about it is the call to struggle which pervades every issue. The excellent coverage, courageous editorial policy and fine journalism are exceeded only by your paper's militancy and "drive." Your editorial honesty is always refreshing. And, though often we are deeply saddened by the events of our times which are reported in the GUARDIAN with such clarity, we are heartened by the many encouraging results obtained by progressive activity.  
S. Karbin

Selling Reuben's book

LOS ANGELES, CALIF.  
I'd like to tell you something of the story of William A. Reuben, author of The Atom Spy Hoax. After distributing a first edition of 4,000 copies by heroic methods, he found it financially impossible to bring out a second edition, and was planning to take a taxi-driver's

job.

Thanks to the quick work of a handful of Los Angeles people, a second edition of 5,000 copies of the book is now coming off the press. This committee, within a few days, raised enough money by loans to pay Bill Reuben for a 1,000 copies in advance and made it possible to have a second edition.

The committee sends speakers to organizations to review the book and gets quantity orders which enable the organizations to sell the book at club rates and to enlist the membership in a drive to promote sales. It now appears as if the 1,000 books will be sold in about seven weeks. The committee urges that others do the same. Committees should be set up from coast to coast. It is a worthy task. Write to William A. Reuben, Room 2800, 165 Broadway, New York 6, N. Y., for complete details of how you can make a major contribution to peace and sanity.  
Morris Kominsky

Time for courage

GLENDALE, ARIZ.  
Now is the time for a People's Party. Now is the time for men of real courage to make themselves heard; now is the time for men of real courage to take action. If the progressive forces are to lead the people away from atomic destruction and growing fascism and toward peace and prosperity there must be leaders of the courage of their convictions. Harold Friedrich

AN ANALYSIS OF THE SETTLEMENT IN AUTO

# What will the workers get—if anything—in UAW contracts?

By Lawrence Emery

**A**DMIRERS of Walter Reuther who have been singing hallelujah over his jobless pay pacts with Ford and General Motors have now run out of both superlatives and breath. But while the jubilee was on, the auto agreements were hailed as historic, epochal, trail-blazing; one Washington observer wrote that Reuther was regarded in certain circles there with "awe"; talk was revived that he would one day be President of the U. S. To cap it all, he made the front cover of Time magazine last week.

Some sang hallelujah for strange reasons. The Washington Post saw the agreements as "another good break for the Eisenhower Administration." Hearst papers went further and found that the pacts "should work out also to the advantage of Republican Congressional candidates in next year's elections."

**"PEOPLE'S CAPITALISM":** There were some who saw the agreements as a master move in the cold war. (Reuther himself was careful to point out that the Ford agreement "gives lie to the Communists in the world. . ."). The Christian Science Monitor's Paris bureau chief interpreted the pacts as a body blow to European socialism because they proved the superiority of "the American system of 'people's capitalism.'" He cited what he described as a typical Parisian worker's reaction:

"Why, if that is possible under the American system, it is doing more than socialism has ever been able to do."

The CSM correspondent added:

"Without seeking to do so Messrs. Reuther and Ford by this agreement have become strategists in the East-West cold war and have produced a resounding victory for free enterprise."

Most of the hallelujah singers seem to overlook the fact that the new epoch in industrial relations is being ushered in by a plan devised solely and exclusively by the Ford Motor Co. A close, second look at it reveals it as something less than a world-shaking revolution. Just what will Ford and GM workers get out of it, if anything, if ever?

**PENCILS READY?** First off, they get nothing until a year from now beginning June 1, 1956. Then, assume that Ford's entire hourly-rated labor force of 140,000 has worked steadily without lay-offs, until that date. In that event the fund from which supplemental unemployment benefits will be paid will have reached, at the rate of 5c an hour for every hour worked, a sum of \$14,000,000; this is roughly 25% of the

maximum fund limit of \$55,000,000.

\*At that level of the fund, according to a complicated table worked out by the company, a worker with less than five years seniority would be entitled to only four weeks of company-paid benefits. Men with 25 or more years seniority (who are least likely to be laid off) would be entitled to only ten weeks of benefits.

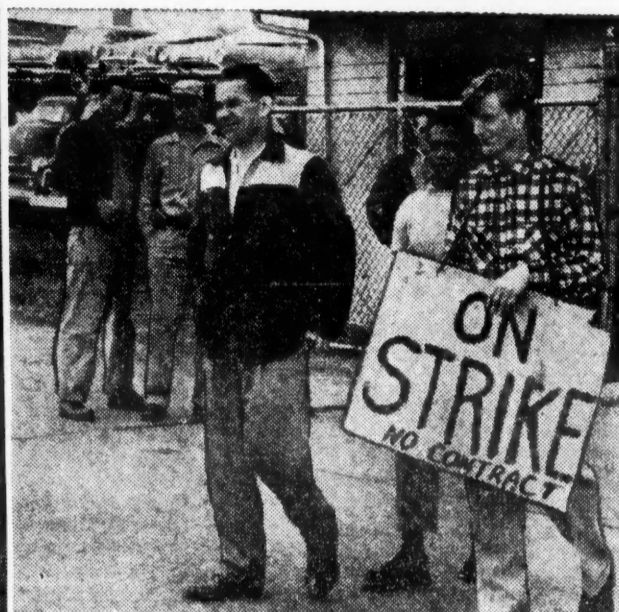
Under the company's formula a worker becomes entitled to benefits by

workers. If the fund drops below 13% of its maximum, benefits will be reduced by 20%; if it falls below 4%, no benefits.

**HOW TO GET 26 WEEKS:** Assuming no lay-offs during the first year, a four-week shutdown of Ford plants for a model change-over in 1956 would cancel out all those earned credits for lower seniority workers and a large proportion of those earned even by the highest seniority workers. It will take three years of uninterrupted work for

labor in improving state unemployment compensation benefits and liberalizing their administration. But under the plan accepted by the UAW, only those workers who qualify for state unemployment compensation are entitled to the supplementary payments. This would seem to be an inducement to the companies to seek even more restrictions on eligibility for state benefits.

But even with all these drawbacks to the epoch-making agreements, there



WHILE REUTHER WAS SHAKING HANDS . . . OTHERS WERE SHAKING THEIR SIGNS  
(L.) UAW head with GM's H. W. Anderson. . . (R.) Strikers at GM's Linden, N. J., plant

accumulating credit units at the rate of one-quarter unit for each 32-hour week worked during the first two years; in the third year a 32-hour work week will count for one-half a credit unit.

**COMES HARD, GOES EASY:** But workers with less than five years seniority—those most likely to be laid off—must surrender three and one-third credit units for each week of benefits received when the fund is at 25% of the maximum. At that rate he must work for 14 weeks to earn one week's benefit, or 13 months to earn four weeks of benefits. Seniority and the level of the fund determine the duration of benefits. The principle is simple: credits are earned slowly, squandered swiftly.

Only when the fund is at 85% of its maximum limit of \$55,000,000—a level not likely to be reached during the three-year contract—will one credit unit match one week of benefits for all

any worker to earn enough credits to entitle him to the maximum of 26 weeks of benefits.

Company benefit payments in Michigan, which has a relatively high rate of State unemployment compensation, won't amount to much.

One Ford worker who was recently laid off for six weeks calculated what he would have received if the plan was in effect; he was not impressed with the total. For the first week he would have received nothing. For the next four weeks he would have received \$38 a week in state unemployment compensation; the company, to bring his income up to 65% of his regular wages, would have paid him \$4.25 a week. During the last week the company payment would have been \$1, or a grand sum of \$18 for the full six weeks.

**AUTOMATION THREAT:** A worker with \$74 a week take-home pay would get 65% of that for four weeks under the new plan, or \$48.10 a week. But if he had enough dependents (a wife and four children) to qualify for maximum state benefits, he would receive \$54 a week for 26 weeks from the state and the company would pay him nothing.

The new plan offers no protection against the threat of wide-scale displacement of workers through the spread of automation. It is generally agreed that labor's best defense against this threat is a 30-hour week with no reduction in pay, but this demand is now deferred for at least three years, the duration of the new contracts. Thousands of auto workers may find themselves permanently replaced by machines in that time.

There is a danger that the new plan may increase job insecurity. Since payments do not begin for a year, the companies have that time in which to reduce the number of eligible workers employed. And since workers must have one year seniority to qualify for benefits, it will be to the companies' interest to rely on reserves of non-seniority workers during peak production periods.

**LAW CHANGE NEEDED:** The auto union has argued that companies paying a supplementary jobless benefit would thereby be induced to join with

are other gimmicks which may well prevent the jobless pay plan from ever coming into effect. First hurdle will be to change existing state laws to permit unemployed workers to receive both state benefits and company payments.

The governors of both Michigan and New York have announced their support for such changes, but in other states employer groups are already at work to block any such moves. The Ohio legislature on June 14 rejected the first attempt to amend the state law and the Indiana legislature did the same thing earlier. Unless these changes can be made, the jobless pay plan will automatically be annulled by June 1, 1957.

**McDONALD UNIMPRESSED:** In addition, before the plan goes into operation the companies will require favorable rulings from the Federal government that its contributions to the jobless pay funds shall be considered tax deductible expenses and, on defense contracts, considered allowable costs.

Reuther's bitterest rival in the CIO, president David J. McDonald of the steel workers union, doesn't think much of Reuther's triumph. Although he is bargaining with the steel industry on wages now, he cannot press a demand for a Guaranteed Annual Wage until next year. But he told his union's wage policy committee that the Ford-GM scheme is not for them:

"I assure you it is not the sort of plan that will be satisfactory to the steel workers. There are many gimmicks. When we get our Guaranteed Annual Wage we want an honest to God guaranteed annual wage."

As for the rest of the UAW contracts, he calculated the actual monetary gains at 7.5c an hour and said that would be totally inadequate for him.

**AND THE WORKERS?** Auto workers generally seemed hardly excited over supplemental jobless pay. Their concern was more immediate: the new contracts failed to make daily life with an assembly-line more comfortable, with no union control over speed-up, little or no union control over company disciplinary action, little union control of grievance procedures.

## 85 patriots appeal to people of Massachusetts

**A** MEETING was held last week at the historic Charles Street Meeting House in Boston so that the 85 Massachusetts citizens, listed by the State Subversive Commission, could consider their common concern at being the first direct targets of local McCarthyism. After reporting the decency and lack of hysteria among their neighbors and fellow workers, they issued a statement which follows in part:

"We have been blacklisted, our reputations smeared and our jobs jeopardized by a Commission which acted as prosecutor, judge and jury, and which broadcast the smears of faceless informers whom we were denied the right to confront, to cross examine and to rebut. This proceeding is utterly un-American.

"Who are we? What have we stood for? What have we done? We have been pioneers and fighters for ideas and programs that benefit the common man.

"Some of us have pioneered for the organization of the unorganized into trade unions. Some of us have fought for free speech and press and the whole Bill of Rights.

"Some of us have prodded the conscience of America to put an end to the discrimination against and the second class citizenship of the Negro people. Some of us have been pioneers for the world peace that the American people so deeply long for.

"No one need take our word for these statements. It is all in the Commission's own report. It is, in fact, what they find dangerous about our activities.

"The purpose of the whole witch hunt in America today, is to divert the people from uniting around this program. . . . Beyond this the purpose of the commission is to destroy militant labor unions; to make our state safe for big business and to prevent progressive labor legislation; to crush all independent thought and all political dissent.

"We are confident that the people of Massachusetts will be deeply indignant at the unfairness of this Commission's blacklist, and that they will repudiate and end the Commission. For our part, we intend to fight this un-American blacklist and the Commission guilty of publishing it."

## THE GUARDIAN ANGEL

Come clean



## THE LAW

## How Prof. Nathan's case affects the right to travel

WHEN Prof. Otto Nathan was handed his passport early this month, the people of the U. S. won a significant battle in a fight for an elementary democratic right which the British won in 1606: the right to travel.

Even earlier when English barons backed King John into a corner at Runnymede in 1215, they forced him to write into the Magna Carta a guarantee that except for "prisoners and outlaws" anyone could "go out of our Kingdom and return safely and securely, by land or by water." John added the Brownellian phrase, "saving his allegiance to us." Later, Richard II forbade travel to commit acts "prejudicial to the Crown." ("Contrary to the best interests of the nation" is the current language used by the State Dept. in denying passports.) The British repealed Richard's ban in 1606.

**RED TAPE NUISANCE:** For over 150 years U.S. nationals could travel as freely as most people in the world. Up to World War I passports and visas were rarely required. In the period between the wars travel was bogged down in red tape; but still the passport problem was more a nuisance than an infringement of liberties.

The cold war declared by Pres. Truman whittled away, among other liberties, the right to travel. It elevated Director of the Passport Office, Mrs. Ruth B. Shipley, to the status of national arbiter of "loyalty" who could decide who might enter and who might leave the country. From her rulings there was no appeal. She was armed with the McCarran Internal Security Act of 1950 which specified that certain broadly defined categories of persons could be denied passports. Definitions were so loose that "Ma" Shipley could generally decide on her own who was to be held and who let go.

In 1952 U. S. journalist Anne Bauer, living in France, had her passport revoked as "contrary to the best interests of the nation." The American Civil Liberties Union took the case to court, won a two-to-one decision from a Federal District Court which cited the Fifth Amendment's guarantee that "no person shall be deprived of life, liberty, or property, without due process of law." The majority cited a Supreme Court decision that liberty includes

"... the right of locomotion, the right to remove from one place to another, according to inclination."

**THE APPEALS BOARD:** Anne Bauer, having made her point, stayed on in France, but the State Dept. put into operation its own brand of "due process." In Sept., 1952, Secy. of State Acheson issued new regulations, allowing for "informal hearings" within the Passport Office and a possible appeal

from Mrs. Shipley to a three-man Board of Passport Appeals with authority to make its own rules.

The rules allowed "faceless informers" to testify against a passport applicant in secret, offer derogatory information immune from cross-examination. The bedeviled applicant could not confront his accusers or even know who they were.

The State Dept. kept turning down Americans of all kinds. The criteria laid down by Acheson covered such hazily defined persons as those who "... engage in activities which support the Communist movement under conditions which warrant the conclusion, unless rebutted, that they



FRANCES G. KNIGHT  
Her predecessor was the law

still act under its discipline or in furtherance of its interests."

**UNDUE PROCESS:** Government attorneys argued in one case:

"It is not only the renegade and the subversive that must be guarded against. Even the most loyal American citizen may, if he is careless, indiscreet, embittered or likely to make irresponsible statements regardless of the consequence, cause irreparable damage to our foreign policy and security."

The nation's leading lawyers made mince-meat of the State Dept.'s "due process." The Yale Law Journal in 1952 said all of Acheson's criteria "should be held unconstitutional" and that "even if the standards are upheld, the procedures presently used by the State Dept. violate due process." The review concluded that:

"... under the circumstances of modern international life every American citizen has a constitutional right to a passport, and ... the protection of that right has become an

## Cops give 'em out

IN 1954 Prof. Reginald Parker of Willamette Univ. College of Law summed up the travel situation in Western Europe for the Virginia Law Review:

"Passports, like automobile licenses, are obtained from the local police authorities upon payment of a fee and after checking the applicant's criminal record, if any."

urgent matter of national policy as well as of civil liberty."

Still Mrs. Shipley and her successor Frances G. Knight rode rough-shod over that right until this spring when Prof. Nathan, economist, close friend of the late Albert Einstein and executor of his will, sued Secy. of State Dulles for the right to a passport.

**POLITICAL TESTS:** The Emergency Civil Liberties Council and its attorney Leonard Boudin argued that there is a constitutional right to travel, that the State Dept. could not limit that right by setting up political tests for passports, that the Acheson regulations, still in effect, were invalid because they were vague, written in political, not legal, language, that the appeals procedures were unconstitutional because they were based on secret evidence and faceless informers.

Early in June in Washington, Federal District Judge Henry A. Schweinhaut, angry at State Dept. delays, issued the first court order in U. S. history requiring the department to issue a passport. The Appeals Court stayed the order, but its decision seemed to throw into a cocked hat the old star-chamber proceedings of the passport division.

The Appeals Court ordered the State Dept. swiftly to grant Prof. Nathan "an evidentiary hearing" which would mean that the State Dept. must produce its witnesses, allow cross-examination. The State Dept.'s final decision, the judges ruled, would then be reviewed by the Court which would "consider what further action on its part, if any, is necessary."

**DULLES' SIDESTEP:** For the first time the State Dept. was told it is not the last word in the matter of passports. The department could then have appealed to the U. S. Supreme Court, which might have ruled definitively on the right to travel. Instead, it retreated; Dulles announced that the department had reconsidered and decided to grant Prof. Nathan his passport.

Prof. Nathan and his attorneys clearly had the State Dept. on the ropes. Though Americans had not yet won the hard-and-fast decision the British gained 349 years ago, and the State Dept. could still deny or cancel passports, anyone with the ability to fight the case in court could blast the refusal with the Nathan precedent.

**THE REACTION:** The decision was hailed here and abroad. The Washington Post said Prof. Nathan's 2½ year fight showed the need for "a thorough overhauling of the department's passport practices and procedures." The London Times cheered the change in rules which, it said, "if generally applied, half Washington might never get

a passport." The New Statesman and Nation commented that "the State Dept. may have increasing difficulty in withholding passports at the whim of McCarthyite officials."

Prof. Nathan, said in a letter published in the N. Y. Times (6/15):

"The time has come when no effort should be spared to make the passport policy of the department comply with our laws, our fundamental liberties and the attitude of the courts. The right of a citizen to travel cannot be restricted."

## CEYLON KIDNAP CASE

## Mrs. de Silva asks right to quit U.S.

RHODA MILLER de SILVA, American-born wife of a Ceylonese, who was seized in her home in Ceylon over a year ago and flown to the U. S., last week applied for permission to travel to England without a passport to join her husband there. She had applied for a passport on March 21 and was refused; she termed the refusal tantamount to "divorce by decree of the Passport Office."

The Passport Office letter of April 21 said her application had been rejected because "it has been alleged that you were a Communist." It invited her to submit an affidavit "as to whether you are now or ever have been a Communist."

In her reply to Frances Knight, Passport Office director, Mrs. de Silva—who claims she was kidnaped from Ceylon and separated from her husband without benefit of writ of habeas corpus, hearing or charges—said the Passport Office has "usurped" the role of "political arbiter" and that the request for a sworn statement relating to her political views is unconstitutional. She wrote:

"I do not intend, now or at any future time, to sign affidavits or make sworn statements or even to discuss with your Office whether the allegation that 'you were a Communist' is true or false. The Constitution does not give your office the authority to pry into my views or affiliations or lack of affiliations."

Mrs. de Silva said that her right to travel and to resume her normal life with her husband is not a privilege, but an inalienable right "deeply rooted in our American tradition and embodied in the Universal Declaration of Human Rights."

## A Vegetarian friend

JACKSON HEIGHTS, N. Y.  
I'm a Vegetarian-Pacifist and believer in the simple decentralist, predominant agrarian way of life; and as such I find myself in sharp disagreement with much of the GUARDIAN. But I believe in a free press; I'm strongly opposed to this corrupt, degenerate western way of "life" as well as to the communist way of life (the latter for reasons other than the aspect of real or fancied "totalitarianism"); and I believe the GUARDIAN is performing an important public service, whether the public knows it or not. So my hat's off to you, and keep up the good work! R. D. B.

WHERE ARE THE SHIRTLESS ONES?

# Background to Revolt: Peron seems through in Argentina

By Elmer Bendiner

**A**FTER a stormy, confusing week the most significant question out of Argentina was: Where are the shirtless ones?

When Juan Domingo Peron came to power ten years ago he found Argentines well organized with powerful unions in meat packing, transport, maritime industries. Their leaders thought and worked in the European Socialist tradition. Early in his regime Peron took a novel turn for a dictator. He sought mass support not exclusively in the army or the middle classes. (These he courted as he did the landowners—under the table.)

**BRIBES, CAJOLERY:** He based his strength on the organized labor movement, but he took precautions. Importing a working class of his own he brought to the cities thousands of farm laborers who had worked the haciendas as migratory workers on far less than subsistence wages. These were his "descamisados," his shirtless ones.

Though he gave them scarcely more than shirts, he did give them that—and jobs. With them he built up a labor movement, while he smashed, bribed, cajoled the old-line labor leaders to his cause. He promised much and gave a little—dressed up every wage rise in a hodge-podge of ideas that came to be known first as "justicialismo" (social justice), then as Peronismo. With a labor movement half-forced,

half-persuaded to his cause, he leaned on it and found that it made him independent of his generals, and of the Church.

**DECISIVE POWER:** In September, 1951, a group of army officers rebelled. The General Confederation of Labor took to the streets, rolled up in trucks to key points in the capital, confronted the soldiers with a well-organized citizenry, over-awed them and kept Peron in power. In 1953 again labor put down the military in a 2-hour rebellion. Robert J. Alexander in his *The Peron Era* (Columbia Univ. Press) said:

"... the Army seems to entertain a healthy respect for the power of Peron's labor legions. The workers are unarmed but fanatical, and are capable of paralyzing all activity for a longer or shorter period. Therefore, it seems that until the support of Peron among the working classes is seriously weakened, the Army will not attempt a revolt. It will not risk a clash with hundreds of thousands of determined workers, a clash which it could undoubtedly win, but which would be detrimental to its interests for years to come, perhaps for generations."

Peron had to pay a price for labor's support. He did it in the form of small but steady wage gains and a much ballyhooed program of social security. But the wage gains were quickly overtaken by price boosts; the benefits of Peronismo's social security were debunked by evidence of colossal fraud

and a mounting tax burden.

**RANK & FILE ACTION:** In 1954 it seemed that, though the Peronista Party still held the allegiance of Argentine workers, Peron was slipping because he was failing to deliver the goods. Throughout May and June 500,000 workers in shoe, metal, glass, rubber, tobacco, oil and leather industries launched rank-and-file strikes for wage raises over the heads of their Peronista union officials. They took over factories, slowed down assembly lines, defied back-to-work orders from their officials and from the government, itself.

They elected rank-and-file committees, rejected sell-outs, Peron threatened to dissolve striking unions, jailed hundreds and under the "State of Internal Warfare" Act arrested their lawyers as well. He blamed the rank-and-file agitation on Communists. Whether or not the Argentine Communist Party was exclusively responsible, there had been a steady leftward swing among Peronistas. The C. P. is semi-legal in Argentina (allowed to exist but not to campaign or publish a newspaper). Despite these handicaps, electoral rigging and widespread arrests of candidates, the C. P. tallied 101,726 votes in the April, 1954, congressional elections, a 43% increase over the 1951 figure.

**THE CHOICE:** In the past year the Argentine workers have tended to cling to Peron not with the old-time fervor but more as in a marriage of convenience. The nation seethed with rumors of conspiracy against Peron from the right, to which the Catholic hierarchy and the State Department were reportedly ready to give their blessing. Against that menace Lisandro Montes (pen-name for an Argentine journalist), writing in the *Nation* (6/11), quoted the leader of an Argentina youth group:

"Until yesterday we in Argentina divided ourselves between the friends of Peron and his enemies. Today Peron is finished as a political equation. The important thing is to know for what purpose we will give him his death blow—to turn the clock of history back and revert to our former condition of an Anglo-American semi-colony, or to march ahead and build an Argentina that is politically free and economically just and independent."

That was the background for the bloody events that rocked Argentina on June 16. Before the bombs fell on Plaza de Mayo the tenant of the Pink House (Casa Rosada) seemed to be the same old Peron. He asked labor to "prepare means of action and transport" as in 1951 and 1953. On June 14 Asst. Secy. Hugo de Pietro of the General Confederation of Labor asked Peron to let labor handle the brewing trouble, adding that the unions' motor transport was at the President's disposal. De Pietro said:

"We will play this game and they can name whatever field they want to play on."

**STRANGE REQUEST:** Peron, still confident as ever, said labor's action at that moment would be like "wasting gunpowder on sparrows. . . . The moment of doing anything has not yet arrived, and if it should we will give the order in due time."

When the bombs fell on the Plaza De Mayo in the early afternoon of June 16 hundreds of union workers were demonstrating enthusiastically there. When fighting broke out, men rushed to the scene in union trucks, dislodged rebels. The *Associated Press* reported:

"Bands of workers ran across blood-spattered streets, waving their fists and shouting the President's name."

After it was over and the rebel fliers had fled to Uruguay, the ancient rebel Navy vessels had put out to sea, and the dead had been variously totaled at from 150 to 300, the President made another speech—calling on the workers to "behave with serenity"—a strange request from Peron.

**FOR LAW AND ORDER:** He paid tribute not to the shirtless but to the Army, announcing that not he but an-



GEN. FRANKLIN LUCERO  
And whose boy is he?

other was in command. He said:

"... the Minister of the Army has personally taken charge of our defense. This minister is a great man. I not only say it now; I have known him since he was 15."

That Minister and boyhood chum of Peron's is Gen. Franklin Lucero who within hours headed the "Forces of Repression" and began issuing communiques in his own right. In another speech on June 17 Peron pointedly said:

"I ask the workers to help us assure order and not to disturb it."

Peron's speech leaned with unprecedented modesty to the plural "we," soft-pedaling the accustomed "I." The switch in pronouns was accompanied by a switch in policies toward the church. All priests who had been jailed were freed. The burning of cathedrals (all in downtown Buenos Aires were reportedly set afire during hostilities) was blamed on Communists. By telephone N. Y. *Times* correspondent Edward A. Murrow reported that a new military junta was in the making, consisting of an Army man, a Navy man and Peron who would be "a figurehead" to keep the unions quiet.

**HOW LONG:** Why Peron was surrendering was unclear. Lisandro Montes in the *Nation* (6/11) said he was tired:

"Peron cares only for the present and shrugs his shoulders over the future."

Other reporters said Peron was a prisoner of the Army. But the possibility remained that Peron could no longer turn loose the organized might of Argentina's labor movement and be sure of where it would go. He recalled the strikes of '54 and perhaps found it safer to keep the workers "serene." The question hanging over Gen. Lucero and his "Forces of Repression" was: How long would Argentina's workers stay serene?

## Two years after Black Friday



**M**RS. HELEN SOBELL drops a rose on the graves of Ethel and Julius Rosenberg at Pinelawn Cemetery, Long Island, N. Y., at the memorial marking the second year since their execution. That was Sunday, June 19, 1955. On June 16 some 2,800 jammed New York's Carnegie Hall in a meeting dedicated to winning freedom from prison for Morton Sobell, the Rosenberg's fellow victim, serving a 30-year term in Alcatraz. Artist Rockwell Kent spoke, as did Mrs. Sobell, who made public a letter to President Eisenhower asking him to "set my husband free." At a memorial meeting in Paris a new book went on sale containing essays on the Rosenbergs by Louis Aragon, Francois Mauriac, Jean-Paul Sartre, Ilya Ehrenburg, Anna Seghers, Vercors, Howard Fast, Albert Maltz and others. During the afternoon most of the authors came and signed the book under gigantic portraits of the Rosenbergs. People streamed in for five hours.

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THEY TALKED OF "THE RIGHT TO BETTER THINGS"

# An eye-witness report on Bandoeng

By Eugene Gordon

YOU HAD FOUR DAYS and 11,000 miles on the plane. Among the booklets you read—presented by the Indonesian consulate with your visa—was one with a photo of Henk Ngantung's "The Retyak Driver." Only the handlebar of the three-wheeled rickshaw, or retyak, shows in the picture; but the driver's haggard brown face and haunting black eyes are there.

He comes to life in weary thousands during your ride in an official car from the airport through Bandoeng's long main street—a sort of Fifth Av.-Broadway. Bent forward over the green, blue, red, yellow and awning-striped canopies of their leg-powered carriages, they pedal and sweat and pant in the white-hot sun.

Bicyclists swoop like flocks of white-winged, brown-legged birds around and past retyaks and donkey-carts; swerve from the path of screaming motorcycle escorts for special Asian-African Conference cars. You've forgotten Ngantung's bitter picture and remember Hollywood's "exotic" Southeast Asia.

**CROSBY & COKE:** Then a big red disc with familiar white script pops up like a target on a store-front you're passing: "Minum Coca-Cola." The English-speaking driver says, yes, minum means drink. A neon sign on a movie marquee shouts: "The Monster From The Black Lagoon!" A singer who sounds like Bing Crosby (he is Bing Crosby, says the driver) croons from the Philips gramophone shop before which you're temporarily halted.

What's wrong with the native culture, you ask the driver, that Indonesians must see such Hollywood trash and listen to "White Christmas?" He replies that Hollywood owns not only the pictures but the theater and the plot of ground. The Netherlands' Philips gramophone and radio stores are a monopoly too. Indonesia, he says, is a rich country but foreigners control the wealth. "We don't have taxis and autos like New York; we have retyaks and bicycles."

**WESTERN CLOTHES:** You remember a magazine story and wonder which among the Dutch owners of these glass-faced little shops displaying "Welcome A-A Conference Delegates" signs really mean it. How many include those white foreigners who can't stomach Indonesian rule of Indonesia and get arrested ever so often for plotting? The words in the magazine—"other forms of foreign penetration retard development of native culture"—begin to tell you something. You realize, suddenly, that here, all around you, are simple but eloquent statements of why this conference is being held.

By late afternoon I had acquired credentials and a hotel room. I was in the streets among hundreds of thousands, everybody shiny-clean in the same kinds of clothes we wear in the U.S.—except that some men—and most women—wore the wrapped skirt, usually of batik and reaching nearly to the ankles, and jacket. Few young men hid their glossy black hair under the velvet fez which many older men preferred. The few Dutch children about were as big-eyed with excitement as their Indonesian playmates: all pursued the visitor, shouting the one bit of English mastered for this historic week: "Sir, will you sign my autograph book?"

**A UNIVERSAL RIGHT:** The Indonesians were proud hosts: their "right to better things" had been acknowledged by 29 Asian and African nations. Striking in their national costumes, leaders of the 29 nations had come to Bandoeng to make that right a reality for all. Indonesians I talked with in the street, home, shop and hotel differed widely on religion and politics; but they agreed as one in a desire to control their economy and government. Differences prevailed also on kinds of economy



WASHINGTON WAS WELL REPRESENTED BY THE PHILIPPINES  
Carlos Romulo with arm around Norman Cousins, an American editor

and control, as Indonesia's several political parties—based, respectively, on religion, nationalism, and Marxism—show.

So the people jammed themselves together on sidewalk and atop one-story roofs facing Merdeka Building on Asia-Africa St.—permanently renamed in honor of the conference. They strained for glimpses of delegates who, identified by their dress, were cheered as they came and went; listened and watched as a dispatching officer called over the public address system for cars (pooled from many sources for this occasion) to take delegates or newsmen to distant Dwi Warna Building, chief center of conference-committee activity. Because of the park-like space before Dwi Warna, its crowds were vaster than Merdeka's.

**THE AUTOGRAPHS:** The children, happy, intelligent, beautiful and wholesome—there were pathetic exceptions—sometimes had to compete with grown-ups for autographs. Why, I asked a man, did he want these worthless markings on scraps of paper? The names, he retorted, were not worthless; they belonged to people who had come thousands of miles to help make "better living" for the Indonesians.

The people's sense of history seemed more acute than that of most reporters. One way of knowing how newsmen rated an event was to observe whether they rushed for a release or scurried for a press-room typewriter before a press conference was over; or whether they casually glanced at and passed up a release and sat through a conference without taking a note. Foreign newsmen and their editors made a hero of Ceylon's Premier Sir John Kotelawala for urging the conference to declare open "opposition to Soviet colonialism, as much as to Western imperialism."

**LET IT STAND:** Indonesians and their press were angry at what seemed a delegate's effort to sabotage. Then, next day, Sir John asked for the floor; quietly announced he had talked with China's Premier Chou En-lai; said he'd been worried by the effect of his earlier speech. He acknowledged differences in political systems among Asian and African nations; said that discussion of such differences would lead only to

discord. Indonesians applauded Sir John; remarked that he'd taken the words right out of Chou's mouth. To his hero-worshippers of yesterday he was no longer a hero, but they let yesterday's hero-worshipping stories stand unchanged.

English-speaking Indonesian newsmen were always willing to serve as interpreters, so U.S. reporters could get samplings of opinion whenever they wished. Thus I learned of widespread popular excitement—not among fellow U.S. newsmen but among Indonesians—over the Japanese delegation's announcement that a Kyoto University booklet, titled "Radioactive Dusts Caused By Explosions Through Atomic Nuclear Destruction," would be submitted to the conference. People also were talking about the three-week visit of a Czechoslovak cultural delegation which had left before the conference opened.

**STARVING INDUSTRY:** Leaders of Indonesian people's organizations—the young man, for instance, who headed LEKRA, a non-political cultural group—let me tape-record their hostility toward foreign (especially U.S.) penetration of Indonesia with Hollywood movies glorifying "the American way of life, phonograph records of pseudo-Indonesian music made in the U.S. and coca-cola." Indonesia's motion picture industry was starved by Hollywood's monopoly, he said:

"I have heard some Americans speak about a 'cultural exchange' that supposedly exists between our countries. Do U.S. movie theaters show Indonesian motion pictures? Do U.S. symphony orchestras play Indonesian music and send us, in return, the newest symphonies by your people's composers? Does the U.S. take our 'orange crush' in return for flooding our country with its coca-cola? A real exchange of culture would be, for instance, your sending the great people's singer and actor, Paul Robeson, or others of your people's artists, to us, and our reciprocating by sending to the people of the U.S. our representative dancers and some of our paintings and sculptures."

Asian correspondents approved Indonesian Foreign Minister Sunario's statement that it was not "the West" but its colonial systems that Africans and Asians hated. U.S. officials' "guilty

conscience," these reporters said, made them do such "ridiculous" things as to try to silence Negro Rep. Adam Clayton Powell (D-N.Y.) because they feared he'd tell the truth about the Negro's mistreatment in the U.S. But, they added, he proved they had nothing to fear.

**WHO DID THE JOB:** The government's concern lest "communists" spread anti-U.S. propaganda on the basis of the Negro's second class status was misdirected. At the very moment Powell was telling his press conference in Bandoeng that Virginia had accepted the Supreme Court's anti-jimcrow school decision, Virginia's attorney general was telling the world his state would never accept it: white children would be infected with syphilis by Negro children. The delegates read that news in the world non-communist press.

I heard of nobody's being impelled by "communist" propaganda to attack the U.S.; but the Sudanese delegation's chairman Ismail El Azahari told me slowly, so I could get it word for word, that he had

"... already raised the case of racialism in the Asian-African Conference, with special reference to the blacks in America and the question of human rights as mentioned in the United Nations declaration, because we in Africa quite sympathize with our brothers in America, who are fighting for equality and to maintain human rights in America, South Africa and everywhere else."

**NEHRU'S WORDS:** Sitting in the reporters' balcony of Merdeka Building on the closing night of the conference, I wrote in my notebook that Chou En-lai was "the most popular man in Southeast Asia." I wrote, quoting Nehru as he spoke:

"Bandoeng will become the capital of Asia and Africa. . . . I hope there will be no more yes-men in Asia and Africa, which does not mean rejecting honest friendship. . . . We have been involved in the Great Powers' wars because we were tied to their chariot. . . . The tragedy of Africa is great. It is up to Asia to help Africa [Applause]. . . ."

Having heard complaints among Negro correspondents that Africa's voice was seldom raised at the conference—mostly the Africans listened intently—I hastened next morning to catch Moses Kotane, head of the South African National Congress, before he departed. He said:

"Negro Africa is represented here by delegates from Liberia, Sudan, Ethiopia and the Gold Coast. The Sudanese do not have even a flag. These un-free Africans—even such 'free' ones as Liberia and Ethiopia—are cautious in what they say. Men from South Africa, like my companions and me, were not delegates, so had no status as such. We were able, however, to get our views before official delegations, who understood the Africans' position as one of political expediency."

"May our American critics understand it as well. One of the reasons why the conference was successful was that it did open a way for un-free Africans to get in touch personally with free men in Asia and Africa."



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sub. Only \$3 for 52 exciting issues.

WAR & PEACE

# West Germany emerges as senior partner in NATO; France shoved to the rear

By Kumar Goshal

**E**VEN as the UN was preparing to celebrate its tenth anniversary in San Francisco, and as Soviet Foreign Minister Molotov was leisurely inspecting New York's Metropolitan Art Museum, the U.S. staged its biggest H-bomb drill (see Spectator, p. 12). The government, including the President, fled "31 ways" (Wall Street Journal, 6/16). The N.Y. Post (6/16) felt the flight was

"... an inglorious, uninspired and undignified escapade [which] will become a macabre international joke at America's expense."

"Operation Alert" seemed to epitomize Washington's attitude towards East-West negotiations, which Secy. of State Dulles "approaches... as gingerly as a dog sniffing a hedgehog"

## The Radioactive Polka

GRAND RAPIDS, Mich., June 15 (AP)—If it comes to worst, Grand Rapids will have music amid the ruins. It is organizing a Civil Defense Band.

Los Angeles Herald & Express June 15, 1955

(London New Statesman, 6/18), but which world-wide pressure has forced Washington to accept.

**THE NEW FUEHRER:** Out of the preliminary conferences which the West has been holding to line up a common anti-Soviet front for the July 18 Big Four "summit" meeting at Geneva, two things have become clear:

- W. German Chancellor Adenauer's leading role in the lineup and the possibility of his playing perhaps "the key part" at Geneva (Business Week, 6/18);

- The growing split between France and the U.S.

Adenauer, during his visit to the U.S., declared his firm loyalty to NATO, announced he would go to Moscow in September or October, and then only after he receives Soviet replies to three questions: (1) German POWs said to be held by the U.S.S.R.; (2) Germany's eastern frontier; (3) German reunification. The N.Y. Times reported (6/16) that Adenauer had told Washington of his plan to begin immediate recruitment of "volunteers" for the 12 W. German divisions authorized in the

Paris agreements. The Times reported that Secy. Dulles has indicated U.S. willingness to arm these units.

**TROUBLE AT HOME:** There was arrogance in Adenauer's tone at his news conferences. He spoke not as a consultant but as an adviser telling the U.S., Britain and France what they should discuss and strive for at Geneva. The Paris Le Monde's Washington correspondent wrote:

"'Der Alte' ['The Old One'] gave lessons to everybody last evening, from the neutralists to the Americans, speaking like a father, but truly abusive."

But "Der Alte" was not having an easy time at home. The Christian Science Monitor reported (6/16) that his "Volunteers Bill" to set up a W. German army

"... was ruthlessly condemned by the Bundesrat [Upper House] [and by] Bundestag [Lower House] deputies of all parties including those of... Adenauer's government coalition."

Adenauer was forced to postpone debate on the bill as criticism mounted against giving

"... the government blanket powers to raise an army [and] newspaper editors throughout the country joined in the attack on the bill" (NYT, 6/21).

In Moscow Pravda (6/17) warned Adenauer that W. Germany's participation in an "aggressive" NATO would prevent Germany's reunification. Pravda said that genuine European security can be achieved only through an all-European mutual security system, including Germany, based on the peaceful co-existence of states with different social systems.

**THE FRENCH TOUCH:** On U.S.-French relations, the N.Y. Times Cyrus Sulzberger reported from Paris (6/15) that France has been resentful over Washington's "undermining the French position" in Vietnam and its siding "with Britain and against France" in building a Middle East military alliance. France's transfer of NATO military units to N. Africa without consulting Gen. Gruenther did not endear her further to Washington.

Sensitive over W. German rearmament, France reacted strongly to Adenauer's Washington display. When Foreign Minister Pinay learned, on his arrival in New York last week, that Dulles and Adenauer had discussed



## Now if they could only see the light at the "summit"

In this complicated world of ours, it was Queen Elizabeth of England who brought these fellows together. It was her birthday and it was being celebrated at the parade ground in Duesseldorf, Germany. Among those present were the first secretary of the American Embassy (L) and a Soviet officer lacking a match. So the match was arranged, and we can only wish for a happy marriage on a global scale.

matters that also affected France, Pinay demanded that Dulles disavow the report or "he might just as well take the first plane back to Paris" (N.Y. Post, 6/19).

Commenting bitterly on the news that "the 12 W. German divisions will wear the field grey of Hitler's Wehrmacht" (NYT, 6/19), the French press spoke of a "Washington-Bonn Axis"; Le Monde's Washington correspondent reported Adenauer was such a success in the U.S. that

"... it would not be exaggerating to say that... it is Washington which has aligned itself with the Chancellor's views... Germans have not only become once more masters of their destiny but more and more the measure by which is determined the destiny of all the others."

**COOL TO MENON:** There was no relaxation in Washington's rigid attitude toward China, although India's roving

ambassador Krishna Menon suggested to President Eisenhower and Dulles that Peking might make "the first move" in any new "give-and-take." Menon's suggestion that the U.S. might grant some concessions "to smooth the road toward a Far East settlement," the N.Y. Herald Tribune reported (6/20), "left the American government cold."

A new element was added to the Far East situation as Adenauer demanded a voice in any Geneva decisions. Since China will almost certainly be discussed by the Big Four, this seemed to lend strength to the Knowland-China Lobby axis: Adenauer's comments in Washington indicated he adhered to their position.

As the Big Four "summit" meeting drew near, it became increasingly clear how menacing to peace and stability was Washington's policy of rearming W. Germany and endowing it with great power. Adenauer may have agreed not to raise the question of changes in Germany's frontier at present, but W. Germany's vengeful claims could be brought up at any time.

Anything can happen next...



Mr. Khrushchev and Marshal Bulganin will get a ticker-tape welcome from Wall Street...

Vicky in Daily Mirror, London President Eisenhower will fly to Moscow for a golfing holiday...

Mr. Dulles and Senator Knowland will be guests of honor at the unveiling of a Peace statue in Peking...

## Sorry, Darling

**I**N a story from "Doom Town," Nev., recently, which described the effects of a big atomic explosion on fully clothed mannequins, it was erroneously stated that the 75 mannequins were supplied by the J. C. Penney Co.

In a communication from the L. A. Darling Co., Chicago, it is stated that this company "furnished at our own expense a great many mannequins to be used to dramatize the human element of life in homes under atomic attack."

It is further explained that of the 75 mannequins used in the latest test, about 60 were fiber glass (all children and misses), men models were of papier mache, and babies (one-month and six months) were composition rubber.

The mannequins were dressed in merchandise from J. C. Penney Co. Women's Wear Daily, 5/26.

**BOOKS**

**A work to prove change is inevitable**

By Richard O. Boyer

(Mr. Boyer is co-author with Dr. Herbert Morais of Labor's Untold Story, to be published soon by Cameron Associates.)

**T**HE READING of history documents that which we know intellectually but currently find so hard to remember amid cold wars, Smith Acts and deportations. I refer to the inevitability of change, even of victory.

Bernard Mandel's **Labor: Free and Slave** makes cheerful reading for the present hour. It describes the defeat of what seemed to be rigid and everlasting by the slow combination of a majority of the American people into a mighty anti-slavery coalition. Between 1830 and 1860 the great task was, as it is now, the creation of a new popular political force. The Abolitionists then, as progressives now, faced prison and persecution on the charge of treason; and when they died in the fight for Negro freedom, as many did, there were those who said they "died as the fool dieth" because the status quo was beyond challenge.

**Labor: Free and Slave** is a detailed, accurate and exciting study of the United States between 1830 and 1870 with particular reference to the role of the labor movement in the



**BERNARD MANDEL**  
Help from the past

fight against Negro slavery.

**RIGHT BUT UNCONVINCING:** The Abolitionists had an unparalleled eloquence but they had, too, a hard, sect-like dogmatism. They were smug in their righteousness. They were right but unconvincing. They thundered in Old Testament terms, but their accent was alien and repellent to the common man. After a decade of agitation they had not convinced the Northern labor

movement which, until the late 1840's for the most part, felt the main enemy was wage slavery not chattel slavery. Its chief fear was not Negro slavery but Negro liberation which, Northern labor leaders believed, would deluge the North with cheap labor and catastrophically depress wages and the standard of living.

Only life, Mandel reveals, could convince Northern labor. Southern apologists, who by the late 1850's were openly declaring that slavery was the wave of the future and should be instituted in the North, were perhaps more effective as far as labor was concerned in turning it against slavery than the most eloquent abolitionist.

**THIRD PARTY:** Mandel shows labor's part in the trial and error, the recurrent beginnings in the long 20-year effort to form a mass political party that would oppose slavery's extension.

First in 1840 there was the Liberty Party, the laughing stock of the two old parties, Whigs and Democrats, when it polled but several thousand votes. In 1848 a new beginning took the form of the Free Soil Party, broader and less sectarian than the Liberty Party, its major aim the saving of

the new West for free labor and free farms. But it failed, too, and many an anti-slavery fighter, Wendell Phillips among them, feared that the fight could never be won, that slavery was irresistible.

In 1854 the Republican Party was formed, broader still. It too lost in 1856, but in 1860 a great coalition consisting of Northern industry, labor and farmers won the national election and later was the driving instrument that won the Civil War, destroyed slavery and cleared the way for both a rising capitalism and a national labor movement.

**HOW LABOR LEARNED:** Mandel suggests that there is a dynamic in history not entirely dependent upon the phrases or plans of men but arising, as did the American Civil War, from the contest of opposing social systems: the rising capitalism of the North vs. the outmoded feudal plantation of the South, whose slaveholders for a quarter of a century had been the dominant class and controlled the national govern-

ment. He shows that it was the necessity of this conflict that educated labor until it finally knew that an absolute essential for its own further progress was Negro freedom. In a different form and in a different time that lesson must be learned again by labor now faced with an unorganized South.

Ralph Fox, the English writer who died in the struggle for Spanish freedom against Franco, has written that "the past matters as much as the present. We must carry it with us on our march, and therefore we are concerned . . . that we should be able to choose from the past what is real enough to be of help."

Associated Authors, a co-operative of writers issuing books that might otherwise be denied publication in this era of repression, are to be congratulated on this first venture. It is real enough to be of help.

**LABOR: FREE AND SLAVE** by Bernard Mandel, Associated Authors, P. O. Box 274, Cooper Sta., N. Y. C. 3, \$3.

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**PROGRESS REPORT ON DESEGREGATION**

**NAACP prepares for court tests to end jimcrow schools throughout the south**

**A**N NAACP conference June 4 in Atlanta mapped out the strategy to ensure enforcement of the May 31 Supreme Court order on desegregation of the schools. That order to 90 federal district judges in Southern states and the Dist. of Columbia was that they see to it that the decision of May 17, 1954, outlawing jimcrow public schools, is carried out. Led by exec. secy. Roy Wilkins and special counsel Thurgood Marshall, the 50 NAACP state officials from 16 Southern states and Washington adopted an action program for branches throughout the region, in co-operation with local school boards, to

- Develop programs of public information on the decisions.
- Organize parents in affected communities so they may be "familiar with the procedure when and if law suits are begun in behalf of plaintiffs and parents."
- Seek support of other community groups.
- Prepare for law suits to challenge local school boards' refusals to desegregate by Sept., 1955.

**STEPS FORWARD:** These actions followed the Atlanta conference:

Mississippi's NAACP state board at Jackson instructed branches "to petition local boards to take immediate steps to reorganize the public schools on a non-discriminatory basis" in compliance with the May 31 ruling. The Lexington, Ky., school superintendent announced acceptance by Lafayette High of the first Negro student for the summer session.

The Oklahoma State Board of Re-



**THE FOURTH 'R' CLARIFIED**

gents for Higher Education opened the doors of all state colleges and universities to graduate and undergraduate Negro students, effective in September. The Asheville, N. C., board declared:

"We shall make an honest effort to comply with the court's order. . . . We expect and are confident we will have full co-operation from both white and colored people as we endeavor to work out the many problems that will face us as we move with measured step in the direction of ultimate compliance with the supreme law of the land."

**THE "DIFFICULTIES":** The Charlotte, N. C., school board was the first to move toward compliance: it authorized a committee to investigate immediate

methods of desegregation.

U. S. News and World Report (6/17) detailed the "difficulties" involved in enforcement, listed Southern federal judges who will locally enforce the May 31 directive and predicted resistance. These judges, U. S. News said, "reared in the Southern tradition of racial segregation," live among people who resist desegregation and "know how their neighbors feel." It listed 25 judges in Alabama, Georgia, Louisiana, Mississippi, N. Carolina, S. Carolina and Virginia as "most likely to encounter opposition and delay."

**ALTERNATIVES OFFERED:** Acknowledging that "entire states are already falling in line" with the court order,

the magazine revealed that campaigns were being mapped in several states that could compel courts to consider alternatives to outright integration. For example:

"Repeal laws on compulsory school attendance, so children cannot be compelled to attend mixed schools. Gerrymander school districts, to keep the two races out of the same districts where possible. Segregate students on some pattern other than race. Decentralize school administration, to multiply the number of suits necessary to reach all classrooms. Withdraw state or county financial support from schools that admit both races. Abandon public schools, as a last resort."

**The answer is 'Yes'**

**T**HE U. S. News and World Report, whose rock-ribbed conservative editor David Lawrence has never reconciled himself to the 20th century, asks the question: "Do Mixed Schools Really Work?"

The magazine purports to review what has happened in the year since the public school system in the nation's capital was desegregated. Obviously not in sympathy with the Supreme Court's decision, the magazine never quite answers the question, but by innuendo seeks to create the impression that everything is not going so well with the integration program in Washington.

Much is made of the intellectual differences between white and colored pupils, as if science and history had not long ago proved that no race has a monopoly on intelligence. Then there is the absurd business of trying to prove that there is a language difference, implying that colored children and teachers speak a tongue foreign to those who understand ordinary English.

And, of course, there is the usual charge that colored children show up in class armed with knives, though the writer is unable to cite a single statistic to support this moldy lie.

And, of course, there is the usual charge from unnamed teachers at unnamed schools that the first year of integration was a "nerve-wracking experience . . . constant tension and an ever-present fear that a simple incident might touch off an explosion."

This is so much hogwash and anybody with half the intelligence David Lawrence is supposed to possess knows it. Even he had to concede that all fears proved groundless. Actually, in the public schools, integration is no new and untried thing. Thirty of the 48 states have had mixed schools since free, public schools were introduced in this country almost a century ago.

New York and Chicago, with more colored children than the states of Mississippi and S. Carolina combined, know integrated schools do work. They would not have any other kind. No one at this late date in history would ask "Do Mixed Schools Really Work?" except someone who is so densely ignorant and prejudiced he doesn't want them to work.

—Editorial in the Baltimore Afro-American, 6/18.

**RESORTS**

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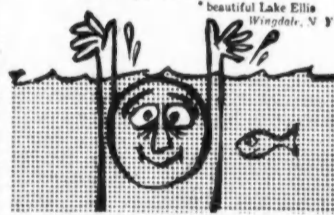
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## CASE SHOULD NEVER HAVE GONE TO JURY

## Judge Hastie's dissent in the case of Pittsburgh Smith Act victims

The GUARDIAN reprints below excerpts from a new and historic dissent against the Smith Act and the pattern of prosecution which has resulted in 88 convictions of U. S. Communist leaders.

This dissent, ranking with those of Supreme Court Justices Black and Douglas in the first Foley Square Smith Act cases, is the first at the Court of Appeals level. It was written by Judge William H. Hastie, first Negro named to the federal bench, and concurred in by Judge Albert Maris against the majority opinion of five colleagues of the Third Circuit Court of Appeals in the cases of the Pittsburgh Smith Act convictions of 1954.

The appeal was argued more than a year ago by

**JUDGES ARE LIKELY** to be thoughtful, patriotic and well informed citizens who over the years have read, heard and observed much about the world wide organization of the Communist Party and its activities. Therefore, they cannot escape serious apprehension, or even strong personal conviction, that policies and practices both hostile and dangerous to our institutions are promoted by that organization. . . .

In such circumstances it is very difficult to evaluate thousands of pages of testimony and exhibits

without somewhere along the line permitting the thought that these defendants are an undeserving lot, and likely to have done the things with which they are charged, to distort judgment of the probative value of the evidence, or even to take the place of evidence on some important issues. Indeed, there is a very clear indication that this has already happened. The record shows that during the trial the prosecutor candidly

stated in open court that "at this particular time, we do not contend that there is any question of the personal guilt of any of the defendants involved here, except with the possible exception of Mr. Nelson. . . ." It is difficult to believe that persons trying to be fair, as the jurors here undoubtedly were, would have been willing to send anyone but a Communist to jail after hearing such an admission by the government that the personal guilt of the accused was not established.

Our responsibility as a Court of Appeals is magnified by the often-stated reluctance of the Supreme

attorneys Ralph E. Powe, American Labor Party candidate for N. Y. State Controller in 1954; Frank Donner of New York and Thomas D. McBride of Philadelphia.

The 5-2 decision will be taken to the Supreme Court for review. The present high court will thus have before it for the first time a challenge from the Circuit Court level against prosecution tactics in Smith Act cases, as well as against the actions of federal judges in submitting such cases to juries. Further, the Hastie dissent discloses deep concern over the conflicts between the First Amendment and Chief Justice Vinson's majority opinion of 1951 in the original Foley Square cases, upholding the conspiracy provisions of the Smith Act.

Court to review the adequacy of proof which has satisfied both a trial court and a Court of Appeals. Indeed, in the one recently reviewed case of this type the Supreme Court refused to consider the sufficiency of the evidence to sustain the conviction. *Dennis v. United States*, 1951. Thus, this court may well be the only appellate tribunal which will consider whether the evidence against these defendants meets the high standard of proof our law imposes in all criminal cases. . . .

My study of the record has convinced me that on certain of the issues thus stated there was no such proof as would warrant submission of the case to the jury. Therefore, the defendants were entitled to directed verdicts of acquittal.

**IT IS BASIC AND INESCAPABLE** datum of this case that the defendants were indicted and convicted for conspiracy to engage in dangerous talk and indoctrination, and nothing more than that. It has not been charged, much less proved, that they have joined a conspiracy to overthrow our government. It is not even contended that their plan or scheme which, the government says, was adopted in 1945, matured into or was evidenced by any illegal teaching or advocacy during the three years—the period of the statute of limitations—immediately preceding the 1952 presentment of the present indictment.

The difficulty of squaring such punishment of talk or planning to talk with the prohibition of the First Amendment is immediately apparent. Were the matter one of first impression, we would face a difficult question whether consistent with the prohibition of this Amendment Congress could, without unlawful abridgment of free speech, make criminal such a scheme to organize and carry out a campaign of dangerous talk. But the Supreme Court has wrestled with this problem and concluded that within stated narrow limits such talk may be punished, the First Amendment notwithstanding. *Dennis vs. United States*. However, the fact remains that generally talk hostile to the government is the very sort of thing the First Amendment removes from Congressional power to proscribe. . . .

Of special concern here is the Supreme Court's limitation of its *Dennis* decision to situations in which it is established as a fact that the actual or contemplated verbal conduct is calculated to incite men to violence as soon as circumstances will permit. In the leading opinion on the *Dennis* case, Chief

Justice Vinson stressed the fact that the jury must have found, pursuant to appropriate instructions, that advocacy was directed toward violent action "as speedily as circumstances would permit." It seems to have been his view that this much proximity was necessary to satisfy the clear and present danger test, which he recognized as a measure of constitutional limitation on Congressional power in this kind of case.

Lautner [former CP official who appeared as a prosecution witness—Ed.] did not point to a single thing indicating that the 1945 program contemplated, beyond inculcation of belief in and approval of an ultimate revolution, teaching that the time had now come to work for the overthrow of the existing government as soon as possible.

It is not a sufficient basis for proscription that the Communists are committed to ultimate violent revolutionary action. If their present tactic is a waiting game, characterized by the teaching of revolutionary theory while incitation to action is left for the indefinite future, the First Amendment prevents the government from proscribing their teaching. . . .

If Lautner did not indicate any proximity of the violence against government said to be contemplated by the 1945 program, I have not found such evidence elsewhere in the record. . . .

**THE JURY MAY NOT** be left to speculate in the absence of proof whether an act, innocent on its face, is in furtherance of a conspiracy. There must be evidence which, if credited, shows that design. But here the theory seems to have been that affirmative showing of connection between the 1945 conspiracy and some later action taken within the statutory period was not required. The government seems to have reasoned that any participation in a Communist meeting in such a way that the participant knowingly joined in the internal affairs of the organization became, without further showing, an act in furtherance of the conspiracy charged. But this means that the government . . . is in the position of having to claim that the Communist Party itself is the conspiracy charged. . . . But no such charge is made here, and we, therefore, have no reason to consider its involvements. . . .

The disposition to relax requirements of strict proof in trials of suspected subversives appears whenever the existing order is subjected to stress and strain. It is reported that in 1603, when Sir Walter Raleigh was tried by the king's judges for treason, his demand for stricter proof was silenced by the court with the withering rejoinder:

"I marvel, Sir Walter, that you being of such experience and wit, should stand on this point; for so many horse-stealers may escape if they may not be condemned without witnesses."

In due course the accused was convicted and executed.

It may well be today that a number of Communists, among them schemers for our undoing and destruction, will go unpunished if in their cases we insist upon clear and convincing proof in open court of every element of the alleged crime. There is no gainsaying that "horse-stealers [and worse] may escape." But that is not too great a price to pay for assurance that our way of administering the criminal law minimizes for everyone the risk of undeserved conviction of crime.

In that spirit, and for the reasons stated in this opinion, I would reverse these convictions.



JUDGE WM. H. HASTIE  
An historic dissent

### BOOK THROWN AT UNION LEADER

## Bryson gets 5 years and \$10,000 fine

Special to the GUARDIAN  
SAN FRANCISCO

**AFTER** 24 hours of argument by defense attorneys, Federal District Judge William C. Mathes last week sentenced Hugh Bryson, former president of the Natl. Union of Marine Cooks & Stewards to five years in prison and \$10,000 in fines for having been found guilty of "affiliation" with the Communist Party. This is the maximum the law allows.

The judge, notorious for throwing the book at all defendants with a leftist tag, denied all motions by defense attorneys Richard Gladstein and George Andersen, set bail at \$50,000 although the government suggested \$30,000. On June 17 the Court of Appeals cut bail to \$20,000 and Bryson was released.

The motions were for dismissal of the case; for arrested judgment; for acquittal on the count of "affiliation" and for a new trial. Bryson was found not guilty of membership in the CP at the time he signed his Taft-Hartley affidavit in 1951. Bryson admitted under oath having been a member of the Communist Party, but denied any association since 1947.

**JUDICIAL PHILOSOPHY:** In denying all defense motions, Mathes said:

"The way I understand the jury's verdict, Bryson was found guilty of being a Communist. These people have no will of their own; they are

under orders and might very well take flight under orders. I feel that this conviction is equivalent to a Smith Act violation."

Mathes indicated that, to his mind, denial of Communist membership and affiliation was a more "reprehensible" crime than admission of such membership. For denial, he said, constituted "a cynical attempt to evade" the consequences of the Taft-Hartley statute.



HUGH BRYSON  
No dictionaries allowed

The defense lawyers demonstrated that the word affiliation had the vaguest of connotations, and had been so characterized by the Supreme Court itself; that the same court had used the terms membership and affiliation interchangeably at least 25 times in one opinion.

**BASELESS VERDICT:** They argued that if the jury found Bryson not guilty of membership, it was a "baseless verdict" to find him guilty of "affiliation," especially since there was no government evidence to prove such affiliation since 1947. Mathes conceded that "there are substantial questions of law which the Court of Appeals will have to decide."

The jury in the Bryson case manifestly did not understand the meaning of the word affiliation, asked for a dictionary (which the judge refused to give them) and asked for further clarification (which he likewise refused).

## Belfrage

(Continued from Page 1)

Sat., June 11, published a letter by Aronson protesting his treatment. The Times on the same day editorially denounced the practice of "throwing into jail aliens held while their cases are pending. . . ." The Times on Sunday published an attack on this "reprehensible practice" by Rep. Emanuel Celler (D-N. Y.). Next day a representative of the Immigration Dept. visited Belfrage

and inquired if he was not "happy." The restrictions were lifted the same day.

An appeal against the deportation order is now before a Federal Circuit Court of Appeals, which is also considering a request that Belfrage be granted bail pending a final ruling on the case.

**OTHER PAPERS PROBED:** The government last week showed a continuing interest in progressive foreign language newspapers. On June 17 Sen. William Jenner (R-Ind.), conducting a one-man hearing of the Senate Internal Security subcommittee, questioned three persons he identified as editors or former editors of such publications. They were Paul Novick, *Morning Freiheit*; Frank Borich, *Narodni Glasnik*; and Boris Sklar, *Russky Golos*. Questions were loaded to make a refusal to answer appear indicative of criminal conduct. The three invoked the protection of the Fifth Amendment.

The hearing had been hastily undertaken on one day's notice. At its end reporters asked Sen. Jenner if he planned more probes of the foreign language press. He called out to his counsel:

"Say, how many of these birds do we have? I mean, of this class?"  
"Oh, a couple dozen."

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TWO BOOKS ABOUT THREE CRUSADERS

Steve Nelson and Arthur and Marian Le Sueur

By John T. McManus

THE NAMES of some of today's persecuted fighters for political emancipation in America are already legends—Elizabeth Gurley Flynn and Benjamin J. Davis, among others; and in a special sense, Steve Nelson.

Nelson has been the most persecuted of America's Communist leaders: the Un-American Activities Committee tried to make him out a spy, and failed; he was convicted not only as a Smith Act violator but also under Pennsylvania's benighted "sedition" law; and actually started serving a 20-



STEVE & MRS. NELSON  
He can STILL smile

year sentence in one of the nation's most vicious prisons—Blawnox in Pittsburgh—when the Pennsylvania Supreme Court reversed the "sedition" conviction.

This month the Smith Act convictions of Nelson and four other Pittsburgh defendants were affirmed by the Court of Appeals, but with two judges joining in the first Appeals Court dissent in any Smith Act cases (see p. 10).

**HIS OWN ATTORNEY:** The Thirteenth Juror\* is Steve Nelson's own story of his truly mock-trial for sedition, in which he was his own attorney; and his months in Blawnox and other Pennsylvania jails from which his Smith Act defense was conducted.

It is a tribute to Nelson and his type of citizen that his story of Blawnox is not one of self-pity but of a citizen's outrage against a depraved and worse-than-medieval penal system and its destructive effect on all who are touched by it.

The story of the sedition trial is a two-fisted exposure of job-seeking politicians such as Judges Musmanno and Montgomery seeking to build political fortunes on the hysteria of the times. Nelson, facing a 20-year sentence, tossed considerations of "contempt" to the winds, and spared no one—the judges, prosecutor Cercone (Musmanno's nephew) and others—in courtroom combat.

The book's title comes from Nelson's Address to the Jury ("... The thirteenth juror is fear of what some people may say if you vote against the 'popular demand of the prosecutor...'). This address, occupying some 40 pages at the conclusion of the book, is a masterpiece of summation and a remarkable example of an alert citizen blasting his way through the obstacles of legal procedure with all the canni-

ness of a veteran trial lawyer.

**FOUR HELD OUT:** The address to the jury was so effective that four jurors held out for a "not guilty" verdict. One of the hold-outs, it is revealed in Nelson's book, was brutally beaten up the night before the case went to the jury. All four held out for hours. The beaten juror was the last to give in, after 26 hours of abuse and even threats of more physical violence by fellow jurors.

Commenting on "an era in which not only defendants, but honest people who happen to be picked for jury duty, are in danger of losing life and limb," Nelson asks the reader:

"If they can do this to me, then why not YOU?"

\*THE 13th JUROR, by Steve Nelson. Masses & Mainstream, 832 B'way., N. Y. 3. 252 pp. \$1.50.

They had a 'wonderful life'

IN THE TEEN YEARS of this country, when American radicals took their politics straight, there was a People's College at Fort Scott, Kansas. Eugene V. Debs was Chancellor; Charles P. Steinmetz, Helen Keller, Charles Edward Russell and other liberals and Socialists were on the board. Not far away, at Girard, the "Appeal to Reason" was mailed out weekly to the biggest circulation ever won by a U. S. radical newspaper. People's College, too, had a publication, "People's News," with the slogan: "To remain ignorant is to remain a slave."

President of People's College then was Arthur Le Sueur; and his co-editor of "People's News" was Marian Wharton, teacher and women's rights advocate, later his wife.

**THE FIGHT GOES ON:** These dedicated lives extended most vitally into our own years and into the progressive movement of today. "Crusaders" is the beautifully-told story of her parents' lives by Meridel Le Sueur, one of America's finest living writers.

Arthur Le Sueur, self-taught lawyer, Socialist mayor of Minot, N. Dakota (where the Republicans sued him for ordering the prison irons thrown in the river), Municipal Judge in Minneapolis in the high

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Farmer-Labor days, died in 1950 at 83 of cancer. When he knew his time was up, he left a message:

"Do not think the fight has diminished or that there are not the sinewed and stronger fighters coming on."

**"DON'T GRIEVE":** Marian Le Sueur, an organizer of the Farmer-Labor Party in Minnesota, on Gov. Floyd Olson's Planning Board and Board of Education, later head of the Wallace-Progressive Party in her state and PP candidate for U. S. Senate in 1952, died in January, 1954, at 77. She, too, knew death was coming, and wrote to her children:

"Don't grieve for me. I've had a wonderful life of struggle and growing. . . Arthur and I, like Moses, looked across time to the future of the full

life in freedom and brotherhood for all. Our children, grandchildren and great-grandchildren will see that future."

"Crusaders" is a biography from which all can derive courage, example and wisdom for the undiminished fight to which these two people devoted their lives.

\*CRUSADERS, by Meridel Le Sueur. Blue Heron Press Inc., 47 W. 63 St. N. Y. 23. 94 pp. \$1.50.

Gordon will speak on Bandoeng parley

Eugene Gordon, GUARDIAN reporter, will give an eyewitness account of the Bandoeng Conference at the New York ASP, 35 W. 64th St., Thursday, June 30, at 8:30 p.m. Gordon's topic will be "The Exchange of People's Cultures." A discussion will follow his talk. The meeting is open to all.

NEW YORK CALENDAR

CLUB CINEMA, 430 6th Av. June 25: "THE CRUEL SEA." Tautly directed adaptation of Eric Ambler's best-seller, depicting the emotions of the men who waged the battle of the Atlantic against the sea as well as against the enemy. Showings: Sat. only from 9:00 p.m. Adm.: Members, \$1.00; non-members, \$1.25. Next week: KNICKERBOCKER HOLIDAY.

"VENTURE PARTY"—cool and mellow. Sat. nite, June 25, at 274 E. 10th St., Apt. 4A. Jackie Berman on guitar, others. Refreshments. Contribution: \$1.00.

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I am now 92 years old. I am very deaf and my eyesight is failing very fast. My adopted daughter, with whom I live, is not too well, but gets around and does quite a bit of good work for the progressive movement. And her husband, Adolph Larson, like our beloved editor, Cedric Befrage, is facing deportation. So in our great struggle to save our Adolph, we take time out to send our best wishes to our favorite paper and live in hopes of seeing our country once more returned to the people who built it—to the workers, where it belongs. Elizabeth Rindal

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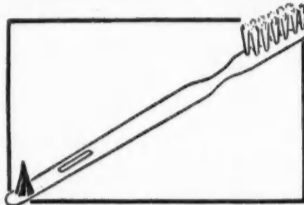
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**Lemon fizzle**

WHEN THE SIGNAL for "Lemon Juice"—code-name for the let's pretend H-bomb raid that afflicted the nation last week—was flashed over the wires, the GUARDIAN had already set up its own control booth to see if the nation would pass the test. Reports still coming in from outlying areas indicate that the country remained surprisingly sane; the madness was confined to its leaders.

The mental health of the citizenry was severely tested in many places — notably at Yankee Stadium where 17,000 persons were watching the N. Y. Yankees play the Detroit Tigers when the sirens wailed. The game was halted and ground crews lugged fire hoses onto the diamond. For 23 minutes they pointed the nozzles at the crowd who quietly sipped beer in a great demonstration of stolid American endurance in the face of supreme provocation.



Wall Street Journal

"He's right; that's exactly what we need... an aroused populace."

Although Peoria, Ill., was warned by excited make-believe meteorologists that the fall-out from the make-believe bomb that devastated Chicago would fall over Peoria with lethal effect, CD director Marvin L. Meritt refused to play. He said he thought CD volunteers ought not to take a day off just "to run around with arm bands on."

Massachusetts officials called off all sirens because they said a "take cover" drill was obsolete. CD workers there though were checked out on adding machines toting up make-believe corpses. Thus the devastation in Worcester, Fall River and New Bedford was recorded without disturbing the sunny June afternoon in those cities.

**THE EMPTY CITY:** In New York City thousands ran eagerly to their office windows to see how the city would look if there were no people. It took police 11 minutes to clear Bryant Park of those who would rather bask in the sun than play dead. One woman in the Bronx had to be escorted indoors and lectured severely. "What would you do if it was the real thing?" Said she: "I wouldn't do anything. I'd be dead."

The target for the bomb that fell on New York was the corner of Kent Av. and No. 7th St., Williamsburg, Brooklyn. On the doomed spot were a glue factory, a coal yard, a bar-and-grill and a few dilapidated tenements. When the sirens sounded some children were seated on the curb and a group of women were sunning their babies in carriages on the corner. All were led quickly into the bar where a houseful of the regular customers were already happily sheltered for the duration.

**THE RESISTERS:** In City Hall Park 29 men and women of the Fellowship of Reconciliation, the War Resisters League and the Catholic Worker, sat on benches. Instead of taking cover, they held up signs reading: "End War — The Only Defense Against Atomic Weapons." Police bundled them into a waiting van and later all 29 appeared in night court where Magistrate Louis Kaplan, plainly bedeviled by Lemon Juice, saw only madness in the 29's refusal to depart from reality. He asked 29-year old Mrs. Judith Beck whether she had ever been committed to an insane asylum.

Mrs. Beck answered: "No, have you?" Magistrate Kaplan ordered her led off to Bellevue. She was released the next day; the judge found her "not mad, just arrogant." All 29 were held in \$1,500 bail each for a hearing June 23.

Official Washington played the game to the hilt. President Eisenhower and his chief aides demonstrated to the world that they could reach a safe retreat long before the women and children of Washington. The President seemed nettled when Welfare Secy. Hobby arrived late at the hide-away. She explained that she had paused in her fight from the doomed capital long enough to have lunch. Secy. of State Dulles was sheltered in the upstairs room at Jack and Charlie's "21 Club" in Manhattan.

**THE U-BOMB:** But over all the madness hung a menace which would have spoiled the fun, had anybody mentioned it. Atomic Energy Commissioner Willard F. Libby in Chicago had revealed the details of the bomb that was dropped at Bikini in March, 1954. It was a new type, a U-bomb, "triggered by fissionable uranium 235, fanned up by a fusionable hydrogen ingredient and finally split asunder by an enormous fissioning of ordinary uranium 238." It could shower lethal doses of radioactive dust over 100,000 square miles. Thirty of them could blanket the entire country. For U there could be only one answer: peace.

One official saw the day's madness and exclaimed at it like the boy who announced that the King was naked in the tale of the "Emperor's New Clothes." John Garrett Underhill, deputy CD director for the District of Columbia, refused to go to his command post. He said it was "so inadequate it couldn't cope with a brushfire threatening a dog-house in a back-yard."

He was fired.

—Elmer Bendiner