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January 1942

# Fourth International

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**A STATEMENT ON WAR**

*By James P. Cannon*

**The Minneapolis  
'Sedition' Trial**

*By Felix Morrow*

**Mr. Davies and the Moscow Trials**

*By Natalia Sedov Trotsky*

**Lenin on Imperialism . . . . . By Leon Trotsky**

**The USSR in War . . . . . By John G. Wright**

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## Manager's Column

The last issue of **FOURTH INTERNATIONAL** had hardly reached our readers when the long-awaited turn of events plunged the United States into World War II. This fact has with one gesture enhanced the importance of the magazine historically and fundamentally changed the nature of the background against which the magazine is published and circulates.

Our interests will continue to be as they always have been—international in their scope and it will be our serious endeavor to maintain contact with co-thinkers in other parts of the world, in order that the ideas of socialism can be maintained and implemented by the experiences of workers on every continent thrown into the slaughter house of imperialist conflict.

The extension of the war inevitably brings a curtailment of the freedom with which our magazine can circulate abroad; but in times like this the qualitative value of a limited circulation is far greater than a broad distribution in ordinary days.

It will be the business of our distributors and agents in every part of the country to concentrate their energies henceforth on the securing of subscriptions to the magazine in order that as large a number of workers as possible can become regular readers and in this way become thoroughly familiar with our ideas.

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Shortly after the publication of our last number, the trial of the eighteen Minneapolis defendants came to a close. Although they were exonerated of the charge of sedition, they were held for violation of the Smith Act, which in effect holds them liable for imprisonment for the crime of considering the advisability of a change in the form of government of the United States.

This case is regarded by all jurists and people interested in the maintenance of civil liberties during a war period as one of the most important labor cases in the history of the United States.

The appeal, first to the Circuit Court of Appeals, and finally to the Supreme Court of the United States will be followed with keen interest by every individual who is con-

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Editor **FELIX MORROW**

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cerned with the relationship of working-class civil rights to the government in a war period.

As was true during the conduct of the trial in Minneapolis,

**FOURTH INTERNATIONAL** will undoubtedly carry a greater amount and more authentic news of the appeals than any other magazine published in this

country. The record and analysis appearing in our columns will constitute an invaluable historic record of the case.

We urge every reader to insure to himself the issues which will deal with the future of this trial by taking a subscription to the magazine and subscribing for those of his friends and acquaintances who might be wiser and better informed if they too became regular readers of **FOURTH INTERNATIONAL**.

\* \* \*

A recognition of the value of the treatment given the Minneapolis trial by our press comes from a source from which attention is real flattery.

Libraries connected with the top-ranking universities of the country as well as those noted for the completeness of their data on social subjects have been rushing to secure subscriptions to **FOURTH INTERNATIONAL**.

\* \* \*

An amusing side-light on the historic value of materials printed in our pages comes in the form of numerous requests from all parts of the country for copies of our issue of June 1941.

It was in that issue that we printed Leon Trotsky's brilliant analysis of the authenticity of the Tanaka Memorial. Now that time and the gunboats of the Japanese have focused attention on the politics of the Land of the Rising Sun, Trotsky's opinions on this phase of imperialist imperative have acquired a new value.

Business is business, and anyone anxious to refresh his memory concerning Trotsky's views on the forces driving Japan to imperialist assault may have a copy of the June issue of **FOURTH INTERNATIONAL** by simply sending us a request and twenty cents.

\* \* \*

Early in January 1942, bound volumes of **FOURTH INTERNATIONAL** will be available to any who wish to augment libraries by adding a volume of Marxist comment on contemporaneous events. The issues of two years—1940 and 1941—will be bound together and the price of the bound volume will be \$3.00.

Since the number of bound volumes is limited, we urge that orders be sent in at once to the business office of **FOURTH INTERNATIONAL**, 116 University Place, New York, New York.

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# FOURTH INTERNATIONAL

VOLUME III

JANUARY 1942

NUMBER 1

## A Statement on the War

By JAMES P. CANNON

The considerations which determined our attitude toward the war up to the outbreak of hostilities between the United States and the Axis powers retain their validity in the new situation.

We considered the war upon the part of all the capitalist powers involved—Germany and France, Italy and Great Britain—as an *imperialist war*.

This characterization of the war was determined for us by the character of the state powers involved in it. They were all capitalist states in the epoch of imperialism; themselves imperialist—oppressing other nations or peoples—or satellites of imperialist powers. The extension of the war to the Pacific and the formal entry of the United States and Japan change nothing in this basic analysis.

Following Lenin, it made no difference to us which imperialist bandit fired the first shot; every imperialist power has for a quarter of a century been “attacking” every other imperialist power by economic and political means; the resort to arms is but the culmination of this process, which will continue as long as capitalism endures.

This characterization of the war does not apply to the war of the Soviet Union against German imperialism. We make a fundamental distinction between the Soviet Union and its “democratic” allies. We defend the Soviet Union. The Soviet Union is a workers’ state, although degenerated under the totalitarian-political rule of the Kremlin bureaucracy. Only traitors can deny support to the Soviet workers’ state in its war against fascist Germany. To defend the Soviet Union, in spite of Stalin and against Stalin, is to defend the nationalized property established by the October revolution. That is a *progressive war*.

The war of China against Japan we likewise characterize as a progressive war. We support China. China is a colonial country, battling for national independence against an imperialist power. A victory for China would be a tremendous blow against all imperialism, inspiring all colonial peoples to throw off the imperialist yoke. The reactionary regime of Chiang Kai-shek, subservient to the “democracies,” has hampered China’s ability to conduct a bold war for independence; but that does not alter for us the essential fact that China is an oppressed nation fighting against an imperialist oppressor. We are proud of the fact that the Fourth Internationalists of China are fighting in the front ranks against Japanese imperialism.

None of the reasons which oblige us to support the Soviet Union and China against their enemies can be said to apply to France or Britain. These imperialist “democracies” entered the war to maintain their lordship over the hundreds of millions of subject peoples in the British and French empires; to defend these “democracies” means to defend their oppression of the masses of Africa and Asia. Above all it means to defend the decaying capitalist social order. We do not

defend that, either in Italy and Germany, or in France and Britain—or in the United States.

The Marxist analysis which determined our attitude toward the war up to December 8, 1941 continues to determine our attitude now. We were internationalists before December 8; we still are. We believe that the most fundamental bond of loyalty of all the workers of the world is the bond of international solidarity of the workers against their exploiters. We cannot assume the slightest responsibility for this war. No imperialist regime can conduct a just war. We cannot support it for one moment.

We are the most irreconcilable enemies of the fascist dictatorships of Germany and Italy and the military dictatorship of Japan. Our co-thinkers of the Fourth International in the Axis nations and the conquered countries are fighting and dying in the struggle to organize the coming revolutions against Hitler and Mussolini.

We are doing all in our power to speed those revolutions. But those ex-socialists, intellectuals and labor leaders, who in the name of “democracy” support the war of United States imperialism against its imperialist foes and rivals, far from aiding the German and Italian anti-fascists, only hamper their work and betray their struggle. The Allied imperialists, as every German worker knows, aim to impose a second and worse Versailles; the fear of that is Hitler’s greatest asset in keeping the masses of Germany in subjection. The fear of the foreign yoke holds back the development of the German revolution against Hitler.

Our program to aid the German masses to overthrow Hitler demands, first of all, that they be guaranteed against a second Versailles. When the people of Germany can feel assured that military defeat will not be followed by the destruction of Germany’s economic power and the imposition of unbearable burdens by the victors, Hitler will be overthrown from within Germany. But such guarantees against a second Versailles cannot be given by Germany’s imperialist foes; nor, if given, would they be accepted by the German people. Wilson’s 14 points are still remembered in Germany, and his promise that the United States was conducting war against the Kaiser and not against the German people. Yet the victors’ peace, and the way in which the victors “organized” the world from 1918 to 1933, constituted war against the German people. The German people will not accept any new promises from those who made that peace and conducted that war.

In the midst of the war against Hitler, it is necessary to extend the hand of fraternity to the German people. This can be done honestly and convincingly only by a Workers’ and Farmers’ Government. We advocate the Workers’ and Farmers’ Government. Such a government, and only such a government, can conduct a war against Hitler, Mussolini and the Mikado in cooperation with the oppressed peoples of Germany, Italy and Japan.

Our program against Hitlerism and for a Workers' and Farmers' Government is today the program of only a small minority. The great majority actively or passively supports the war program of the Roosevelt administration. As a minority we must submit to that majority in action. We do not sabotage the war or obstruct the military forces in any way. The Trotskyists go with their generation into the armed forces. We abide by the decisions of the majority. But we retain our opinions and insist on our right to express them.

Our aim is to convince the majority that our program is the only one which can put an end to war, fascism and economic convulsions. In this process of education the terrible facts speak loudly for our contention. Twice in twenty-five years world wars have wrought destruction. The insti-

gators and leaders of those wars do not offer, and cannot offer, a plausible promise that a third, fourth and fifth world war will not follow if they and their social system remain dominant. Capitalism can offer no prospect but the slaughter of millions and the destruction of civilization. Only socialism can save humanity from this abyss. This is the truth. As the terrible war unfolds, this truth will be recognized by tens of millions who will not hear us now. The war-tortured masses will adopt our program and liberate the people of all countries from war and fascism. In this dark hour we clearly see the socialist future and prepare the way for it. Against the mad chorus of national hatreds we advance once more the old slogan of socialist internationalism: Workers of the World Unite!

*New York, Dec. 22, 1941*

# The Minneapolis 'Sedition' Trial

By FELIX MORROW

## I. The Verdict

The Minneapolis "sedition" trial was an unprecedented development in the class struggle in the United States. Never before has the federal government ordered a trial which was so nakedly a political trial, a persecution of the workers' political movement. The political trials of the last World War were the most significant prior to Minneapolis; but they were limited formally in their scope; they were brought under the wartime Espionage Act and ostensibly were merely aimed at persons allegedly obstructing the war. In Minneapolis, however, the government directly characterized as criminal the doctrines of Marx, Lenin and Trotsky, in the indictment and the prosecution arguments. In this assault upon the Socialist Workers Party the government stood out more plainly than ever before as a government of the capitalist class, persecuting proletarian politics.

As the capitalist prosecution marked a new stage in the class struggle, so too did the conduct of the proletarian defense. Never before in a labor trial in this country have defendants so deliberately, so systematically, defended their revolutionary doctrines, using the courtroom as a forum from which to proclaim their ideas; but simultaneously demonstrating that the defense of their doctrines was the most effective way to defend themselves against the charges, not only outside the courtroom but also in the courtroom. By this method the defense won from the jury important concessions, partial victories which enormously facilitate the task of rallying working class and liberal public opinion to support the Civil Rights Defense Committee's appeal to the higher courts.

An analysis of the jury's verdict will show how much the Socialist Workers Party has bettered the position of labor's rights in this battle in contrast to where we stood when the indictment drawn up by the Department of Justice was handed down by a federal grand jury on July 15, 1941, and we went on trial on October 27, 1941.

The jury found all 23 defendants not guilty on Count 1 of the indictment. (Five of the 28 defendants who originally went on trial were acquitted on both counts by directed verdict by the judge for lack of evidence, at the conclusion of the prosecution's presentation of the case.) Three important consequences resulted from rejecting Count 1.

1. The jury thwarted the government's attempt to use against the labor movement a statute enacted by Congress in 1861, aimed against the southern slaveholders.

Count 1 charged violation of this statute; the section of the statute adduced against us—used, incidentally, for the first time since its adoption!—makes it a crime to conspire to overthrow the government by force and violence. In argument prior to the trial (for dismissal of the indictment) our chief counsel, Albert Goldman, showed that the statute obviously was designed against attempts to overthrow the government in the immediate present, such as the 1861 rebellion of the southern states. Government counsel, however, stated that it was the position of the government that the statute applied also to any movement whose doctrines could be charged to indicate an attempt to overthrow the government at some time in the remote future. The full meaning of this extension of the application of the statute became clear in final argument, when Assistant Attorney-General Henry A. Schweinhaut called upon the jury to convict us because, although the Socialist Workers Party is a tiny party now, its avowal of the doctrines of the Russian revolution make it possible that, like the Bolshevik Party of Lenin and Trotsky, it could eventually grow to become the leader of a similar revolution here!

In acquitting us on Count 1, the jury, in effect, rejected the government's attempt to transform the 1861 statute into a ban against revolutionary doctrines. The importance of this as a precedent is that the constitutionality of the 1861 statute as a whole is firmly established by Supreme Court decisions; a conviction under it would be much more likely to remain untouched by the higher courts than one under the hitherto untested Smith Act of 1940. In his final argument, Albert Goldman carefully explained to the jury the important distinction between conspiring to *overthrow* the government (Count 1) and conspiring to *advocate* overthrow of the government (Count 2), a distinction which the government, in extending the meaning of the 1861 statute, had refused to recognize. On this important question the jury aligned itself with the defense.

2. Furthermore, by acquitting us on this count, the jury, in effect, characterized the main section of the government's case as a frame-up. The main purpose of the parade of gov-

ernment witnesses had been to secure a conviction on Count 1. These witnesses were to show the existence of an actual conspiracy to forcibly overthrow the government. This was particularly so in their testimony on the Union Defense Guard of Minneapolis, which the government attempted to depict as an armed force organized with the ultimate aim of overthrowing the government. It was under Count 1 that the indictment brought in the Union Defense Guard. Likewise under this count it was charged that we did "procure certain explosives" for the same purpose.

It is one thing to charge that the doctrines of the Socialist Workers Party constitute "seditious conspiracy"; that is a political persecution. It is something very different, it is a crude police frame-up, to charge that we obtained explosives and armed the Union Defense Guard to assault the government. "If the government persists in its attempt to make of the Union Defense Guard an organization aimed at destroying the government, then this whole case is nothing but a frame-up," Albert Goldman told the jury in his opening statement; the government did persist; and the jury's acquittal of the defendants on that count upheld Albert Goldman's charge of frame-up.

### Now Clearly a Civil Liberties Issue

3. The third and most important result of acquittal on Count 1 is that it left the case squarely an issue of civil liberties. The introduction of the charge of violating the 1861 statute, the "evidence" about the Union Defense Guard, the blood-curdling references in Count 1 of the indictment to procuring "explosives," to soldiers under our influence who would "turn their weapons against their officers," etcetera—all this had as its aim to picture the defendants as desperados and criminals and not as political prisoners. The liberal Attorney-General wanted at all costs to deny that the case was a civil liberties issue. Biddle, answering a protest from the American Civil Liberties Union, wrote in his letter of September 4, 1941:

"You state from your examination of the 'character of the evidence on which the indictment rests' that the charges attack utterances or publications and include only one overt act—the organization of the workers in a defense corps. This overt act, however—arming workers to carry out the purpose to which the utterances are addressed—is clearly sufficient to remove the case from one involving expression of opinion. . . . You suggest that the facts show that the intent (of the Union Defense Guard) was merely to protect union property against threats of violence. But the indictment specifically alleges otherwise, and I am confident that it will be supported in the evidence." So unconvincing was the evidence, however, that the jury aligned itself with the defense on this question and left Biddle in the extremely embarrassing position of having lost his chief prop for his claim that the case was not one "involving expression of opinion." Let us note in passing that the liberal Attorney-General's chief prop was an attempted frame-up. Even if we concede he was deceived by subordinates on the Union Defense Guard, Biddle avidly seized upon it—to show his liberalism!

As a clear-cut issue of civil liberties, the appeal to the higher courts will receive far broader support than we could have hoped for had we been convicted on Count 1. Unquestionably it was the jury's absolving us of the charges of "procuring explosives" and arming guards which has encouraged *The Nation* and other liberal spokesmen to give their unquali-

fied endorsement to the movement to appeal the case to the higher courts.

### The Recommendation of Leniency

On Count 2 the jury found 18 of the 23 defendants guilty, but with a recommendation of leniency. That recommendation undermines the moral validity of the guilty verdict. What does leniency imply here? This was no case of crime committed by a young boy or girl under extenuating circumstances. The defendants were obviously in full possession of their faculties, and not a bit remorseful; indignant against their accusers; clearly determined to go on with their revolutionary work. Under these conditions what could a recommendation of leniency mean, except a formal registration by the jury of its disagreement with the *ideas* of the defendants rather than a condemnation of the defendants as criminals.

Such a guilty verdict is robbed of all moral validity. No wonder that Mr. Biddle and his associates—it is no secret—are chagrined by such a victory!

An examination of Count 2 renders the verdict still less defensible. Of what were the defendants convicted? Count 2 charged violation of the Smith Act of 1940, popularly known, during the fight against enactment of it, as the Omnibus Gag Bill; the justice of that nickname becomes apparent by describing Count 2. It lists five numbered acts which the defendants allegedly conspired to commit:

1. "Advise, counsel, urge" and "distribute written and printed matter" to cause insubordination in the armed forces.
2. "Advocate, abet, advise and teach the duty, necessity, desirability and propriety of overthrowing the government by force and violence."
3. "Print, publish, edit, issue, circulate, sell, distribute and publicly display written and printed matter advocating" such overthrow.
4. "Organize societies, groups and assemblies of persons to teach" the same.
5. Become members of such groups.

The last three of these charges played no role. Count 2 was considered, by both prosecution and defense, as if it consisted of the first two charges—causing insubordination and advocating violence.

The jury could vote guilty or not guilty on Count 2 as a whole and could not indicate whether it held the defendants guilty on one, or the other, or both charges in the count. The recommendation of leniency tends to indicate that the jury did not consider the defendants guilty of both.

One of these two charges was so unsubstantiated that it should never have been submitted to the jury at all—that on insubordination in the armed forces. Albert Goldman pointed this out to Judge Joyce in argument for a new trial. For the only "evidence" on this point was some oral testimony by two government witnesses to the effect that one or two defendants had told them that soldiers should be induced to "kick" about food and living conditions. Judge Joyce's answer was that, since "some" evidence had been offered in this point, he had been bound to submit the question to the jury. Federal judges may dismiss all or any part of any count in an indictment when in the judge's opinion no substantial evidence has been introduced warranting the submission of the point in question to the jury.

Certainly it is hard to believe that a jury recommended leniency if it held the defendants guilty of such a serious charge as conspiring to cause insubordination in the army.

## What Happened in the Jury Room

So far we have discussed the verdict and its logical implications. Perhaps even more devastating to the moral validity of the verdict of guilty on Count 2 is the story of what actually happened in the jury room, which has now been told by some of the jurors. There were three jurors who were ready to vote not guilty on both counts. Had they withstood the pressure, there would have been no verdict, but a hung jury, with a new trial—if the government had decided to go through with a second one.

Instead the jurors compromised. Those who believed us not guilty secured acquittal on the first count, acquittal of five on the second count, and a recommendation of leniency, and in return voted guilty on Count 2.

All in all, the jury's verdict is scarcely one which the government can point to as a vindication of the government charges on which the trial took place. On the contrary, the defendants are in a strong moral position on the basis of which, even in wartime, great sections of the labor and liberal movement can be united in the appeal against the convictions.

### II. The Jury

No one connected with the defense, I believe, thought it possible to win from a jury a verdict of not guilty on both counts. With the prestige of the federal government backing the charges, with charges of such a character, with the given procedure in the federal courts, with the trial taking place on the eve of war, it was inconceivable that a jury could be found hardy enough to go against bourgeois public opinion and declare us not guilty. The defendants were not the only ones who held this view. Roger Baldwin, Director of the American Civil Liberties Union, just before the case went to the jury, sent out an urgent appeal for funds for the defense in which he assumed that a conviction was coming.

A disagreement in the jury—no verdict—seemed more conceivable than a blanket verdict of not guilty. But those who believed us innocent accepted a compromise, instead of insisting upon a hung jury. Shall we criticize them for that? Perhaps. But let us also examine the real situation of the jury.

Here were jurors chosen by a procedure which made certain that no one sympathetic to labor would be on the venire. They were called upon to pass on a case which, they well understood, had been initiated by the highest circles of the United States Government; an Assistant Attorney-General, sent from Washington, was present in the courtroom to demand of them a guilty verdict. The defendants were revolutionaries committed to the overthrow of the existing order, that is to say, members of a small unpopular movement anathematized by respectable society. Over the courtroom was the shadow of the impending war—the defendants were sentenced the day Congress declared war against Japan. Under those conditions, it would have taken men and women of extraordinary calibre to stand up in the jury room on behalf of the defendants to the point of a hung jury. In truth it is more surprising that those who believed us innocent were not finally beaten down to submit to a blanket verdict of guilty against all defendants, on both counts, and with no recommendation of leniency.

The really significant fact is not that the three jurors compromised, but that the other nine were ready to agree to a compromise favorable to the defendants. A significant

fact, for when the trial began these jurors were unquestionably steeped in hostility and prejudice against the revolutionary Marxists they were called upon to judge. That the jurors ended ready to show leniency toward the defendants is a tribute to the character of the defense conducted by Albert Goldman.

Consider who these jurors were and how they were chosen. The venire for a federal jury in this district is constituted as follows: The court clerk and a jury commissioner write to their friends and acquaintances in all the counties of this predominantly rural federal district, asking them to send in the names of persons likely to make good jurors. The court clerk and jury commissioner naturally write to "solid" citizens who, in turn, name the same type. Those named receive routine questionnaires which they fill in and return to the court clerk, who files them. When a court term is about to open and a venire is needed, the clerk gets out of the files the required number distributed almost equally among the counties, which means an overwhelmingly rural venire. In this case the judge called for a venire drawn from 33 counties, predominantly rural.

Nor was Albert Goldman permitted to question prospective jurors, as defense counsel are traditionally allowed to do. The procedure permitted questioning of prospective jurors only by the judge. Defense counsel could submit questions to the judge, who put some of them, rejected the rest. Thus defense counsel could not, by skillful, probing questioning, ferret out prejudiced jurors.

The defense was limited to ten peremptory challenges. After using up the first few, Albert Goldman could not but ask himself: "If I use up the rest, isn't it almost certain, from such a venire, that I shall get worse than I already have in the jury box?"

And so this jury was chosen: a grain elevator owner; a small town newspaper publisher; a bank executive; a garage owner; a farmer; a farm laborer; a general store owner; a general store clerk; a plumbing contractor; a hardware clerk; the wife of a courthouse janitor; a lumber company sales manager. Most of them from rural counties, and not a single person who is or ever has been a member of a trade union.

Visualize that jury and you will begin to understand Albert Goldman's achievement in conducting the defense!

### III. The Method of the Defense

The method of the defense will perhaps be best understood if we contrast it with the method which liberals and civil libertarians advised us to employ.

Retain eminent and respectable attorneys. Leave the strategy of the defense entirely in their hands, without "politically motivated" interference by the defendants. How would such counsel picture the defendants to the jury? As "harmless, theoretical 'revolutionists' innocent enough, foolish enough, to talk about overthrowing the government of the United States. To pretend that these people are a danger to this country is simply fantastic." These words from a *New Leader* (December 20, 1941) editorial, protesting the prosecution, typify what such counsel would say to the jury: try to laugh it off at the expense of the defendants, plus an appeal to civil liberties.

This approach would include systematic objections by defense counsel to acceptance into evidence of any and all government exhibits from the literature of the Socialist Workers Party—objections designed to limit as far as pos-



sible the number of government exhibits, so that there would be as few as possible to explain away. Similar objections would be made to testimony of government witnesses. Each exhibit and item of oral testimony, at least the most damaging, would then be separately "interpreted" to persuade the jury that it isn't as bad as it is painted. Government witnesses would be cross-examined on the same basis. Defendants would be called as witnesses only primarily to refute specific charges made by government witnesses.

The liberal method of trying the case would eschew any systematic exposition in the case, or in final argument, of the socialist theories of the defendants. Proposals by defendants to defend their doctrines would be frowned upon by the liberal attorneys as having no other purpose than to use the court for propaganda purposes. It might make good propaganda for socialism but would prejudice the jury against the defendants.

This, I think, is a fair presentation of the method that the liberals would use in the Minneapolis and similar cases.

### Fallacies of the Liberal Method

There are two fundamental flaws in this strategy.

1. It does not cope with the fact that there are laws on the statute books making it a crime to advocate the overthrow of the government by violence. When the *New Leader*, impliedly conceding the main contention of the government indictment, calls us "foolish enough to talk about overthrowing the government of the United States," it leaves us with no defense in a jury trial against the Smith Act so long as that is law. When *The Nation*, while outspokenly calling for support to our appeal, condemns the prosecution as similar to Japan's prosecutions of "dangerous thoughts," it is in reality assuming that we, as charged in the indictment, advocate overthrow of the government by violence.

These liberal organs prove to their own satisfaction that the Socialist Workers Party is no danger to the government; and that argument may conceivably be accepted by the United States Supreme Court, for reversing the conviction by adopting the Holmes-Brandeis theory of "clear and present danger." But that argument is in point only in appellate courts and on a motion to dismiss the indictment, prior to trial. Albert Goldman made that motion on our behalf. Judge Joyce rejected that motion—finding that there *was* a clear and present danger of the evils which the statutes cited in the indictment sought to prevent and therefore the statutes were applicable! We were then faced with the necessity of convincing a jury that we were not guilty of violating those statutes. The liberal argument that it is unjust to convict "foolish, unpopular, tiny grouplets" for advocating overthrow of the government by violence would get nowhere with a jury which is sworn to take the law as it is handed to them by the judge.

2. The liberals' appeal to the jury to uphold civil liberties is not likely to sway a jury which has heard such a defense as the liberals would present. The jurors, as we have seen, came into the courtroom with the habits and prejudices of a lifetime standing like a Chinese wall between them and us. Unions were strange and alien to them—a hundredfold more so were proletarian revolutionists. The liberal method of presenting the case would not have broken down those prejudices against the defendants and their socialist doctrines. The perfect civil libertarian may say, with Voltaire: "I abhor to the death what you believe in but I will fight to the death for your right to say it." But the ordinary mortal, sitting as a juror in a doctrinal case, if he abhors

to the death what you stand for, is fairly certain to vote guilty.

These reasons would have been sufficient to decide us to reject the liberal strategy. But even had the liberal method been efficacious enough to win us an acquittal, we could not have agreed to that kind of a defense.

To have defense counsel deride the potency of our doctrines, urge the jury to laugh at us as foolish doctrinaires and to let us go because we could never achieve our goal—such a defense would be little better than abandoning our principles for the sake of a possible acquittal.

Instead we employed a principled method which may justly be said to have been used for the first time in this country—certainly for the first time systematically and consciously.

We set out to get those jurors to cease abhorring socialism and to recognize and respect the sincerity, sanity and seriousness of the defendants and their ideas. It might even be said that, in a sense, we set out to make socialist sympathizers or half-sympathizers out of those jurors. The defense had as its main object to make those jurors understand what we are really like and what we really stand for. That could be done only by explaining to them, in the simplest and most persuasive terms, our beliefs and our hopes for the socialist future of humanity.

### The Kind of Attorney We Needed

That method of defense necessitated a chief counsel learned in socialist theory; no other could skillfully guide defense witnesses in expounding the doctrines of the Socialist Workers Party, decide what questions to ask government witnesses, which government exhibits were satisfactory to the defense, and make an exhaustive final argument in defense of socialism. Indeed it would be impossible to carry out such a method of defense except under the leadership of an attorney thoroughly trained in Marxism.

There was one man above all in the country who had those qualifications: Albert Goldman. Friendly liberals pointed out to us that he was seriously handicapped by the fact that he was himself one of the defendants in the case; moreover he was a Jew facing a rural jury which might harbor anti-Semitic prejudices. These were facts which we had to take into account. Were Albert Goldman not a Jew and a defendant, perhaps he would have been still more effective with a jury. But for those reasons replace him with another lawyer? Yes—if the other lawyer were Goldman's equal as a lawyer, as a speaker, as a Marxist. But in those qualities there is no lawyer alive who measures up to Albert Goldman. And by the time he had concluded his final argument all serious observers were agreed that the handicaps had paled away and disappeared as Albert Goldman established his moral authority in that courtroom.

The trial began with opening statements by both sides. After U. S. District Attorney Anderson made his statement, Goldman incisively called the attention of the jury to the heart of the case:

"We shall show to you, by the very evidence introduced by the prosecution, that the Socialist Workers Party's aim is to win a majority of the people for its ideas. And Mr. Anderson will have to convince you that that is criminal. . . .

"The evidence will show that we were very, very interested in the question of trade unionism. We will not deny it! We instructed our members to be active in all organizations, particularly trade unions. Where people congregate,

there should we be, to show the majority of the people that they, in order to solve their problems, must accept those ideas. . . .

"The defense will prove Mr. Anderson's contention that we are opposed to this war, and the evidence will prove further Mr. Anderson's contention that the defendants consider this war on the part of England and Germany and Italy and the United States as an imperialistic war, fought for the economic interests of the small group of financiers and capitalists who control the destinies of these countries. . . .

"Those are ideas of ours with which the jurors may agree or not, but the evidence will show that every statement made by Mr. Anderson to the effect that we believe in sabotage is absolutely false. The evidence will show that so long as we are in a minority, so long as we cannot convince the majority of the people that our ideas are correct, we shall submit and we have nothing else to do but to submit to the government.

"Essentially the question boils itself down to this: Did we advocate the overthrow of the government by force and violence? . . .

"The evidence will show that we prefer a peaceful transition to socialism; but that we analyze all the conditions in society, we analyze history, and on the basis of this analysis we predict, *we predict*, that the reactionary minority, by violence, will not permit the majority its right to establish socialism. That is the heart of the question!"

The rest of the trial consisted, so far as the defense was concerned, in proving these propositions.

### Our Attitude to Prosecution Evidence

Goldman made clear to the jury that he welcomed all exhibits introduced by the government which were programmatic documents of the Socialist Workers Party, articles on policy in our press written by authoritative leaders of the party, resolutions of the party conventions or the National Committee, etc. He explained to the jury that the defense would introduce few exhibits since it would prove its case from the exhibits of the government.

The comparatively few objections he made to exhibits submitted by the government were clearly in protest against irrelevant or unfair items: a floor-plan of the Minneapolis party branch offices, red flags and pictures of Lenin and Trotsky seized in an FBI raid on the Twin City branch offices; unsigned articles from our press which had no bearing on the issues, etc. Goldman also objected to the introduction of works by Marx, Lenin and Trotsky on the ground that, while we accept the fundamental doctrines of these founders of our movement, we are not idol-worshippers who accept every single word they wrote; hence their doctrines should be considered in the form in which they appear in the official literature and resolutions of the Socialist Workers Party.

Goldman followed a similar procedure toward government witnesses. He made no objections to their descriptions of the structure and history of the party, their recital of events at party meetings, their account of party activities in the trade unions, etc. As the reader of Goldman's final argument will note, he made effective use of this hostile testimony in clinching important points, notably on the question of the party's aims in the unions. Only where the prosecutors led their witnesses into fabulous tales of private conversations allegedly had between witnesses and defendants in barrooms, automobiles and house-parties, or government testimony was completely irrelevant to the issues, did Goldman object.

Likewise his extremely effective cross-examination carefully avoided any appearance of hammering witnesses merely for the sake of tripping them up. Much of their testimony he did not cross-examine at all, dealing only with crucial points such as their allegations about the Union Defense Guard and about statements by defendants advocating violence against the government. Goldman's activities during the three weeks that the prosecution was presenting its side of the case clearly indicated his willingness to have everything brought in which would give the jury a complete picture of the doctrines and activities of the Socialist Workers Party.

The defense took only four days to present its case. The party's National Secretary, James P. Cannon, was on the stand for two days. Under Goldman's questioning he gave the jury an effectively simple description of our ideas; under cross-examination he defended those ideas against prosecution attempts to pervert their meaning.

This was supplemented by the testimony of Farrell Dobbs and Vincent Dunne on the policy and activities of the party in the trade unions. Short but convincing testimony by six Union Defense Guard members on the nature of the organization, and testimony by Grace Carlson rebutting government testimony about statements allegedly made by her were other important items in the defense presentation.

The effect of the whole was not so much to deny specific government allegations as to describe to the jury the ideas of the Socialist Workers Party.

Whatever may have been the effect of the defense witnesses on the jury, in the end everything depended upon Albert Goldman's final argument. For after the defense witnesses came the prosecution's final argument, a day-long speech by U. S. District Attorney Victor Anderson.

### IV. The Final Arguments

On the eve of the trial, Attorney-General Biddle had issued a statement, presumably to conciliate protesting liberals, promising that the trial would be conducted in "a low key." But Anderson's final argument was an utterly brutal thing, devoid of any hint of concession to the rights of labor; a speech aimed at evoking the most reactionary sentiments; not appealing to the jury's sense of justice but demanding, in the name of constituted authority, that it bring in a verdict of guilty for the sake of God and country. The jury appeared to us to be visibly affected by Anderson's demand, either because it shared his sentiments or bowed to his authority.

One felt that all the previous handicaps against us were revived in full force by Anderson's vicious assault. I have not yet mentioned the handicaps imposed by Judge Matthew M. Joyce; he had scarcely made easier our task of acquainting the jury with our real ideas. I cite but a few examples. The prosecution insisted on introducing as evidence against us Wintringham's book, "New Ways of War," replete with diagrams of how to make bombs, grenades and other weapons; it is a book written to train Britain's Home Guards to resist Nazi invasion; but we had written a book review of it and the judge admitted the book in evidence. We had visions of the jurors deliberating their verdict and poring over those diagrams! Judge Joyce had also admitted into evidence Marx and Engels' "Communist Manifesto" of 1848; what its words, written about the Europe of 93 years ago, could conjure up in the jurors' minds, we could only conjecture.

On the other hand Judge Joyce would not permit the defense witnesses to tell the jury the whole story behind



the trial—the struggle between AFL Teamsters President Daniel J. Tobin and the Trotskyist leadership of the Motor Transport Workers Union, Local 544-CIO, and the series of governmental actions siding with Tobin, culminating in the indictment of the leadership of the Socialist Workers Party and Local 544-CIO. Whenever defense witnesses approached this question, the prosecutors jumped up to object and were sustained by the judge.

Such were the onerous conditions under which Albert Goldman delivered his final argument, speaking for two days, for a total of ten hours.

His speech, as the reader can see for himself, is austere simple in its construction. There are no tricks in it, nor flights of rhetoric. The secret of its great power is that it is an unadorned but clear and persuasive explanation of what socialism is. The task Albert Goldman set for himself was to try to make those jurors understand who we defendants are, what we believe, why we believe it, and why we have a moral and legal right to our beliefs. He set out to move those jurors, not inches, but worlds, from their capitalist-dominated world into seeing distance of the socialist world of the future.

The obstacles in the way were well-nigh insuperable. But

hour after hour, with an eloquence which lent restrained passion to his words, Goldman labored upon that jury. And, finally, his labors were not in vain. He won from them a partial victory, partial but rich with fruitful consequences for the preservation and building of the revolutionary movement.

Not the least of the fruitful consequences of this trial is the text of Goldman's speech. It provides something which the American revolutionary movement has long lacked—an elementary exposition of the socialist outlook. Now we have it, not in a dry textbook, but in the dramatic form of a defense of revolutionists against the government's attempt to imprison them for their ideas. Let us see to it that the new generation of youth, in whose hands is the power to put an end to capitalist slaughter, is given the opportunity to read Albert Goldman's great speech.\*

\*This article is the introduction to Albert Goldman's "In Defense of Socialism," the text of the first argument in the Minneapolis "sedition" trial, which will shortly appear in pamphlet form. A companion pamphlet is "Socialism on Trial," by James P. Cannon, consisting of the official court record of Cannon's testimony.

# Mr. Davies and the Moscow Trials

By NATALIA SEDOV TROTSKY

Before his death Lenin wrote a note which was published some time ago; in it he warned against Stalin: "This cook will prepare only peppery dishes." For this reason, Lenin demanded Stalin's removal from the post of General Secretary, because this office, as Lenin explained, "carried with it unlimited powers." Only desperation and the impasse in which he now finds himself could have compelled Stalin to call public attention back to the Moscow trials which have so discredited him; and to try to serve up again to public opinion this "peppery dish," warmed up for the occasion. The fulfillment of this task has been undertaken by Mr. Davies, the former representative of the United States to Soviet Russia. It must be said that Mr. Davies is fulfilling this assignment with such shamelessness and moral irresponsibility as to cause astonishment even in our harsh epoch.

## Davies in the Role of Stalin's Attorney

Mr. Davies has come to the fore in the role of Stalin's defender in the case relating to the frame-ups committed by the latter in 1936-38 in the country which is under the banner of socialism. It must be acknowledged that this charge against Stalin is murderously grave. His crimes are unique in the history of mankind for their unbridled lies, their bestiality and their fatal consequences. Only the historians of the future will be able to give a full account of them.

Mr. Davies seeks to clear his client no less heedlessly than was done in his time by Senor Sodi, the attorney for the Stalinist agent Siqueiros—the organizer of the attempt against Leon Trotsky on May 24, 1940, in Mexico. He reports himself in the self-same manner as his colleague Senor Ostis, the attorney for Jacson, the hired assassin of the GPU whom Stalin had summoned in order to rectify the failure of his predecessor.

Mr. Davies calls the crime of August 20, 1940—the murder of Leon Trotsky—"enigmatic." He thus casts a

malignant shadow of suspicion on the friends of L. D. Trotsky; and, at the same time, leaves open for himself the possibility of taking the offensive against them, whenever this is demanded by "circumstances" (i.e., Stalin's tasks). "The bigger the lie all the more readily will people believe it," reads an aphorism by Hitler. All the attorneys of the GPU together with its chieftain apply unswervingly this principle of the conqueror of continental Europe. This remarkable identity of tastes is by no means accidental. What constitutes the bond between them is the baseness of their respective interests, the unconscionable-slanderous absence of restraint in the pursuit of their selfish goals.

## The Irrefutable Evidence Of the Mexican Court

And yet the evidence gathered by the Mexican judicial authorities has established the perpetration of crimes *unquestionably connected with the GPU*. If Mr. Davies were honestly interested in clarifying this perfidious and outrageous Stalinist affair, he would have made at least an effort to acquaint himself with the above-mentioned evidence, and to lay bare *the irrefutable conclusions*. But the whole point is that a conscientious exposition and an honest clarification of the facts do not at all enter into the task of the former Ambassador of the United States to Soviet Russia. He confines himself to a criminally light-minded insinuation concerning the "enigma" of the events of August 20—and then passes on.

During his term as Ambassador to Soviet Russia, the tragic falsehood of the Moscow trials was quite clear to Mr. Davies. But after an interval of four years, he has re-read what he had written (did he, indeed, write it down?)—and has capitulated to the Moscow stage-director. During these four years a great many changes have taken place in the world political situation.

In the beginning, Stalin, who stands in awe of Hitler, was driven by his great fear of Hitler to conclude a friendly alliance with the latter. He broke with the imperialist bourgeois democracies and proclaimed them to be the "incendiaries" of the war which evoked at the time indignation against and contempt for Stalin in "democratic" circles. Still more, the "Father of the Peoples" came out in defense of fascist Germany as "*fighting for peace*"! It was along these lines that Communist propaganda was conducted on a broad scale in the period of the Stalin-Hitler pact against the war of bourgeois democracies, England and the United States. And corresponding to this policy, all the honest ideological and political opponents of Stalin became transformed overnight from "agents of Germany" into "agents of England." In view of all this, the question naturally arises: For what then did Stalin execute either openly or secretly those participants of the Moscow trials who were accused of being "agents of Germany" but *who did not capitulate and who were not permitted to appear in court?*

Mr. Davies does not pose this question. The overwhelming contradictions of the Kremlin's monstrous crimes do not embarrass him. His aim is — to defend the organizer of the crimes. Apparently, Mr. Davies does not follow events carefully, nor has he noticed that after Hitler's assault on Russia, "agents of England" had suddenly once again become transformed into "agents of Germany," as if some magic wand had been waved.

## The Consequences of Stalin's Policies

Every serious and honest reader would unfailingly try to probe into the meaning of this infamous propaganda. Stalin's politics are empirical. He lacks the capacity of foresight — hence flows the long series of his fatal mistakes with their bloody consequences. Soviet workers and peasants are now paying for the Kremlin's miscalculations, just as four years ago the Bolshevik Old Guard, the selected old generation of the Great Russian Revolution paid with their honest revolutionary lives. The historians of the future will make an accounting of everything. The lie always leads to tangles and absurdities which, in the last analysis, serve to expose it.

Stalin made more than one attempt to eliminate Leon Trotsky physically. I shall not dwell upon them here. They are well known. In organizing and staging the crudely falsified Moscow trials during which, as is well known, not a single fact was established, not a single document was produced, and, in general, not a scrap of material evidence was adduced to cover up the glaringly obvious white stitching, Stalin feared most the revelations of the leader of the October revolution and, therefore, wanted to *silence him* at all costs. Fully cognizant of the fact that the press of the entire world was paying attention to Trotsky's opinions, Stalin had to find some way of preventing him from defending himself.

At the end of 1936, in Norway, after the publication of Trotsky's first statements to the press refuting the slanders of the Moscow frame-ups, he was thrown into jail by the authorities. The miserable representatives of the social-democratic government of Norway tried to justify themselves in the eyes of public opinion by the plea that the Soviet government had threatened to suspend the fish trade. The degrading capitulation of the Norwegian bureaucracy was not accidental. Nor are such dishonest actions committed with impunity. In 1939 the Norwegian Social-Democracy capitulated to Hitler.

Mr. Davies must surely be aware of the fact that L. D. Trotsky and his son, L. Sedov, were the chief defendants in

the Moscow trials and that they were sentenced to death by the Moscow court. Both L. D. Trotsky and his son, L. Sedov, knew that the verdict of the Moscow court was not platonic in character and that it would be carried out in one way or another. As is well known, this has been confirmed by the tragic events that followed.

Beginning with 1933, Leon Trotsky persistently warned in a series of declarations published in the world press that "*the basic task of Stalin's foreign policy is to reach an agreement with Hitler.*" In 1939 this agreement was reached. It was concluded by the bureaucratic summits and their chieftain behind the back of the masses and against their will. What was this if not a Fifth Column betraying the Soviet workers and peasants? The masses, who had accomplished under the glorious leadership of Lenin and Trotsky the great revolution in 1917, had remained true to it. They were imbued with hatred toward fascism, the polar opposite of socialism. They learned not only to hate fascism but also to struggle against it ceaselessly as a hostile force. They understood that fascism is a mortal enemy to the development of the socialist order. The conscious goal of the Soviet workers and peasants was and remains — to realize in life the ideas of October. They never retreated from them in the face of any and every difficulty. It was the Soviet bureaucracy that retreated. The ideas of socialism were not imposed upon the masses by any outside force: these ideas flowed from the social and economic position of the masses in the conditions of the general imperialist-capitalist system with its class struggles and its terrible contradictions. To carry out in life the ideas of socialism, and to extend them to other capitalist countries in the world — an extension upon which the forms of their own social and economic order depended in no small degree — this was their task.

## Trotsky's Warnings

As early as September 28, 1930, in Prinkipo, Leon Trotsky wrote:

"Fascism has become a real danger as the expression of the acute impasse of the bourgeois regime, the conservative role of the Social-Democracy in relation to this regime, and the constantly growing weakness and inability of the Communist Party to replace this regime. Whoever denies this is a blind braggart."

As can be seen from this quotation, Leon Trotsky warned about the danger of fascism with growing alarm ten years ago, long before Hitler came to power. At the same time he pointed out the necessity and possibility of an immediate irreconcilable struggle against fascism by the German working class under the guidance of the Communist Party.

But the epigones, incapable of analyzing an objective political situation, were not capable of taking all its elements into account and, consequently, were unable to draw the necessary conclusions. Lacking the gift of foresight, they failed to understand the impending mortal danger. They replied to Trotsky's warnings, first, by accusing him of falling into a panic at the very sight of fascism, and, then, of being himself a fascist. But in 1933, three years after Trotsky's first warning, Hitler came to power. With a few blows he destroyed the Communist Party of Germany and seized the German working class in an iron fist. In this way the Soviet workers lost their chief ally, the German Communist Party.

If the Soviet bureaucracy (the Fifth Column), blinded by its unbridled power, had not committed this monstrous blunder in 1930, it would not have been compelled to commit the subsequent and no less monstrous mistake of entering

into a pact with fascist Germany in 1939. The catastrophe into which the revolutionary country has been led would not have taken place.

## The Grave Plight of the USSR

The Soviet Union extends, as is well known, over one-sixth of the earth. She possesses a great army almost equal in number to all the European armies taken together. This army is excellently armed and equipped. It is inspired as no other army in the world with the will to struggle. The break between the Soviet bureaucracy and Hitler was met by the Soviet peoples with the greatest upsurge. It led the Soviet masses out of the degrading and stifling docility and compulsory silence. They raised their heads. The unconditional moral readiness of the Red Army to defend itself to the very end is unquestionable.

But the tragic beheading of the Red Army perpetrated four years ago by the Stalinist Fifth Column has caused this unyielding resistance to be turned into a heroic effort that threatens to bleed white its ranks. The Red Army has fatally retreated before the enemy, day by day, month by month . . . for a period of five months. Into the hands of the fascist enemy has passed more than two-thirds of those enormous areas of the revolutionary country which are richest in natural resources and which have been the most highly industrialized, along with the population of 70 million. This territory, now called Ostland, and these millions are under the degrading and bestial rule of the zealot Rosenberg. Such are the consequences.

## Mr. Davies "Explains" Soviet Resistance

The hypnosis of Hitler's invincibility is so great that even the ravage achieved by him in Soviet Russia is already being accepted as a kind of accomplishment in the struggle against him. Only those who are completely uninformed and incapable of probing into either the political or general social position of Russia could entertain the idea that the USSR can be captured by the Nazis with the same ease and speed as were the Balkan countries, or Norway, or even France. Mr. Davies has been caught by surprise by the incredible intensity of the Russian army's resistance to the fascists which he had never expected, and he seeks an explanation for it not in the real conditions as they have unfolded, but in the criminal and fantastic accusation against the innocent victims of the infamous Moscow trials and the Moscow court—all those who were executed without a trial for belonging to the Fifth Column.

Mr. Davies resorts to this degrading subterfuge in order to whitewash in the eyes of the disconcerted public opinion the current ally of the United States, Stalin. It was not the Fifth Column whom Stalin destroyed but his sworn enemies, all those who stood in the way of the preparation of an agreement between Stalin and Hitler. The victims were forced to make the "confessions" demanded of them, in the name of saving the party.

The Commission of Inquiry under the chairmanship of Professor John Dewey established in 1937, in Mexico, on the basis of documentary proofs, the fraudulent character of the Moscow trials. But Mr. Davies is not interested in the records of this Commission which took an objective and impartial position. He is far removed from undertaking any work of investigation into this historical question of utmost importance; he is pursuing aims which have nothing in common with the establishment of the actual facts. And in his zeal,

once again unexpectedly for himself, he arrives at a betrayal of the principles of democracy by coming to the fore as an advocate of terror: he is brought to this by the logic of his preconceived position. In order to defend his client, Mr. Davies puts into Stalin's mouth words which the latter never uttered at the session of the Political Bureau where the question of exiling Leon Trotsky abroad was decided. Davies' version is one of the innumerable mendacious inventions of a later period.

## Stalin's Real Reasons for Exiling Trotsky

Back in 1926-27 when the first cautious steps were taken in persecuting the Left Opposition, the ideological leaders of the Opposition, in analyzing the profound crisis which was then occurring, drew the analogy with Thermidor during the Great French Revolution when the guillotine was destroying the great fighters, when the revolution began to "devour its own children." But during the session of March 22, 1929 in Moscow—naturally, after the preliminary decision on the question of exiling Leon Trotsky had already been arrived at in a secret session of the Stalinist tops—the official motives for it were given in the Political Bureau. During the discussion, Stalin said:

"Trotsky must be exiled abroad; 1) because so long as he remains in the country he is able to lead the Opposition ideologically and its numerical strength is constantly growing; 2) in order that he can be discredited in the eyes of the masses as an accomplice of the bourgeoisie the moment that he arrives in a bourgeois country; 3) in order to discredit him in the eyes of the world proletariat: the Social-Democracy will unquestionably utilize his exile against the USSR, and will come out in defense of Trotsky, "the victim of Bolshevik terror"; 4) in the event that Trotsky comes out against the leadership with exposures, we shall be able to portray him as a traitor. All this speaks in favor of the necessity to exile him" (Minutes of the Session of the Political Bureau. Moscow, March 22, 1929).

Against the exile were Rykov, Bukharin, Tomsky; in private discussions another member of the Political Bureau whose identity has not been definitely established expressed his opposition. The assumption is that it was Kuibyshev. The above-cited resolution was published in July 1929 in the *Bulletin of the Russian Opposition*.

The terrible revelation of Yaroslavsky in connection with the publication of Trotsky's articles in the foreign press were thus prepared even prior to the exile of Trotsky abroad. Stalin's abominations, as is well known, are carried out rigidly in accordance with a well-prepared plan. Such is the reality.

\* \* \*

At the present time the American press is being agitated by fears lest Stalin enter once again into an alliance with Hitler. The American friends of the Soviet bureaucracy, including Mr. Davies, are now compelled to come forward with reassuring reports on this score. This circumstance itself shows how hopelessly discredited Stalin is in the minds of the public. Should this treachery nevertheless take place, then Mr. Davies, the former head of the American Embassy in the USSR, will have to give the wheel a sharp turn.

The war now embraces the entire world. It must inevitably terminate by arousing the popular masses who are being bled to death. They will put an end to the war, and settle the accounts with the usurpers in power and with all the slanderers.

Coyoacan, December 21, 1941.

# Forecasts by Leon Trotsky

## Answers of L. D. Trotsky to the Questions of Sybil Vincent, Representative of the London Daily Herald—March 18, 1939

*Question:* Is a world war inevitable? If so, will it mean the end of the capitalist system?

*Answer:* Yes, a world war is inevitable, if the revolution does not forestall it. The inevitability of the war flows, first, from the incurable crisis of the capitalist system; secondly, from the fact that the present partition of our planet, that is to say above all, of the colonies, no longer corresponds to the specific economic weight of the imperialist states. Looking for an escape out of the mortal crisis, the parvenu states aspire, and cannot fail to aspire, to a new partitioning of the world. Only suckling babes and professional "pacifists," to whom even the experience of the unfortunate League of Nations has taught nothing, can suppose that a more "equitable" repartition of the terrestrial surface can be realized around the green tables of diplomacy.

If the Spanish revolution had been victorious, it would have given a powerful impulse to the revolutionary movement in France and in other countries in Europe. In this case it would have been possible to hope confidently that the victorious socialist movement would forestall the imperialist war, making it useless and impossible. But the socialist proletariat of Spain was strangled by the coalition of Stalin-Azana-Caballero-Negrin-Garcia Oliver, even before it was definitely crushed by the bands of Franco. The defeat of the Spanish revolution postponed the revolutionary perspective and has hastened the imperialist war. Only the blind can fail to see that!

Of course, the more energetically and the more audaciously the advanced workers will fight in all countries against militarism and imperialism now, in spite of the unfavorable conditions, the more quickly they will be able to stop the war when it has started, the greater will be the hopes for the salvation of our civilization from destruction.

Yes, I do not doubt that the new world war will provoke with an absolute inevitability the world revolution and the collapse of the capitalist system. The imperialist governments of all countries are doing all that is possible to accelerate this collapse. It is only necessary that the world proletariat is not again taken unawares by the great events.

*Question:* Is not the world too afraid of Hitler?

*Answer:* The democratic governments consider, with admiration and fear, Hitler, who succeeded in "liquidating" the social question. The working class, which during one and a half centuries periodically shook the civilized countries of Europe by its revolts, is suddenly reduced to complete silence in Italy and Germany. Messrs. the official politicians attribute this "success" to the internal, quasi-mystical properties of Fascism and National Socialism. In reality the strength of Hitler is not in himself, nor in his contemptible philosophy, but in the terrible deception of the working masses, in their confusion and in their lassitude. During many decades the proletariat of Germany built up a trade union organization and a Social-Democratic party. Abreast of the strong Social-Democracy appeared later a powerful Communist party. And all these organizations, which rose upon the shoulders of the proletariat, were in the critical moment a zero, and crumbled away before the offensive of Hitler. They did not find in themselves the courage to call the masses to struggle, as they

themselves were completely degenerated, bourgeoisified and had lost the habit of thinking about struggle. The masses pass through catastrophes heavily and slowly. It is incorrect to say that the German proletariat has reconciled itself with Hitler! But it no longer believes in the old parties, in the old slogans, and at the same time it has not yet found a new way. This and only this explains the strong-arm omnipotence of fascism. It will continue until the masses have dressed their wounds, have regenerated themselves and once more lifted their heads. I think we can expect that in not a long time.

The fear of Great Britain and France before Hitler and Mussolini explains itself by the fact that the world position of these two colony-holding countries, as has already been said, no longer corresponds with their specific economic weight. The war can bring nothing to them, but can take a great deal from them. It is natural that they attempt to postpone the moment of a new partitioning of the world and that they toss a bone, as Spain and Czechoslovakia, to Mussolini and Hitler. The struggle is for the colonial possessions, for the domination of the world. The attempt to represent this brawl of interests and appetites as a struggle between "democracy" and "fascism" can only dupe the working class. Chamberlain will give all the democracies in the world (there are not many left) for a tenth part of India.

The strength of Hitler (at the same time also his weakness) consists in the fact that, under the pressure of the helpless position of German capitalism, he is ready to resort to the more extreme means, using in passing blackmail and bluff, at the risk of leading to war. Hitler has felt well the fear of the old colony-holders before any disturbance and played on this fear, if not with a very great heart, at least with indubitable success.

*Question:* Should the "democracies" and the USSR unite to crush Hitler?

*Answer:* I do not feel that it is my mission to give counsel to imperialist governments, even if they name themselves democratic, nor to the Bonapartist clique of the Kremlin, even if it names itself socialist. I can give counsel only to the workers. My counsel to them is not to believe for a single instant that the war of the two imperialist camps can bring anything else but oppression and reaction in both camps. It will be the war of the slave-owners who cover themselves with various masks: "democracy," "civilization," on the one hand, "race," "honor," on the other. Only the overthrow of all slave-owners can once for all end the war and open an epoch of true civilization.

*Question:* Does Hitler represent a great danger for the democracies?

*Answer:* The "democracies" themselves represent a much greater danger for themselves. The regime of bourgeois democracy appeared on the basis of liberal capitalism, that is to say, free competition. That epoch is now far in the past. The present monopoly capitalism which has decomposed and degraded the petty and middle bourgeoisie, has thus undermined the ground under bourgeois democracy. Fascism is the product of this development. It does not come at all "from without." In Italy and Germany fascism conquered without foreign intervention. Bourgeois democracy is dead not only in Europe but also for America. If it is not liquidated in time by socialist revolution, fascism will inevitably conquer in France, England and the United States, with the aid of

Mussolini and Hitler, or without this aid. But fascism is only a respite. Capitalism is condemned. Nothing will save it from collapse. The more resolute and audacious will be the policy of the proletariat the less the socialist revolution will provoke sacrifice, the sooner mankind will enter upon a new road.

## Answers of L. D. Trotsky to the Questions of Julius Klyman—Feb. 14, 1940

*Question:* What do you believe will be the outcome of the European war—politically, economically, socially and territorially?

*Answer:* In order to formulate an opinion about the possible outcome of the war, it is necessary to first answer the question whether it will be possible shortly to pacify the unfurled fury through a compromise or whether the war will develop its devastation and destruction to the end. I don't believe for a minute that the pacifist attempts of the neutrals (including the mysterious mission of Mr. Sumner Welles) will meet with success in the more or less near future. The contradictions between the two camps are irreconcilable. As great as may be Hitler's conquests in Europe, they will not solve the problem of German capitalism; on the contrary they only aggravate it. The Austrian, Czech and Polish industries were added to the German; all of them suffered from narrowness of national borders and lack of raw materials. Further, in order to retain the new territories, a constant tension of military forces is unavoidable. Hitler can capitalize on his European successes only on a world scale. In order to do this he must crush France and England. Hitler cannot stop. Consequently the Allies cannot stop either if they do not wish to commit voluntary suicide. The humanitarian lamentations and references to reason will not help. The war will last until it exhausts all the resources of civilization or until it breaks its head on the revolution.

*Question:* How will Europe and the world look after the war?

*Answer:* The peace programs of both camps of this war are not only reactionary but also fantastic, that is, unrealizable. The British Government dreams of the establishment of a moderate, conservative monarchy in Germany, of the restoration of the Hapsburgs in Austria-Hungary and of an agreement of all European states on the question of raw materials and markets. London would act correctly if it first found the secret of a peaceful agreement with Ireland about Ulster and with India. Meanwhile we see terrorist acts, executions, passive and active resistance, sanguinary pacifications. Is it possible to expect that a victorious England will renounce its colonial rights in favor of Germany? Fundamentally England proposes, if victorious, a new edition of the League of Nations with all its old antagonisms but without the old illusions.

With France it is even worse. Its specific economic weight is in evident contradiction with its world position and with the extent of its colonial empire. France seeks a way out of this contradiction in the dismemberment of Germany. As if it were possible to turn the clock of history back to the epoch preceding 1870! The unification of the German nation was an inseparable result of its capitalistic development. In order to dismember the present Germany, it would be necessary to break the backbone of the German technique, destroy the German factories and exterminate a significant part of the population. This is easier said than done.

The program of freedom and independence for small nationals proclaimed by the Allies sounds very attractive but

is entirely devoid of content. Under an unlimited domination of imperialist interests on a world scale, the independence of small and weak states has as little reality as the independence of small industrial and commercial enterprises under the domination of trusts and corporations (in this respect see the statistics of the United States).

At the same time that France wishes to dismember Germany, the latter wants on the contrary to unify Europe, naturally under its heel. Concurrently, the colonies of the European states would have to be subjected to German rule. Such is the program of the most dynamic and aggressive imperialism. The task of the economic unification of Europe is in itself progressive. However the entire problem is who is to unify, how and what for? One cannot believe for one minute that the European nations will accept being locked in the barracks of National Socialism. *Par Germanica* would mean unavoidably a new series of bloody convulsions.

Such are the two "peace" programs: on the one hand, the Balkanization of Germany and thereby of Europe; on the other, the transformation of Europe and then of the entire world into a totalitarian barracks. The present war is being waged for the sake of these two programs.

*Question:* What, in your opinion, is the way out? When and how and by whom can real peace be achieved?

*Answer:* First of all, I recall that in the past war, which was fundamentally a rehearsal for the present, not only did none of the governments materialize its peace program but neither did they survive for long the conclusions of the peace treaty. Into an abyss fell three old and solid firms: the Romanovs, the Hapsburgs and the Hohenzollerns, with a suite of smaller dynasties. Clemenceau and Lloyd George were swept from power. Wilson ended his days as a victim of his crushed hopes and illusions. Before his death Clemenceau foresaw the coming war. Lloyd George was doomed to see a new catastrophe with his own eyes.

None of the present governments will survive this war. The programs which are now proclaimed will soon be forgotten just as will their authors. The only program that the ruling classes will maintain is: Save our own skins.

The capitalist system is in a blind alley. Without an entire reconstruction of the economic system on a European and a world scale our civilization is doomed. The struggle of blind forces and unbridled interests must be replaced by the rule of reason, of plan, of conscious organization.

The economic unification of Europe is a question of life and death for it. The accomplishment of this task belongs, however, not to the present governments but to the popular masses, led by the proletariat. Europe must become Socialist United States if it is not to become the cemetery of the old culture. A socialist Europe will proclaim the full independence of the colonies, establish friendly economic relations with them and, step by step, without the slightest violence, by means of example and collaboration, introduce them into a world socialist federation. The USSR, liberated from its own ruling caste, will join the European federation which will help it to reach a higher level. The economy of the unified Europe will function as one whole. The question of state borders will provoke as few difficulties as now the question of administrative divisions inside a country. Borders inside the new Europe will be determined in relation to language, and national culture by free decisions of the populations involved.

Will this seem utopian to the "realistic" politicians? To cannibals in their time the giving up of human flesh was utopian.



# Capitalist Economy Under Fascism

By L. HOWARD

Modern totalitarian war intensifies and speeds up enormously a process which was in evidence long before. Marxism foresaw that the capitalist state would have to step in to regulate and control industry more and more as competitive-individualist capitalism gave way to monopoly capitalism. The capitalist class resists this state interference in time of peace, but the state overrides all resistance in time of war. Since war is waged for the benefit of the ruling class, that class sees the need for enduring the dictatorial powers of the state in the period of extreme emergency.

The state uses its dictatorial powers to subordinate the entire economy to the war machine and its needs. But this is done within careful limits so as to continue production on a capitalist basis. Individual capitalists and specific sections of the economy may be sacrificed, but the system as a whole is maintained. War has always been the period for an enormous increase in profits.

## War Economy Remains Capitalist Economy

However the war boom, far more than other booms, plants the seeds of its own destruction. The production and price structures of a war period have a specialized character requiring extensive readjustments at the end of the war. The reorganization of industry means of necessity changes in prices of commodities. This brings an inevitable depression immediately after the war. Inflation during the war makes this depression all the worse because the inflated prices fall all the more rapidly to their "normal" levels.

It has been pointed out that the needs of war production today bring about a tremendous dislocation of the entire economy. The ordinary forces of production deteriorate for lack of repair and replacement. As if to confirm our analysis, Dr. Carl Luer, recently elected president of the German General Motors Adam Opel Company, estimated conservatively in an address on the tasks of German industry in the future, that the accumulated value of replacements and repairs to the machinery and other equipment that had to be postponed until the end of the war, was five billion marks a year. Shortage of materials and labor prevented the undertaking of these necessary repairs. This staunch Nazi pointed out at the same time that this process of deterioration tends to rise in geometrical progression.

Furthermore he reveals by indirection that the masses will have to continue with a lowered standard of living after the war—in order to make up for this deterioration. The rebuilding of the forces of production must receive priority over the production of consumers' goods. He might have added in fact that without the rebuilding of plants and equipment, the consumers' goods cannot be produced in sufficient quantity. Luer does not reveal just how the forces of production will be revived in a devastated Europe.

Every war by its very nature obstructs and contravenes the usual functioning of capitalist production and circulation. In the normal process capital used in the productive process produces not only the necessary consumption commodities but also the commodities necessary for replacing used-up capital. Capital is a value which creates more value. War uses

up and destroys vast amounts of capital without the possibility of replacing that which is destroyed. This fact alone makes utterly ridiculous the idea that a war economy can be a planned economy. War is rather the guarantor of disorder finally brought into production and circulation. This is true despite the fact that certain kinds of planning (the mobilization of industry for war) make a kind of "war socialism" mandatory. More properly, of course, this planning should be called state capitalism or state capitalist war economy.

## "Planning" for War

Even the limited kind of "planning" for the war machine requires strict measures of control. It is strange that the very measures that fascist bureaucrats and "democrats" alike are forced to adopt by virtue of the existence of capitalism, are called anti-capitalist by those who consider fascism truly a "new order." It is precisely the realization on the part of those who control the state that bureaucratic orders alone cannot work, that makes them take the measures they do. The attempt on their part to control wages and prices as part of the planning of war production, is clearly recognition on their part of the laws of value. True, they do not interpret these laws of value in the fetishist sense of the Macdonalds, as something completely outside of human intervention, as something quite mechanical and beyond control altogether. At the same time control which is based on recognition of the private ownership of the means of production, can at best be very limited and temporary in character.

The law of value is something independent of the individual capitalist. Monopoly capitalism, however, with its control of entire industries, acquires the ability, again within limits, of regulating the market and affecting the law of value in its own favor. The state, basing itself on monopoly capitalism, has considerable power to regulate and control industry when it steps in to do so. During the last war Lenin considered it highly important that the state was forced to intervene more and more in industry, even though what was involved was the planning of war production. Lenin looked on this as an object lesson to the working class. He writes in *State Capitalism in the Imperialist State* as follows: "How ripe present society is for passing over into socialism, is proved precisely by the war, when the straining of people's energies forced the regulation from above and from one center of the entire economic life of over fifty million people. If this is possible under the leadership of a handful of junker-landlords in the interest of a few financiers, this is certainly no less possible under the leadership of conscious workers in the interests of nine-tenths of the population exhausted by starvation and war." Again he says: "And war itself, putting a terrific strain on the energies of the peoples, leads humanity toward the only way out of this impasse, forcing it to make gigantic steps forward on the road of state capitalism, proving in practise how planned economy can and must be conducted in the interests of the masses now perishing from hunger and the other disasters of the war, under the leadership of the revolutionary proletariat."

Lenin was here emphasizing the fact that socialism is the nearest or next step forward from monopoly state capi-



talism. He put it that socialism is nothing else but monopoly state capitalism taken over and directed for the benefit of the entire people — and insofar ceasing to be capitalist monopoly. “The imperialist war is the eve of socialist revolution. And this not only because the war by its horrors gives birth to proletarian uprisings — no uprising will create socialism if it has not ripened economically — but only because state-monopolist-capitalism is the fullest material preparation for socialism, is its ante-room, is that historic step between which and the step called socialism there are no intermediate steps whatever.” Lest this be taken in any “inevitable” and mechanistic sense, Lenin was talking of a step forward, but did not necessarily exclude steps backward. The last war, as a matter of fact, contained the steps forward made in the Russian revolution, and the steps backward made in the more or less complete yielding back by the capitalist states of their powers over industry to the private hands of the capitalists.

Fascism was the result, as we know, of the failure of the workers to take over monopoly capitalism, through the state, in order to accomplish the real planning of production. Fascism is imperialist monopoly capitalism which has taken over and monopolized the state (the political power) just as it previously took over and monopolized the economic power. The existence of monopoly capitalism permits the state to regulate industry far more efficiently than would otherwise have been possible. But the planning instituted by state capitalism under monopoly control is stunted and tainted by the retention of the basic contradiction of capitalist society; namely, the fact that production is a highly socialized process whereas appropriation of the products of industry remains private, remains in the hands of the few. The simplest illustration of this fact is the way in which monopoly capitalism, through its control, extracts super-profits from the market at the expense of the rest of society.

It is necessary to bear this background in mind when we consider state capitalism. But it would be a mistake to think that the Nazis have merely taken up where the last war left off. Capitalism has undergone an organic process of decay in the period since then, and fascism carries this process of decay further. The conditions under which state “planning” is undertaken today are less favorable than they were in the first war. At the same time the demands on economy are far greater. The masses began suffering in this war at a level (relatively speaking) that was reached only after several years of the last war. In Germany this was aggravated by the terrible defeat inflicted on the working class by the Nazis before the war started.

The movement of wages in Germany in this period is important as a reflection of the limits of the ability of the state to set up its control over industry. Further on we shall attempt to analyze what role the law of value plays in the period of the building up of the forces of production under socialism in contrast to its movement under capitalism. Here we remind the reader that nothing illustrates better the fact that value is “a specific social relation between persons which is expressed as a relation between things,” as Marx put it. The class struggle plays an important role in determining the value of labor power or wages. Marx and Engels always insisted that without trade unions the workers would not even be able to obtain a bare subsistence, let alone to maintain a decent standard of living. Through Hitler, German capitalism was enabled to realize profits first of all at the expense of the working class. The Nazis “stabilized” wage rates in 1934 at the lowest level they had reached during the years of depression. This was the first result of the class relation-

ship under fascism. This type of “planning” (not against but with and for the capitalist) worked quite nicely for a time.

Those who might object to the restoration of profits to big business by this method were answered in an article by a German “economist” in the *Volkischer Beobachter*: “Wages cannot possibly be increased because an increase would cause a demand for goods which are lacking. The wage level has no relation to the employers’ profits; but even supposing the latter should earn billions, wages could not be increased for the above reason.” Behind this statement lay, of course, the curtailment of production of ordinary goods to build up the war potential.

## Wages Under Fascism

The introduction of the war plan, however, caused this “iron law of wages” to strike a snag. It was pointed out that war economy demands not only reduced investments in unnecessary forms of capital (new or old) but reduced personal consumption. This was carried to such an extent in Germany that it came into conflict with the demand for increased production in the war industries. The terrible strain of hard work and poor rations actually brought about a decline in labor productivity. The bosses were forced to raise wages. With the war boom in full blast, an actual shortage of labor developed. The competition for labor became keen. All the laws and agreements among the bosses went for nothing (just as in other capitalist countries) and wages in the war industries had to be bid up to secure labor — and to prevent slowdowns!

The average monthly wage was 135 marks in 1929. By 1935 this had dropped to 104 marks, this average including 55% who got less than the average. Thus under fascism the average wage fell below the subsistence level. In the armaments industries wages have again risen above the 1929 level, but in ordinary production, where business has declined and even the hours of work have gone down, wages have not risen very much. In the case of foreign labor from the occupied countries, exploitation is far worse since these workers receive only half as much as German workers. Wage control has been only partly effective, and the effect has depended above all on the decimation of the independent working class organizations by fascism.

It is in the sphere of price control that the Nazis make their greatest claims to success. The need for price control in war time rises out of the state’s position as almost sole buyer on the unusual market. Demand outstrips supply and if the state’s financing is not to be thrown completely out of kilter by inflation, price controls must be utilized. The idea that price control is for the purpose of cutting profits that go to the capitalists, and is therefore anti-capitalist, ignores its true meaning. Its sole purpose is to keep the war machine functioning smoothly. In the United States it is the banker Baruch who demands the strictest kind of price control. The capitalists are vitally interested in the conducting of the war. It is their war. The expenses may be heavy, but they are considered as necessary expenses for achieving the possibility of extracting surplus value out of a larger domain. The capitalists see to it, besides, that the heaviest burdens of the war are placed on the backs of the masses.

Even the Nazis claim no more for price control than that it has prevented a too rapid rise in prices. But what is of interest here is to go back of the figures of price control (we have already quoted Brinkman on their unreliability). What happens after prices are set? Do these prices actually

hold on the market? *Deutsche Volkswirtschaft*, economic organ of the Nazis, complains bitterly against all the forms of evasion practised by the capitalists. (Incidentally all these practises have already been taken over by United States capitalists.) New forms crop up as fast as old ones are prohibited. Here is one list mentioned in this organ:

1. Alterations by manufacturers and traders of the quality of goods to which regulated prices apply. This is in reality a rise in price.

2. Koppelgeschäft—the consumer, in order to get the article or goods he wants, is forced to buy one or more other items that he doesn't want at all, at a high price.

3. Refusal to sell, except in small quantities, in order to get the higher price permitted for small sale.

4. Premiums taken for prompt delivery.

5. Offer of less favorable terms of credit to make up for price.

How do the Nazis themselves look upon their "planning"? Not when they are attempting to gull the masses, but when they face towards the capitalists. The *Schwarze Korps*, organ of the Elite Guards, says in its August 18th, 1938 issue: "Broad sections of the population have already come to the conclusion that the aim of national socialism is to plan and organize the whole economic life of the nation. This, it is held, would not amount to the subjection of capitalism, but to a completion of its work. A nation with great organizing ability, a nation which has always expected everything from

the state, easily falls into the mistake of overrating the value of organizations in the economic field. We must, however, consider the present economic conditions as an emergency situation. The breakdown of world economy, which compelled us to carry out the four year plan, was an emergency, and another emergency was the prohibition against rearming, under which we lived for fifteen years. This emergency situation, if it is to be conquered, makes necessary government regulation which must concern itself even with details. However, this is no reason why we should come to regard emergency measures, compelled by emergency conditions, as an ideal state of things. Let us not imagine that the strict government control of all available material and human forces is the final form of economy in the Third Reich."

This is a promise to the capitalists that the state will withdraw from its controls and regulations after the war, or at least its efforts will be in accord with the desires of monopoly capitalism. Not that there is any real conflict between the state and monopoly capitalism during the period of emergency. Quite the contrary, the moment any country is conquered by the Nazi hordes, the big monopoly capitalists are invited to set up offices and companies in the new lands to begin exploitation at once. Funds are advanced by the state for this purpose. Often enough the German state receives these funds from the conquered people. These funds, forced out of the French, the Danes, the Belgians, the Poles, are imposed by the conquerors on the conquered.

## The USSR in War

By JOHN G. WRIGHT

The arrival of the issues of the Moscow press for September and October enables one, despite the implacable Stalinist censorship, to reconstruct at least a partial picture of the real developments in the USSR in wartime.

The columns of the bureaucratic press are beginning to reflect, in a typically distorted manner, the tremendous moral upsurge of the masses and the intensity of their determination and effort to fight to the death in defense of the conquests of the October revolution.

### Resurgence of the Soviet Masses

A graphic instance of this is the enthusiastic response to the decree of the Kremlin instituting universal military training for all male citizens from 16 to 50. This decree went officially into effect on October 1. In many cities, especially those close to the front like Leningrad, Moscow and Rostov, the workers were arming and drilling several weeks prior to the actual passage of the law in September. In point of fact, there is considerable evidence that the initiative for this measure did not originate at the top. From official reports it is clear that as early as August large workers' detachments were formed in Leningrad, and have since then participated actively in the war—fighting not as guerrillas behind the lines, but rather coordinating their activities with those of the regular army. In September and October these Leningrad detachments were assigned the defense of definite posts. Similar developments took place elsewhere, especially in large proletarian centers closest to the front. The role of workers' detachments in the defense of Leningrad was featured by *Pravda* in September. There has been very little said about them in the dispatches abroad. The

question naturally arises why has Moscow kept so silent about the role of these proletarian militias in the reverses suffered by the Nazis at Rostov, Leningrad and Moscow?

### The Response to Universal Military Training

This reticence of the Kremlin was equally noticeable in connection with the decree instituting universal military training. It is the custom of the Kremlin to conduct a broad campaign in the press in preparation for its ukases, especially those which are considered important. No such campaign preceded the arming and training of the Soviet masses.

On October 1, the *Pravda* carried a perfunctory leading editorial on the subject of the "Military Training of the People." In addition, it began to publish a series of highly instructive and valuable articles dealing with the construction and use of rifles, portable machine guns, and trench tools. But these articles were suddenly suspended without any explanation.

This and other indications incline us to the opinion that the bureaucracy is not particularly enthused by the prospect of an armed and trained population. The press has not carried a single complaint about the failure of the workers to respond to the call for military training. On the contrary, the only complaints thus far have been restricted to the lack of adequate preparations, the dearth of weapons and instructors, the failure of those in charge to show up, and so on. In a word, all the shortcomings and deficiencies are ascribable not to the rank and file but solely to the authorities.

It is hardly possible to exaggerate the vast scope of the

changes which are taking place in the country. The demands of wartime have acted to intensify the shift of the population into the industrial centers. This is due not so much to the influx of refugees as to the movement of millions of peasants, youth, and women into industry owing to the departure of many workers into the army on the one hand, and the expanding needs of war production on the other. In the last few months large sections of the rural and urban population have been drawn for the first time into industry.

The renewal of personnel is to be observed in every important sphere of Soviet activity. The Red Army, for example, has not only added millions of new soldiers but also new cadres of officers. Among the ranking officers singled out for praise in the latest dispatches, the overwhelming majority are newcomers. Hardly a day now passes without its quota of new appointments and promotions. In the space of the last three months thousands of generals and literally tens of thousands of colonels, majors, captains and lieutenants have risen to replace the former incumbents. Among these newcomers there are unquestionably many men who have actually distinguished themselves in battle and have shown real ability. Obviously a new selection is now taking place among the Red officer corps. And this selection of officers cannot be confined, like the previous ones, exclusively within the framework of the Kremlin's political considerations and needs.

### The Shifting Soviet Scene

The question of the new personnel is becoming equally acute for the regime in such key sections of the bureaucratic apparatus as the party, the *Komsomols* (Russian YCL) and the trade unions. An ever increasing number of district, city and local staffs have been depleted either by transfers into the army or into other spheres of activity. A sudden and unforeseen need of new secretaries, organizers and functionaries has arisen. The columns of the press are filled with one "alarm signal" after another.

"In connection with the departure of a certain number of workers to the front new cadres have come into the enterprises" (*Pravda*, September 21, 1941).

"A section of the trade union activists and trade union organizers have gone into the army. New comrades must be elected to replace them" (*idem*).

This is easier said than done. The problem is a very grave one because it is obviously far more difficult than was the case in peace time to continue under wartime conditions the same rigid hand-picking of docile, unquestioning flunkies and puppets. Furthermore, the situation at the front and behind the lines now places a premium on ability and initiative in the localities as well as in the centers.

In order to survive, the Stalinist regime must continue to combine in its hands political power and the tasks of administration. Far from coinciding, the demands and tasks in these two spheres have been in constant and ever growing conflict with each other. The contradiction between the political needs of the regime and the unpostponable administrative and military tasks of the country is being brought to the breaking point by the war.

The bureaucracy which had raised Stalin to power has been decomposing for years. This process of decomposition has likewise been speeded up by the war. The fourth month of the war finds the party on its last legs in the very center itself.

On September 29 a general membership meeting of the Moscow District and the Moscow Province was convened.

Speaking to the assembled functionaries, Scherbakov, the secretary of the Moscow party, declared:

"A number of party organizations . . . instead of strengthening the party-political work have been weakening it. They have stopped calling party meetings; they are neglecting political agitation among the masses; they are weakening the work of accepting new members into the party" (*Pravda*, September 30, 1941).

### The Condition of the Moscow Party

A party that holds no meetings, conducts no political agitation, accepts no new members—that is the official picture of the Moscow party! If that is the condition of the party in the very center, how is the apparatus functioning in the outlying areas?

Scherbakov forgot to mention in his report that the state of affairs he fulminated against was merely the culmination of Stalin's previous work of destruction. The party has been a hollow shell for many years. The war has cracked this shell. The Eighteenth Party Conference (February 1941) had virtually prohibited the party from intervening in politics. In failing to go through such formalities as calling meetings, the bureaucrats merely followed in Stalin's footsteps. Since the outbreak of the Nazi-Soviet war not a single authoritative body has convened in the USSR, nor has any statement been issued either to the Soviet masses or the outside world in the name of these bodies. Only silence has emanated from the party, the *Komsomols* (the Russian YCL) and the trade unions. The Supreme Council of the Soviets was not convoked even to ratify the agreements concluded between Stalin and the Allied countries.

After Scherbakov's report, the meeting unanimously adopted a resolution instructing the Moscow party to "eliminate the inadequacies in party work."

In addition to this empty formality, a concrete directive was also moved and accepted:

"The meeting made it obligatory for the leading workers of the city and province to appear at meetings of workers and to give reports there" (*Pravda*, September 30, 1941).

Scherbakov and Co.—"the leading workers of the city and province"—voted, mind you, to instruct themselves to appear at meetings of workers and collective farmers! Who *then did* address these meetings during the first four months of the war?

This is the kind of "leadership" the Stalinists have been supplying to the Soviet masses. Such revelations are not accidental. They are manifestations of growing pressure from below.

Almost a similar situation exists in the relations between the regime and industry. The pressure of wartime needs and conditions is forcing the Kremlin itself to lift the veil of secrecy which has shrouded the administration of industry during the Five Year Plans.

In the fourth month of the war, the *Pravda* has found it necessary to write a leading editorial entitled: "IT IS NECESSARY TO RENOUNCE THE MOODS AND MEASURES OF PEACETIME."

After explaining that the country is engaged in war, the editorial laments:

"The moods of peacetime are still not outlived everywhere. Some of the activists in industry . . . continue to work in the old manner" (*Pravda*, September 15, 1941).

What is this "old manner"?

"There are still directors," continues *Pravda*, ". . . who

are not at all averse of boasting of 100 per cent fulfillment of the plan—on the average, on the whole, although individual orders, including orders for the front, remain unfilled.”

For the last twelve years the Kremlin has been issuing boasts of “100 per cent” fulfillments of the plans. The official statistics have been invariably couched in terms of rubles, tons of gross output, averages, etcetera. Leon Trotsky exposed the fraudulent nature of these subterfuges. He explained how such methods served as a cover for the failures to fill vital orders and the piling up of monstrous disproportions. Directors of plants could attain the fulfillment and overfulfillment of their quotas by the simple device of diverting production into the most convenient channels. For example, a glass factory which according to the plan should have issued a certain number of lenses and other complicated equipment, could achieve its “average” by concentrating on tumblers, plates, bottles, and so on. In the mad chase after records, this is precisely what Stalinist directors did. The “old manner” to which *Pravda* now scathingly refers is the method inherent in the Stalinist administration and management of industry. Today, the Kremlin finds itself compelled to admit officially that directors of Soviet plants deliberately shunt aside vital military orders for the sake of establishing fraudulent records, simply because these records carry with them premiums, privileges, promotions, in short, are profitable to the bureaucrats.

### Stalinist Sabotage of Soviet Industry

We Trotskyists have long ago accused the Kremlin of fostering and advancing to the most responsible posts people who do not hesitate for a moment to sacrifice the interests of the USSR for their own aggrandizement. But of what does *Pravda* really accuse the directors of industry if not of sabotage of Soviet defense? It is obvious that anyone guilty of deliberately failing to fulfill orders for the front is committing one of the gravest crimes against the Soviet Union. The profound contradiction between the bureaucratic regime and the country's needs in industry—the most crucial sphere of defense—cannot be covered up any longer.

“Such a director,” continues *Pravda*, “goes around using his 100 per cent record as a trump card. But who does not know that it is possible to fulfill the plan—on the whole, in terms of rubles, in terms of tons of gross output and at the same time to ruin important orders?”

The editorial concludes by warning all directors who still think that “it will be enough, as has been the case up to now, to report to the People's Commissariat the average figure (of production), and everybody will still consider such a director an efficient administrator. Now this will not succeed!” threatens *Pravda*. “Now it is impermissible to take into consideration the fulfillment of the program ‘on the whole’” (*Pravda*, September 15, 1941. Our emphasis).

Under the hammer blows of events the ranks of the bureaucracy are being shattered. The Kremlin hopes to survive the crisis by “re-educating” its ranks. It tries to represent the situation as if it involves only the failure of isolated individuals to adjust themselves to the requirements of new conditions. The “old manner” of production, we remind *Pravda*, for which directors were not only considered “efficient” but were honored, feted and decorated was never—“enough.” *Pravda* darkly hints: “Now this will not succeed!” “Now it is impermissible!”

But the whole point is that the bureaucracy knows no other way of administration than the “old manner.” There

is only one force in the Soviet Union that can call to order these people who are drunk with the exercise of unlimited authority, and who proceed from the assumption that they can and do permit themselves anything. Only the restoration of workers' control in the factories can do away with these abominations.

If in times of peace the direct participation of the masses in carrying out the plans would have unfailingly advanced Soviet economy to far greater heights than were possible under the unbridled and irresponsible bureaucratic regime, then this participation and self-action of the masses in all spheres is an indispensable prerequisite in wartime for the successful defense of the Soviet Union.

### The Kremlin Discovers Another “Fifth Column”

At the same time that it cajoles, pleads and reasons with its flunkies, the Kremlin draws tighter the screws of its repressive apparatus. Since last July the rabid campaign under the familiar slogan of “exterminating diversionists and spies” has continued unabated.

In September the State Publishers issued a pamphlet entitled “Spies and Diversionists Must Be Destroyed.” The author is one P. Kubatkin, a Commissar of State Security, i.e., the GPU. The central point of his pamphlet is a plea for the strict enforcement of the ukase of July 6, 1941, which is aimed not against real spies and diversionists but against all Soviet citizens who violate the prohibition of discussing the war or the conditions behind the lines. Any one expressing doubts, criticism or dissatisfaction is thereby guilty of “spreading false rumors,” “aiding the enemy.” This is punishable by 2 to 5 years imprisonment.

The entire press has featured reviews of the GPU pamphlet. A sample quotation from *Pravda* follows:

“One of the most favorite methods of the fascist bandits is to spread false rumors arousing alarm among the population. The lovers of all sorts of gossip, the men-about-town pick them up and involuntarily become aids of fascist spies in their provocationist work” (*Pravda*, September 11, 1941).

The review concludes by urging a mass distribution of this pamphlet:

“Comrade Kubatkin's pamphlet helps raise the vigilance among the Soviet people. It deserves the broadest possible circulation” (*idem*).

On September 21, in discussing the work of the trade unions in wartime, *Pravda* went out of its way, in a leading editorial, to stress that one of the primary functions of trade unionists is to assist in the enforcement of the July 6 ukase.

“By basing themselves on the advanced section of workers and employes,” instructs *Pravda*, “the trade union activists must tear the mask from provocateurs and disseminators of all sorts of lying fictions and rumors which play into the hands of the enemy.”

While the Kremlin's flunkies abroad are trying to justify the Moscow frame-ups and the blood purges of 1936-38, on the grounds that Stalin destroyed the “Fifth Column,” the Stalinists in the Soviet Union are singling out the trade unions as one of the main arenas for the operations of “Fifth Columnists”!

We are asked to believe that despite the remarkable morale at the front and behind the lines, fascist agents, spies and diversionists are carrying on their activities in the open, and that they and their assistants are actually obtaining help,

sympathy and cover among the masses of Soviet workers and employes. Not even Goebbels has been brazen enough to make such claims!

In our opinion one of the most significant signs of the rising confidence and self-action among the Soviet masses is the fact that Stalin's ukase of July 6 has met with no response whatever. The authorities have apparently not dared to enforce it openly. Even the courts have been manifesting an unprecedented leniency.

### Stalin's Gag Law Remains Unenforced

On September 27 the *Pravda* complained bitterly:

"We have not yet rooted out in our ranks a liberal and tolerant attitude toward 'whisperers' and others who disseminate false rumors."

"There are not a few people," continues *Pravda*, "—

among them Communists—who are quite capable of listening calmly in a street car or in a store to twaddle which is essentially provocationist in nature. They do not at all deem it necessary to interrupt and to call the disseminator of false news to account. Nor have our courts really gotten down to business—Soviet society has still to hear about court sentences meted out to those who are spreading provocationist rumors" (*Pravda*, September 27, 1941).

From these unprecedented admissions of Stalin's personal organ it is possible to draw only one conclusion: doubts, questionings and criticism of the regime are becoming more and more widespread in the USSR. By the fourth month of the war these manifestations had already assumed such proportions that the Stalinist apparatus of repressions was no longer capable of coping with the situation through "normal" channels.

# Lenin on Imperialism

By LEON TROTSKY

The eighteenth anniversary of Lenin's death (he died January 21, 1924) finds our planet engulfed in the second World War.

In the midst of the first world slaughter Lenin had predicted this second slaughter. Still more, he predicted that so long as imperialism survived world conflicts would unfailingly follow. Should imperialism also survive this present war, there will come a third, and a fourth. . . .

By means of the same scientific method which enabled him to predict the course of events under the continued rule of imperialism, Lenin arrived at a realistic program of struggle—the only program which offers society a way out from its impasse.

Lenin reached his maturity in the period of the first World War. His analysis of imperialist wars and the conclusions he drew from this analysis are among the greatest triumphs of Marxism. It was the Leninist program against imperialism that paved the way for the victory of the Russian masses in October 1917. And this victory in its turn resulted in the termination of the first imperialist world war.

No program other than Lenin's offers today salvation to mankind.

We can think of nothing more appropriate for 1942 than the publication of Trotsky's brilliant summary of the Leninist conclusions from the war of 1914-1918. The document was written by Leon Trotsky early in 1939. This is the first time it appears in English.—THE EDITORS.

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With the outbreak of the war in August 1914 the first question which arose was this: Should the socialists of imperialist countries assume the "defense of the fatherland"? The issue was not whether or not individual socialists should fulfill the obligations of soldiers—there was no other alternative, desertion is not a revolutionary policy. The issue was: Should socialist parties support the war politically? vote for the war budget? renounce the struggle against the government and agitate for the "defense of the fatherland"? Lenin's answer was: No! the party must not do so, it has no right to do so, not because war is involved but because this is a *reactionary* war, because this is a dog fight between the slave-owners for the redivision of the world.

The formation of national states on the European continent occupied an entire epoch which began approximately with the Great French Revolution and concluded with the Franco-Prussian War of 1870-71. During these dramatic decades the wars were predominantly of a national character.

War waged for the creation or defense of national states necessary for the development of productive forces and of culture possessed during this period a profoundly progressive historical character. Revolutionists not only could but were obliged to support national wars politically.

From 1871 to 1914 European capitalism, on the foundation of national states, not only flowered but outlived itself by becoming transformed into monopoly or imperialist capitalism. "Imperialism is that stage of capitalism when the latter after fulfilling everything in its power begins to decline." The cause for decline lies in this, that the productive forces are equally fettered by the framework of private property as well as the boundaries of the national state. Imperialism seeks to divide and re-divide the world. In place of national wars there come imperialist wars. They are utterly reactionary in character and are an expression of the impasse, stagnation, and decay of monopoly capital.

### The Reactionary Nature of Imperialism

The world, however, still remains very heterogeneous. The coercive imperialism of advanced nations is able to exist only because backward nations, oppressed nationalities, colonial and semi-colonial countries remain on our planet. The struggle of the oppressed peoples for national unification and national independence is doubly progressive because, on the one side, this prepares more favorable conditions for their own development while, on the other side, this deals blows to imperialism. That, in particular, is the reason why in the struggle between a civilized, imperialist, democratic republic and a backward, barbaric monarchy in a colonial country, the socialists are completely on the side of the oppressed country notwithstanding its monarchy and against the oppressor country notwithstanding its "democracy."

Imperialism camouflages its own peculiar aims—seizure of colonies, markets, sources of raw material, spheres of influence—with such ideas as "safeguarding peace against the aggressors," "defense of the fatherland," "defense of democracy," etc. These ideas are false through and through. It is the duty of every socialist not to support them but, on the contrary, to unmask them before the people. "The question of which group delivered the first military blow or first de-



clared war," wrote Lenin in March 1915, "has no importance whatever in determining the tactics of socialists. Phrases about the defense of the fatherland, repelling invasion by the enemy, conducting a defensive war, etc. are on both sides a complete deception of the people." "For decades," explained Lenin, "three bandits (the bourgeoisies and governments of England, Russia and France) armed themselves to despoil Germany. Is it surprising that the two bandits (Germany and Austria-Hungary) launched an attack before the three bandits succeeded in obtaining the new knives they had ordered?"

The objective historical meaning of the war is of decisive importance for the proletariat: What class is conducting it? and for the sake of what? This is decisive and not the subterfuges of diplomacy by means of which the enemy can always be successfully portrayed to the people as an aggressor. Just as false are the references by imperialists to the slogans of democracy and culture. ". . . The German bourgeoisie . . . deceives the working class and the toiling masses by vowing that the war is being waged for the sake of . . . freedom and culture, for the sake of freeing the peoples oppressed by Czarism. The English and French bourgeoisies . . . deceive the working class and the toiling masses by vowing that they are waging war . . . against German militarism and despotism." A political super-structure of one kind or another cannot change the reactionary economic foundation of imperialism. On the contrary, it is the foundation which subordinates the super-structure to itself. "In our day . . . it is silly even to think of a progressive bourgeoisie, a progressive bourgeois movement. All bourgeois 'democracy' . . . has become reactionary." This appraisal of imperialist "democracy" constitutes the cornerstone of the entire Leninist conception.

Since war is waged by both imperialist camps not for the defense of the fatherland or democracy but for the re-division of the world and colonial enslavement, a socialist has no right to prefer one bandit camp to another. Absolutely in vain is any attempt to "determine, from the standpoint of the international proletariat, whether the defeat of one of the two warring groups of nations would be a lesser evil for socialism." In the very first days of September 1914, Lenin was already characterizing the content of the war for each of the imperialist countries and for all the groupings as follows: "The struggle for markets and for plundering foreign lands, the eagerness to head off the revolutionary movement of the proletariat and to crush democracy within each country, the urge to deceive, divide and crush the proletarians of all countries, to incite the wage slaves of one nation against the wage slaves of another nation for the profits of the bourgeoisie—that is the only real content and meaning of the war." How far removed is all this from the current doctrine of Stalin, Dimitrov and Co.!

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It is impossible to fight against imperialist war by sighing for peace after the fashion of the pacifists. "One of the ways of fooling the working class is pacifism and the abstract propaganda of peace. Under capitalism, especially in its imperialist stage, wars are inevitable." A peace concluded by imperialists would only be a breathing spell before a new war. Only a revolutionary mass struggle against war and against imperialism which breeds war can secure a real peace. "Without a number of revolutions the so-called democratic peace is a middle-class Utopia."

The struggle against the narcotic and debilitating illusions of pacifism enters as the most important element into

Lenin's doctrine. He rejected with especial hostility the demand for "disarmament as obviously utopian under capitalism."

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## The Roots of Social-Chauvinism

Most of the labor parties in the advanced capitalist countries turned out on the side of their respective bourgeoisies during the war. Lenin named this tendency as *social-chauvinism*: socialism in words, chauvinism in deeds. The betrayal of internationalism did not fall from the skies but came as an inevitable continuation and development of the policies of reformist adaptation. "The ideological-political content of opportunism and of social-chauvinism is one and the same: class collaboration instead of class struggle, support of one's 'own' government when it is in difficulties instead of utilizing these difficulties for the revolution."

The period of capitalist prosperity immediately prior to the last war—from 1909 to 1913—tied the upper layers of the proletariat very closely with imperialism. From the super-profits obtained by the imperialist bourgeoisie from colonies and from backward countries in general, juicy crumbs fell to the lot of the labor aristocracy and labor bureaucracy. In consequence, their patriotism was dictated by direct self-interest in the policies of imperialism. During the war which laid bare all social relations "the opportunists and chauvinists were invested with a gigantic power because of their alliance with the bourgeoisie, with the government and with the General Staffs."

The intermediate and perhaps the widest tendency in socialism is the so-called center (Kautsky *et al.*) who vacillated in peace time between reformism and Marxism and who, while continuing to cover themselves with broad pacifist phrases, became almost without exception the captives of social-chauvinists. So far as the masses were concerned they were caught completely off guard and duped by their own apparatus which had been created by them in the course of decades. After giving a sociological and political appraisal of the labor bureaucracy of the Second International, Lenin did not halt midway. "Unity with opportunists is the alliance of workers with their 'own' national bourgeoisie and signifies a split in the ranks of the international revolutionary working class." Hence flows the conclusion that internationalists must break with the social-chauvinists. "It is impossible to fulfill the tasks of socialism at the present time, it is impossible to achieve a genuine international fusion of workers without decisively breaking with opportunism . . ." as well as with centrism, "this bourgeois tendency in socialism." The very name of the party must be changed. "Isn't it better to cast aside the name of 'Social-Democrats' which has been smeared and degraded and to return to the old Marxist name of Communists?" It is time to break with the Second International and to build the Third.

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What has changed in the twenty odd years that have since elapsed? Imperialism has assumed an even more violent and oppressive character. Its most consistent expression is fascism. Imperialist democracies have fallen several rungs lower and are themselves evolving into fascism naturally and organically. Colonial oppression becomes the more intolerable all the sharper is the awakening and eagerness of oppressed nationalities for national independence. In other words, all those traits which were lodged in the foundation of Lenin's theory of imperialist war have now assumed a far more graphic and sharp character.



To be sure, communo-chauvinists refer to the existence of the USSR which supposedly introduces a complete overturn into the politics of the international proletariat. To this one can make the following brief reply: Before the USSR arose, there existed oppressed nations, colonies, etc. whose struggle also merited support. If revolutionary and progressive movements beyond the boundaries of one's own country could be supported by supporting one's own imperialist bourgeoisie then the policy of social-patriotism was in principle correct. There was no reason, then, for founding the Third International. This is one side of the case, but there is also another. The USSR has now been in existence for twenty-two years. For seventeen years the principles of Lenin remained in force. Communo-chauvinist policies took shape only four-five years ago. The argument from the existence of the USSR is therefore only a false cover.

If a quarter of a century ago Lenin branded as social-chauvinism and as social treachery the desertion of socialists to the side of their nationalist imperialism under the pretext of defending culture and democracy, then from the standpoint of Lenin's principles the very same policy today is all

the more criminal. It is not difficult to guess how Lenin would have designated the present day leaders of the Comintern who have revived all the sophistries of the Second International under the conditions of an even more profound decomposition of capitalist civilization.

There is a pernicious paradox in this, that the wretched epigones of the Comintern, who have turned its banner into a dirty rag with which to wipe away the tracks of the Kremlin oligarchy, call those "renegades" who have remained true to the teachings of the founder of the Communist International. Lenin was right: The ruling classes not only persecute great revolutionists during their lifetime but revenge themselves upon them after they are dead by measures even more refined, trying to turn them into ikons whose mission is to preserve "law and order." No one is, of course, under compulsion to take his stand on the ground of Lenin's teachings. But we, his disciples, will permit no one to make mockery of these teachings and to transform them into their very opposite!

February 1939.

## Naval Power Today

By JAMES CADMAN

Naval warfare, like land warfare, is a process which has evolved steadily through the years and which has closely reflected the economic development of capitalism from its infancy. It was an American bourgeois naval expert, Admiral Alfred T. Mahan, U. S. N., strangely enough, who for the first time linked up economics and naval power as two inseparable and interwoven elements.

Mahan in a series of treatises entitled "The Influence of Sea Power upon History" discussed the relation of sea-power to the rise and fall of great empires throughout the ages and propounded the correct view that the economic advance and decline of these nations could be traced in the development of their respective navies. He demonstrated that as capitalism developed, as nations became more dependent on overseas trade and commerce, and as great merchant empires arose, the need by the state for a navy to protect its merchant marine and the dependency of the navy on the industrial and economic resources of the state, became increasingly greater. Thus, in terms of "cause" and "effect," economic development was the cause, naval power the effect. Keeping in mind the fact that the navy is merely one unit in the entire process of total warfare, closely coordinated with the other units, the army and the airforce, all three in turn being coordinated with the industries and the state, we can go on to a more specific and restricted analysis of naval power.

### The Effects of Industrial Revolution Upon Navies

Technically speaking, the most revolutionary changes in warship design and construction took place around 1860-1914, the boom period of industrial capitalism. Although steam-powered war vessels were already known before this period, it was not until the Civil War in America, and the expansion of the British and French empires, and the unification of Germany that naval power entered its "golden age." Previously the navy had been centered about one main unit,

the "ship-of-the-line"—large wooden sailing vessels carrying 40 to 80 muzzle-loading cannon. Naval battles were featured by ship-to-ship encounters in which frigates were grappled to one another. Victory depended less on strategy and more on sheer force. Gradually however the tactics of naval war changed as ships changed.

The naval battle of Mobile Bay in 1862 in the American Civil War featured the use of torpedoes on a large scale. Another famous battle at Hampton Roads in 1862 between the "Monitor" and "Merrimac" saw the clash between all-steel vessels for the first time. As steel and steam-powered warships became common in all countries, naval warfare became more complicated. Other classes of ships were developed to carry out tasks which the larger and slower vessels were unable to perform. Lighter, faster craft called *cruisers* were constructed for scouting, harassing and reconnaissance work; *monitors* and *gunboats* to protect the coastline; *destroyers* and *torpedo-boats* for torpedo attack and still later, the *submarine*.

The peak in naval expansion was the great naval race between Britain and Germany from 1902 to 1914 brought on by the economic war between these great imperialist powers. Battleships and battlecruisers of tremendous tonnage and armament made their appearance, and principles of naval strategy which remain to this day were laid down. World War I saw war on the seas intensified to a hitherto unprecedented degree and the war's termination was followed by a flood of controversy, discussion and debate among naval experts everywhere on the lessons to be drawn for the future.

The theories which were confirmed and expounded then and the strategy of naval warfare as it was followed in the last war have not been altered basically to this day although technical innovations since then have brought about certain material and tactical changes. It was true in World War I, just as it is true today, that the *battleship*—a battleship may be generally defined as the largest and most heavily armed and armored ship in the navy although in respect to tonnage this definition does not always hold true—is the main unit

of the fleet with all other classes of ships performing subordinate duties. In the last analysis, it is by the *battleship* (the panzer-division of the navy so far as fire-power is concerned) with its tremendous aggregation of armament (each of a battleship's 8- to 15-inch guns equals the power of two million rifles) that the course of the battle is decided. The battlecruiser, a type to which belonged the ill-fated H.M.S. "Hood," combines the features of a battleship and a cruiser. Its armament plus speed enabled it to penetrate a hostile naval formation to secure information and make it fast enough to hunt down commerce-raiders. For the sake of speed, however, it was necessary to sacrifice armor protection, thus making the battlecruiser extremely vulnerable to high-explosive shells.

Also highly vulnerable to shell-fire is the aircraft-carrier, a rather recent innovation whose entrance on the theatre of war was made following the introduction of the airplane. Fast but lightly armed and armored, this war-vessel must be constantly accompanied by battleships or cruisers as its purpose is that of a sea-going airdrome rather than that of a battle-craft.

## The Strategy of Naval Warfare

A major factor which differentiates military from naval warfare is that while armies can be molded for trench or attrition warfare with actual battle being a secondary motive, the main aim in naval strategy is the battle. That is, a clash between two great fleets such as the one at Jutland.

What happens when this takes place? The two opposing fleets move in "battle" or parallel formation. That is, with the battleships in one long line flanked on both sides by parallel lines of cruisers and destroyers, and with a force of light scout units in the van. Once the scouting vessels of both sides have made contact, the two fleets move parallel to each other at a distance of from 6 to 15 miles from one another. While the heavier units exchange salvos, the destroyers and light cruisers dart back and forth, firing torpedoes, harassing the foe and protecting their own big ships from similar tactics by the enemy. Far in the rear of the fight, aircraft carriers launch their deadly cargoes into the air and air fights may take place. The strategy followed by each admiral will be that of concentrating the fire of his big ships on a certain portion of the hostile fleet while preventing the other portions from coming to its aid.

Large scale naval battle, however, occurs very rarely in modern war because opposing fleets are rarely of equal strength and the governments of the powers concerned are unwilling to hurl their fleets into a brief combat which might decide the entire war. Naval warfare both in the present and last world war was characterized by the blockade on the part of a stronger naval power. Blockade does not necessarily imply that the fleet of the blockading nation is lying in wait off the coast of its opponent but that the blockaded power is incapable of carrying on normal overseas trade because it is unable to protect its merchant marine from seizure or destruction on the high seas. That is, its navy is unable to venture forth from its harbors in order to convoy its shipping. Blockade as practiced by Britain today is carried out by a network of naval craft (supported by aircraft) which continually patrol and scour the oceans in search of enemy merchantmen. The Contraband Control system, in which all vessels entering British controlled waters are searched for contraband, is another powerful British blockade weapon. The British have already succeeded in apprehending almost 3,000,000 tons of goods bound for the Reich.

Any discussion of blockade leads directly to a consider-

ation of the mine, the submarine, the airplane, and the effect of each of these on naval strategy. Mines are nothing more than huge steel balls of T. N. T. anchored by chains beneath the ocean surface. They are detonated either by sound waves, by contact with a ship's hull or by magnetic attraction. Their widespread use in the last war resulted in "blisters" and "bulges" (additional armored protection) being added to the battleship's hull. The effect that submarine warfare has had on naval strategy is approached only by the effect of airpower on the armed forces.

## The Role of the Submarine

The submarine is definitely a defensive weapon; a weapon employed by a weaker naval power against a stronger one and consequently, a weapon of attrition. The sub of today is basically the same weapon it was in the last war, with few modifications. It is still extremely slow, and extremely vulnerable to depth-bombs and shell-fire and when on the surface is incapable of coping with any but the very smallest naval craft, although it is usually equipped with anti-aircraft cannon or machine-guns and the largest ones even carry 5-inch guns. The present-day undersea craft are equipped with under-water listening devices by which they can dispense with the use of the periscope in determining the position of on-coming merchantmen. The larger type of submarine can travel thousands of miles without refueling, powered by their diesels on the surface and electric motors while submerged.

Submarine warfare brought about far-reaching changes in naval technique. Psychologically its greatest triumph was in bringing a rude awakening to British naval experts who had placed unbounded confidence in the supremacy of their great fleet. It made it possible for the first time for a weak naval power to challenge a strong one with any degree of success. Gradually, certain weapons and devices were developed to counteract the danger of U-boats but not before tremendous damage had been wrought. Today, destroyers armed with depth-charges, mine-fields, patrol bombers, and underwater nets can control the submarine menace but only if they are used in sufficient quantity. Britain's great problem is in her lack of an adequate supply of these devices. All these devices must be coordinated in one vast campaign while the merchant fleet is rerouted into convoys under the protection of destroyers, cruisers, and planes. The convoy system, however, is an awkward, expensive and time-wasting means of carrying on trade but to date it is the only system by which merchantmen can be protected from raiders. Its primary requirement is a large amount of naval craft to escort each convoy. Fortunately for Britain, the Axis does not have a formidable surface fleet at its disposal. Its underwater raiders are a graver menace.

## Air Power and Naval Strategy

In any naval work printed within the last two decades one eventually comes upon a chapter entitled "seapower vs. airpower." The flood of literature which this controversy alone has caused would fill a sea. The subject is an important one. It is a mistake, however, to speak of "seapower vs. airpower" for then one falsely assumes that these are diametrically opposed forces and that neither has the slightest connection with the other. Quite the contrary! Aircraft in cooperation with naval craft are used today by Britain to maintain the blockade, and to search for surface and undersea raiders. Planes are used to guard convoys, to act as observers and scouts by the fleet and to cooperate with the fleet in landing operations (e. g., the "Luftwaffe" in Norway)

or in evacuations (e. g., the R.A.F. at Dunkerque), or against other fleets. Many classes of warship carry several airplanes; some types such as aircraft carriers carry only airplanes. What all this confirms is that airpower and seapower actually complement one another.

Even granting, for the sake of argument, that airpower is a more potent force than seapower, that would not, as many air enthusiasts would have us believe, dispense with the need for navies. Mahan was correct: there will always be the need of naval vessels as long as commerce and trade continue. Airpower cannot replace seapower unless it can perform the tasks that seapower performs. For example: airplanes cannot transport thousands of troops plus heavy mechanized equipment over an ocean nor can they operate in every type of weather as can ships. They cannot convoy merchant-vessels during an Atlantic storm in January as does the smallest destroyer. Thus far airpower has functioned best in conjunction with other weapons such as the army or navy, rather than by itself. It cannot be denied, however, that the hitherto unassailable status of the surface fleet has been severely shaken by the airplane and that warship construction has had to be radically altered to keep in step with this new development.

## The Role of Torpedo Planes

Warships, particularly battleships, have had their decks reinforced with layers of steel plates and have been equipped with numerous "pom-poms," anti-aircraft cannon, and machine guns to resist air attack. Much of the excess superstructure on old-time warships has been eliminated to decrease the damage wrought by aerial bombs. Furthermore, the fleet when not adequately supported by its own planes often finds itself at a distinct disadvantage in operations against planes. Not only is it unable to approach shores on which hostile aircraft are based but even far out at sea it can be attacked by long-range bombers. Anti-aircraft crews are greatly handicapped in firing at speeding planes from a moving deck. Instrumental inaccuracies increase with the range and height of the target, for the speed of the plane often forces anti-aircraftsmen to guess the firing range.

Even more dangerous to warships are torpedo planes which descend to within 15 feet of the water and launch their charges within 50 feet of the ship. Here the only protection outside of anti-aircraft fire are "bulges and blisters" along the water-line of the hull. However, not all the disadvantages are with the ships. Planes are seldom successful in bombing a small elusive target which throws up sheets of anti-aircraft fire thereby forcing the aircraft up to altitudes from which accurate bombing is almost impossible. What is more, larger naval craft have demonstrated their ability to absorb an enormous amount of punishment, not only because of their protective devices but also because of the fact that aerial bombs explode on contact. The force of the explosion is upwards, and the hull remains unpierced. There are special armor piercing bombs but these must be dropped from great heights in order to gain the necessary momentum. Moreover, aerial bombing on the high seas cannot be carried out by regular aircraft but only by specially constructed long-range bombers which are very expensive to maintain and to manufacture and consequently most nations possess only a limited number of them. Naval aircraft often bombard airbases of enemy planes operating against the fleet. This illustrates once again how the air arm aids and supplements the naval arm.

The modern history of the U.S. Navy begins with the Spanish-American War of 1898. In contrast to the land forces at the time, the Navy exhibited a high degree of efficiency and precision. The engagements at Santiago and Manila Bay were almost unprecedented in their crushing decisiveness.

## U. S. Imperialism Moves to Naval Supremacy

In the period prior to the outbreak of the first World War, American naval thought and design followed the patterns set by Britain and Germany who were then engaged in their great naval race. The American fleet made no noteworthy progress at this time, showed very little initiative. When the war broke out in 1914, it was inferior in quality both to British and German navies and it ranked fifth in respect to size. This condition prevailed until 1917, when the entry of the U. S. into the war was followed by a naval building program of such magnitude that by the time of the armistice, the U. S. fleet was second in size only to Britain and inferior to none in quality. The termination of the war did not terminate this advancement. The American imperialists continued with their program of naval expansion. The fear and suspicion which this program aroused in British and Japanese imperialist circles were largely responsible for the Naval Disarmament Conference in Washington in 1922.

Ostensibly organized for a general reduction of fleets, this Conference, in which all the great powers with the exception of Germany and the Soviet Union participated, achieved none of its avowed goals. Each side was eager to outlaw types of naval craft which might be used by a potential foe. Each demanded concessions from the others while preparing to concede nothing. For example, Britain demanded that submarines be banned but insisted that cruiser construction be in no way retarded. Japan and Italy bitterly opposed the construction of large and expensive war vessels but championed strongly the submarine and the destroyer. The great saviors of democracy, the U. S. imperialists, attained the apex of hypocrisy by favoring naval disarmament but only if the existing ratios of naval tonnage were maintained (America had then almost as large a navy as Great Britain). The upshot was that very little was conceded by anyone and France, Japan, Italy entered on general programs of naval expansion with Britain soon to follow.

The real period of over-all U. S. naval expansion came in 1939 at the time of the passage by Congress of the naval program bills, containing appropriations for the construction of a "two-ocean navy."

The ostensible motive upon which the Roosevelt administration embarked upon this tremendous naval policy was the threat of a combined assault on the Americas by the European and Asiatic Axis powers in both the Atlantic and Pacific oceans. This program is planned to give the U. S. a navy of 701 war vessels aggregating 3,547,700 tons by 1947, the largest accumulation of naval power the world has ever seen. The "two-ocean navy" is now well on its way with naval craft being launched monthly from dozens of shipyards throughout the nation. Naval power, however, is not, as we know, confined strictly to naval vessels but takes in a much wider field. Of vital importance is the problem of bases.

Warships, necessarily carrying only limited supplies of fuel, ammunition and naval stores (and this is even more true during wartime) require bases near the theatre of operations where they can replenish their supplies, repair damage,

and retire in case of reverses. Because the navy is so dependent on bases its radius or cruising range is directly affected by the proximity of these supply posts. There is an old naval axiom that the further a fleet travels from its bases the more vulnerable it becomes.

Bases fall into two categories, secondary bases which are small refueling posts far out at sea such as Guam or Midway Islands, and primary bases such as Pearl Harbor in Hawaii somewhat in the rear of the envisaged battle line, powerfully fortified, with facilities and a harbor to care for and shelter an entire fleet. In addition there are countless supply and repair vessels, tenders, and tankers which accompany the fleet and aid in its maintenance. This indicates to what extent the merchant marine and the navy are interrelated.

In planning for the construction of its "two-ocean fleet" the Navy Department has not omitted these factors from its calculations. Not only are the necessary merchant vessels already in the process of production but the problem of bases has already been solved. In order to extend the radius of the Atlantic Fleet—which is the primary naval motive—the U. S. has acquired bases from Great Britain, in Newfoundland and throughout the West Indies and these together with the powerful bases already existing at Key West, Pernambuco, Belem, and bases in Central and South America give the U. S. the dominant position in the Atlantic. This superiority has been substantially strengthened by the recent addition of the new 35,000 ton battleships "North Carolina" and "Washington" to the Atlantic Fleet.

The pivot of American naval power is the Panama Canal, for this vital waterway is the shortest link between the Atlantic and Pacific Fleets. In case of war it would be the means by which the U. S. Navy could most rapidly shift forces to a threatened area. Many naval experts have already envisioned that the first step by a potential foe would be either the attempted capture or destruction of the canal in order to split the U. S. Navy. Powerful defenses and numerous bases in and around the canal have diminished the chances of success for such an attempt. It is feared, however, that hostile forces operating from remote bases in South or Central America will constitute the chief threat to the canal.

## The Struggle for the Pacific Ocean

Although army officers consider Germany as the chief danger to the Western Hemisphere, American naval officers whether in naval construction, in strategy or tactics have always had one principal foe in mind, Japan. Since the great battle of Tau-Shima in 1905 at which the Japanese smashed the Russian fleet in one of the greatest naval engagements of all time, American naval thought has centered about Japan's growing naval might and American naval officers have planned and prepared for the day when "Der Tag" with Japan would come.

In view of current events on the international arena and the entry of the U. S. Navy into a virtual "shooting-war" it is apropos to examine the American naval position vis-a-vis the Axis powers. The U. S. Navy is today not only the largest in the world but probably the best qualitatively. Although it is hampered by a number of over-age vessels, many of these have been modernized and rebuilt. Its newer ships are superbly constructed and the efficiency, seamanship, and gunnery are of the highest type. American warships are not built as much for speed as for hitting power. Thus new American battleships, cruisers and destroyers are large and both heavily armed and armored.

American capitalism, taking the initiative, has not only obligated itself fully to aid Britain but has thrown the weight of its navy into the Atlantic at a time when Axis naval strength there is infinitesimal. Combined American-British naval power in the Atlantic is crushingly superior to the Axis navies consisting only of the tiny German Navy and the already crippled and battered Italian fleet now blockaded in the Mediterranean. Sporadic attacks by submarines and lone surface-raiders are about the only naval action which the Axis can take in the Atlantic and these constitute more of an annoyance than a real threat.

## The Japanese Sea Power

The picture in the Pacific however is not so one-sided. Although it has not engaged in a large scale naval war since 1905, the Japanese Navy, the third largest in the world, is one to be reckoned with. In technical perfection it is not up to American standards, but its size and efficiency make it very formidable within a radius of about 2,000 miles of the Japanese Empire.

The Japanese Navy has also been engaged in a large scale building program during the last few years but it is doubtful that any of the 45,000 ton battleships it is building will be ready before 1943 or that it will be able to equal or surpass the tonnage of the U. S. Navy. The operating range of the Japanese Navy has always been restricted by lack of effective bases in the South Pacific close to possible theatres of war and it is for this reason that French Indo-China has recently been seized. Even so, it will be several years before Saigon, the capital on the southern tip, can be equipped to base the entire Japanese fleet. Although the small British and Dutch squadrons in the Far-Eastern area are not adequate to check Japan's might, the territories there, such as the Philippines, Malay, and the Dutch Indies, are stoutly fortified and strongly garrisoned. In an attempt to acquire any of these territories, the Japanese would face a protracted struggle in which troops would have to be transported over 2,000 miles of water. Such operations could be harassed by submarines and bombers based at Singapore and in the Dutch Indies.

In the event that war did break out between Japan and America, it is likely that Japan, while retaining the initiative in the Eastern Pacific, would be forced on the defensive by the U. S. fleet and would try to avoid major clashes with the latter. Operating from its great base at Pearl Harbor, Hawaii, the strongest point in the Pacific, the U. S. fleet would set up a blockade of Japan, from the Aleutians in the north to Australia in the south. Fighting would probably be sporadic and confined to minor clashes between small squadrons or individual ships and large scale raiding operations by submarines and planes to cripple the Japanese merchant marine and harass the shipment of Japanese troops and supplies to the Southern Pacific. Actual attack on Japan proper would not be feasible as the Aleutian Islands in the north, the closest American possessions to Japan, are not equipped with bases for such an endeavor. Such a war would in all likelihood continue until Japan's already weakened economic structure is no longer able to hold up. A war between Japan and the U. S. would be certain to end in a defeat for Japan because of the overwhelming economic preponderance of her rival.

September 1941

# From the Arsenal of Marxism

## On the Essence of Constitutions

(Speech Delivered in Berlin, April 16, 1862.)

By FERDINAND LASSALLE

We reprint below an abbreviated English translation of Lassalle's famous speech on the nature of constitutions, one of the classic documents of the international labor movement.

Lassalle here uses the method of historical materialism to explain the real character of constitutional forms of government—political phenomena which are least understood precisely where they are the most prevalent, i.e., in democratic countries.

These constitutions are generally regarded with superstitious awe. They are believed to be supra-historical products which are essentially fixed and final, embodying principles which hold good at all times and under all conditions. In the national mythology the constitution occupies the same place as does dogma in religion. In contrast to this idolization of constitutions, Lassalle lays bare the real historical origins of constitutions in the class struggle, and their actual material bases in the given relationship of forces between the classes in a particular country at a particular time.

As a rule the written code is identified with the real constitution. Lassalle, however, points out that nothing is more illusory and superficial than such an approach. Written constitutions are merely juridical expressions of class relations which have been established as a result of intense struggle in society. They remain in force only so long as no profound change occurs in the existing relationship of forces which created the constitution.

For example, the original constitution of the United States, drafted by the representatives of Southern slave-owners and Northern capitalists, recognized the institution of chattel

slavery as one of the "inalienable rights" of American citizens. This right was established and enforced by the government for three-quarters of a century. During this period, tremendous shifts occurred in the relationship of class forces in the United States. The power of the Southern slave-holders declined while that of the Northern capitalists became dominant. The written constitution no longer reflected the real relations between the contending class forces in the U. S. The victory of the North in the Civil War crushed the slave-holders and gave political supremacy to the Northern capitalists. This new stage in the class struggle was reflected and validated by the passage of amendments to the U. S. Constitution abolishing chattel slavery and eliminating the slave-holding class. This illustration from American history serves to show how the *real* constitution, i.e., the relationship of class forces, determines the character of the written constitution.

Written constitutions are a modern development—essentially a product of bourgeois society in the period of its ascent. The appearance of constitutional forms of government and their elaboration marked successive stages in the evolution of bourgeois democracy. With the decline of capitalism, constitutional forms have become more and more weakened, and in one country after another have been set aside by the monopolist rulers and their agents. The *real* constitution of capitalist society now manifests itself in the naked rule of finance capital under fascism or other forms of dictatorship. The old written constitutions are swept aside. Under such circumstances only the establishment of a new social order through the further development of the class struggle can give a new constitution to the people, safeguarding their elementary democratic rights and social gains.—THE EDITORS.

I have been invited to address this esteemed audience, and I have chosen for the occasion a subject which merits your attention because it is the most timely one. I shall speak on the essence of constitutions.

\* \* \*

I begin my speech by asking: What is a constitution? What constitutes its essence?

Today everybody is talking from morning until night about the constitution. In every newspaper, at every meeting, in every tavern, the discussion revolves interminably around the constitution.

And yet, if I were seriously to pose the question: What is the essence, the concept of constitutions, I am afraid that from among the many who discuss the matter so glibly very few could give a satisfactory answer.

On being asked this question many would feel it necessary to pick up the volume of the Prussian Legal Code of 1850, and read from it passages concerning the Prussian constitution.

### Formal Definitions Inadequate

But, after all, this would be no answer to my question. For in this volume there is merely the *special content* of a certain constitution, namely, the Prussian; and, consequently, it cannot supply us with an answer to the question: What is the essence, the concept of constitutions in general?

If I were to ask this question of a lawyer, he would answer: "A constitution is a con-

tract, solemnly concluded between a king and his people, which establishes the basic principles of the country's legislation and government." Or, inasmuch as there also exist republican constitutions, he might offer a more general definition: "A constitution is the basic law promulgated in the country which establishes the organization of public rights in that country."

But all these and similar formal juridical definitions carry us as far afield from the real answer to my question as did the previous answer.

For all of them provide merely superficial descriptions of how a constitution *arises*, and what it *does*, but they do not explain what it *is*. They supply us with criteria, signs by which a constitution can be recognized superficially and juridically. But they do



not tell us what is the concept, the *essence* of a constitution. They, therefore, leave us completely in the dark concerning whether a constitution is good or bad, possible or impossible, stable or unstable. We could make a judgment about this only if we knew the essence of constitutions in general; only then could we determine whether a particular constitution corresponds to this essence, or just how it is related to the latter. But this essential nature (of a constitution) is in no way explained by juridical and superficial definitions which are equally applicable to every piece of paper signed by a nation, or by a nation and its king, and which is proclaimed as a constitution regardless of its content. The *concept* of a constitution alone is the source of all constitutional *art* and all constitutional *wisdom* which flow from it so easily, in and of themselves, as you will become convinced once we discover this concept.

And so I repeat: What is a constitution? What is the essence, the concept of a constitution?

### *A Useful Method of Analysis*

We are still without this knowledge; we must find the answer by seeking it jointly. In order to find it let us apply a method which men should always use whenever they desire to obtain a clear understanding of something. This method is a very simple one, gentlemen. It consists in this, that we compare the thing which we seek to understand with something else of the same nature; and then try to determine, as clearly and sharply as we can, in what way they differ from each other despite their similarity. Applying this method, I now ask: What is the difference between a *constitution* and a *law*?

Constitution and law are obviously homogeneous, i.e., of the same nature. A constitution must possess the force of law; therefore, it must also be *law*. But it must be not only law, but something that is *more than law*. There is therefore a difference between the two. There are hundreds of facts which prove that a precise difference exists and that a constitution must be not *simply* law but something more than law. For example, you find nothing offensive in the fact that new laws are passed. On the contrary, you are aware that it is necessary to pass almost every year a larger or smaller number of new laws. And yet it is impossible to pass a *single* new law without thereby altering the existing legal relationships. A new law which would leave unaltered the existing legal order would be utterly meaningless and superfluous and would not be adopted. You thus find nothing offensive in changing laws, but, on the contrary, look upon this in general as the proper task of the governing bodies.

But as soon as your constitution is touched, you take offense and cry out: Hands off the constitution! Why the difference? This difference is so incontestable that some con-

stitutions contain direct provisions against any change; others contain provisions that they can be amended by two-thirds instead of a mere majority vote of the law-making body; still others provide that the law-making body, even in conjunction with other governmental authorities, cannot amend the constitution but can only propose amendments, which can be put into effect only by the election by the people of a new assembly of representatives, specially and solely for this purpose.

All these facts testify that, according to universal views, a constitution must be something more sacred, more powerful, more unchangeable than an ordinary law.

I therefore again ask: What differentiates a constitution from a law?

The usual answer to this question reads: A constitution is not *simply* a law, like any other, it is the basic law of the land. And it is quite possible, gentlemen, that in this answer the truth lies hidden in an unclear form. But this form is so unclear that this answer can serve no purpose at all. For another question arises immediately: What is the difference between *law* and *basic law*? Consequently, we are no further along than we were before. We have merely obtained a new expression—*basic law*—which helps us not at all so long as we do not know what the difference is between *basic law* and *other law*.

### *The Difference Between Ordinary Law and Basic Law*

Let us see if we cannot probe deeper into the matter by analyzing the ideas which are contained in the expression "basic law," in other words, wherein *basic law* must differ from *other law* in order to justify its being called "basic law."

A *basic law* must be:

(1) that kind of law which is more *deep-going* than any other, ordinary law; this is indicated by the expression *basic*; but it must also, as *basic law*, be:

(2) precisely the *basis* of other laws, i.e., the *basic law* must be the creative beginning for other ordinary laws in order for it to constitute the basis of the latter; consequently, *basic law* must be operative in all other ordinary laws;

(3) but something which has a *basis* cannot be either one thing or something else arbitrarily, it must be none other than what it is. Its *basis* will not permit it to be otherwise.

Only that which lacks a basis and which is therefore accidental, can be what it is, and also, perhaps, something else. On the contrary, everything which has a basis is *necessarily* that which it is. For example, the planets have a certain movement. This movement either has or does not have a basis which determines it. If it has not, then the movement is accidental, and may differ at any given moment. But if it does have a basis, namely, as the astronomers claim, the attractive force of the sun, then

this already establishes that the movement of the planets is determined and regulated by a basis—the attractive force of the sun—and *cannot* be different from what it is. Consequently the term "basis" contains the idea of *necessity*, of an active operating force which *necessarily* makes whatever is "based upon it" that which it is.

Therefore, if a constitution is the *basic law* of the land, then it is something which we must define in greater detail, or as we have already discovered, it must be an *active force* which *necessarily* makes all other laws and juridical institutions in the land what they are, so that henceforth absolutely no other laws than just these can be passed—and this is for us the first glimmer of light, gentlemen.

Now, is there something in the nation, gentlemen—and with this question a full light gradually begins to break—is there in the nation something, some active force which is capable of exerting an influence upon all laws passed in the nation in such a way as to make them by and large what they are, necessarily so and not otherwise?

### *The Basis of All Constitutions*

Of course, gentlemen, there is something like it, and this something is nothing else but—the *actual relation of forces existing in a given society*.

The *actual relation of forces* in a given society constitutes the actively operating force which determines all laws and juridical institutions of this society in such a way that they cannot be other than what they are in their essential characteristics.

I hasten to clarify this by means of a hypothetical situation. In the form in which I present it, this situation is, to be sure, quite impossible. But apart from the fact that, as we shall presently see, such a situation may occur in another form, the point is that it is not at all a question of whether something like this can take place, but merely that of examining through this hypothetical situation the nature of things that becomes revealed if its occurrence is assumed.

You know, gentlemen, that in Prussia only that has legal force which is published in the Legal Code. This code is printed in the *Deckerschen Oberhofbuchdruckerei*. The original texts of the laws are kept in certain state archives; printed collections of laws are kept in other archives, libraries and bookstores.

Now, let us assume that a terrible fire has occurred, something like the great fire in Hamburg, and that all of these state archives, libraries and bookstores, together with the *Deckerschen Oberhofbuchdruckerei* itself, have burned up; let us further assume that by a remarkable combination of circumstances the same thing has happened in all the cities of this kingdom, and that even the private libraries containing copies of the Legal Code have burned up, so that in all of Prussia not a single law has remained in its accredited form.



In this way, the country would be deprived of *all* its laws, and there would be nothing left to do except to pass new ones.

Do you think, gentlemen, that one would then be free to proceed arbitrarily and to pass whatever laws one wished, whatever kind one thought desirable? Let us see.

Let me assume that you would say: The laws have been lost, we shall pass new ones, and we shall no longer grant the monarchy the position it has heretofore enjoyed, or, even more, we shall grant it no position whatever.

### **A Hypothetical Situation**

To this the king would merely reply: The laws may have been lost, but what of it? *Actually*, the army obeys my command, and marches wherever I order; *actually*, it is on my orders that the commanders of armories and barracks issue the cannon and send the artillery into the streets; and resting, as I do, on this *actual force*, I have no fear that you will grant me any other position than the one I desire.

You see, gentlemen, a king whom the army and cannons obey—this is part of a constitution!

Or I assume that you say: We are 18 million Prussians. Among these 18 million is a hardly perceptible handful of big landed aristocrats. We do not see why this insignificant handful of big landed aristocrats should be given as much influence as the rest of 18 million Prussians put together; nor why they should constitute a House of Lords who weigh the decisions of a House of Commons, elected by the entire nation, and are permitted to veto them as soon as these decisions are worth something, if such is their whim. I assume that you might speak in such a vein and say: We are all "Lords" and we do not want a special House of Lords.

Well, gentlemen, it is unquestionable that the big landed aristocrats would be unable to let loose their peasants against you. On the contrary, they would undoubtedly have their hands full saving themselves from their peasants.

But the big landed aristocrats have always exerted a great influence upon the king and the court, and thanks to this influence they could send out the army and cannon quite as easily as if this force were under their direct command.

So you see, gentlemen, a nobility which enjoys influence with the king and court—this is part of a constitution!

Or let me, on the contrary, assume that the king and the nobility decide to reinstitute the medieval guild order, not only for small handicrafts, as was attempted a few years ago, but in such scope as during the Middle Ages, i.e., in social production generally, and consequently, also in manufacture as well as machine-facture. You know, gentlemen, that under a medieval guild system large capital could not produce; that large scale factory production, machine production, would be impossible. Because under

this system, for example, there existed demarcations fixed by law between various branches of labor, even between those most closely related to one another, and no manufacturer was permitted to combine two such branches. The plasterer could not fill up a hole; between blacksmiths and locksmiths there were endless litigations concerning the jurisdiction of their respective trades; the cotton printer could not hire a dyer. Furthermore, under the guild system, the quantity of production permitted a single manufacturer was also legally fixed, so that in each city, in each trade, each mastercraftsman was permitted to employ only a fixed, legally designated and limited number of workers.

You see that, on the basis of these two considerations, large-scale production, production by machines, and a machine-system could not last a day under a guild system. Large-scale production unquestionably requires, first, the combination of various related branches of labor in the hands of one large capital; and, second, mass production and free competition, i.e., the free and unrestrained employment of workers.

What would happen, if notwithstanding all this, an attempt was made to introduce the guild system today?

### **Social Forces Determine The Constitution**

Messrs. Borsig, Egels, *et al.*, the large cotton and silk manufacturers, etc., would shut down their factories and let their workers go. Even the railway boards would have to do the same. Commerce and industry would stop. A large number of handicraftsmen would—either voluntarily or because driven to it—dismiss their apprentices. This whole vast mass of people would swarm into the streets demanding bread and work. Behind them would stand the big bourgeoisie, using their influence to spur them on, encouraging them by their position, aiding them with funds—and such a struggle would ensue as would not leave victory with the army.

And so, gentlemen, you see that Borsig and Egels, the large industrialists in general, are—part of a constitution.

Or let me suppose that the government wanted to adopt a measure detrimental to the interests of large bankers. For example, the government would decide that the national bank shall not serve as it now does the large bankers and capitalists, who, even without this, already control all moneys and all credit and who alone can nowadays discount their invoices in the national bank, that is, alone obtain credit there; and that the bank should not make credit cheap for them but should devote itself to extending credit to poor people, to the small and middle producers; and that therefore it was necessary to reorganize the national bank in such a way as would further this end. Would this take place, gentlemen?

True, gentlemen, this measure would not

provoke an insurrection. Nevertheless, it would be impossible for the present government to institute it.

For from time to time, gentlemen, the government needs such large sums of money that it dares not raise them through taxation. In such circumstances, it finds a way out by eating up the funds of the future; i.e., it makes loans and issues state bonds to cover them. For this it needs the bankers. To be sure, in the long run the greatest part of the state bonds find their way into the hands of the entire propertied and rentier class of the nation. But this often takes a very long time. The government, however, needs the money *at once* and in one lump sum, or in a few installments, and for that it needs middlemen, agents who advance the full sum at once; who assume responsibility for getting the state paper they receive in exchange gradually into the hands of the public, and who in addition make a profit from the artificial rise in the price of these issues in the stock market. These middlemen are the big bankers and that is why the government cannot now enter into a quarrel with them.

So you see, gentlemen, the bankers Mendelsohn, Schickler, and the stock exchange in general are—part of a constitution!

Or I shall suppose that the government decided to promulgate a law, like the one in China which provides that if a son commits a theft the penalty falls on his father. Such a proposal would not succeed, for it would be opposed by public consciousness and general culture. Every government official, even the privy counsellors, would raise their hands in horror; even the members of the House of Lords would speak against it. You see therefore, gentlemen, within *certain limits* public consciousness and culture is likewise part of a constitution!

### **Culture and Tradition Are Social Forces**

Or I shall suppose that the government decided to keep the nobility, the bankers, the large industrialists and the large capitalists satisfied, but to deprive the middle class and workers of their *political freedom*. Would that succeed, gentlemen?

Oh, of course, gentlemen, this would succeed for a time; we have already had the occasion to witness that this can be successfully accomplished; and we shall later have another occasion to take a look at it.

But, I suppose the following case: the project envisaged is not simply to deprive the middle class and the workers of their political but also of their *personal freedom*; i.e., it is proposed that they be declared not freemen but serfs or bondsmen of landowners, as was a condition in many places several centuries ago. Would that succeed, gentlemen?

No, this would not succeed, not even if the king, the nobility and the whole big-

bourgeoisie united behind it. For in this case you would say: No! We would rather be killed than submit to this! The workers, without waiting for Borsig and Egels to close their factories, would pour into the streets, the entire middle class would come to their assistance and, inasmuch as their joint resistance would be very hard to overcome, you see, gentlemen, that in the most extreme cases, all of you are part of a constitution!

### The Real Constitution

We have now seen, gentlemen, what the constitution of a country is, namely: the relation of forces actually existing in the country.

But what is it that is usually called the constitution? What is the *legal* constitution? Now, gentlemen, you yourselves see what it is.

These actual relations of force are put down on paper, are given written form, and after they have been thus put down, they are no longer simply actual relations of force but have now become *laws*, judicial institutions, and whoever opposes them is punished!

It is now equally clear to you, gentlemen, how these actual relations of force are put down in written form, which turns them into legal relations.

Naturally they do not write down: Mr. Borsig is part of the constitution; Mr. Mendelsohn is part of the constitution, etc., but they express all this in a much more refined manner.

For instance, if it is desired to establish that a small number of large industrialists and capitalists shall have in the monarchy as much power as—and more than—all the middle-class citizens, workers and peasants put together, then this will by no means be written openly and clearly. To this end a law is issued like, for instance, the three-class election law of 1849, under which the population is divided into three electoral classes, grouped according to the amount of taxes paid, which are naturally determined by the amount of property they own.

According to the *official* lists drawn up in 1849 by the government, after passage of this three-class election law, there were in Prussia at the time 3,255,600 primary electors who fell as follows into the three electoral classes:

Belonging in the *first class* — 153,808 voters.

Belonging to the *second class* — 409,945 voters.

Belonging to the *third class* — 2,691,950 voters.

I repeat, these figures are taken from official lists.

You observe that 153,808 very rich people have as much political power in Prussia as 2,691,950 middle-class citizens, peasants and workers; and further, these 153,808 very rich people and the 409,945 moderately rich people who comprise the second class have exactly twice as much political power as

the rest of the nation put together; so that 153,808 very rich together with a half of the 409,945 voters of the second class have more political power than the remaining half of the moderately rich second class together with 2,691,950 of the third class.

### Class Relations and the Written Constitution

You thus see that in this way exactly the same result is obtained as would be the case if it were written into the constitution in such vulgar words as: A rich person shall have seventeen times as much political power as another citizen or as much as seventeen others.

Prior to the passage of this three-class election law, there was in force, in accordance with the law of April 8, 1848, a *general* election system under which *every* citizen, whether rich or poor, had an equal right to participate in determining the will and goal of the state. You see in this circumstance, gentlemen, the confirmation of what I observed earlier—that it is easy enough, unfortunately, to deprive you, workers and middle class citizens, of your *political* freedom so long as the right to your personal possessions, bodies and property, is not directly and drastically violated. You relinquished lightly your right to equal franchise and to my knowledge there has not since then been any agitation for the restoration of that right.

Further, if it is desired to provide in the constitution that a small number of noblemen shall have as much power as all the rich, well-to-do and propertyless—as much power as the voters in all three classes put together, i.e., the whole nation—one would again avoid phrasing it in so vulgar a way (for note well, gentlemen, once and for all, everything open and clear is vulgar) but would phrase it as follows: there shall be a House of Lords established from among the ancient landowners, whose agreement must be obtained for all decisions made by the members of the House of Commons, and thereby political power is given to a handful of landed aristocrats which outweighs the unanimous will of the nation, and all its classes.

And if it is further desired to provide that the King shall have personally as much power as—and even more than—all three electoral classes put together, than the whole nation, even with the landed aristocracy thrown in, then this is accomplished as follows:

In Article 47 of the constitution it is written: "The King makes appointments to all posts in the armed forces," and Article 108 reads: "The army does not take an oath to the constitution." And alongside of this article is erected a theory which is in principle founded on this article—that in relation to the armed forces the King occupies an entirely different position than in relation to all other State institutions; that in relation to the army he is not only King but

something else, absolutely special, mysterious and unknowable, for which a special term is coined, "War Chief" (Kriegsherr); and because of these considerations it turns out that the House of Commons or the nation has no concern with the army, cannot interfere with its affairs and organization, but can only vote funds for it.

One must admit, gentlemen—truth comes first!—that this theory has an undeniable basis in Article 108 of the constitution. For once the constitution declares that the armed forces, unlike all other State institutions, including King and officers, need not take an oath to the constitution itself, then in principle it is recognized that the army stands outside the constitution, has nothing in common with it, in that it is related solely and exclusively to the person of the King and not to the nation.

### The Source of King's Power

Once this is established, the King enjoys not only as much as, but ten times more political power than the entire nation put together, even if the actual strength of the nation is ten, twenty, fifty times greater than that of the army. The reason for this seeming contradiction is very simple.

The King's political instrument of power, the army, is organized, constantly mobilized, disciplined and ever ready to act; the power of the nation, on the contrary, even when it is far greater, is unorganized. The will of the nation, and especially the degree of determination which is necessary to implement this will, is not easily recognized by the people themselves; nobody therefore knows exactly how many will follow him. At the same time, the nation lacks those weapons of organized force, those very important constitutional props to which I have already referred—the cannon. True, they are paid for by *national* funds; true they have been prepared and perfected only because of the science which springs from society—physics, technology, etc. Their very existence is proof of the great power of civil society, of the great successes of science, technique, manufacture, and skills of all kinds.

### The Role of the Army Under A Monarchy

But here we must recall a verse from Virgil: *Sic vos non vobis!* You make it, but not for yourselves! For cannons are always made for the *organized* force; therefore the nation knows that in case of a clash it will find these products of its power always arrayed against itself. That is why the numerically smaller but organized force often and for a long time is able to conquer the much greater but unorganized force of the nation until, through careful guidance and cultivation of the opportunities of the masses toward a growth of will and consciousness, the unorganized super-power can be prepared to face the organized.

We now know the essence of both con-

stitutions of the land, its real constitution—the actual relations of force existing in the country—and its written constitution which in contradistinction to the first may be called a scrap of paper.

It is clear that real constitutions have existed in every land and at all times, and there is nothing shallower or more misleading than the current notion that constitutions are peculiar to the modern age.

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Every country in every age has therefore had a real constitution. What is peculiar to modern times is—and it is important always to bear this clearly in mind—not the actual but the written constitution—the piece of paper.

As a matter of fact, in modern times we witness a struggle in almost all the states to secure a written constitution which will formulate in a basic law, on a piece of paper, the principles upon which the institutions and governing practices of the land will rest.

What is the reason for this peculiar struggle of modern times?

### **The Modern Struggle for Written Constitutions**

This is another important question; only by answering it can we learn how to undertake the drafting of a constitution, what to think about constitutions already attained and what attitude to take toward them. In short, only from the answer to this question can come an understanding of the art of making constitutions and all constitutional wisdom.

So I ask: What is the reason for the peculiar struggle of modern times to obtain written constitutions?

Well, what does it arise from?

Clearly, only from the fact that a change has occurred in the actual relation of forces in countries where such struggle occurs. If the relationships had remained stationary, if they persisted in their old form, it would be impossible and inconceivable that this society should feel impelled to formulate a new constitution. It would retain the old; at most, it would merely gather together the dispersed sections of its constitution.

How do changes take place in the actual relation of forces in society?

### **The Evolution of Absolute Monarchy**

Let us imagine a thinly populated medieval state—like almost all old states were—under a Prince and with a nobility to whom most of the land belonged. Because of the sparse population, only an insignificant part can be engaged in industry and commerce, since the majority of the population is still needed to work on the land and to produce agricultural goods. Since the land is almost entirely owned by the nobility, the population seeks employment from the nobility and enters into various relations

with the latter as vassals, serfs, bondsmen, hereditary tenants, etc. All these relationships express varying degrees of one and the same dependency of the people upon the nobility, and this dependency compels the population to serve as their vassals and to participate in their wars and feuds. On the surplus agricultural products of its estates, the nobility maintains in its castles, bodyguards and knights—warriors of all sorts.

The Prince has, as against this power of the nobility, no other real power than the support of those nobles who voluntarily follow him—for he would have difficulty forcing them—and the as yet negligible assistance of a few, thinly populated towns.

What would the constitution of such a state be?

It would necessarily correspond to the actual relation of forces in the land.

The constitution would assign the nobility, as an estate, the first and, in every respect, the ruling position. Without the consent of the nobility, the Prince would be unable to demand a penny's worth of taxes—his relation to the nobility would be that of a *primus inter pares*, the first among equals.

And, gentlemen, this is exactly the kind of constitution that Prussia and most of the other states possessed during the Middle Ages.

Now let us suppose that the population begins to increase more and more rapidly; industry and manufacture begin to flourish and thus supply the necessary means of existence for a new growth in the population, which begins to fill the cities. Capital and monetary wealth begin to develop in the hands of the bourgeoisie and the urban guilds. What will happen now?

The growth of the city population, which is not only independent of the nobility but antagonistic to it, acts to the benefit of the Prince; it increases the supply of warriors who are at his command, and with the subsidies from urban citizens and the productive enterprises—who suffer from disorders arising out of constant feudal warfare; who long for order and security and a coordinated judicial system advantageous to trade and industry; and who therefore readily support the Prince with men and money—he can, when need arises, muster a military force far surpassing the forces of the nobility. Then the Prince begins to restrict more and more the power of the nobility. He takes away their right to make war.

If the nobility violates the law of the land, the Prince proceeds to demolish their castles; and, finally, in the course of time, industry increases monetary wealth and the country's population to such a degree that the Prince is enabled to form a *standing army*; the Prince can move his regiments against the ruling estate, the nobility. . . He abolishes both the tax exemption of the nobility and its right to levy taxes on society.

Here you see how a change in the actual relation of forces brings about a change in

the constitution and gives rise to the *absolute monarchy*.

The King has no need to *write* a new constitution; the monarchy is far too practical to spend its time on that. The King has in his hands the actual instrument of power, the standing army which forms the real constitution of this society; and, in the course of time, the King and his followers themselves acknowledge this by referring to society as a "military state."

The noblemen, no longer able to compete with the King, finally give up all idea of maintaining their own armed forces. They forget their former opposition to the King, they forget their ancient position of equality with the King; and most of them retire to their estates, there to draw pensions and contribute to the glory of the monarch.

### **The Rise of the Bourgeoisie**

However, industry and commerce continue to develop, and as they prosper, the population grows larger and larger.

On the surface it appears that this progress works as before to the advantage of the King who is thereby enabled to increase his armed forces. . . .

But, finally, the development of civil society attains such vast proportions that it becomes impossible for the King to maintain himself, even by means of an army on the same plane with the growing forces of the urban civilians.

A few figures will make this clear.

In 1657, Berlin had 20,000 residents. During this same period, the army numbered between 24,000 and 30,000 men.

In 1803, Berlin already had 153,070 residents. In 1819, sixteen years later, 192,646. In this same year the standing army numbered 137,639 men. . . . As you see, the standing army increased four-fold. But the population of Berlin had increased more than nine-fold.

And now another, and even more extraordinary development begins.

In 1846, the population of Berlin rose to 389,308—almost 400,000—twice that of 1819. In twenty-six years, the population of the city had *more than doubled*. . . .

On the other hand, the standing army in 1846 numbered only 138,810 as against 137,639. It hardly grew since 1819, and did not in any way share in the enormous growth of the civilian population.

With this huge growth, the city population begins to consider itself an independent political force. Hand in hand with this growth of the population goes an even greater growth in wealth and an equally tremendous growth of science, general education, public consciousness, culture—which also make up, as we know, a part of the constitution. The city residents begin to talk as follows: "We will no longer remain a docile mass led about by a King; we wish to rule ourselves and the King must govern and concern himself with our business only in the manner in which we want."

In short, the actual relation of forces in

society has again changed. In other words, the time has come for—March 18, 1848!

You see, gentlemen, the very situation arose which we had in the beginning assumed as hypothetical and impossible. We assumed that society had lost all its laws because of a fire. In reality they were destroyed not by fire, but by a storm:

*"Das Volk stand auf.  
Der Sturm brach los."*

The people rose, the storm broke loose.

## **Reasons for the Defeat of the 1848 Revolution**

After a successful revolution in society, private rights remain inviolate, but all the laws relating to public rights are either overthrown or retain only a provisional character, and new laws have to be formulated.

The need thus arises for drafting a new and a written constitution. The King himself convoked a National Assembly in Berlin in order to promulgate a written constitution, or—as it was later said—that they come to an agreement with him concerning it.

We have now come to the question: What are the necessary conditions for a constitution which is good and stable?

From our entire presentation it clearly follows that one condition is indispensable, namely, the written constitution must correspond to the actual, i.e., existing relation of forces in the country. Whenever this is not true, an irrepressible conflict results, which cannot be avoided. And in this conflict the written constitution—the piece of paper—is invariably vanquished by the real constitution—the actual relation of forces in the country.

What course should have been pursued?

One should have, first of all, made not a written constitution but an actual constitution, i.e., brought about a change in the actual relation of forces in the country to the advantage of the citizens.

True, the events of March 18 demonstrated that the power of the nation was already greater than that of the standing army. After a long and bloody battle the troops were forced to retreat.

But I have already called your attention to the important difference between the power of an army and that of a nation, that is, the power of an army, although smaller numerically, is more actual over a given period of time than the power of a nation which far surpasses it.

This difference springs, as you will recall, from the fact that the power of the nation is *unorganized* while that of the army is *organized*, constantly drilled, and capable of taking the field at any moment against the nation, which is united for action only under the influence of great events and at rare moments.

Consequently, in order for the victory of March 18 not to have been an empty one for the people, the victorious moment should

have been utilized to change the organization of the army in such a way as to make it impossible for the standing army to be used again as an instrument in the hands of the King against the nation.

The time spent in service by a soldier should, for instance, have been limited to six months, a period which military authorities recognize is long enough for a man to learn the military arts but not so long that he will develop a caste psychology. This brief period, furthermore, would result in a constant replenishment of the army from the people, thereby transforming it from a King's army to a people's army.

It should, in addition, have been stipulated that all lower ranking officers—at least through the rank of major—shall be elected by the men and not appointed, so that the officers' posts be filled not in a spirit basically antagonistic to the people which acts to facilitate the transformation of the army into a blind instrument for the King's power.

The army should also be subject—except in isolated purely military matters—to ordinary civilian courts, in order to keep it part of the people and not something apart, and tending to develop a caste spirit.

All armament which is intended for defense purposes—save those pieces which are absolutely necessary for drill purposes—should be kept in the custody of the civilian authorities elected by the people.

## **Why the Prussian Monarchy Survived**

Of all of this, nothing was done in the spring and summer of 1848. And after this, can one wonder why the counter-revolution of November 1848 rendered the accomplishments of March meaningless? Certainly not, for this reaction was an inevitable sequel of the fact that no changes were effected in the actual real relation of forces.

The Kings, my friends, are much better served than you! The servants of Kings are not fine talkers, as are so many of the servants of the people. They are *practical* people, who instinctively understand what is essential. Herr von Manteuffel was a poor speaker. But he was a practical man! When, in November 1848, he disbanded the National Assembly and brought the cannons into the streets—what did he proceed to do first? To write down a reactionary constitution? Not at all. He knew that he could take his time with that. He actually gave you a pretty *liberal* written constitution in December 1848.

But with what did he begin in November? What was his first measure? Oh, gentlemen, you remember it, of course: he began by *disarming* the citizenry, by taking their arms away from them. You see, gentlemen, the first business of the victor, if he wishes to prevent hostilities from breaking out anew at any moment, is to disarm the vanquished.

At the beginning of our analysis we took

great pains to clarify the essential nature of the constitution. Perhaps it may seem to some too painstakingly done. But you must have noticed that, once we grasped this essence, one after another the most surprising consequences and conclusions followed, and that now we have a much better, far clearer understanding of the matter than others have; indeed, we have arrived at conclusions which are directly contrary to the views which prevail in the public mind.

Let us briefly analyze a few of these conclusions.

I showed that in 1848 none of the necessary measures was taken which would have actually changed the relation of forces in the country—which would have transformed the army from an instrument of the monarchy to that of the people.

There was, incidentally, one proposal made which tended in this direction and which represented the first step on this road. This was the Stein proposal, which had as its object to force the cabinet to issue an order to the army aimed at removing all the reactionary officers from it.

But you will recall, gentlemen, that the National Assembly had no sooner adopted this proposal than the entire bourgeoisie and half the country cried out: "The business of the National Assembly is to draw up a *constitution*, not to wrangle with the cabinet, not to waste time with extraneous matters, and not to interfere with executive authorities." "Draw up a constitution, only draw up a constitution" went the cry, as if there were a fire.

You see, the entire bourgeoisie and that half of the country which raised this cry, knew *absolutely nothing* about the essence of constitutions!

## **Written Constitution Must Reflect the Real Class Relations**

To draw up a *written* constitution, that was the least important matter; this could have been done, if need be, in three days; this was the last thing that should have been taken up. It was done prematurely and therefore uselessly.

To transform the actual relation of forces in the country—to intervene in the executive power, to intervene in such a way, to transform it actually so that it could never again independently counterpose itself to the will of the nation—that was what was necessary—that was what should have been done in order to render a written constitution stable.

Inasmuch as the National Assembly began work on the written constitution too soon, it was not granted the time even to finish it, and it was driven away by means of the unbroken instruments of force of the executive power.

Second conclusion. Imagine that the National Assembly was not driven away and that it had actually succeeded in drafting and adopting a constitution.

Would that have altered matters vitally?

Not at all, gentlemen! And the proof of this lies in the facts themselves. The National Assembly was disbanded, but the King, using the documents left behind by that body, composed himself and proclaimed a constitution on December 5, 1848, which in its main points was actually the constitution we might have expected from the Assembly.

This constitution was *granted* by the King—not forced from him—but voluntarily granted by him after his victory. All the more reason why this constitution, it would appear, should be stable.

No, gentlemen! Utterly impossible! If you have an apple tree in your garden and you hang upon it a label upon which you write "this is a pear tree," has the apple tree been thereby changed. No. And if you assembled all your household and all the residents of the county and loudly and ceremoniously swore: "this is a pear tree," the tree would remain what it was and the next year would bear apples and not pears.

So with a constitution. It makes no difference what is written on a piece of paper so long as it contradicts the real state of things, the real relation of forces.

### Meaningless Concessions

The King, in his piece of paper of December 5, 1848, granted quite a number of concessions, all of which, however, contradicted the *actual* constitution, the real relation of forces—the power which the King continued to hold unimpaired in his hands. For this reason the *actual* constitution had to impose itself step by step upon the *written* constitution with the same necessity that lies behind the law of gravity. Even though the constitution of December 5, 1848, was adopted by a revision commission, the King had to make the first change in it: the three-class election law of 1849. With the assistance of the Chambers established by this same electoral law, the subsequent essential changes were made in the constitution until the King swore to uphold it in 1850. And *after* he took the oath, the changes really began! Every year since 1850 is marked with such changes. No banner which has passed through a hundred battles is more ragged and shot with holes than our constitution!

Third conclusion. You know, gentlemen, that there is in this city a party whose official organ is the *People's Press* (Volkszeitung)—a party which, I say, feverishly watches over this remnant of a flag, our tattered constitution; a party which because of this calls itself "the loyal adherents of the constitution," and whose battle-cry is "Let us cling to the constitution! In God's name, the constitution! Police! Help! Success! It is doomed! We are doomed!"

Gentlemen, whenever and wherever you come upon a party which has as its battle-cry the tremulous plea, "Let us cling to the constitution!"—what can you deduce from this? I do not ask you about your *intentions* nor your *desires*. I ask only about your *thoughts*: what conclusions would you draw from such a spectacle?

Well, gentlemen, without being prophets, you would say with certainty that this constitution is on its last legs; it is as good as dead; a few years more, and it will have ceased to exist.

The reasons are simple. As long as a written constitution corresponds to the relation of forces in the nation, such cries will never be raised. Everyone stays three paces away from such a constitution and takes care not to approach closer. No one thinks of tangling with such a constitution; he will undoubtedly come away the worse for it if he does. Wherever the written constitution corresponds to the actually existing relation of forces, it will not occur to any party to take as its special battle-cry, "clinging" to it. When such a cry is heard, it is a certain and incontrovertible sign that it is a *cry of terror*; in other words, it is proof that there is something in the written constitution which contradicts the real constitution, the existing relation of forces. And wherever such a contradiction exists, the written constitution is inevitably doomed—neither God nor shrieks can help!

It can be modified—to left or right—but it cannot survive. The very cry for preserving it will indicate this to a thinking person. It can be modified to the right by the government's changing it in such a way that the power is thrown to the *organized* force of society. Or else the *unorganized* force in society rises up and demonstrates

anew its superiority over the *organized*. In this case, the constitution will be changed to the left to the same degree as in the previous case to the right. But the constitution is lost in either case.

### The Art and Wisdom of Drafting Constitutions

If, gentlemen, you not only carefully analyze the speech I have just had the honor to deliver to you, but also think through to all the conclusions which follow from it, you will acquire all constitutional art and constitutional wisdom.

Constitutional questions are first and foremost not questions of right but of force; the *actual* constitution of a nation lies in the real, actual relation of forces existing there, written constitutions are valid and stable only when they correctly express the actual relation of forces in a society—these are the principles you should remember.

Today I developed these principles only in respect to the military force—first, because time did not permit me to analyze other aspects and second, because the armed forces are the most weighty and decisive of all *organized* forces. But you understand that the same applies to the organization of the administration of law, government functionaries, etc. These also represent the organized instruments of force in society.

Remember this speech well, gentlemen, and you will know, if ever again you are put in a position where you yourselves can draft a constitution, how to go about it and how the task is really accomplished only through the changing of the actual relation of forces and not through the filling up of a sheet of paper.

Until then, for everyday use, you will also have gleaned from my speech, without my having said a word about it, what urgency has forced the new military reforms, concerning the increase of the armed forces, which are being demanded of you through parliament. You will be able now to lay your finger upon the innermost source from which these proposals spring.

The monarchy, gentlemen, has practical servants, not fine talkers, but such practical servants—it remains for me to wish that you had.

### Leon Trotsky on Utilitarianism

The entire philosophy of British utilitarianism is derived in the last analysis from a cook book. In order to make people happy it is necessary to introduce such and such reforms, such and such improvements. In order to prepare a pudding for twelve it is necessary to take two pounds of flour, so many eggs, so much sugar, plums, and so on. In its specifications the cook book presupposes that flour, plums, etc., are always available in necessary amounts and ready to hand. Similarly, the empiricists-utilitarians from Jeremy

Bentham down to the latter-day pragmatists consider it sufficient to issue "practical" prescriptions in order to assure the salvation of society. So far as the organic laws of society itself are concerned, they prefer not to bother their heads about them. These gentlemen have not become accustomed to thinking about the organic laws which govern the development of society, for the simple reason that their forefathers had achieved uninterrupted progress without understanding either its sources or its laws. It is noteworthy that British methods have found their greatest flowering on American soil.—Leon Trotsky. (The above extract was found in Leon Trotsky's archives.)



# **NO BLACKOUT For the BILL of RIGHTS**

**FREE THE 18 CONVICTED MILITANTS IN THE MINNEAPOLIS CASE**

**Test the Constitutionality of the Smith Act of 1940**

**Eighteen militants, leaders of the Socialist Workers Party, and members of Minneapolis Local 544-CIO, have been sentenced to prison terms ranging from 12 to 16 months.**

**They were convicted under provisions of the Smith "Gag" Law, which makes it a crime to advocate a change in the social system, or to criticize the administration.**

**THIS IS THE FIRST TEST OF THE SMITH ACT. IF THE CONVICTIONS ARE ALLOWED TO STAND, FREEDOM OF SPEECH AND OF THE PRESS WILL NO LONGER EXIST.**

**The Minneapolis defendants were convicted for their expression of opinion alone. In this case the right to think, the right to express ideas as free human beings has been challenged.**

**THE CIVIL RIGHTS DEFENSE COMMITTEE IS PREPARING TO APPEAL THIS CASE TO THE SUPREME COURT. SEND US YOUR FINANCIAL SUPPORT! JOIN THE CIVIL RIGHTS DEFENSE COMMITTEE.**

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**"The prosecution of the 23 Trotskyists for sedition and the conviction of 18 of them are challenges to every believer in civil liberties. They are an example of the very thing the Bill of Rights sought to make impossible—the imprisonment of men not for what they did but for what they thought and said."**

## **AMERICAN CIVIL LIBERTIES UNION**

**"No more important issue of civil liberties in the courts has arisen in recent years. The case will have to be appealed. The Civil Liberties Union has been assisting in every way possible."**

## **THE NEW LEADER**

**"An especially dangerous aspect of the conviction of the Minneapolis defendants is their being convicted under the... Smith Act of 1940. Most of the alleged conspiracy was created, according to government charges, before 1940. It is a fateful move when persons are convicted on a virtual ex-post facto basis."**

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