



William Gropper

NEW MASSES

ESTABLISHED 1911

Editors

THEODORE DRAPER, GRANVILLE HICKS, CROCKETT JOHNSON,
JOSHUA KUNITZ, A. B. MAGIL, HERMAN MICHELSON,
BRUCE MINTON, SAMUEL SILLEN.

Contributing Editors

ROBERT FORSYTHE, JOSEPH FREEMAN, MICHAEL GOLD,
HORACE GREGORY, ALFRED O'MALLEY, LOREN MILLER,
ISIDOR SCHNEIDER, RICHARD WRIGHT, MARGUERITE YOUNG.

Business and Circulation Manager
GEORGE WILLNER.

Advertising Manager
ERIC BERNAY.



Disrupters of Labor

THE executive council of the American Federation of Labor continues rowing desperately against the current of progress. In the boat with William Green and his colleagues are George H. Davis, president of the United States Chamber of Commerce, and every other reactionary who would destroy the organized labor movement and cripple the New Deal.

The events of the past week show how completely the AF of L executive council has embraced reaction. Almost simultaneously, both Davis and Green attacked the Wagner act; Green even intimated that President Roosevelt saw eye to eye with him. The President, however, at once rebuffed Green by reappointing Donald W. Smith to the Labor Board over Green's protest. While the Dies committee was frightening little children with the specter of Shirley Temple concealing bombs under her pinafore, Green turned down an invitation to attend the Latin-American Trade Union Congress which, he said, was led by "internationally known Communists or extreme leftists." To Roosevelt's condemnation of Senator George, Green countered with an endorsement—to the very vocal disgust of the federation's rank and file. The signing of a contract between the United Mine Workers and the hitherto diehard open-shoppers of Harlan, Ky., was sufficient cause for Green to charge the NLRB with dishonesty. As West Coast warehousemen were locked out by the employers, Green's executive council set up an *industrial* union to enlist all seagoing and dock workers—thereby instituting dual unionism on the waterfront and incidentally helping the anti-union offensive. The New York State Federation followed the executive council's lead. Dominated by Joseph P. Ryan (Tammany henchman and czar of the East Coast longshoremen), the New York convention attacked the Wagner

act and slung mud at the American Labor Party. The ALP, so the convention resolved, was "Communistic" "CIO-dominated," and "hostile to the AF of L." Significantly, the rank and file of the federation rebelled at this disruption of labor's political unity. AF of L members of the ALP protested; local unions went on record condemning the convention's stand.

Defense Through Unity

IN THE face of these anti-union attacks, organized labor in America can protect itself only by building still greater unity of action, both organizationally and politically. Two major developments of the past week pointed this basic lesson. In San Francisco, the CIO International Longshoremen's and Warehousemen's Union was locked out by the employers. The lockout was deliberately planned: a box-car loaded at a struck Woolworth warehouse and declared "hot" by the union was shunted here and there as an excuse to close warehouses when workers refused to unload the car. The union offered to arbitrate the dispute, to negotiate the Woolworth and Hiram Walker strikes, now in progress. But the owners stalled, and continued to close warehouses. Yet the employers are by no means of one mind: a certain group acknowledges that unions are here to stay and that the problem is how to weaken the unions without engaging in a frontal attack. While the owners wrangle in the Committee of 43, the press misrepresents the facts of the lockout to the general public. Yet, no matter whether the more subtle strategy of the younger "progressives" wins over those who still want to smash the union by brute force, the lockouts herald another of the periodic attacks which are designed to break the West Coast unions and cancel the benefits gained by workers over the past four years.

The provocation is not unconnected with the coming primaries in California. Similarly, the crisis in the United Automobile Workers Union handicaps the campaign of New Deal Gov. Frank Murphy. Into the breach caused by Homer Martin, the CIO has now stepped with a compromise proposal that can end factionalism, restore labor unity, and strengthen labor's political power.

The CIO plan, supported wholeheartedly by John L. Lewis, is a sensible and immediate solution to the controversy. What Lewis and the CIO propose is the reinstatement of the expelled officers and the holding in abeyance of all disputes until the next UAW convention in 1939 can settle them in a democratic manner. If disputes arise before that time and cannot be adjusted by UAW officials, the matter shall

be taken for decision to the CIO. And the CIO's ruling shall, of course, be final.

The expelled officers naturally accepted the compromise without hesitation. The enthusiasm for it was instantaneous among the overwhelming majority of the rank and file in the auto union. Only Homer Martin, under the influence of Jay Lovestone and the Trotskyites, continues to demur. Martin has been busy sounding out what the reaction of the few locals dominated by him would be if he rejected the plan. He has already attacked John L. Lewis, the CIO, and the proposed peace. Nevertheless, as we go to press, he has not yet shown the temerity openly to repudiate the plan. A refusal to accept would isolate him once and for all from the membership. It would, in addition, amount to a final betrayal of the UAW and the entire labor movement.

Still Worse

AFTER May 21, it did not seem possible for the European situation to become any worse, but it has. The only doubtful element in the position today is the very deliberateness with which the new crisis has been arranged. A public announcement from the Henlein headquarters orders civil war in the Sudeten regions under the thin guise of "self-defense." A heavily publicized tour by Hitler of the German fortifications on the French frontier accompanies the obvious breakdown of the Runciman negotiations. The Tories of Great Britain, masters in the art of deceiving public opinion, drop all pretense of official optimism, insist upon the immediate peril of war and order their Home Fleet into fighting-stations for the next, critical month.

But there is need to look beyond the obvious manifestations of the crisis. German fascism is playing its old game in a new way. The threat of war used to be enough to blackmail some big powers and some small ones into humiliating submission. Today there needs to be actual mobilization for war, all the trappings of battle. This deliberate, slow-motion provocation of war mobilizations by half a dozen powers, whether announced or not, is the most desperate play in the game thus far. The Nazis have not stopped counting on the Chamberlain government. Britain maintained tense relations with Italy as the proper atmosphere for the Hoare-Laval sellout three years ago—how could such a deal be possible when both powers were hardly on speaking terms?—and the same raw deal is possible again.

But the present circumstances have done two things to the system of blackmail. The forces of war have to be brought into fighting position but then it is doubtful whether they can be controlled. The stakes—in this

case Czechoslovakia—have risen so that the very balance of power on the continent is involved. A Germany which could crush Czechoslovakia now and then gorge itself on Eastern Europe for the next two or three years unhindered would be in a favorable position to deal with the big democratic powers later on. This pattern of blackmail, no matter how changed in its application, can still be met by complete and collective resistance. The game is still the same but the time is running short; the next play promises to bring the spectators onto the field.

Jobs and Health

THE most telling argument for extending WPA and for an adequate national health program is contained in a report just published by the Public Health Survey. Of the employable persons now idle in this country, the report finds that over 300,000 could not return to work because of illness. Yet, the survey points out, "Medical authorities agree that much of America's illness is preventable."

Most significant in the findings is the fact that the highest proportion of those between fifteen and sixty-four years of age who are disabled by illness are the aged, the unskilled, and those with low incomes. These groups, threatening always to become permanent public charges, are cut off from adequate medical care and hospitalization by lack of facilities and the high price of medical attention. It follows, as George Perrott, director of the survey pointed out, that "controllable factors such as medical care, hospitalization, and improved housing would appreciably cut the illness rate for a large part of our population."

In addition, the number of jobless affected by the common cold, bronchitis, and influenza is twice as high as among the employed. To every two employed workers afflicted by nervous and mental diseases, seventeen who are unemployed are disabled. Similarly the lower the family income, the greater is the toll of disease.

The moral is obvious. The need today in America, if only in terms of national health, is for more WPA jobs, higher wage standards, better housing, more and cheaper medical facilities for the masses. The National Health Program incorporates these demands. And the Communist Party stresses them in its platform for the coming elections.

Ninety in the Shade

ALTHOUGH the thoughtful admonition of Al Capone, uttered in the federal clink at Alcatraz, for the American people to beware of Communism, has fallen on deaf ears, the good word is still going from mouth to mouth. The latest hoarse Isaiah to

ring the welkin is August Heckscher, one of the favorite stock characters of the *New York Times*, described in that gazette as a "financier and philanthropist." On the occasion of his ninetieth birthday, Mr. Heckscher gave the reporters a drink and announced that he remembers when "this used to be a great country." Lest his listeners might think he referred to the administration of Ulysses S. Grant, he pinned the period down to the day "before we had the income tax."

"For seventy years I didn't pay anything to amount to anything, but now we have nothing left," sobbed the nonagenarian altruist, drawing a nonagenarian doodle on the champagne order for his birthday party. The good, gray prophet of doom saved a solemn chord for last. "So many people are being told they should work less that Communism is rather serious." Mr. Heckscher thought fascism did not threaten us, "but we might go Communistic—it looks so easy. But I think a man should work hard while he is able—not slave, but work. I think that's what we're here for." Among those present was Theodore Roosevelt, Mr. Heckscher's twenty-year-old Maltese poodle, his constant companion and adviser through the trying days of the income tax.

Nine to Pick From

FACED with the certainty that the new proposed New York State constitution would be rejected by the voters if it were presented to the voters as a unit, the Constitutional Convention yielded to popular protest and submitted the document in nine parts. However, a last-minute attempt to secure a reversal of the Republican-Tammany action in barring proportional representation failed. In addition to the proportional representation ban, there are at least two other amendments in the constitution that attack democratic rights: the reapportionment proposal, under which the 60 percent of the state's population living in New York City receive only 40 percent of the seats in the legislature, and the one dealing with the judiciary, which would give the courts the power to review and override, with certain exceptions, any finding of a judicial or quasi-judicial administrative agency. Another amendment that should be definitely defeated is that which relieves the railroads of the obligation to pay 50 percent of the cost of the elimination of grade crossings. Under the amendment they would pay a maximum of 15 percent, with the rest of the expense borne by the taxpayers.

Only two of the nine proposals that will be submitted to the voters can be unequivocally supported by progressives: labor's bill of rights and the amendment permitting the state to establish an integrated

social welfare system. As we pointed out editorially in last week's issue, the housing amendment has many serious shortcomings, while that relating to transit unification in New York City is also of doubtful value. Unfortunately, the amendment barring discrimination in civil rights because of race, color, creed, or religion has been grouped with a large number of miscellaneous proposals, some of which are definitely reactionary.

All in all, the results of the Constitutional Convention, which was controlled by a coalition of tory Republicans and Tammany Democrats, are far from impressive. Submission of the proposed new charter by sections will, however, permit the people to save what little of positive value it contains.

Extending Security

CONGRESSIONAL tax leaders are reported to be planning to meet this month to consider extension of the Social Security Act. This is good news. The economic crisis has helped spotlight the serious shortcomings of the act and speed efforts to improve it. In his address on the recent third anniversary of the Social Security Act, President Roosevelt indicated that the New Deal is aware of these defects and is determined, despite reactionary opposition, to move forward along the path of greater social protection for the common people of the country.

What we are doing is good [said the President]. But it is not good enough. To be truly national, a social security program must include all those who need its protection. Today many of our citizens are still excluded from old-age insurance and unemployment compensation because of the nature of their employment. This must be set aright; and it will be.

The two largest groups now excluded are agricultural laborers and domestic servants. They are among the groups most urgently in need of social insurance. No time should be lost in extending to them the benefits of the Social Security Act.

There is, however, one disturbing note in the news concerning plans for improving the Social Security Act. Efforts are being made to link these plans with proposals for broadening the income tax base. Too large a proportion of the taxes is already being paid by the masses of the people. The method of financing the Social Security Act certainly needs overhauling, but of a very different kind from that contemplated by the tory tax experts. Instead of the present payroll tax, which cuts into purchasing power at a time when it needs to be increased, the entire cost of social insurance should be borne by the government and by those who profit most from our present social order. What

President Roosevelt has called "the great nationwide frontier of insecurity, of human want and fear" cannot be conquered without seriously undertaking the removal of the inequities in the Social Security Act.

Roosevelt on Labor Day

ON LABOR DAY President Roosevelt will tell the voters of Maryland and the nation why he thinks Sen. Millard Tydings should be retired from public life and Rep. David J. Lewis chosen as the Democratic standard-bearer in the state primaries. The chief editorial writer of that once honorable newspaper, the *Baltimore Sun*, is undoubtedly gathering his choicest verbal grape-shot and preparing to sally forth in the name of Jefferson Davis and Stonewall Jackson to repel this Yankee invasion. It is fitting that the President has chosen to make this important address on Labor Day, for in this primary Maryland labor stands united, with both the AF of L and the CIO supporting Representative Lewis. It is fitting, moreover, because in the nationwide struggle that is developing in this year's elections labor's role is decisive in achieving that unity of all progressive forces which is the bone and sinew of victory.

The reactionaries are demonstrating an understanding of this question which might well be emulated by the progressives. Theodore Roosevelt (the Little) has joined the ranks of the Republicans who have thrown their support to Rep. John J. O'Connor, Tammany's hatchet-man on the House Rules Committee. And despite Roosevelt's strong condemnation of the Republican tactic of packing Democratic primaries in those states where this is permissible under the law, Mark Sullivan, in last Sunday's *New York Herald Tribune*, urges a continuation of this practice and presents a blueprint for effecting bi-partisan tory unity in every state in the Union. Sullivan's article is particularly illuminating in view of the cry raised in the conservative press that the President is placing men on his "purge list" merely because they differed with him on a single issue, notably the Court-reform plan—though Roosevelt in his fireside chat specifically disclaimed any such intention. For Sullivan proposes that the sole criterion for supporting or opposing a candidate in the primary or final elections should be his attitude toward the Court plan.

With the Republicans and right-wing Democrats using every kind of political trickery to confuse and divide the masses of the people, it does not seem particularly astute for New Deal spokesmen to lose any sleep over the fact that WPA workers are contributing financially to the efforts of

their organization, the Workers Alliance, to elect progressive candidates. Americans do not surrender their rights as citizens by going on WPA. And they are at least as much entitled to further their own economic and political interests as the Wall Street gentlemen who bestow the golden fullness of their blessing on the Tydingses, O'Connors, and Georges.

Baked to Death

THE International Labor Defense informs us that conditions at the Philadelphia County Prison at Holmesburg can be duplicated in many American jails, but one lesson is horrible enough. Four prisoners were literally baked to death last week as "punishment" for leading a hunger strike. Such brutality is shocking under any circumstances. It is all the more so when you consider the background of the strike as reported by a former inmate of Holmesburg. Prisoners are beaten cruelly on the slightest provocation, worked in the prison shops until they drop, given food "even a dog wouldn't eat." Complain to a guard about the roach poison with which your food is sprayed and off you go to solitary. Kick about your bug-juice (spaghetti) and you'll get beat up so the man beside you won't recognize you. If you don't go deaf from the noise of the machines in the weave shop, you try to smash your hand in a machine so that you can be removed from the shop. You freeze in the cells because they have no radiators. But in the Klondike they have radiators all around the walls. "When they turn the heat on, nobody could live for long." Full justice should be done to those who turned the heat on those four hunger strikers. And it's high time that we did something about torture chambers masquerading as county jails.

Japan's Two Ways of Losing

THE Japanese have met two types of reverses in China, the direct defeat and the pyrrhic victory. Taierhchwang was an example of the first, Suchow of the second. Hankow's astonishing resistance belongs to the second type, and it probably heads the list. Japan's progress has been phenomenally slow; unless the drive along the Yangtze picks up next month, it will have proved the super-colossal failure of the war.

First the Japanese thought that they had to take Kiukiang to capture Hankow. They tugged and pulled for more than a month before Kiukiang and finally took possession of the town. The outlook did not change a bit because then Jiuchang barred the way. So they went to work on Jiuchang and that was to be the second end of Hankow. Another month and they occupied Jiuchang.

All they got was another town, for they are still fighting an inch-by-inch war along the Yangtze.

Double-Ledger Diplomacy

SECRETARY HULL's second note to Mexico has had some curious reactions. Some papers insisted that the note was really very mild, the sort of thing one good neighbor would write to another. Others felt that the State Department had put the Mexican government in an unenviable but unavoidable position, because the whole of international morality would otherwise totter. A guilty conscience accounts for both views.

The note itself was characterized by a great display of mock surprise and self-anointed virtue. With many more words than necessary, it argued that a "universally recognized principle of the law of nations" makes it obligatory upon Mexico to give "prompt" and "adequate" payment for properties taken in the last few months. It had the tone of the preacher who knows that the hand behind his back holds a pretty thick birch. Interest in or knowledge of the concrete human circumstances which led the Mexican government to expropriate native and foreign properties is completely lacking throughout the document.

Japan confiscated slightly less than one-half of all American investments in China in the first year of the war. The rebels have not paid a cent for properties owned by Americans in Franco Spain. The United States refuses to sell arms to the legal, republican government of Spain despite a "universally recognized principle of the law of nations." Why should we treat Mexico so differently from Japan and Italy and Germany? Why should we adopt such an inflexible "morality" toward our neighbor to the south when we conduct ourselves as a nation so shabbily, so immorally toward the aggressor powers? This is double-ledger diplomacy with a vengeance.

Whatever moral issues are involved in the dispute with Mexico are not on our side. Mexico's people need land to live, need to reclaim the resources of their own country to deepen their democracy. For centuries, Mexico's people and land were pillaged by foreigners, not least among whom were speculators from the United States. This made her poor; this created the vicious circle whereby poverty makes it impossible to escape from poverty. It was not immoral for the Mexican government to take the land, offer to pay when able, offer to negotiate the payment. Theirs is the higher morality and we as a people cannot afford this double standard, whereby we hinder democracies in their struggle for a better life and encourage fascist dictatorships in their aggressions.

Forsythe's Page

The Hines Trial

ATTENTIVE readers of these columns will recall my obsession with the famous trial of Warren Hastings, which I unfortunately was not able to attend. It took place in London before the House of Lords and is still remembered by persons like myself who are eternally fascinated by court procedure and the clash of legal wits. The hope that the present trial of Jimmy Hines would in some way approach the ideal of what a great case should be has not been fulfilled. It has received the attention of an Event, but the principals are not up to standard.

For those few Americans who are not alert to history, I may say that James J. Hines, the Tammany leader, is being tried for conspiring with the late Dutch Schultz and others in the illegal "numbers" racket. For such services as fixing judges and calling off the police, Hines is alleged to have shared in the profits of the gang and been a partner in the enterprise. The case is being tried before Justice Ferdinand Pecora of the Supreme Court of the State of New York, and the newspapers have been printing pages about it daily.

Perhaps age has something to do with it but I have been unable to get the same excitement out of the Hines case as I did out of the trial of Lieutenant Becker, which was the last great criminal trial affecting the political fortunes of New York. Through that trial moved such fabulous figures as Lefty Louie and Gyp the Blood. Mention has been made in the Hines case of Abadaba and others but they somehow do not seem to be enough. Poor Abadaba died in a gang ride long before his name became famous and his existent pals along Broadway can only bask in his glory, knowing that from whatever heavenly gate he is now watching, Abadaba must be experiencing the glow which comes to a punk who has been suddenly cast into the limelight. For Abadaba was certainly a poor punk who never anticipated that fame would reach him.

The case is being prosecuted by Tom Dewey, the district attorney, and a staff which has had unprecedented success in closing prison gates about sundry gentlemen who formerly lived at the Waldorf-Astoria and were regarded as substantial citizens in cafe society of New York. Their activities as bootleggers, white slavers, and blackmailers had never previously been held reprehensible by solid burghers who sat elbow to elbow with them in the night spots and were charmed by the notion that they were taking part in life. Lucky Luciano and his associates will be absent from us for a considerable period, thanks to Mr. Dewey and his ardent staff.

However, the Hines case is another matter, involving a preponderance of politics which makes the trial a struggle between personalities as well as a criminal cause. Acting upon the precedent of Mr. Whitman, who used his position as prosecutor in the Becker case to vault into the chair of governor of New York, Mr. Dewey is thrown, whether he wants to be or not, into a situation where his court moves are suspected of being part of his election campaign. The Republican Party has not helped the cause of justice by allowing it to be known that upon the outcome of the trial will depend the fate of their ticket in the next gubernatorial race. The situation is further complicated by the fact that Mr. Hines, whether he wants it or not, is regarded as a symbol of Tammanyism in the trial. It is therefore regarded in the more sophisticated circles as a political battle in which the issue of conspiracy is incidental.

There is the additional complication that Justice Pecora has been mentioned as a possibility for the Democratic nomination for governor. Newspapers have not hesitated to hint that the charge by Mr. Dewey, during the first week of the trial, that Justice Pecora was showing more consideration for attorney Stryker of the Hines staff than for the public prosecutor was merely an indication of the political rivalry between the prosecutor and the judge. In my opinion, this could be true without altering the merits of the case. Justice Pecora seems to be adhering meticulously to the legal formalities, with an eye to avoiding any error which might lead to a reversal, and Mr. Dewey is faced with the proposition of proving his conspiracy. I understand that both judges and prosecutors in France are civil-service appointees with life tenure, thus taking them out of politics, and such a situation would be excellent in the Hines trial. Whether it would be good as a permanent policy I am not so sure, for I am informed that because their interests are so closely tied up with the need of keeping things as they are, the legal minions of the French bar are among the most reactionary of mortals. However, the political implications of the Hines case are not good for the purposes of justice and no one is likely to deny it.

The legal conflict proceeds at an even pace in the courtroom but outside a tableau has been enacted which is fascinating to anyone who knows how such things are arranged. I refer to the publicity campaign in behalf of the Hines family. There had been an indication of it from the time the indictment was handed down, but it burst forth in full panoply with the start of the trial. There were

first the interviews with Mrs. Hines. The young ladies who are ordinarily concerned with high society found themselves with assignments in the upper West Side, the Hines precinct. The stories were well done and revealed what must necessarily be the truth: Mrs. Hines is a fine woman and a good wife and mother. Mr. Hines arrived in court on the first day smilingly confident. The gesture was amazingly effective and when it was followed by the daily trips to court of the Hines sons and daughters-in-law, it was evident that public opinion was being influenced. The picture in which the sons, wives, and mother were shown climbing the steps of the courthouse, abreast, could only have been arranged. People do not walk in that straight-line fashion, with faces smiling, and with no sign of another figure anywhere on the broad steps.

It takes something less than a giant intellect to understand that a publicity agent is behind it all. Such things don't just happen and it has been proved over years of experiment that not even the cleverest interested party is a match in public psychology with the professional molder of opinion. However true it may be that in the weeks before a trial the defendant gets all the worst of it in the press, it is hardly possible that the Hines family can complain about the treatment since.

The interesting thing about Jimmy Hines is that the rumors of his tie-up with the racketeers have been flying around Broadway for years, being accepted as gospel by men who were supposed to be in a position to know. The trial, to them, takes on the fascination of a puzzle. They know what they know and yet they see that the matter of proving the facts is not at all simple. The difficulty lies in the character of the prosecution witnesses. Since it would be impossible to prove that a man conspired with crooks for illegal purposes without using the crooks as witnesses, nearly everybody Mr. Dewey calls to the stand is under a cloud. Even the most astute jury (as this blue-ribbon group is assumed to be) is called upon to determine at what



Soriano

District Attorney Dewey