

COUDERT—VICHY LAWYER

Barbara Giles puts the candidate for New York's senate under the microscope. His record and his backers. The meaning of his inquisition against the teachers.

I SUPPOSE it is pretty exasperating for Vichy's rulers to have to worry, at this date, about an old democratic custom like free elections. Especially is it annoying for their lawyer, Frederic Rene Coudert, Jr. To carry the Seventeenth Senatorial District of New York won't be an easy task for Senator Coudert this November. It may well prove impossible. A lot of questions will be asked the candidate, which he will have to answer in plain English instead of the polished French that quicksilvers around the law offices of Coudert Bros. Nor will it help him much to throw at the inquiring his famous "report on subversive activities in New York public schools." More likely it will be thrown at him first, in which case it will be equal to a bushel of spoiled tomatoes. For "subversive," in Senator Coudert's opinion, means just about what Charles Coughlin says it does and Coughlin, it will be remembered, translated his definitions from the German. Coudert, of course, does not put it as coarsely as *Social Justice* did—he simply follows the same reasoning and arrives at the same score.

The score in the Coudert committee's report on "subversive activities" was: "Communist conspiracy," 365 pages; fascist conspiracy, none. "No substantial evidence" of fascist activity, reported Senator Coudert without batting an eye. Which no longer surprises those honest souls who all but drew pictures for him of outstanding fascists in the New York public schools and begged the committee to look, please just *look*, at the evidence. They've learned since why Frederic Coudert, Jr., couldn't be expected to investigate fascists. It would have impaired the "international reputation" of his law firm, a reputation of especial value to its most prominent client, the Vichy government. Besides, Coudert himself had to maintain a national reputation that has brought pleas for his reelection from points far removed from Manhattan. One of the most recent came from Nebraska; it was voiced by Charles B. Hudson of Omaha, whose unrestrained anti-Semitism and pro-Axis endeavors have twice brought him before the federal grand jury investigating sedition. Leaders of roughneck fascist groups, like Edward Lodge Curran and Coughlin, have made plain that Coudert is fine by them too, as fine as Dies.

Outwardly he doesn't resemble Dies in the least. He is expensively groomed, belongs to two yacht clubs, and is particularly admired by the "so nice" school of manners. While his committee hearings were conducted with the wildest disorder as far as legal forms were concerned, the chairman remained smooth. When counsel for Coudert's victims rose and asked permission to protect his client's rights, Coudert did not say to a police guard, "Throw him out"; he said, "Please remove Mr. So-and-So from the court room." If Mr. So-and-So persisted, Coudert dropped the "please," but he still didn't get rough. That was left to one or two other committee members. The chairman did not muss his curly hair or forget to smile occasionally. But after two years of an "investigation" that cost \$200,000, thirty-four of New York's most competent teachers had been fired, and one, Morris U. Schappes, is still fighting in the Court of Appeals to keep out of jail because he was convicted of "perjury" when, in testifying before the Coudert committee, he refused to conform to the Vichy fascist pattern and conception of Communist activity.

Still, as blitzes go, Senator Coudert's could hardly be described even by a Berlin communique as a "triumphal advance." It's true that teachers have been dismissed and the educational budget cut. But the senator met battle and when the smoke had cleared, the corpses on his enemies' side were depressingly few. They didn't nearly match the casualty list which Coudert had prepared in advance by forcing the Teachers Unions to turn over to him their membership rolls—a procedure that must have startled some anti-labor employers who were resigned to paying heavy fees to spy agencies for compiling such lists. So far from killing off the Teachers Unions, Coudert couldn't stop them from fighting back. They're fighting still—and the resistance to Coudert, which began way back when the senator figured he was sitting pretty, shows healthy results today in the New York schools, which are united behind victory over fascism.

Another thing that cramped Coudert's offensive was that unfortunate little incident at Pearl Harbor. It changed the picture—more people have begun to see the ties between union-busting and playing blind-man's-buff when it comes to fascism; between counseling Vichy and attacking public education; between Red-baiting and dealing with Hitler's lads. Mixed in with all these things is still another element, something called Clerical Fascism. It's a long story, which may as well begin with Vichy—

SENATOR COUDERT's firm claims to represent not Vichy so much as the French government. That is, Coudert Bros. had been the legal agents of the Third Republic and then the Third Republic government changed into Vichy (just like that), so now they represent their old client's "successor." Can they help it if the government changed? The answer to that is easy: Vichy is not a French government, it's made in Berlin.

It wouldn't occur to Coudert Bros. to represent the Fighting French government—although they did once try to get a bit of business from a Fighting Frenchman here, who was nearly fooled into believing that he had fallen in with some real sons of France. Just how much they are doing for the Vichy gang now can only be guessed. NEW MASSES readers will recall a photostat in the May 5 issue reproducing a story from the New York Times that Coudert Bros. had acted as agents in the purchase of a Manhattan residence for the Vichy consulate general. Not long ago New York papers revealed that Senator Coudert's firm was fighting in the courts to prevent the Free Belgians from getting back \$228,000,000 of gold entrusted to the pre-Vichy Bank of France and later sent to Berlin by the Vichymen. The Free Belgians want their money back to fight Hitler and they're trying to get it from the Bank of France's gold in this country. But the bank is now under Vichy control and Coudert's law company is "protecting" the gold. Senator Coudert has not tried to explain or apologize for these facts. But then, why should he? If a law firm accepts a fee, it has to earn the money—and if the fee happens to come from some merchants of death, it's simply bound to have a little blood on it.

The Couderts, however, do not stop at strictly legal services for their famous client. On May 25, 1941, Frederic Coudert,

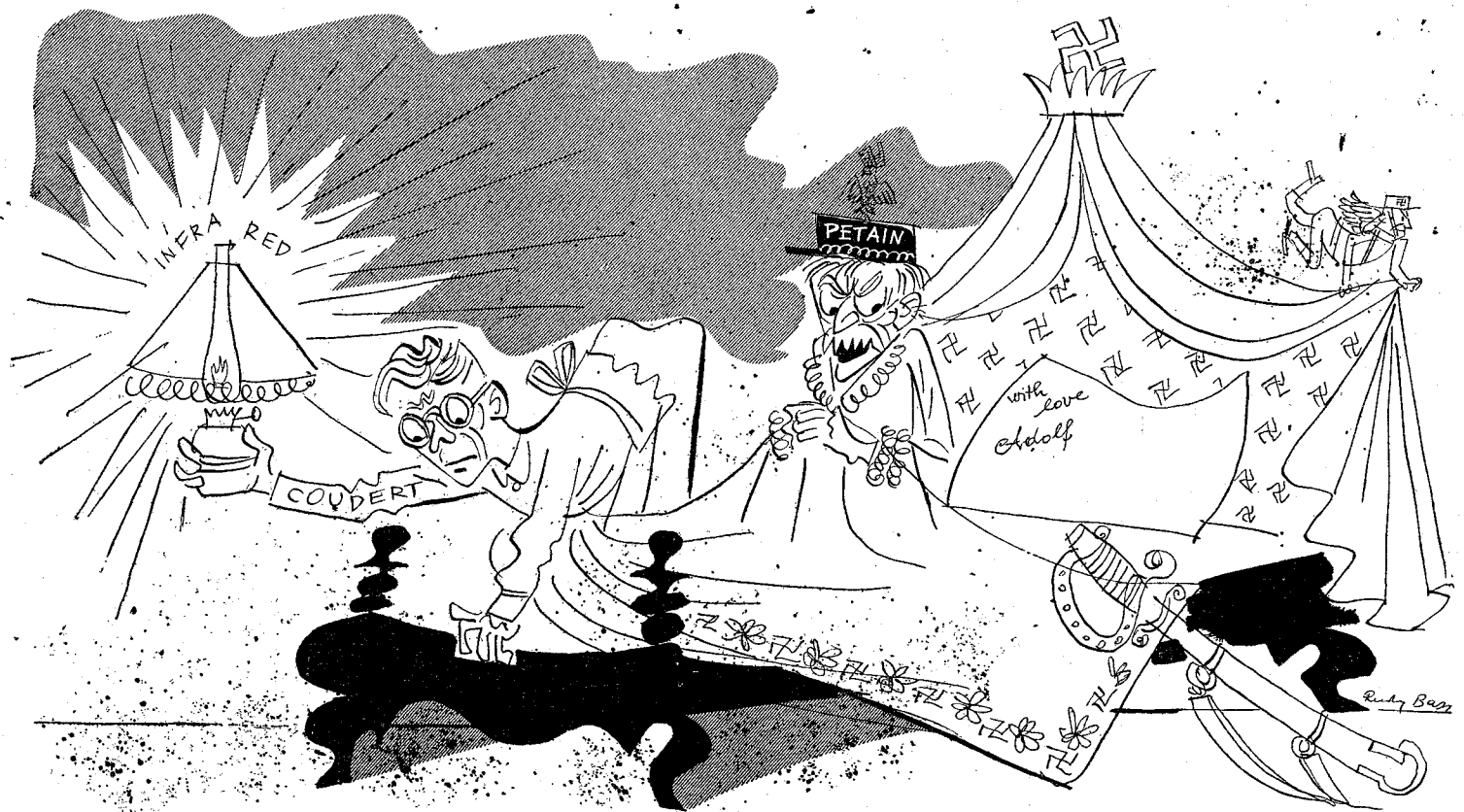
Sr., wrote a letter to the New York *Herald Tribune* asking the American people please to "understand" Vichy. It is even more important for the State Department to understand—which may explain why the Couderts decided last year to close their Paris office and establish one in Washington instead. It's no secret that the State Department harbors men who have as much respect for the Couderts' international reputation as Petain himself. They are pushovers for a Vichy agent—just as they were pushovers for Franco's apologists. Coudert, Sr., was one of the latter too, though he didn't formally announce it. In January 1939 he took time from his legal duties to write a long letter to the New York *Times* explaining—with a delicate little overtone of regret—that it was now useless to lift the embargo on arms to republican Spain since the government was almost in "*articulo mortis*," and why be so cruel as to revive it and "prolong" the terrible conflict.

THE interest of Coudert Bros. in foreign governments has not always been on the side of their clients' "successors." When the Soviets came into power, Coudert's firm stuck by the czar, and it has done some fancy footwork in American courts on behalf of the White Guard. In 1933 a Coudert attorney presented an alleged expert in Russian law to testify solemnly that the czarist regime would not have regarded the Soviet as legal since the latter had violated a czarist law against overthrow of the government. The "expert" was Boris Brasol, who translated into English and promoted one of the most revolting anti-Semitic documents of all times, the forged *Protocols of Zion*. Brasol, who can be reached through the Coudert offices, is linked with such Russian fascists in America as Anastase Vonsiatsky, now in prison as a Nazi and Japanese spy.

Small wonder Senator Coudert did not expose fascists in the New York public schools—a gentleman does not kiss and tell. But others told. His backers in America, followers

of Franco, Hitler, Coughlin, practically danced in the streets when his committee got going. It was exactly what they had been asking for: a Dies committee of their own, headed by just such a man as Coudert. They openly embraced the chairman, who pretended not to see them. When "revelations" from the hearings began to shove the war off the front pages of the press, Coudert's sponsors, in their own words, had "difficulty containing ourselves." "Each night, as we read our evening newspaper, we fairly burst with pride," burred the *Educational Signpost*, journal of the American Education Association, a New York group of teachers whose leadership is obviously Coughlinite.

For anti-Semites, those were the days. Silver Charlie himself had eagerly published the names of leaders in the Teachers Union, identifying them as "Jew," "Jewess," or "Gentile." In the first two categories he included every name except those which were so unmistakably "Aryan" that no one could be fooled by false labels. Of the twenty-six teachers suspended from City College as a result of Coudert's smears, all but four were Jews. Some received anonymous postcards addressing them as "dirty Kike." An anti-Semitic teacher decided that this was a propitious time to express his views in the classroom. Another, Timothy Murphy of Gompers Vocational School, permitted his pet pupil to sell *Social Justice* on the streets during school hours. Murphy not only tried to recruit students for the Christian Front; he invited a Nazi bundsman to "come to school and talk to some of our younger members." A memo on his activities was personally handed to Coudert, who bowed and put it in his pocket. Subsequently Murphy was "removed" from Gompers to Chelsea Vocational School, with extra pay. Hitler must have gotten a good laugh out of that if he heard of it, and it's not unlikely he did—for, according to Pierre van Paassen, writing in *Liberty*, Nazi agents in America reported to der fuehrer on the progress of the Coudert and Dies com-



"Was that a Red, mon ami?"

mittees during Berlin's preparations for war on this country.

If you call Coudert an anti-Semite, he will put on a "who—me?" look. Some of his "best friends," you know. . . . And he ostentatiously keeps a Jewish boy as secretary to prove it. He would also deny any sympathy with Coughlinism and probably expect you to believe that on the evidence of his appearance alone. An aristocratic yachtsman who always looks as though he had just come back from a vacation in Florida, what could he have in common with Coughlin's street stabbers? Nothing socially, to be sure. But with the "reverend" Charlie himself he shares the same role in which Franco and Petain have starred, which has aided Hitler's conquests. I've mentioned it above: Clerical Fascism.

I KNOW that statement takes explaining, since Senator Coudert has managed to acquire a reputation as a "good Catholic" and good Catholics can hardly be fascists too since fascism is a skull-and-crossbones over their religious and civil liberties. In speaking of Clerical Fascism in connection with Coudert, I am not referring to such facts as that he got the legislature to approve free bus transportation for parochial school children; or that he authored the Coudert-McLaughlin bill to take the children out of school an hour each week for religious instruction. These are relatively mild attempts to weaken the traditional American separation of church and state. They are useful to Coudert in strengthening his "good Catholic" reputation. Nor am I referring to the fact that Coudert Bros. are said to represent "the interests of the Church" in America. This may be true and perfectly unobjectionable as far as legal representation is concerned. But the question that does concern us is: whose interests does the "good Catholic" Coudert represent in politics?

Certainly not the Catholic people's. Ask those in Spain what "protection against Bolshevism" meant in the hands of the "good Catholic" Franco. Ask French Catholics what it means when a similar "good Catholic," Petain, calls for a roundup of "Communists." Msgr. John A. Ryan, director of the National Catholic Welfare Conference, once gave some good advice to readers of *Social Justice* and the *Brooklyn Tablet*: "Don't let yourselves be fooled or frightened by fakers." He was referring to the "Red menace" thriller-dillers spun by Coughlin and his partners. Coudert is one of the suaver raconteurs in this field, but he is no less hair-raising. Look at his committee's report. It is a smoothly written, "judicial" sounding job, livened up with cute little subheads such as "Trouble Brewing for the Comrades" and "Stalin, PhD," as well as by the unintentional humor of some stoolpigeon testimony (e.g., William Martin Canning, pretended ex-Communist: "A typical Party technique was that of self-criticism. This, Mr. Canning said, was largely Russian in character."). But no amount of smoothness can hide the violence between the lines. A cold hatred for organized labor, for progressive activities, a contempt of truth and order—these are what add up to the final violent conclusion in the report: that teachers who happen to have a Communist "reputation" should be dismissed without trial. Senator Coudert once said it in less formal language. Addressing the Republican Business Women on June 3, 1941, he let himself go as follows:

"Now if your dog had rabies you wouldn't clap him into jail after he had bitten a number of persons—you'd put a bullet into his head, if you had that kind of iron in your soul.

"It is going to require brutal treatment to handle these teachers. . . ."

Here was the real Coudert, unexpurgated and unedited—a

rough draft of what appeared finally as a report from a Legislative Committee. The senator, you see, can even use the jive of a Coughlin or a Franco. It isn't language that good Catholics approve, but what does that matter? The Coughlins aren't out to please Catholics who really practice their religion. Their friends are a handful of the hierarchy plus a number of people who aren't even Catholic in name—Hitler, for one. "Brutal treatment" will not strike them as an intemperate phrase; it stands for one of their cleaner sports. And if it isn't popular in a democracy then that's the fault of democracy, which has been defined by a Coudert admirer, one Lambert Fairchild, as "mob rule by people who are too dumb to talk to." And by another, Dr. Edward I. Fenlon of Brooklyn College, as "a mere rebellious, anarchistic, paganistic shibboleth." Dr. Fenlon was not subversive enough for investigation by Coudert. Indeed, he felt safe enough to offer to testify before the committee—as he had done for Dies in 1938.

French fascist friends of the Coudert family have also complained that it is a nuisance, this democracy. One of them, Alexis Carrel, wrote a whole book about it, titled *Man the Unknown*, and inspired, according to the author's preface, by Frederic Coudert, Sr., (who has named one of his sons for Carrel). The author, who collaborated with Charles Lindbergh in attempts to construct a robot heart, thinks that an "ascetic and mystic minority" should rule the "dissolute and degraded majority."

COUDERT, JR., it should be said, has never publicly made any such remarks about democracy; his attitude will have to be judged by his deeds. Aside from his undemocratic investigation, his firm's connections with Vichy, his sweet tolerance toward native fascists, Frederic Coudert, Jr., has done as much as he could to cripple state aid to an indispensable democratic institution, that of public education. His legislative scissors-work on educational budgets is well known. It's a matter of record that he began to fire away at the Teachers Unions soon after the latter had managed to reduce a proposed budget slash by a considerable amount. One of the articles of faith in the credo of Coudert supporters is that the three R's are plenty enough education for those who can't pay for more. Nor is that only the opinion of big realtors who worry about taxes—and who are allied with Coudert Bros. through the latter's own extensive real estate holdings. It is also a first article of fascist faith: if a "dissolute and degraded" majority doesn't exist, then create it. This makes it easier for the "mystic minority" with their mystic guns.

We shall see how Senator Coudert comes out in his tussle with majorities this November. It is true that there are certain wealthy elements in his very wealthy district who can find excuses for Vichy's fair-haired boy. And after all he's a Republican candidate and there are plenty of Republicans in the area. But he won't face two candidates this time, who will divide the opposition and let him through. His foes are solidly behind one person, Jerry Finkelstein, candidate of the Democrats and the American Labor Party. Organized labor has classified the defeat of Coudert as an important part of the war effort, and it means every word of it. The senator may wish already that he hadn't spent so much time building that national reputation. It's one thing to be famous, another to be notorious. Coudert's notoriety has brought him up against some national opposition, expressed through a citizens' committee which is now in process of formation. The issue in the Finkelstein-Coudert contest is not "local"—it's even international.

BARBARA GILES.

THE HUNT FOR MANPOWER

It won't be long before labor shortages in the war factories reach the critical stage. Case history of a zinc miner. Why workers move from job to job. Planning and training.

Washington.

TOTAL war is making the most rigorous demands on the productive systems and on the manpower of every nation. Recently from Paris we heard again of the manpower shortages encountered by the Nazis—and their fascist solution based on the most brutal enslavement of the populations of Germany and the occupied countries alike. In our own country as well, we are beginning to feel the strain of this all-embracing war; we too face the problem of finding sufficient labor reserves. But democracy will not and dare not take recourse in brutalization and slavery. And still we cannot allow men to idle in one part of the country while elsewhere the productive apparatus halts because of labor scarcity. "Our labor supply," states the fifth and latest report of the House Tolan committee, "will become our most critical resource." To utilize most effectively the nation's manpower, the report declares, "calls for a detailed knowledge of the total demand for labor in war production, the preparation of schedules for the flow of such labor to the expanding jobs as contracts are undertaken, and the training and upgrading of that labor to keep pace with expansion. The job calls for the location of available labor supplies, and over-all planning for their training and placement."

Unfortunately we have as yet made little progress in meeting the emergency demands on our manpower. So far, the Tolan report charges, the War Manpower Commission, headed by Paul V. McNutt, has failed to function. It has still to evolve a realistic program to overcome labor shortages which already are felt in certain key industries. These shortages are particularly acute in non-ferrous metals—copper, lead, zinc, tungsten, chrome, and manganese. The Mine, Mill, and Smelter Workers Union has for its part issued a memorandum with conclusions closely approximating those of the Tolan committee. Both these studies point out that unless the crisis in manpower is met forthwith, severe disruption will occur all through the war production effort.

THE causes of manpower shortages are varied and numerous. Primarily, the Tolan committee states, "Full manpower mobilization is contingent upon full mobilization of production." Perhaps the inter-relationship between production and manpower is most apparent when illustrated by a typical case history—like that of the zinc miner in a lonely camp in the New Mexican mountains. The causes that finally bring this miner to migrate to the large industrial centers—thereby contributing to the labor shortage at the mines, which in turn reduces zinc production—throws light on the problems the Manpower Commission must resolve.

The zinc miner lives with his family as near the mine as

possible. But each morning he must travel approximately fifty miles to work. He provides his own transportation. When his tires wear out, he has little hope of obtaining replacements. His wages are lower than the wages paid in most war industry, even lower than the average for mining. He lives in a miserable shack, for which he pays exorbitant rent. His children lack schooling. His family is without proper medical care. He must buy his food and supplies at the company store—where prices are far steeper than in the chain stores of the larger towns. A trip to the movies means an excursion of at least 100 miles to the nearest town—and his tires are wearing thin. Working conditions at the mine are extremely bad, even dangerous. Inadequate ventilation, dust, dampness, inefficient methods still used by the company make work arduous and hard on the miner's health. In addition to all this, the miner who is known as a good union man, or who happens to be born a Mexican, is excluded from skilled jobs—if he is lucky enough to have a job at all.

To this forsaken community comes the news of boom times in the war production centers. There jobs can be had for the asking, jobs at salaries that allow men to meet the high cost of living. In Los Angeles or Seattle or Oakland transportation is no insurmountable problem plaguing the worker. A man and his family can even rent a decent house, with running water and proper sanitary conditions. Children can go to school; on a rest day the family can see a movie or sit in the park. Discrimination because of union activity is not so prevalent. Working conditions are far less hazardous. And the zinc miner asks himself why he should work at low wages in a hazardous mine when he can move to a larger community and contribute just as surely to the war effort. So he piles his belongings into the jalopy and waves goodbye to the camp. His neighbors follow his lead. And those who remain behind take alarm as the mine curtails operations because of labor shortage; fearing eventual shutdown, more and more of the zinc miners begin the trek to better jobs, to a life not so dreary and so dangerous. The result of this migration is to reduce the output of zinc, imperative to the war effort.

This illustration is by no means an exception. Throughout the United States workers move on to more attractive employment; raw material output lags though production schedules call for ever-increasing supplies. Instead of acknowledging the causes of this out-migration, Washington allows vague and threatening rumors to spread, rumors of job freezing, labor drafts. The moment a rumor of this sort reaches the sub-standard industries (and rumors travel fast), the migration accelerates. No man wants to be "frozen" into a low-paying, hazardous job when he can get better wages and better conditions farther on.

COMPULSION, as the Tolan committee stresses, is considered a cure only by officials who fail to comprehend the magnitude of their task in overcoming labor shortages. It would be far more efficient to rectify abuses—the conditions in the New Mexican zinc mine only highlight maladjustments obtaining in other mining communities and other industries. As the Mine, Mill, and Smelter Workers' memorandum points out, "The upward wage adjustments needed to make inroads on this problem are very substantial, far more substantial than the government and management have been considering in other basic industries. But evasion of responsibility, resort to half measures, will not solve this critical problem." Encouragingly, the WPB has just recognized—according to a recent statement—the need of raising wages in the non-ferrous mines.

Wages are only one facet. The elimination of poor working conditions, of job hazards, cannot be postponed. Not only does