

CIO News 7/15/44

## **Pamphlet Hits Plan to 'Exile' Harry Bridges**

Washington, July 13.—Describing the bill to deport Harry Bridges, CIO California leader as "an exile bill" and a new "blow at labor," the Bridges Defense Committee today released a new pamphlet analyzing the bill and urging concerted labor and liberal action to block it in the Senate.

The bill is more than "simply an attempt to deport 'the alien, Harry Renton Bridges,'" the pamphlet declares, and the fact "that Bridges happened to be born in Australia" is not the real issue at stake in House passage of the deportation measure.

"The real issue is the fundamental right of people in America to organize, as guaranteed by the law of the land, for the betterment of their living and working conditions. The instigators of this bill do not agree that Americans should have this right. They do not want to see American workers organized free, democratic, effective trade unions," the pamphlet declares.

Copies of the pamphlet, "The Bridges Exile Bill, a Blow at Labor," can be obtained from the Bridges Defense Committee, 320 Market St., San Francisco, and the Washington Bureau, 1319 F St. NW, Washington, D. C. Price, 2 cents each, quantity prices on application.

# *The Bridges Exile Bill*



*a blow at labor*

## **THE BRIDGES DEPORTATION BILL (HR 9766)**

For the first time in its history the House of Representatives of the United States on June 13, 1940, passed a bill to deport one individual—Harry Bridges.

The bill, HR 9766, introduced by Representative Allen of Louisiana, provides, as amended by the House: "That notwithstanding any other provision of law, the Attorney General be, and is hereby, authorized and directed to take into custody forthwith and deport forthwith to Australia, the country of which he is a citizen or subject, the alien, Harry Renton Bridges, whose presence in this country the Congress deems hurtful."

The supporters of this bill make a number of accusations against Harry Bridges. They say (1) that "for twenty years he has stirred up trouble in this country"; (2) that he is a Communist or Communist sympathizer; (3) that he is an alien, not sufficiently interested in this country to become a citizen.

The Immigration Committee of the House, which considered this bill, did not have a single open hearing. They did not call and would not permit to appear a single witness in opposition to these accusations. They did not call and would not permit to appear those who consider this bill unjustified, un-American and unconstitutional. This leaflet has therefore been prepared to present the case against the Allen Bill.

### **What Harry Bridges Did**

**"I view this fight as one angle of the eternal effort of great and powerful employers to discredit organized labor."  
Congressman Sabbath of Illinois.**

Those people who are opposed to organizing workers repeat in a hundred different ways that Harry Bridges is an "undesirable alien," that he is "a symbol of the kind of aliens who are not wanted in America."

Why is he so undesirable in their eyes? They say he has spread discord in the ranks of labor, brought about unnecessary strikes, defied the American people by "preaching doctrines that are incompatible with American institutions and the American way of life." What is the truth about these accusations?

When west coast longshoremen started to organize in 1932 they were faced with almost intolerable conditions. For 14 years the shipowners had completely controlled the waterfront and prevented longshoremen, through a company union known as the "Blue Book," from organizing into bona fide trade unions. Any man suspected of genuine trade union activity, or who for any reason came into disfavor with the employers or their subordinates, was immediately stricken from the "Blue Book" rolls and driven out of the industry.

To the majority of waterfront workers these years were a nightmare of insecurity, fear and intimidation, brutal competition for jobs, long hours, low wages and—in the end—failure to earn a living.

While thousands of experienced longshoremen could find no work and were forced to seek relief and many more could get only occasional jobs, others worked like slaves in shifts from 24 to 36 hours without sleep. In the

## The "Communist" Question

"This alien has been accused, investigated, and tried at great length, and judgment has been rendered that he had not been proved guilty of the charges made against him. By this bill the United States would deny faith and credit to its own duly conducted legal proceedings." Robert H. Jackson, Attorney General of the United States.

The accusation "Communist" is a familiar one hurled at leaders of organized labor who work for better wages and working conditions. This accusation against Bridges was thoroughly examined by the U. S. Government in seven weeks of exhaustive hearings before James M. Landis, Special Examiner and Dean of the Harvard Law School. Dean Landis' conclusion was:

"The evidence therefore establishes neither that Harry Bridges is a member of nor affiliated with the Communist Party of the United States of America."

## Why Bridges Is Not a Citizen

But for an unprecedented error on the part of an Immigration clerk, Harry Bridges would have become an American citizen in 1928.

In 1921—the year after his arrival in this country—Bridges declared his intention to become a citizen. In 1928, before the expiration of the seven-year period allowed him to complete his naturalization, he filed for second papers in San Francisco. He was notified to appear in court with witnesses on a certain day to complete the formalities, and he did so appear. He was then notified that he could not be naturalized because the day which the authorities had named for him to appear in court was more than seven years after the day of the filing of his first papers.

In every other case of this kind citizenship has been granted to an alien when he filed final papers before the expiration of the seven-year period. Harry Bridges did not know that in 1928 and he was refused citizenship.

Bridges immediately again applied for first papers—but by 1930, when he could have filed for final papers, the depression had hit him as it had everyone. He was working as a longshoreman on the waterfront and had a wife and two children to support. The average wage of longshoremen at that time was around \$10 a week.

In 1932 Bridges began to be active in union organization. As part of the attack on the union, prejudice against its leaders was whipped up. All sorts of unfounded charges were made against Bridges which he believed would prejudice his chance to get his second papers. He knew that a refusal of citizenship based on false statements against him would react against him and his union activities.

In order to clear the air of the unfounded charges against him, so that he might complete his citizenship, Harry Bridges *requested* that deportation proceedings be brought. After the hearings, which exonerated him of all charges, he lost no time in filing a third application for his papers which is pending now.

## **The Allen Bill Is Un-American**

**"Lynching is frequently defined as the taking of the law into unauthorized hands. In the light of this definition, may not the passage of this bill be called lynching." Congressman Hobbs of Alabama.**

The un-American character of the Allen Bill, which would deport Bridges for no offense except that the framers of the bill regard him as "a menace to the interests of this country," is clear even to his bitter enemies.

Congressman Hobbs, author of the bill for detention camps for deportable aliens whose home states refuse to admit them, said during the debate on the bill:

"In this bill Harry Bridges is not charged with any deportable offense at all. Far from being denied, this fact is asserted with evident satisfaction in the report accompanying the bill.

"Thus do we revert to the days of the original alien and sedition laws. . . ."

"This bill utterly ignores our traditional doctrine of the separation of powers of government among the three independent, coordinate branches of our Government—legislative, executive, and judicial. It is a flagrant attempt to have the legislative branch usurp the judicial prerogative hitherto exercised exclusively by administrative or judicial tribunals."

## **The Allen Bill Is Unconstitutional**

**"This is a star chamber proceeding, directed against a single individual, what amounts to a bill of attainder." Francis Biddle, Solicitor General of the United States.**

"A bill of attainder is a legislative act which inflicts punishment without a judicial trial," said the Supreme Court in the famous case of *Cummings v. Missouri*. This is an exact characterization of the Allen Bill. Bills of attainder are expressly prohibited by Article I, Section 9 of the United States Constitution.

The Allen Bill is also a denial of due process under the Fifth Amendment to the Constitution, which reads: "No *person* shall be deprived of life, liberty, or property without due process of law." The Allen Bill violates due process in two ways. It makes no provision for a hearing; and it is a "special rule for a particular person" not a law treating alike all persons similarly situated.

It is impossible in the brief space of this pamphlet to give in any detail the legal arguments proving the unconstitutionality of the Allen Bill, but it is important to quote the opinion of the Attorney General of the United States.

In answer to a request from Senator Russell of Georgia, Chairman of the Senate Committee on Immigration, the Attorney General condemned the Allen Bill in a letter of June 18, 1940. He said in part:

"If this bill were to become law it would be an historical departure from an unbroken American practice and tradition. It would be the first time that an Act of Congress has singled out a named individual for deportation. It would be the first deportation in which the alien was not even accused

either of unlawful entry or of unlawful conduct while here. It would be the first time that Congress, without changing the general law, simply suspended all laws which protect a named individual and directed the Attorney General to disregard them and forthwith to deport 'notwithstanding any other provision of law.' And it would be the first time since the Alien and Sedition Laws a century and a half ago that any law would provide for a deportation without a hearing or without, indeed, the slightest pretense toward giving the accused what our nation has long known as 'due process of law.'

"The extraordinary character of the bill upon its face is even more impressive viewed against its background. This same alien has been accused, investigated, and tried at great length, and judgment has been rendered that he had not been proved guilty of the charges made against him. By this bill the United States would deny faith and credit to its own duly conducted legal proceedings.

"As an American I would not, for the sake of my own liberty, deny the protection of uniform and indiscriminatory laws, and of fair hearings to even the humblest or meanest of men. As an official of the United States I cannot in good conscience do other than recommend strongly against this bill."

## **Editors Oppose the Bill**

### *The Hartford, Connecticut, Courant*

"For this Government to say, as a majority of the House of Representatives has voted to have it say, that Harry Bridges shall be deported because he espouses unpopular but legal opinions is to violate a cherished democratic maxim."

### *The New York Times.*

"Democracy is not to be defended by imitating the arbitrary legislative devices of despotism."

### *The Washington, D. C., Post.*

"What is almost past belief, however, is that a legislative body sworn to uphold democratic principles should be so misguided as to approve a measure subversive of the fundamental principles upon which our constitutional form of government rests."

### *The Raleigh, North Carolina, News-Observer.*

"The merits or demerits of the Bridges case, whatever they may be, are of small moment as compared to the significance of this Congressional action. Even if there were no constitutional ban against legislation imposing penalties upon specific individuals, such procedure would be repugnant to the whole theory of American government."

### *The San Francisco Chronicle.*

"We need to search our souls to see how safe our own rights would be, if any person, without trial or finding of guilt, can be arbitrarily denied those rights."

*The St. Louis Star-Times.*

"Passage by the House of Representatives of the bill to deport Harry Bridges, CIO leader on the Pacific Coast, was an affront to the constitution, to the dignity of Congress and to thousands of organized workers who have endorsed and followed Bridges for many years."

### **The Real Issue**

The CIO recognizes that the Allen Bill to exile Harry Bridges is a threat to the labor movement. The CIO Executive Board in June, 1940, passed a unanimous resolution which said in part:

" . . . the bill is designed to damage the CIO in California and ultimately throughout the west coast, and as such is an attack on the entire CIO."

The Allen Bill is not simply an attempt to deport "the alien, Harry Renton Bridges." The fact that Bridges happened to be born in Australia is not the main issue in this case, nor is the unconstitutional character of the bill the only issue at stake.

The real issue is the fundamental right of people in America to organize, as guaranteed by the law of the land, for the betterment of their living and working conditions. The instigators of this bill do not agree in their hearts that Americans should have this right. They do not want to see American workers organized in free, democratic, effective trade unions.

That is why they are leading the drive against Bridges—not because they regard one individual as a menace to the United States, but because they regard the organization of the longshoremen, of the maritime workers, of all workers, as a menace to what they consider their interests.

And that is why every worker, every progressive, every honest, thinking person in America should oppose the Allen Bill.

The bill is now before the Senate. Write to your Senators and to the President. Tell them why you oppose the bill. *Make your voice heard.*



Price 2c Each

For further information and quantity prices, apply

**HARRY BRIDGES DEFENSE COMMITTEE**

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