

No Proof of Subversive Acts by C.P., Probers Say

San Francisco Chapter
of National Guild
Issues Pamphlet

WOMEN ASKED INVESTIGATION

Survey Sees Destruction
of Democracy as Real
Aim of Committee

(Special to the Daily Worker)

SAN FRANCISCO, Nov. 14. — "Propaganda groups such as the Dies Committee must be condemned by the American people," says the San Francisco Chapter of the National Lawyers Guild in a 5,000-word pamphlet released here, if "American democracy and the Bill of Rights are to be maintained."

The study of the witch-hunting committee reviews its activities from its inception and the survey on which it is based was made at the request of the Women's Executive Committee, Democratic Party of Northern California. The women's organization passed a resolution calling for such a survey on May 23.

The pamphlet also contains an analysis of the Dies Committee, signed by more than 100 prominent attorneys, which states that no evidence has been produced by Dies to show that the Communist Party is "controlled by Moscow" or that it is "subversive of American Democracy."

"THE REAL OBJECTIVE"

The pamphlet, issued in an edition of 5,000 copies is entitled "In the Court of Public Opinion, Indictment, People of the United States of America vs. the Dies Committee. The local Chapter of the National Lawyers Guild is "Attorneys for the People."

Congress is strongly urged to turn down the request of Dies for funds with which to conduct his inquisition.

Red-baiting such as the committee has made a specialty of has invariably been followed by attacks on liberal organizations and the trade unions, the Guild warns, "on the pretext that they are communistic."

"Thus, what began as a purported attack on Communism," the Guild finds, "culminates in the real objective, the destruction of Democracy. The committee's repeated violations of the United States Constitution shows this process already in an advanced stage. This technique cannot succeed unless the people are suffering economically or undergoing an emotional strain. Such was the situation in Germany and Italy.

WAR HYSTERIA

"Today in the United States in the face of a developing world war, the American people are subject to a great emotional strain. Just as in the last world war, emotional patriotism may readily be directed against any group or groups by pure propaganda. In times of stress the lack of factual support for an attack does not render it less effective.

"Herein lies the real danger from the activities of the Dies Committee. Our investigation has disclosed that the attack by the Dies Committee on liberal organizations, liberal individuals and trade unions as communistic, and hence un-American, without regard to the actual activities of these so labelled, follows the fascist and Nazi pattern.

"President Roosevelt has stated that in these times it is of vital importance for the preservation of democracy in the United

LAWYERS BLAST DIES AS BILL OF RIGHTS, BLAST

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States that no rumors and charges be accepted without a thorough investigation of the facts. The technique of the Dies Committee violates this principle. If American democracy and the Bill of Rights are to be maintained propaganda groups such as the Dies Committee must be condemned by the American people.

RIGHTS OF LABOR

The pamphlet charges that the Dies Committee, reporting to Congress has taken the position that any invasion of property rights is un-American, and further that

"The pertinent question whether any general invasion of property rights is for the purpose of protecting human rights, is regarded. Thus from the committee's definition of Americanism it must follow that any attempt to add a Child Labor Amendment to the Constitution would be un-American as an encroachment upon property rights. For the same reason, the Wagner Act would be un-American because it invades property rights for the purpose of protecting the right of Labor to bargain collectively."

The Dies assumption that "the man who advocates class-hatred is un-American" was also assailed. The pamphlet points out that the term class-hatred is not defined by

Dies.

"The committee so applies the term," says the pamphlet, "that any complaint against the rights and freedom of one group by another or against discrimination between groups constitutes class hatred and is un-American."

SURVEY DOCUMENTED

"Anyone who, in a conflict between property rights and human rights, advocates the latter, is accused of fomenting class hatred and of being therefore un-American. Upon the basis of this tenet the committee accepted testimony dealing with efforts to direct attention to Labor injustice and to the plight of the Negro in the southern states as proof that such activity was in effect arousing class hatred and thus was un-American."

"To the Dies Committee it is un-American to say that the poor are poor."

The pamphlet is documented throughout with whole pages of references from the Dies report to Congress.

It blasts the Dies charges that "evidence was received to establish that Communists through lawlessness, and violence have practically paralyzed many industries on the West Coast."

"A careful examination of the entire transcript," the Guild declares, "shows no shred of any

such evidence."

Red-baiting attacks by the Committee on Gov. Olson, Senator Downey and Lieut. Gov. Patterson were designed to "influence the California electorate toward reaction," says the pamphlet.

TESTIMONY ASSAILED

This is clearly demonstrated, the attorneys show, by the fact that not a word of the so-called evidence against these officials was included in the report which was presented to Congress.

"Conclusions drawn by the Committee from unreliable testimony are improper," says the pamphlet. Based on the premise that Communists are engaged in un-American activities the Dies Committee evidently concluded that all that was necessary in order for it to perform its duty was to ascertain the names of the organizations of which Communists were members.

"The fallacy of this position is best evidenced by the fact that for many years the Communist Party has officially supported the Child Labor Amendment. According to the logic of the Dies Committee this of necessity renders the Child Labor Amendment and all of its supporters un-American."

"If the committee's tacit assumption were to be applied consistently it would mean that everything which receives the

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support of the Communist Party is thereby rendered un-American."

THE CONCLUSIONS

The conclusions reached in the pamphlet are:

"1.—That the Dies Committee did not, and never seriously intended to, investigate un-American activities as the term 'un-American' is understood by the average American.

"2.—That, after a few perfunctory gestures toward the examination into fascist and Nazi activities the committee turned its attention to its real, though unannounced objectives, and that such information regarding Nazi, fascist, subversive propaganda of 'native origin' as was disclosed was not followed up but that on the contrary every effort was made to stifle and suppress such disclosures.

"3.—That the Dies Committee did not prove or attempt to prove that Communists are un-American, but, instead, used the term 'Communist' as an epithet in an attempt to discredit all Americans holding views different from those of its chairman and the majority of its own members.

"4.—That the Dies Committee conducted its hearings with the deliberate purpose of smearing prominent members of the Roosevelt administration, the New Deal

policies, the labor movement, and every prominent organization and outstanding individual in and out of the administration whose views did not accord with its limited conception of Americanism.

"5.—That the Dies Committee, though nominally non-partisan, intervened in the recent elections to influence the outcome by means of the testimony of personal opponents and political enemies of the candidates and by other irresponsible persons in order to defeat supporters of the Roosevelt administration and the New Deal.

"6.—That the Dies Committee, while giving lip service to impartiality and fair play, and proclaiming its devotion to Americanism and American institutions, used its hearings, the forum provided by Congress, for the dissemination of irresponsible slanders against honest public servants and private individuals and against public-spirited organizations on testimony consisting of surmise, conjecture, unfounded opinion, unsupported conclusions and unwarranted deductions, without any attempt at verification or confirmation, which no self-respecting fact-finding agency anywhere would consider—a proceeding wholly unworthy of a committee of the legislative body of a great and free republic."

The analysis of the Dies Committee which is signed by attorneys such as the late Frank P. Walsh of New York, Prof. Louis L. Jaffee of Buffalo, Prof. Fred Rodell of New Haven, Clore Warns of Los Angeles and A. O. Tapper of Chicago, shows that Dies has offered no evidence of "subversive" activities of the Communist Party.

The Committee accomplishments, the analysis states, "consist of a mixture of futility and falsehood. One would prefer to believe that this is the result of lack of competence rather than of deliberate design. One is loath to believe that a committee of the United States Congress of the year 1938 would deliberately embark on a course of witch-hunting and red-baiting when the consequences of such a course are so plainly manifested in Italy and Germany.

"Mussolini's and Hitler's march to power were accompanied by the same reckless bandying of the epithet Communist. Once in power, however, not Communists alone were victimized. For the outlawing of the Communist Party in Germany after Hitler's assumption of power was followed in short order by similar orders against the Social Democrats, the Liberals and finally, the Catholic Party."