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1939

In June 1935 Earl Browder, general secretary of the Communist Party of the USA (CPUSA), declared that “Communism is the Americanism of the twentieth century.” A modern Declaration of Independence would draw not on the ideas of “French Encyclopedists and the British classical political economists,” but instead on “the teachings of Marx, Engels, Lenin and Stalin, the modern representatives of human progress.” By the mid-1930s, Communism cast a long shadow over radical traditions such as syndicalism, anarchism and socialism, and Marx’s legacy had been claimed by the CPUSA and the Soviet Union. In the Popular Front years, Browder’s party also claimed the mantle of “the revolutionary traditions of Americanism.” Indeed, Browder said, “We are the only ones who continue those traditions and apply them to the problems of today.”¹

That year in Moscow, Stalin’s government had begun rounding up Old Bolsheviks such as Gregory Zinoviev and Lev Kamenev, accusing them of conspiracy against the Soviet regime in league with “Japanese-German-Trotskyite Agents.” The “show trials” that started in 1936 were held in open court, featuring elaborate confessions by the accused of extraordinary plots, before Western journalists from publications such as the *New Statesman* and the *New Republic*. Trotsky fled to Mexico City for refuge, where he produced a steady stream of denials, refutations, and denunciations of the show trials. He did so for a simple reason: the show trials were extremely convincing. As a *New York Times* reporter explained in March 1938, while many wondered “Are the Moscow treason trials faked?” in fact the “cases were well-founded” and “at the very least there had been a widespread and dangerous conspiracy to overthrow the Stalin regime.”² The apparatus of a public inquiry—the accused

¹ Earl Browder, “What is Communism? Part 8: Americanism - Who Are the Americans?” *New Masses*, June 25, 1935, 13-14.

² “Wide Plot Shown by Moscow Trial,” *New York Times*, 14 March 1938, p. 4.

facing the accusers, a panel of cross-examined witnesses, a respected judge, and evidence available for observers to assess—carried legitimacy that could confer legitimation on adjudications of great controversies.

In the US, there was a proliferation of public inquiries into matters involving Marxism and Communism in the late 1930s. Some were governmental, such as the Congressional Dies Committee on Un-American Activities (first convened in 1938), or the New York legislature's Rapp-Coudert Committee investigation of subversion in schools (begun in 1939). Others were organized by trade unions and political organisations to investigate and pronounce on the loyalties of their members. They took up similar questions: Who was a Communist? Could Communism be compatible with other loyalties, to party, union, or country? What was the difference between Marxist ideas and class solidarities and Soviet—or American—Communism? Most of these inquiries focused on American Communist organizing, particularly within industrial unions, and on Communist influence on American cultural and political institutions (such as the Dies Committee's examination of the Federal Theater Project.) As if following Browder's lead, they tended to focus on Communism's American manifestations.

Three of these inquiries show radicals attempting to carve out ideological space between Marxism and Stalinism, and they illuminate how the political spectrum of American radicalism began to narrow in the late 1930s. It became increasingly difficult for American Communists to separate themselves from events in the Soviet Union. In 1937, Leon Trotsky successfully defended himself against charges of treason by claiming that he, not Stalin, was the true heir of Marx. In 1939, maritime union leader Harry Bridges won his deportation trial by disavowing Communism, while heartily endorsing Marxism. But after the 1939 Nazi-Soviet Non-Aggression Pact, Stalin eclipsed Marx in American politics. In 1940, Elizabeth Gurley Flynn lost her fight against expulsion from the American Civil Liberties Union when

she tried to defend the Soviet Union and the CPUSA as socialist projects. Despite Browder's best efforts, Stalinism had become the sign of Communism in twentieth-century America.

These struggles over the nature of American Communism remind us of the importance of transnational dynamics in shaping the politics of what Michael Denning called "Popular Front solidarity." Since its publication in 1997, Denning's *The Cultural Front* has served as a touchstone for interpretations of the culture and politics of the Popular Front years.³ Denning sought to show how the culture of the "CIO working class" had grown organically out of domestic substrates such as an American "moral economy" and "working-class ethnic Americanism." In Denning's account, the "zigzags of international diplomacy" and the "crises of foreign movements, parties and regimes" were less important than the internal dynamics in American political economy. International dimensions appeared largely in his descriptions of American radicals' involvement in the Spanish civil war or support for Ethiopia. The Moscow show trials and Nazi-Soviet Pact scarcely appear in the book, nor does the Comintern. This domestication of the American left reproduced the discourse of Earl Browder's Popular Front nationalism. Revisiting *The Cultural Front* now, after the transnational turn, Denning's version of the American 1930s looks strikingly insular. Recent literature on the interwar left has brought the Soviet Union back into the story. Scholars such as Erik McDuffie and Minkah Makalani have shown how the Comintern played a central role in facilitating international black liberation movements, and also how the contradictions of Soviet Communism forced black radicals to forge new left political identities.⁴ Just as historians can no longer write out the international dimensions of interwar radicalism, the

³ Michael Denning, *The Cultural Front: The Laboring of American Culture in the Twentieth Century* (New York: Verso, 1997).

⁴ Erik S. McDuffie, *Sojourning for Freedom: Black Women, American Communism, and the Making of Black Left Feminism* (Durham, NC: Duke University Press, 2011); Minkah Makalani, *In the Cause of Freedom: Radical Black Internationalism from Harlem to London, 1917-1939* (Chapel Hill: University of North Carolina Press, 2011.)

“zigzags” of international events, especially in the Soviet Union, cannot be written out of the crises of the Popular Front.

In August 1936, the sixteen defendants in the first Moscow show trial were convicted of sabotage of the Soviet state and executed, and another eighteen went on trial beginning in January 1937. In absentia, Trotsky featured centrally in the hearings, and Trotsky frantically tried to vindicate himself in the eyes of the West, if not in a Soviet courtroom. He unsuccessfully sought a tribunal from the League of Nations, then made a dramatic plea for a “public and impartial Commission of Inquiry.” Trotsky promised that if such a Commission found him guilty “in the slightest degree” of Stalin’s charges, he would “place myself voluntarily in the hands of the executioners of the G.P.U.” Trotsky’s allies organised a “Joint Commission of Inquiry” to hold the trial. They recruited ten activists, intellectuals and writers to serve as commissioners, most of them critics of Stalin, such as Otto Ruhle and Carlo Tresca; half of the members were Americans, including journalists Benjamin Stolberg, Suzanne LaFollette and John R. Chamberlain. The panel was not particularly renowned, with the exception of its chairman, John Dewey, who was nearly eighty years old. Dewey, an avowed liberal, had been a longtime critic of the Soviet Union, which gave Dewey real credibility. Trotsky trumpeted the panel’s objectivity, embodied by Dewey: “Fortunately, not everybody can be bought. Otherwise humanity would have rotted away a long time ago. Here, in the person of the Commission, we have a precious cell of unmarketable public conscience.”⁵

The inquiry, held at the home of Diego Rivera and Frieda Kahlo, lasted a wearying ten days. There was no prosecutor; instead the Commission’s counsel John Finerty put questions to Trotsky about the various accusations made against him in Moscow, and Trotsky

⁵ All quotations from the Commission of Inquiry come from the Marxist Internet Archive digital version of the proceedings, published originally as John Dewey et al, *The Case of Leon Trotsky. Report of Hearings on the Charges Made Against Him in the Moscow Trials* (New York, 1937), at <https://www.marxists.org/archive/trotsky/1937/dewey/index.htm> (accessed 16 June 2019).

rebutted them with his characteristic eloquence and invective. The proceedings were transcribed as a public record. Throughout, Trotsky sought to vindicate the ideology of the Bolshevik Revolution from Stalin's perversions. Marxism was not implicated in Stalinism; to the contrary, "The formulas of Marxism, expressing the interests of the masses, more and more inconvenienced the bureaucracy, in so far as they were inevitably directed against its interests." Indeed, Trotsky himself embodied the true spirit of Marxism, he claimed: "From the time that I entered into opposition to the bureaucracy, its courtier-theoreticians began to call the revolutionary essence of Marxism – 'Trotskyism.'"

Trotsky's devastating critique of Stalin's regime was hard to ignore. Trotsky painstakingly dissected the factual inconsistencies and illogic of the show trials: "Either the entire old generation of Bolshevik leaders, with a single and sole exception, has really betrayed Socialism for fascism, or the present leadership of the USSR has organized a judicial frame-up against the founders of the Bolshevik Party and the Soviet state." He offered a tart explanation of the defendants' confessions as simple terror: "When anybody has to choose between death at one hundred per cent, and death at ninety-nine per cent, when he is in the hands of the GPU, he will choose the ninety-nine per cent against the hundred per cent." The Trotsky Commission supplied a real-time counterpoint to the show trials, and a crack in the edifice of legitimacy that Stalin had sought to create. Late in 1937, Dewey's Commission issued a blanket acquittal of Trotsky plainly titled *Not Guilty*. While few allies or critics of Trotsky changed their mind about him, clues of Soviet repression circulated more widely among leftists and liberals, and acknowledging the truth of the trials "became a measure of intellectual integrity," in Judy Kutulas's words. "The result was anti-Stalinism."⁶

⁶ Judy Kutulas, *The Long War: The Intellectual People's Front and Anti-Stalinism* (Durham: Duke University Press, 1995), 121.

In his closing remarks, Trotsky told the Commission that “dragged into the light of day, the Stalinists are not fearsome.” Trotsky’s assassination in 1940 by a Soviet agent is a well-known tragic coda to this story. Less well-known is that in late 1939, a Dies Committee investigator invited Trotsky to testify before the Committee, and Trotsky accepted the invitation. He later insisted that he had intended only to further expose Stalinist abuses, not to succor the forces of American reaction. Humiliatingly, the Committee shortly withdrew the invitation, leaving Trotsky as a seeming collaborator without an opportunity to justify himself. On May Day in 1940, Communists marched through Mexico City with a banner demanding his ouster from the country. Trotsky called on Mexican President Lazaro Cardenas to make a public inquiry into the matter, to no avail.⁷ The politics of the late 1930s continually trapped leftists in a conundrum: criticizing the Soviet Union and its increasingly tight control over international Communist parties also gave ammunition to red-baiters and antiradicals.

Harry Bridges navigated this dilemma better than anyone. Bridges, born in Australia, had been an activist in the West Coast longshoremen’s union since the early 1930s and he had helped lead the 1934 Pacific Coast maritime strike that produced a general strike in San Francisco, a coastal maritime agreement, and a new CIO union, the International Longshoremen and Warehouse Union (ILWU). Bridges was a stalwart of the radical unionism of the 1930s, and like CIO leader John L. Lewis, he always worked closely with radical and Communist unionists. Unlike Lewis, Bridges himself was also a radical. As an immigrant from Australia, this made him vulnerable to deportation under the 1918 Immigration Act, which permitted deportation of aliens who advocated the violent overthrow of the government. Throughout the 1930s, he was hounded by labor spies and freelance

⁷ On this episode see Patrick Iber, *Neither Peace Nor Freedom: The Cultural Cold War in Latin America* (Cambridge: Harvard University Press, 2015), 40-41.

antiradical investigators such as Harper Knowles, and also denounced by AFL unionists as a dangerous Communist. The problem for Bridges's opponents: there was no hard and fast evidence to prove that he had actually joined or worked with the Communist Party. Since Bridges himself had never publicly advocated the overthrow of the government, proving his Party membership was a crucial proxy.

Several of the early Dies Committee hearings focused on the West Coast longshoremen and Bridges. Witnesses such as Knowles alleged that the Communist Party was behind the labor unrest and that Bridges was a secret Party member. But they rarely had good evidence to prove it. In 1938 and 1939, being a member of the Communist Party was not illegal, to the frustration of antiradicals, but it did provide a basis for deporting radical aliens. Thus the Dies Committee witnesses repeatedly called on the Labor Department to initiate deportation proceedings against Bridges. Secretary of Labor Frances Perkins had met Bridges and reviewed the evidence purporting to establish his Party membership, and found it unconvincing. But Dies threatened to impeach Perkins if she did not take up the matter. Bridges, for his part, thought that letting Dies carry on with his Congressional investigations would taint the case against him. Bridges thus requested that Perkins issue an arrest warrant and begin the deportation process. Harry Bridges wanted a public trial.⁸

So did Perkins. Her credibility was on the line, and she knew that the evidence against Bridges was weak. Rather than order a standard deportation hearing, presided over by Department of Labor officials, Perkins enlisted a high-profile judge to adjudicate the case: James W. Landis, dean of the Harvard Law School. Landis was a former clerk to Supreme Court Justice Louis Brandeis, and the recent chairman of the new Securities and Exchange

⁸ For a very helpful overview of Bridges's various trials, see C.P. Larrowe, "Did the Old Left Get Due Process—the Case of Harry Bridges," *California Law Review* 60, no. 1 (January 1972), 39-83.

Commission. His *New York Times* obituary described him as having the “rare distinction of being regarded as a conservative by liberals and as an extreme liberal by conservatives.”⁹

Like Trotsky, Bridges and his judge sought the maximum publicity for the case. The trial was held at the immigration station at Angel Island in San Francisco, and Landis insisted that the trial would be open to the public, issuing press passes and admitting representatives from the American Civil Liberties Union, the International Labor Defense, and the Associated Farmers of California. The trial ran from July 10 through September 14, 1939, with 55 witnesses. It was quite a spectacle. For Bridges, the audience was not merely the immigration authorities, but also the trade unionists whom he hoped to attract and retain in the new ILWU.

In the trial, the question of deportability hinged on whether Bridges was a member or affiliated with the CPUSA, and Bridges said that he wasn't. A stream of witnesses from the Oregon National Guard, antiradical organizations, and former Party members insisted that Bridges had formally joined the party, but none of them stood up under cross-examination. Finally, it was Bridges's turn. According to Landis, Bridges actively sought the help of the Communist Party in his organizing efforts: “he not only welcomed Communist aid, but protested against severance of this friendly relationship when the red-baiting cry of the other side made severance a wise policy.”¹⁰ Bridges refused to exclude Communists from the union and “regarded them, in the main, as ‘militant and sincere’ and as good union men.” Moreover, Bridges endorsed “the social ownership of the means of production,” he spoke at length about the class struggle, and he argued that in the event of a “capital strike,” workers should seize the factories and operate them. But to Landis, this was not evidence of Communism. Rather, Bridges distanced himself from the “reliance placed by Communist

⁹ *New York Times*, 31 July 1964.

¹⁰ James McCauley Landis, *In the Matter of Harry Bridges: Findings and Conclusions of the Trial Examiner* (Washington, DC: GPO, 1939), 124.

theory in true revolutionary tactics,” because “pursuit of such aims was utterly impracticable, indeed, so impracticable as to not deserve the dignity of governmental suppression.”¹¹

Instead, Bridges’s testimony drew on the discourse of American populism: he framed farmers and workers as arrayed against a small cabal of special interests, and insisted on “the extension of the democratic machinery” as the best cure for political unrest.

Landis’s finding: there was no evidence to justify Bridges’s deportation. As with Trotsky, Bridges’s public strategy had paid off. Bridges laid claim to the core tenets of Marxism, but brushed off their Communist or Soviet variants. Bridges was vindicated, but it didn’t last long. The Smith Act of 1940 made it easier to deport aliens suspected of radicalism, and J. Edgar Hoover’s FBI swiftly opened its own investigation of Bridges, resulting in his trial in 1941, again in 1950, and again in 1955. Remarkably, Bridges managed to prevail in all of these cases, and he retired from the ILWU in the 1970s and died in San Francisco in 1990.

Bridges was one of the last radicals of his era to operate within the outlines of Browder’s framing of Communism as Americanism. It began falling apart during the summer of Bridges’s trial, when the Nazi-Soviet Non-Aggression Pact was announced in August 1939. The pact smashed the last bonds of anti-fascism that had kept the Popular Front coalition together. The ACLU had already begun to sever its strong links to the CPUSA, and the Pact only accelerated the process. By early 1940, the ACLU formally resolved to bar Communists from its board of directors and staff. Elizabeth Gurley Flynn was a charter member of the ACLU, having made her mark as an organizer for the Industrial Workers of the World in the early twentieth century. After a hiatus away from politics from the mid-1920s through the mid-1930s, Flynn joined the Communist Party in 1936 and became a

¹¹ Landis, *Matter of Harry Bridges*, 126-130.

member of the national committee in 1938. Fellow ACLU board members Morris Ernst and Norman Thomas, head of the Socialist Party, led a campaign to oust her.¹²

Unlike Trotsky and Bridges, Flynn's trial was not public, but held at the City Club of New York, with no spectators. Colleagues she had known for decades sat in judgment of her. As a syndicalist for most of her life, Flynn had quite thin connections to the CPUSA, and very little experience of the Soviet Union, having never been there. In many ways she was an unlikely Communist. Yet she defended the Soviet Union, insisting that "the U.S.S.R. is not a totalitarian dictatorship; it is a Socialist state of workers and peasants."¹³ She added that "the U.S.S.R. guarantees and the majority of her vast population enjoy a larger degree of civil liberties enjoyed by the population of the British Empire," while the ACLU's antiradical resolution showed little concern for Irish, South Africans and Indians. She rebuffed criticisms of the Soviet Union in part by pointing out the hypocrisies of the West, and her aim with these arrows was true. An audience would have served her well.

Flynn also made a case for the CPUSA. When pressed by Arthur Garfield Hays about members' "obedience to the Communist Party," Flynn read out the CPUSA membership pledge. It read in part: "I pledge to work actively for the preservation and extension of democracy and peace, for the defeat of Fascism and all forms of national oppression, for equal rights to the Negro people, for the establishment of Socialism."¹⁴ This hardly seemed objectionable. Flynn tried hard to reclaim socialism for the CPUSA. In response to challenges about the CPUSA's commitment to civil liberties, Flynn retorted that the "Communist Party does not want to try to control the government. It is trying to bring about the control by the people of this country of the Government, and the setting up of Socialism in this country."¹⁵

¹² On Flynn's later life, see Lara Vapnek, "The Rebel Girl Revisited: Rereading Elizabeth Gurley Flynn's Life Story," *Feminist Studies* 44, no. 1 (2018), 13-42.

¹³ Corliss Lamont, ed., *The trial of Elizabeth Gurley Flynn by the American Civil Liberties Union* (New York: Monthly Review Press, 1969), 102, 104.

¹⁴ Lamont, *Trial of Elizabeth Gurley Flynn*, 115.

¹⁵ Lamont, *Trial of Elizabeth Gurley Flynn*, 129.

By 1940, this defense landed with a thud. Flynn was booted from the board, and the ACLU began its sharp turn toward legal liberalism. Flynn's failed defense marked an ending point for the discourse of American Communism as a force independent from the Soviet Union. After World War II, a new wave of investigations of American Communists commenced, headed by often undistinguished authorities such as Senator Joe McCarthy, with much less tolerance for the nuances of Marxist thought. There was no space for American Communism outside of Stalin and the discourse of totalitarianism, even for someone like Flynn, the "rebel girl" of the early IWW and an exemplar of native American radicalism. Flynn's trajectory marked the pitiless boundaries of the new era, and the intractable politics of the late 1930s.

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