

Communist organization was "An organization whose basic aim, whether open or concealed, is the abolition of our present economic system and democratic form of government and the establishment of a Soviet dictatorship in its place."

Now, the Chairman and Secretary of the Communist Party of America have protested that this bill would outlaw their organization. I agree that it would, and I say that it should. The United States Congress indicated in a preliminary way its approval of the bill when it voted on last Friday, by a vote of 296 to 40, to bring it up for action on Tuesday.

It might well be amended to some extent before it is finally passed, by both houses, because in some clauses directed against individuals it goes even beyond what I have urged. But I do believe that it will pass in the near future in a form that will definitely outlaw these Communist organizations in both their underground and overground activities.

I further believe that this will be a precedent for similar action by the other free countries of the world, and that effective means will be developed to safeguard against the Fifth Column infiltration of the Communists.

Now, I recognize full well that there are some who very sincerely oppose my position in this matter. I am not certain of the reasons for Mr. Henry Wallace's opposition to my position, but I am confident that Governor Dewey's opposition is completely sincere. But I respectfully ask him to reconsider his opposition as I believe he is mistaken. His position in effect, means a soft policy toward Communism and all the evidence around the world shows that a soft policy wins neither peace nor respect, nor improvement, from the Communists. We must not coddle Communism with legality. They grasp every concession made, and continue their undermining action.

Consider these facts. There now are eleven countries of the world under the domination of the Communist leaders in Moscow. They are Russia, Poland, Czechoslovakia, Hungary, Yugoslavia, Rumania, Bulgaria, Albania, Estonia, Latvia and Lithuania.

In none of these eleven did the Communists ever receive majority support of the people in a free election. The last three were taken over by force during the war and held ever since. In every one of the remaining eight, the Communists used the legal recognition of Communist organizations as an overground nerve center and recruiting station for their underground movements, until they had seized power and brought the nation under the dictation of the Communist Politburo.

Russia was the first Communist-dominated nation. It came under this dictatorship through a combination of two main reasons. First, the bad government of the Czar; second, the organization developed by the legalized Bolshevik Party, which formed throughout Russia and elected six members to the Russian Parliament in the last election held in that country before the Communists came to power.

There seems to have been some mistaken idea that the Communists were outlawed in Russia. This is not correct. The Bolshevik Party was active in Russia right up to the first war with Germany. The Communists carried on a nation-wide election campaign in Russia in 1912, and elected six members to the Parliament or Duma. They used this means of developing their revolutionary organization and when they were caught in the attempted revolution in 1905 and in various sabotage and train wreckings and bombings, they were severely punished, but they were not outlawed as an organization.

When ~~this~~ present Communist Party did come into power in Russia, they promptly wiped out all other political parties and took the whole peoples under a firm and dictatorial grip.

In each of the other countries -- Poland, Yugoslavia, Hungary, Bulgaria, Rumania, Albania, and finally Czechoslovakia, the Communists used the blessing of legality as an aid to organizing an underground movement, and finally betrayed the liberties of the people and brought them under the domination of the Kremlin in Moscow. These are the facts which today cause a menace to Scandinavia and Western Europe. These are the facts which today present a danger of future world war.

Another mistaken impression is the claim that if we outlaw the Communist organization, that we thereby endanger the liberties and civil rights of other people. This is not true. In Canada the party was outlawed for years and the people lost none of their liberties. In fact, the Communists were permitted to operate legally again under the name of the Labor Progressive Party in 1943, and soon afterwards, in less than three years, it was found that the Communists were working directly with the Russian Embassy at Ottawa in a spy ring.

In order that we might narrow down our discussion and find out just exactly what the differences are in our positions, I should like to ask Governor Dewey specifically these questions:

- (1) Do you agree that the Communist organizations throughout the world are directed from Moscow?
- (2) Do you agree that the objective of the Communist organizations throughout the world is to overthrow free governments, destroy liberties, and bring the countries under the domination of the Kremlin?
- (3) Do you agree that Communist organizations throughout the world are a menace to future peace?
- (4) Do you agree that because of this menace to world peace it is necessary that we require American young men to serve in our armed forces and to take military training?

To make my position, then, clear, I say very definitely that

it does not add up, to me, to say that loyal, patriotic, young Americans must of necessity be drafted, that their liberties must be taken away in order to make America strong in the face of the menace to peace caused by Communist organizations, but that none of the privileges and blessings of legality should be taken away from the Communist organizations themselves, which, in fact, are causing the menace that makes the drafting necessary.

The fundamental principles of human liberty upon which this nation is founded are drawn from our basic religious concepts. Our founding fathers did believe that man has a spiritual value, that he is endowed by his Creator with certain inalienable rights, that he should have a human dignity, a respect for the welfare of others, that there is a brotherhood of man.

The constitutional rights in America are based on that concept. When one speaks of the constitutional right of organizations that are seeking to destroy freedom, there is a misconception of the deep basis of constitutional rights. There is no such thing as a constitutional right to destroy all constitutional rights. There is no such thing as a freedom to destroy freedom. The right of man to liberty is inherent in the nature of man. To win it and to maintain it requires courage and sacrifice, and it also requires intelligence and realism and determination in the establishment of the laws and the systems of justice to serve mankind.

I submit that the Communist organization in America and in the freedom-loving countries of the world should be outlawed.

REBUTTAL STATEMENT BY HAROLD E. STASSEN

Mr. VanBoskirk and your Excellency Governor Dewey, my fellow citizens:

Apparently we have narrowed this question down very much, and it hinges now primarily on the Mundt-Nixon bill.

The Mundt-Nixon Bill says "it shall be unlawful for any person to attempt in any manner to establish in the United States a totalitarian dictatorship, the direction and control of which is to be vested in or exercised by or under the domination or control of any foreign government, foreign organization, or foreign individual, or to perform or attempt to perform any act with the intent to facilitate such end."

Now, I hold that that directly fits and applies to the Communist Party organization in the United States and in the world today.

The question, then, is, Does it so apply? Obviously, you cannot and should not draft your law in such form that a mere name results in an outlawing. It is being directed by a foreign power for the purpose of undermining the liberty of the American people and overthrowing our Government which is the key point.

They are so doing. There should be no doubt of that.

Here is a quote from the Louis Budenz who left the Communist party. He said, "We must understand, then, before we get to the meat of the matter, that we are dealing with a conspiracy to establish Soviet dictatorship throughout the World."

There are many such instances.

Generalissimo Stalin, himself, said in the speech to the American delegation in 1928, and they are now reverting to that policy, "The Communist party of America, as a section of the Third International, must pay membership due to the Comintern. All the decisions

of the Congress of the Third International are obligatorily carried out by all parties affiliated."

In other words, the decisions in Moscow by the Kremlin must be carried out in America, so that definitely and directly the Mundt-Nixon Bill will outlaw the Communist party as it is now functioning in America and in the world.

In fact, perhaps we are coming down to a point where we can reach agreement. Although I heard the Governor say that he did not think the Mundt-Nixon Bill would outlaw the Communist party, I did not hear him say whether he would support that bill. Now, if he will say that he approves of and will support the Mundt-Nixon Bill, I will be satisfied that we have reached an agreement, that we have thereby outlawed the Communist party as it actually operates, and therefore we can go on on these other very important issues in this campaign.

I reiterate, if the Governor feels that he can support the Mundt-Nixon Bill, I will agree that that is sufficient to outlaw the party as it is now constituted, and we can go on to other important issues in the development of Oregon and in America.

Now, then, on this matter of the Communist party in Russia: The actual report, "The History of the Communist Party," which is an established work on what happened in Russia, states very positively that the Communists were not outlawed. The Bolshevik party, so to speak, was not outlawed in Russia and elected six members to the last Duma in the last elections which were held. I, of course, realize that we cannot, in these few minutes left in this debate, check references, but I submit to the Governor that he should look up his references in the history of what happened in Russia.

Now, then, the Governor says we have effective laws now, seventeen of them, that all we need to do is use them. May I ask, then,

Why is it that the Communist Party organization has been growing so strong in New York? New York is the national headquarters of the Communist Party of America. New York, with 9 per cent of America's population, has 40 per cent of the Communists in America.

New York is the capital, the Communist center in America, and from that center, from the national headquarters in New York, the Communists have been reaching out and infiltrating in the labor organizations of America. They have been prejudicing the sovereignty of this country and the harmonious relationships in labor. Clearly, does the Governor not agree that they have been operating underground now! It is not a matter of driving them underground by the passage of a law. They are underground and overground, and they themselves pick out which one best serves their purposes in each instance.

Now, I submit, so far as I have observed, there has only been one conviction of a Communist in New York in the last eight years, and that was the publisher or editor of the Daily Worker, and he was convicted for a libel against another editor, that really had no connection with Communist activity. If there are these laws now that are adequate, why have they not been used in New York? Why have they not been used in the Federal government? And has the Governor of New York called upon the Federal government to use Federal laws in cooperation with the State?

We found in a limited way in Minnesota, where we did have some Communist infiltration in 1938, which was causing strikes and violence and killings on the streets of Minneapolis, that we could make progress if we cooperated with the Federal Government, the State government and the local government moving together with the assistance of loyal patriotic American workmen to gradually weed them out. But we found we were greatly handicapped in completing the job because there was no law that directly related to the manner in which the Communists

took their orders from a foreign power. Let's be specific. If an underground order came from the Kremlin to the Communists in America and they held a secret meeting at which it was agreed that they were going to seek strikes in certain essential industries and stir them up in, we will say, industries that were going to develop some great dynamos for hydro-electric powers, or in any other way interfere with the potential of this country, even though every fact of that secret move was discovered, there is no law now under which we could act. Or suppose this underground word came and said that the Communists should move in around the Panama Canal and in Alaska and just establish themselves in various jobs and secret meetings were held where that was arranged, there is no law at this time in the books of this country that would permit us to move directly against that conspiracy. Under the present laws you would have to wait until a move of force was made or until they uncovered their hand in a very flagrant way.

What we need is a law that goes directly to the problem of the way in which the Communist organizations have been operating since the end of the war. They are the threat of war. We should not stumble along with laws that are out of date. We should bring our thinking up-to-date. It is not a matter of outlawing any ideas. It is not a matter of any thought control. What constitutional provision would prevent a law like the Mundt-Nixon Bill? Which article of the Constitution would it violate? I know of none that says that an organization may carry on in the manner in which the Communist organization is carrying on now. Therefore, it is open for legislative action, and I submit to the Governor that he earnestly reconsider his position, and specifically if he will say that he will now agree to support the Mundt-Nixon Bill unequivocally, then I will agree that we have reached a point of union on this important issue, and we will go forward with a constructive campaign in Oregon on those other very important questions that are before the people of this great state and before our America in the wake of war.

Mr. Van Boskirk, Mr. Stassen, Ladies and Gentlemen:

I am delighted to participate in this discussion, with my distinguished confrere, and I have listened with great interest to his eloquent discussion of the subject and of all of the other matters which he brought up.

He asked me four questions:

(1) Do you agree that the Communist organizations in the world today are under the direction of the Kremlin in Moscow?

Certainly.

(2) Do you agree that world communist organization is a threat to world peace?

Certainly.

(3) Do you agree that the objectives of these Communist organizations is to destroy the liberties of other men?

Certainly.

(4) If you agree to these things, under what provisions of the Constitution, as I took my quick notes here, and what legal action are you against outlawing them when we are drafting young men in time of peace to build up the defenses against Communist aggression?

The last question, of course, entirely begs the question. The question is not whether anyone is interested in helping any Communist preserve his liberties. No one in America has the slightest interest in the Communists. My interest is in preserving this country from being destroyed by the development of an underground organization which would grow so colossally in strength were it outlawed that it might easily destroy our country and cause us to draft all of the young men in the nation.

Now, I find that the difficulty, here, tonight, is that Mr. Stassen has not adhered to his subject or his statements. He says he is for the Mundt Bill, because, says Mr. Stassen, it outlaws the Communist party. But the fact of the matter is, he is in grievous error. The only authority he quotes is the head of the Communist Party, which is not exactly a very good authority for what is truth. Usually if a Communist says it does this you know it does the opposite. So let's find out whether the Mundt Bill does outlaw the Communist Party. That is the first job.

If the Mundt Bill did outlaw the Communist Party, then we would be able to debate it. Here is what Mr. Mundt says on May 14, 1948: "This bill does not outlaw the Communist Party."

On February 5, 1948, Congressman Mundt said: "I have been one of those who has not looked with favor upon proposals to outlaw the Communist party or to declare its activities illegal, because I fear such action, on the part of Congress, would only tend to drive further underground the forces which are already largely concealed from public view. What I want to do, said Mr. Mundt, is to drive the Communist functionaries out of the underground into the open where patriotic Americans in every walk of life can come to learn their identity and understand their objectives."

Now, we have the head of the Communist Party saying that it does outlaw them, and Mr. Stassen says so. Mr. Mundt, whose bill it is, says his bill does not outlaw the Communist Party.

So as between that debate, let us now see what the Committee says. After all, it is the Committee bill and the Committee presumably knows what its bill does.

In short, I have studied the bill. What it says is that it shall be a crime to endeavor to teach, to advocate, or to conspire to establish in the United States a dictatorship under the control of a

Bid for Presidency '48

Hayward

If he hadn't debated Dewey
he could have gotten Oregon.

11

Not too anxious, he had the
ball a rolling in '48. You
can't take presidency

He had won all primaries before Oreg ^{debate}
NH, Verm, Wisc, Ohio

foreign government. Well, if that isn't a crime now, then I have greatly misread all of the sections of the laws as they now are. But before going to that, that is number 1 in the Mundt Bill. That certainly does not outlaw the Communist Party. That simply says it is a crime to try to overthrow the government of the United States and establish a dictatorship under the direction of a foreign power, and if that isn't good sound doctrine I don't know good sound doctrine. But it doesn't outlaw the party. It says that Communists cannot hold public office. Well, theoretically they aren't supposed to be allowed to hold it now. It provides they can't get passports, and of course everybody is for that. That is the Mundt Bill.

Now, does that outlaw the Communist party? Mr. Foster, the head of the party, and Mr. Stassen say it does. Mr. Mundt says it doesn't. So what does the Committee say? The Committee reports -- this is the report of the Congressional Committee on UnAmerican Activities, whose bill this is. This Committee has been widely criticized ^{in our} ~~in our~~ country because it has been called a red-baiting committee. As a matter of fact, it has been doing a fine, solid, good American job for a great many months. It has done a fine job of exposing Communists and bringing them out in the open where they belong. Here is what the Committee says about the Mundt Bill, April 10, 1948:

"Too often a cursory study of this problem leads people to believe that the answer is very simple; that all we have to do is outlaw the Communist party, or pass a law requiring its members to register, and that the problem will solve itself. This is not the case. The Communist party in its operations presents a problem which is something new under the sun. It changes its spots and tactics and strategy without conscience."

I am continuing to quote from the report:

"Several bills before the Committee attempt to approach this

problem by outlawing the Communist movement as a political party. The sub-committee has found it necessary"-- and mark you this -- "to reject this approach."

I think it is perfectly clear that the Mundt Bill does not outlaw the Communist party, and Mr. Mundt and the Committee say that it doesn't. But just to complete it let me give you the rest of the point so there can be no possible misunderstanding that both Mr. Stassen and Mr. Foster, the head of the Communist Party, are wrong. The report of the Committee on the Mundt Bill continues:

"The Committee gave serious consideration to the many well-intentioned proposals which attempted to meet the problem by outlawing the Communist party."

Now, I am skipping a little. No, I will read it all.

"Proponents of this approach differed as to what they desired. Some wanted to bar the Communist Party from the ballot and elections. Others would have made membership in the Communist Party illegal per se. The Committee believes there are several compelling arguments against the outlawing approach." And then it gives them: " (1) illegalization of the party might drive the Communist movement further underground, whereas exposure of its activities is the primary need. (2) illegalization has not proved effective in Canada and other countries which have tried it. (3) we cannot consistently" -- and this is of the greatest importance -- "we cannot consistently criticize the Communist governments of Europe for suppressing opposition political parties if we resort to the same totalitarian methods here. (4) if the present Communist Party severs the puppet strings by which it is manipulated from abroad, if it gives up its undercover methods, there is no reason for denying it the privilege of openly advocating its beliefs in the way in which other political parties advocate theirs."

It is absolutely clear that the Mundt Bill does not outlaw

the Communist party. It was not intended to, and that is the exact opposite of what the Mundt Bill was intended to accomplish, and does accomplish.

So let's get back to the debate. Mr. Stassen said here in Oregon on April 27th, "I hold that the Communist Party organization should be promptly outlawed in America and in all freedom loving countries of the world," and he repeated this in many states, all the way from New Jersey to Oregon. That is the issue. Not the Mundt Bill. The issue is, "Shall we pass a law outlawing the Communist Party?" Now, I suppose if you say, Let's outlaw the Communist Party and preserve our liberties, and if you say it fast enough and don't think, it seems to make sense. But, my friends, it makes no sense. You cannot do both, and no nation in all the history of the world ever succeeded in doing it. The question before us is, "Shall the Communist Party be outlawed?" The only way I know that could be done is to declare by law the people calling themselves Communists would be denied a place on the ballot and that anyone who is a member of that party after the passage of the law should be tried and convicted and sentenced to prison for a crime. I believe in keeping the Communist party everlastingly out in the open so we can defeat it and all it stands for.

Now, this outlawing idea is not new. It is as old as government. For thousands of years despots have tortured, imprisoned, killed and exiled their opponents, and their governments have always fallen into the dust. This outlawing idea is as old as Communism itself. It is the fact -- and I might again refer, just to get our history straight, to the report of the House Committee on UnAmerican Activities: I quote from page 11 -- no, page 13 of the report dated -- Well, I can't find the date. It is the report of the hearings before the sub-committee on legislation, the Committee on UnAmerican Activities, 80th Congress, HR 4442 and HR 4581, I quote from page 13: "The

Communist Party was illegal and outlawed in Russia when it took over control of the Soviet Union." The fact is that the Czars of Russia were the first people in the world to follow this idea of outlawing the Communist Party. They whipped them and they drove them to Siberia, they shot them, they outlawed them, and in the very year, 1917, Lenin and Trotsky were exiled, and what was the result? This outlawing gave them such a colossal following, such enormous force, such great loyalty on the part of the people that they were able to seize control of all Russia with its 180 million people, and the first nation to outlaw Communism became the first Communist nation. That is what I do not want to happen to the United States of America.

For 25 years Mussolini outlawed the Communists, and they grew and flourished underground despite their punishment and their exile and their shooting. As a result, four weeks ago the Communists and their allies polled more than 30 per cent of the vote in the recent Italian election. In all of Nazi Europe the Communists were underground, and they emerged at the end of the war so strong that they were popular heroes. The French Maquis and others almost seized power in the governments of Europe at the end of this war because of the enormous strength that came to them from being underground, and Czechoslovakia is another beautiful example, and I am grateful to Mr. Stassen for bringing it up. For seven years in Czechoslovakia the Communists were underground by the Nazi tyranny and in those seven years they developed such enormous strength that they were able, shortly after the liberation of Czechoslovakia, which we could have done but our troops were pulled back and the Russian troops were allowed to go into Prague, they were able before long to take over the whole nation because they had flourished in the dark underground.

Here is an issue of the highest moral principle and practical application. The people of this country are being asked to outlaw Communism. That means this: Shall we in America, in order to defeat

a totalitarian system which we detest, voluntarily adopt the methods of that system? I want the people of the United States to know exactly where I stand on this proposal because it goes to the very heart of the qualification of any candidate for office and to the inner nature of the kind of country we want to live in. I am unalterably, whole-heartedly, unswervingly against any scheme to write laws outlawing people because of their religious, political, social or economic ideas. I am against it because it is a violation of the Constitution of the United States and of the Bill of Rights, and clearly so. I am against it because it is immoral and nothing but totalitarianism itself. I am against it because I know from a great many years experience in the enforcement of the law that the proposal wouldn't work, and instead it would rapidly advance the cause of Communism in the United States and all over the world.

Now, let's look at this: There is a war of ideas in the world, and we are in it. It is also a war of nerves. It is a conflict between two wholly different ways of life, the system of human freedom and the brutal system of the police state. On one side of this great world struggle are ranged all of those who believe in the most priceless right in the world, human freedom. We believe that every man and woman has a right to worship as he pleases, to freedom of speech, of assembly and of the press; we believe that every man and woman has an absolute right to belong to the political party of his choice. We believe, in short, that human beings are individuals and that they do and should differ among themselves. We know that each of us had within himself a portion of error, and we believe each of us has within himself a touch of God.

On the other side of this struggle, hating us and all we stand for, are the advocates of the all-powerful totalitarian state. They believe human beings are cogs in a machine, Godless creatures,

born to slave through life with every thought and every act directed by an overpowering, all-powerful government.

Everywhere these two conflicting schemes of life, the free system and the police state, are struggling for the soul of mankind. The free world looks to us for hope, for leadership, and, most of all for a demonstration of our invincible faith that the free way of life will triumph so long as we keep it free.

Now, as in all the days of our past, let us hold the flag of freedom high.

As I have watched this proposal, this easy panacea of getting rid of ideas by passing laws, I have been increasingly shocked. To outlaw the Communist party would be recognized every place on earth as a surrender by the great United States to the methods of totalitarianism. Stripped to its naked essentials, this is nothing but the method of Hitler and Stalin. It is thought control, borrowed from the Japanese war leadership. It is an attempt to beat down ideas with a club. It is a surrender of everything we believe in.

There is an American way to do this job, a perfectly simple American way. We have now 27 laws on the books, and I have the whole list of them in front of me, outlawing every conceivable act of subversion against the United States.

I spent eleven years of my life as a prosecutor in New York. That was in the days when they said nobody could clean up the organized underworld. They said we had to use the methods of dictators. We had to go out and string them up. I have had judges and people in high places tell me that. But a group of young men took it on, and week after week, month after month, year after year, they worked, and they delivered the City of New York from the control of organized crime, and they did it by constitutional means and under the Bill of Rights.

We can do that in this country. All we need is a government which believes in enforcing the law, a government which believes wholeheartedly in human freedom, and an administration of our government which will go ahead and do the job.

I have no objection to the strengthening of the laws. In fact, I have spent a good many years of my life endeavoring to strengthen the criminal laws of our country, and they should be strengthened; but let us remember for all time to come in these United States that we should prosecute men for the crimes they commit, but never for the ideas that they have.

The times are too grave to try any expedients that have failed. This expedient has failed. This expedient of outlawing has failed in Russia; it failed in all Europe; it failed in Italy; it failed in Canada.

And let me point out that in Canada they tried it once, and the Communist Party grew so powerful and so dangerous that they repealed the law in 1936, and in 1940 they tried it again and the Communist Party came right up with a dozen new false faces exactly as it would do if you passed this ludicrous law to outlaw them now. They would come up under forty new fronts. They would then say, "We are not Communists any more," exactly as they did in Canada. "We are just good Canadians working to support our government."

And what happens? What happened in Canada is exactly what would happen here. They became so strong that during the war, in the face of a law which said it is illegal to belong to the Communist Party, they developed the greatest atomic bomb conspiracy in history, and Canada had to repeal the law.

Let us not make such a tragic blunder in the United States that we build up these dangerous, venomous subversive people with the power to overthrow our government. Let us never make the blunders that have been made throughout the history of the world. Let us go forward as free Americans. Let us have the courage to be free.

FINAL REBUTTAL STATEMENT BY GOVERNOR THOMAS E. DEWEY

GOVERNOR DEWEY: Mr. Van Boskirk, Mr. Stassen, Gentlemen, Ladies and Gentlemen: I gather from Mr. Stassen's statement that he has completely surrendered. The Mundt Bill obviously does not outlaw the Communist Party. Mr. Stassen, in these words, has, from Oregon to New Jersey and back again, gone before audiences of the American people demanding in these words that the Communist Party be outlawed in the United States and in the other free nations of the world. The Mundt Bill does not outlaw the Communist Party. The only authorities Mr. Stassen cites for his claim that it does are the present head of the Communist Party and a former Communist, whereas I point out very clearly that the author of the bill, Mr. Mundt, the Committee which sponsored it both say in the official record of the Congress of the United States that the bill does not outlaw the Communist Party. Now, if Mr. Stassen says that that is all he wants, then he has completely surrendered, because he admits that he didn't mean it when he has been demanding from one end of this country to the other that the Communist Party be outlawed, and he is willing to settle now, when confronted with the facts, for a law which the author and the committee say does not outlaw the party, which, of course, it doesn't.

Now, as a matter of fact, there are -- I made a mistake awhile ago -- there are not 17 laws, there are 27 laws in the United States on this subject. There is the 1938 Act requiring all agents of foreign governments to register under penalty of five years imprisonment and \$10,000 fine. The Voorhis Act of 1940 requiring registration of all subversive agents. The Smith Act, which makes it unlawful to teach or advise the desirability of overthrowing the government of the United States by force or to publish any literature teaching, advising,

suggesting or to conspire to do so, all under a penalty of ten years imprisonment and \$10,000 fine. All the things of which Mr. Stassen has spoken are covered by the Smith Act, by the Treason Bill, and the Misprison of Treason, inciting rebellion, insurrection -- I am reading the titles of these laws -- criminal correspondence with a foreign government, sedition, conspiracy, subversive activity, sabotage, non-mailable matter, inciting mutiny, espionage, mutiny, sedition. That is about -- the list is endless. The Mundt Bill is perfectly harmless probably. I have some doubts about its constitutionality. It supplements these bills in a very small way. It doesn't outlaw the Communist Party. It may have the virtue of helping to keep them out in the open because its main provisions are that the Communists must register, must register all their members and keep them everlastingly out in the open. That is a very good provision of law. The other points of it, if they are constitutional, they're swell.

Now, let's get down to the rest of the subject. Mr. Stassen has surrendered. He is no longer in favor of outlawing the Communist Party. He is now willing to be content with a bill which simply says what is practically already in the law, which all the sponsors in the Congress say does not outlaw the party. But this is so dangerous, this idea; it is so fundamental to American liberties that I should like to enlarge upon it just a little. Mr. Stassen has spoken of New York; he has spoken of our history. Let me give you just a bit of history. One-hundred and fifty years ago the French -- the French were the Bolsheviks of the world -- they had a violent revolution, and they beheaded their nobility just as the Communists did in Russia. First, they had purges of the old government; then they had purges among themselves; and then they started rattling their swords for world conquest. It is all just like the movie we have been through, and this is where we came in. We see the same thing now 150 years later. Many

people in the infant American republic were trembling in their boots just as some Americans now tremble in theirs. They were afraid for the cause of free government. The Federalist Party was in power and it proceeded -- but let me quote from Chaffee, one of the great American historians, who writes, "In 1798 the impending war with the French, the spread of revolutionary doctrines, by foreigners in our midst and the spectacle of the disastrous operation of these doctrines abroad" -- I am still quoting -- "facts, all of which," says Mr. Chaffee, "have a familiar sound today, - led to the enactment of the alien and sedition laws. These laws punished false and malicious writings against the Government, the Congress, and the President, if they were intended to excite the hatred of people or to stir up sedition or to aid any hostile design of any foreign power against the United States. The acts created such a furor and opposition that the whole country was in turmoil."

The only Federalist leader who dared speak out for the Bill of Rights was John Marshall, who later became the great Chief Justice of the Supreme Court, but the Federalists went bullheadedly ahead. The Act was used to punish even Republican editors who had criticized President Adams, and ten of them, all Republicans, were fined and sent to prison. Soon every person who was prosecuted, however violent the language he had used, was treated as a martyr and a hero.

Adapting what the historians, Charles and Mary Beard, describe in their "Basic History of the United States" as "underground political tactics," Thomas Jefferson wrote an indictment of the laws and persuaded the State of Kentucky to declare them null and void. At the next election Thomas Jefferson was elected President of the United States, and the Federalist party was utterly wrecked. Jefferson pardoned all the victims of his laws; Congress later refunded all the fines; and Thomas Jefferson's party held uninterrupted office in the United States for twenty years.

That was the result of an early American attempt to shoot an idea with a law. You can't do it.

And now that Mr. Stassen has surrendered on his outlawing idea, let's nail this thing down so hard no American will ever again seek to give the slightest impression to our people that it can be done. It can't. It is self-destructive.

Even in the midst of the Civil War General Burnside tried to suppress the newspapers that were hostile to our Government. General Burnside put them out of business, and Lincoln gave him orders to quit, saying, in strong language, "It is better that the people hear what they have to say than fear what they might say if they were suppressed."

Now, we have a lot of Communists in New York -- we have a great many of them -- and they cause us great trouble; but we lick them. The number in the country is down from 100,000 two years ago to 70,000 last year to 68,000 this year. In New York their influence is at the lowest ebb in its history. They ganged up with the Democrats, the American Labor Party, the miscalled Liberal Party, and the PAC, to beat us. Two years ago the Communists labeled me as their Public Enemy Number 1, and we licked them by the biggest majority in history. Why? Because we kept them out in the open, because we everlastingly believe in the Bill of Rights, because we know that if, in this country, we will always keep every idea that is bad out in the open, we will lick it. It will never get any place in the United States.



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