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# Secretary Wilson's Ruling: An Editorial from *The Toiler*

by Elmer T. Allison

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Although unsigned, this appeared under a masthead naming Elmer Allison as editor.

The ruling of Secretary of Labor [William Bauchop] Wilson, that membership in the Communist Labor Party does not constitute in itself grounds for deportation, and that the advocacy of mass action, proletarian dictatorship, shop committees, and Communism are legal unless accompanied by the advocacy of force and violence in instituting them, comes somewhat as a surprise to Communists generally.

Since the January [1920] raids upon radicals of all hues the exact legal status of the Communist Labor Party has been in doubt. Soon after the raids were instituted, Secretary Wilson ruled that membership in the Communist Party constituted sufficient grounds for deportation of alien members and some were deported and others indicted. It was only natural considering the similarity of the principles of the two parties that a like fate awaited the alien members of the Communist Labor Party. That the adherents of Attorney General Palmer and his methods should sharply disagree with the conclusions of the Secretary of Labor would be expected since it is known that there have developed radical differences of policy between them. Naturally enough the Palmerites are peeved at the ruling. Apparently Palmer and his fellows are slated for the scrap heap.

What is beneath and behind the ruling of Secretary Wilson is not just now apparent. Communists have too much sense and

knowledge of capitalism and capitalist governments to assume that the decisions, however favorable to them, is based either upon a sense of justice residing within the Secretary's breast or upon a liberal conception of the fundamentals of American law and constitutional guarantees. Communists and Communist Laborites have stoutly disclaimed any fundamental differences in principle between them though readily admitting differences in tactics and internal organization. If Secretary Wilson has discovered vital differences perhaps he is to be congratulated upon his diligent researches. It is said that the Almighty moves in mysterious ways his wonders to perform. So it is with politicians. We must leave the future to reveal *why* Mr. Wilson discovers what all Communists have claimed — that we are legal and within the law in the statements of our Platform and Program methods and tactics.

What Communist Labor Partyites are concerned with, however, is not the *why* nor wherefore of Mr. Wilson's ruling, which is far reaching indeed placing our Party as it does in a perfectly legal position as regards political activities. We know that "Constitutional guarantees" in so far as the workers are concerned under capitalism are not guarantees at all but merely liberties loaned to them only so long as they use them in the interests of the capitalist class. It must be admitted that the capitalist class is in a quandary in the crisis which they are faced with. They have played the game of repression and have failed utterly in stamping out the reds. If the pendulum should swing to the opposite extreme and a measure of liberty be restored it should astonish no one.

Of vital importance to the Communist Labor Party will be the readiness and vigor with which they accept the definition of Secretary Wilson and push will all the force at their command the upbuilding of the organization. It is safe to assert that that which could not be destroyed by repressions and intimidations of Palmer and his agents and inquisitors must flourish with even a modicum of liberty of action. The January assaults were calculated to utterly destroy Communism in this country. How futile have been the efforts of the capitalist hangmen can be known

only to those very close to the Communist movement. We have lost little while many times the loss has been gained in experience, in knowledge of revolutionary tactics and methods.<sup>1</sup> The Communist Movement is so well established in this country that it fears nothing from whatever forms of repression capitalism may attempt to heap upon it. At the same time it is prepared to take full advantage of every opportunity to function politically. If the ruling of Secretary Wilson is genuine, and we must assume that it is, our duty lies open before us. Nothing less than political activity (participation in elections) should satisfy us — not because we have a sublime faith in it as a weapon to *accomplish* our aims but for the opportunity political campaigns afford us to propagate our ideas and to establish a close contact with the masses. At the same time the upbuilding of our shop committees must proceed with all possible vigor.

These then are the duties which the present days lay open before us. As we fulfill them shall we be judged by our Movement. Every Communist then to his task. **All Power to the Workers!**

*Edited by Tim Davenport*

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<sup>1</sup> This is a classic case of “whistling in the dark.” In reality, the American Communist movement was devastated by the ongoing policy of official repression, with the rival Communist Party of America being completely detached from its financial support for more than a month and ultimately losing two-thirds of its dues-paying members between Hoover’s raids and the writing of this editorial. Although monthly membership statistics do any seem to have survived in the archives, it appears that if anything the Communist Labor Party was even harder hit by state repression and the inherent limitations of the underground party regime which necessarily followed, being reduced to a mere shell of an organization.