

[Following are the Trial Committee report to the meeting of the Boston branch which heard the charges against members of the Communist Tendency, a minority report by John McCann, a statement from the Communist Tendency, excerpts from the branch discussion (statements by individual members of the Communist Tendency), summaries, and minutes of the meeting.]

STATEMENT OF THE TRIAL COMMITTEE -- Dave Wulp

Three weeks ago, Neal Grover read the following statement to the branch in the name of the Communist Tendency:

(reading of statement)

Nine days ago, the Executive Committee filed charges against the Communist Tendency for indiscipline in attempting to reopen discussion on questions decided by the convention and for disloyalty insofar as the "Statement of the Communist Tendency" indicated that the Communist Tendency did not intend to build the party and participate in its work and also because the "Statement" clearly indicated intent to violate the norms and procedures of the party and was thus a declaration of disloyalty.

In accordance with the charges, eight party members who we presumed to be members of the Communist Tendency because they had either voted for or spoken for the Communist Tendency point of view during the pre-convention discussion, Dave Fender, Dave Morgan, Ken Simpson, Kevin Fitzpatrick, Nancy Adolphi, Neal Grover, Steve McKenna, and Terry Bell were summoned before a meeting of the Executive Committee which was held last Saturday to state where they stood on this "Statement of the Communist Tendency." On Saturday, for reasons that will be outlined later in this report, the Executive Committee added a second count of indiscipline, this one for refusing to cooperate with the trial proceedings.

The Executive Committee, acting as instructed in Article VIII, Section 3 of the constitution, wishes to submit to the branch the following recommendations: first, that the eight comrades, Dave Fender, Dave Morgan, Ken Simpson, Kevin Fitzpatrick, Nancy Adolphi, Neal Grover, Steve McKenna and Terry Bell be each individually found guilty of both counts of indiscipline and both counts of disloyalty; and second, that because of this guilt that Dave Fender, Dave Morgan, Ken Simpson, Kevin Fitzpatrick, Nancy Adolphi, Neal Grover, Steve McKenna and Terry Bell be expelled from membership in the Socialist Workers Party.

The recommendations that we of the Executive Committee ask you to act upon are deadly serious. For a person who is loyal to the SWP what we are discussing is a question of political life or death. Therefore, it is only because we are absolutely convinced of the disloyalty of these eight comrades that we make the recommendation of expulsion to you.

In order to understand the reasoning of the Executive Committee, the branch needs to be made aware of some factual information it does not yet have. In addition we want to go over with you some of the thinking that led us to make the two recommendations.

Immediately after the last branch meeting, the new Executive Committee met to set the time, place, and format for hearing the charges that the outgoing Executive Committee had filed with the branch. After some discussion we rejected the motion raised in the branch meeting and tabled to us that we constitute a sub-committee to consider the charges. Then Comrade McCann informed us that he wanted, with our approval, to consult with the eight comrades of the Communist Tendency in order to help them plan their defense. He also told us that even though we had not yet met to consider the charges that he would be making a minority report from the exec to the branch on the outcome. He told us that even though he considered the eight comrades to be disloyal and indicated that they would soon, in his opinion, commit an indisciplined act of some sort, nevertheless he wanted to help them in their defense because he did not consider the "Statement of the Communist Tendency" to be either indisciplined or to indicate disloyalty. He further stated that, in his opinion, comrades could not be charged for either indiscipline or disloyalty for statements made on the branch floor or for any other act internal to the party.

Although the Executive Committee thought his position a bit odd, to say the least, we agreed that he could consult with Communist Tendency members ahead of the Saturday meeting and still remain on the committee hearing the charges. We did this so that we would have the benefit of his thinking throughout our deliberations.

At this same meeting of the Executive Committee we reaffirmed our intention to individually summon members of the Communist Tendency to ask them where they stood on the "Statement of the Communist Tendency." Comrade McCann opposed this also, saying that we should let the Communist Tendency itself decide whether they wanted to appear before us as a group, send one spokesperson, or appear individually. It should be made clear to you that our sole motivation in desiring to have these comrades appear before us individually was to proceed in the most democratic fashion whether this coincided with the wishes of the eight comrades in question or not.

Our reasoning is the following: first, the "Statement of the Communist Tendency" was not signed by individuals. The only knowledge that we had as to who might make up this tendency was based on the votes and discussion during the preconvention period. We wanted to assure ourselves that we were not tying someone to this statement who might not have had a hand in its preparation or who did not support it; second, we wanted to maximize the possibility that, removed from the social pressure of the group, one or more of the eight comrades might disavow the document or at least state that he or she did not interpret it to mean that he or she intended to function in a disloyal and indisciplined fashion.

It was not our intention to grill members nor did we intend to cross-compare their testimonies in order to try to catch them up in inconsistencies in whatever they might say to us. We were not setting up star chamber hearings, nor constituting ourselves as a "hanging jury," nor setting up a kangaroo court. The cadre

of the party is precious to any party-loyal person. If there was any one of the eight who might agree to abide by the norms and procedures of the party and build the party in a disciplined and party-loyal fashion, we did not want them to be branded with the "Statement of the Communist Tendency."

As far as the suggestion that the Communist Tendency itself determine the format of the trial is concerned, the document, The Organizational Character of the SWP, clearly states that no individual or group can arrogate to itself the right to determine what correct procedure is. This right is reserved for official party bodies, in this case, the branch Executive Committee. Therefore, we rejected the suggestion out of hand.

The next day, Wednesday, the eight comrades were summoned to appear before the Executive Committee on Saturday at 10:00 AM by letter and by phone. During the phone conversations, we discovered that several comrades worked on Saturday and so we arranged to hear from them on Sunday instead. Later that day Neal called to say that the eight comrades had consulted and decided (1) that they wanted to be tried as a group, and (2) that they insisted that the hearing be held on Monday evening. He was informed that those questions could not be decided by them and told once more when and where the hearing would take place.

On Saturday morning, by 10:00 every one of the comrades except Dave Fender was present. Comrade Fender is currently unemployed and one might think that he would be interested enough in his future in the party to attend this hearing regardless of what personal plans he might have had to rearrange. Even Dave Morgan was there. I say "even" because we found in the office that we did not have an intown address for him and were unable to summon him either by letter or by phone to the hearing. Later in the proceedings, when we attempted to rectify this lack, he refused to give either information to us.

At 10:00 we attempted to begin talking to them one by one, whereupon they again informed us that they insisted on coming before us as a group. Since we found them adamant on this point, we discussed the matter and decided to allow them to come before us as a group to explain why they refused to come before us as individuals. They had apparently chosen Kevin as their spokesperson. A transcription of the tape of the proceedings enables us to be sure that the following quote is exactly what he said to us:

"Basically in fact this is not a trial. It is a kangaroo court. We refuse to even acknowledge the validity of the charges. The so-called charges are in fact ex-post facto charges. You've already decided that reading the statement was an act of disloyalty and indiscipline. The only thing in question as far as you're concerned is the question of whether or not we individually approve of the statement. Well we do, so don't worry about that. But in fact what the discussion should be on is whether those acts which we committed are in fact violations of discipline and are disloyal. Unless you want to argue on that basis, in which case you have to argue with the tendency, because the

statement was submitted by the tendency, not by individuals, then we have no intention of coming in here one by one for a grilling so you can compare statements and say, 'Well, he said this, but the other person didn't say that. What is your explanation for the divergence between your testimonies?' That's strictly from hunger. And we're not about to deal with it in that way. And if you don't even want to make the pretense of an objective trial then we're not going to make the pretense of going along with your bureaucratic maneuvers. That's it."

My reading of this statement cannot do justice to the hostility and arrogance with which it was uttered. Nevertheless, its logic seemed to have an electrifying effect on Comrade McCann because, upon its completion, he leapt to his feet and left the apartment we were meeting in with the members of the Communist Tendency. This absence of Comrade McCann continued for the next five hours during which time we came to pass the recommendations that you have already heard. His absence undoubtedly explains the fact that Comrade John will soon be presenting a minority report on these very same recommendations.

The rest of the Executive Committee was momentarily taken aback by Kevin's statement. We were not sure whether this had ever taken place in the party before. Comrade Larry, who, as a National Committee member, was present with voice but no vote, told us (and again I quote from the tape):

"I can't recall any case in which comrades arrogantly refused to come to a trial committee and defend themselves. Their display today can leave only one course of action for the committee and that is to recommend that they be dropped from party membership, period."

Kevin's statement, and the actions of all eight comrades indicated to us that all of them were rejecting the chance we had offered them to disassociate themselves from the "Statement of the Communist Tendency," and also explain the origin of the new charge of indiscipline, that of refusing to cooperate with the proceedings of the hearings as decided upon by the Executive Committee. This is a crystal clear example of a group, in this case a faction, attempting to arrogate to itself the right to determine the procedure that they will be governed by. One point should be added to this charge. The form is different for Comrade Fender than for the other seven comrades. For him, refusal to comply lies in ignoring the summons and in being physically absent. For the rest, it lies in their refusal to appear before us individually as we had requested.

Comrades, members of the Socialist Workers Party take ideas seriously. We understand the unity of theory and action. In our deliberations the Executive Committee looked at the two acts of indiscipline in the framework of the general advocacy of disloyalty that this statement clearly makes. Further, we discussed and agreed on the fact that disloyalty need not be translated into overt acts for us to be able to proceed. We kept in mind that there has been a constant decrease in party building work on the part of all eight of these comrades over the last period. We had all

observed and noted, as I'm sure that all of you have, the constant whispering, giggling and wandering around during branch meetings that has marked the behavior of most of them, and we were conscious of the general financial irresponsibility that many of them have recently shown both in the SWP and, before the bulk of them graduated, in the YSA as well. In addition we were aware of their general lack of participation in branch mobilizations -- with an individual exception here and there -- and their total boycott of the current sub drive.

It was this general framework within which we placed the "Statement of the Communist Tendency." At the hearings we were told by Kevin that all the eight comrades "approved" of the statement and none of them contradicted him before they all left. Re-reading the statement with the knowledge that they all approved it, we found it to be an ex-post facto explanation of their recent behavior. As you will recall, the section that the old Executive Committee felt to be evidence for the first count of disloyalty reprimands the supporters of the Proletarian Orientation Tendency for laying down their arms now that it is necessary under party statutes that they do so, and says, "The Communist Tendency has no intention of giving up the fight." The only logical interpretation that one can make of that sentence is that these eight comrades were announcing that they were not going to build the party. Certainly no member of the Communist Tendency has challenged this interpretation. This interpretation explains the past and current attitude towards party work on the part of all eight comrades, and it explains the two acts of indiscipline as well. The Executive Committee further interprets the request that supporters of the Proletarian Orientation Tendency join them in the life-or-death final battle as an indication that these comrades will, in the immediate future, continually attempt to reopen discussion on the decisions of the convention if they are not stopped. Obviously if the tendency doesn't get its way then the party will be dead and the corpse should be deserted. It was our feeling that this showed the underlying split perspective of the tendency and all eight of the comrades. Last week we heard Comrade Fender tell us that he had been systematically excluded from party work. Comrades, we have far too much to do to exclude anyone from participation in our work. What we are really dealing with are eight comrades who have decided to voluntarily exclude themselves from building the party, have told us so in writing, and expect to remain members anyway.

The second count of disloyalty deals with the "Statement's" assertion that, "We intend to...fight for the leadership of the Socialist Workers Party and the Fourth International, 'by any means necessary!'" Note that they do not say by any means permissible under the regulations and restrictions of the party, but by any means necessary. Clearly it is their intention to proceed on their merry way using any methods that we might be foolish enough to let them get away with. Even a cursory reading of The Organizational Character of the SWP makes it clear that the party majority determines what correct procedures are. No faction or individual can take it upon themselves to decide how to function in our ranks.

There is another revealing aspect to the usage of the phrase

by any means necessary, in quotes, underlined, and followed by an exclamation point. This is that the commonly accepted "movement" definition of this phrase is that the oppressed need not feel any responsibility to abide by the rules of the oppressor in attempting to win their struggle for freedom, equality and justice. Anyone who feels oppressed by the Socialist Workers Party, anyone who can write and stand behind such a statement is obviously not loyal to and does not belong in our party.

Thus in the absence of any evidence to the contrary and given a great deal of evidence to corroborate these sections of the "Statement of the Communist Tendency," we found all eight comrades guilty of both counts of disloyalty and we recommend that the branch do the same.

Now, in considering the two counts of indiscipline, we put these into the general context of the attitude of these comrades towards the party -- that is their disloyalty. You see comrades, if a member who is totally party-loyal commits an act of indiscipline through ignorance or by not thinking through the consequences of the act, that is one thing. Most likely in a case such as that the comrade would never even have charges brought him or her. It's an entirely different matter when acts of indiscipline are committed by disloyal comrades. The act of introducing this "Statement of the Communist Tendency" was committed by disloyal comrades. It was their conscious intention to attempt to initiate a continuation of the discussion on matters decided at the convention. Simply because the agenda point read "Convention Reports" is no excuse for attempting to reopen line discussion. Any comrade who thinks otherwise is showing that he or she regards the majority of the party simply as an opposing faction. This is not the case. It is also not the case that every time we have a point on the agenda which deals with our perspectives for work in one area or another that discussion about the perspective itself, especially from the point of view of trying to change that perspective, is in order. No, comrades, what is in order is simply discussion on how best to carry the line out. Nothing else. You cannot re-introduce political discussion on questions decided by the convention simply by picking the correct agenda point to bring it up. You can never re-introduce such discussion until the next pre-convention discussion opens or until the discussion is reopened by the appropriate leadership body. You see, the correct procedure would have been for the Communist Tendency to have written the Political Committee saying that in their opinion the wage freeze indicated the total incorrectness of the political resolution passed at the convention and that therefore we should reopen discussion on these questions. Now, most likely the Political Committee would reject such a request, but the point is that this would be the correct procedure to follow for someone holding the political positions of the Communist Tendency, always assuming of course that one is a party-loyal person. This procedure was not followed.

For the procedure that was followed, we found all eight comrades guilty insofar as they solidarized themselves with the statement and, by implication, with it being read to the branch.

The second count of indiscipline involves the refusal of all eight comrades to comply with the proceedings of the hearings as set by the branch Executive Committee. By this act, the act that has already been detailed in the initial part of this presentation, these acts on Saturday, showed us that each and every member of this faction was hell-bent on carrying out the "Statement of the Communist Tendency" and that they arrogantly challenged the right of leadership bodies to determine any of the norms of their functioning as long as they remained in the SWP. They indicated by this act that they would challenge not only the elected leadership of the Boston branch but also the party constitution and the procedures codified in The Organizational Character of the SWP. The challenge was clear and simple, "Either we set the rules, or we won't play."

Besides being an act of indiscipline, the framework within which it occurred and its obvious premeditation makes it an act which once again reemphasized to us the disloyalty of the comrades as well. We also found all eight comrades guilty of this count of indiscipline, Comrade Fender because he refused to cooperate by refusing to appear, the other seven because they refused to cooperate by refusing to come before us individually. We recommend that the branch also find the eight comrades guilty of the two charges of indiscipline.

Once having found all eight comrades guilty, it was our responsibility to recommend a sentence. It was our feeling that any of the four counts taken individually would be sufficient for us to be able to recommend expulsion to the branch. When we looked at them all together and included the general pattern of behavior on the part of every one of the eight comrades involved, we had no doubt that we had to recommend expulsion to discharge to the best of our ability the responsibility that the branch had given us by making us its elected leadership. We certainly hope that after the discussion, the branch will pass these recommendations thus safeguarding the party from this attack on its norms and principles of conduct.

Should the branch pass these recommendations, the following section of the party constitution outlines the process of appeal of the eight comrades involved if they should choose to avail themselves of it. Article VIII, Section 5, states:

"Any member subjected to disciplinary action has the right to appeal to the next higher body, up to and including the National Convention. Pending action on appeal, the decision of the Party body having jurisdiction remains in full force and effect."

In this case the next higher body would be the National Committee. Since the National Committee will not meet for a number of months, the Political Committee would act for it, recommending a Control Commission investigation if it felt the need for more factual information, or simply setting the matter aside for consideration as an agenda point on the next National Committee plenum. After consideration by the plenum, if still unsatisfied, the comrades may appeal to the 25th national convention which will take place in about two years.

Before going any further a point should be made on factions because a number of comrades have indicated some uncertainty on the point. No part of these proceedings is an attempt to outlaw factions in the party. In general the formation of factions is discouraged in the party. Serious minded comrades recognize that there is always the danger of a split when a faction is formed. Nevertheless there is no prohibition on the right to organize factions. When a group of comrades feel that their differences are so deep going and the performance of the leadership is so rotten that they must organize to fight for the leadership, then they have the right to form a faction and they don't have to ask anyone's permission to do it. After all, who would they ask, the leadership they are out to replace? Upon the formation of a faction, it receives full rights as conditioned by the overall principle of the democratic right of majority rule. For a group to call itself a faction does not give it the right to do any damn thing it pleases inside the party and expect to get away with it. A faction is governed by the same rules as a tendency or an individual. Its members must submit to majority decisions, build the party and in general function in a loyal and disciplined fashion.

The eight comrades who are being tried, are not being tried because they have formed a faction. They are being tried because the faction and they individually have functioned in what the Executive Committee believes to be a disloyal and indisciplined manner. One further point on factions. At the present time there are not two factions in the party, the Communist Tendency and some mythical "majority" faction. There is just one faction. The majority is not just another faction. The majority does not meet as a faction; it has no special apparatus separate and apart from the official bodies of the party. In a very real sense the majority is the party because we function in the SWP on the basic principle of majority rule.

Comrades, we are a democratic centralist Marxist-Leninist combat party. We understand the necessity for a unity of theory and action. We are democratic in order to insure that, to the best of our collective ability, our theory -- our line -- is correct. We are centralist in order to maximize our effectiveness in carrying out what the majority has decided will be our line. We have regular periods of time set aside to review and possibly alter our line, but this in no way implies that the SWP is a perpetual discussion circle. The party discusses in order to decide, and it decides in order to act. In May we opened up the pre-convention discussion which was both written and an oral discussion. All minorities were accorded full rights to participate in this discussion. At the end of the discussion we voted on positions, and sent delegates to the national convention. There, again, debate took place among all the contending points of view. When the debate was over, votes were taken. The political issues were firmly decided by an overwhelming majority. The minorities lost the political arguments.

With these votes, what some comrades call the "ideological arming" of the party, the democratic side of our functioning insofar as the determination of line is concerned -- all of this is now over. Once the decisions are reached, the minority is

subordinated to the majority. It is this simple fact, the fact that preconvention discussion is over which explains why acts that were perfectly in order just a month and a half ago are now acts of indiscipline. This same fact answers the question raised by Dave Fender and Kevin when they asked why they were being brought up on charges now, when they have been saying the same things for months. We always put organizational questions in second place behind the necessity of coming to political decisions first. We bend over backwards to avoid even the appearance of attempting to solve political questions by organizational means.

But comrades, the line for party work has been set. It has been set for all members, even the members of the Communist Tendency despite the fact that they voted against every report and motion at the convention except the credentials report. What is on the agenda now is only party building work on the basis of the convention decisions and nothing else. Comrades who supported the Proletarian Orientation Tendency have shown by their actions that they understand this. The members of the Communist Tendency have shown that they do not. We will not permit any grouping to run wild inside our party. No internal disruption will be allowed. We will not allow the flaunting of party principles. We will not tolerate any violation of party loyalty.

It was mentioned earlier that we view loyalty as the bed-rock upon which our whole democratic centralist party structure is built. The section of The Organizational Character of the SWP, which is quoted in the charges on this point, should be re-emphasized:

"...loyalty is far more than an abstract idea; it is a standard of political conduct. The party's whole democratic centralist structure is founded on the rock of organizational loyalty. Without loyal members, the party, as a voluntary organization, would have no basis upon which to maintain the necessary discipline in carrying out its revolutionary tasks. Disloyal people don't believe in the party, they won't pitch in selflessly to help build it, and they will resist and evade discipline. That is why the organizational resolution adopted at the SWP's founding convention specified that unconditional loyalty to the party is required of every member."

Comrades, the SWP is a voluntary organization. We have none of the external means of compulsion that the bourgeois state does to enforce our practices and principles. We have no jails, no police, and no courts. We cannot deprive an individual of his or her livelihood. People voluntarily enter our ranks and comrades may voluntarily leave. We have only one form of compulsion, and that comes from within each comrade. It is the loyalty that we require of each and every member. This loyalty comes from the disgust of and hatred for the capitalist system that we all feel. It is reinforced and deepened by our belief in socialism as a social and economic form of organization that will guarantee the future existence and development of humanity. Study and observation have further convinced all of us that a democratic centralist vanguard party of the Leninist type is necessary to lead the American working class and its allies in

the making of the American revolution. Our loyalty to the Socialist Workers Party comes from our belief that the SWP and no other party is the party which is capable of leading this revolution.

What is this loyalty? Comrades, it is a state of mind. It is an attitude towards the party. We see it concretized in action when members pitch in to carry out what some comrades have sneeringly called the "Jimmy Higgins work" of party building. You know this term, "Jimmy Higgins work" comes out of the old American social democracy where the elected party leaders were petty bourgeois professionals of one sort or another who came around once in a while to give a speech or to make an "important contribution to the ideological arming of the party." The day to day work was done by functionaries, living on "movement" pay who usually had no say in the so-called important theoretical work of the party. I don't know whether Jimmy Higgins actually existed or not, but he has come to represent all those early socialists who selflessly gave of themselves to their party. Now, we have learned something since then. Our concept of leadership is different. We require of our leaders that they be the best builders of the party as well as having the best understanding of revolutionary theory. And they must constantly prove and reprove themselves at both. Further, the entire membership sets our line. We do not reserve this responsibility for some selected group of "thinkers" sitting in an office somewhere removed from the daily life of the party.

Back to loyalty. Comrades, disloyalty to the party does not necessarily have as its corollary loyalty to some agent, person or grouping outside the party. We call this doing entry work, and the eight comrades we are discussing are not charged with this crime. But the party cannot tolerate divided loyalty. It is a prerequisite of membership that a comrade must give unconditional loyalty to the SWP. Disloyalty then is simply a lack of loyalty to the party. It implies nothing else. In this sense it is indeed a "bad attitude," and membership in a faction does not mitigate the seriousness of the offense.

Some comrades have claimed that the party has no right to regulate its internal functioning, that charges should be brought only for indisciplined acts which take place in public. This idea is absolutely false. The party not only has the right, and the party leadership the duty, to call errant comrades to task for internal acts of indiscipline, the party has and will continue to set limits on the right of advocacy within its ranks. You cannot join and you cannot retain your membership in our party if you advocate support to an imperialist war, or if you advocate crossing class lines into capitalist politics; nor can you espouse racism or sexism. Similarly, the party prohibits the advocacy of wrecking expeditions inside its ranks and this is what the "Statement of the Communist Tendency" clearly sets out as a perspective for its members.

An argument has been made that it is a denial of the democratic rights of these eight comrades for the Executive Committee to have brought the charges and then to conduct the trial. Most of the supporting remarks must, of necessity, draw analogies from

the practices of bourgeois law or from the separation of powers in the bourgeois constitution. We are not impressed by such analogies. The soviets -- the form of government that the working class have historically set up when holding state power -- have not practiced this separation of powers. More to the point, the Executive Committee which brought the charges was simply exercising its responsibility to take the necessary measures to enforce the provisions of The Organizational Character of the SWP. It is the clear duty of the party to defend the integrity of the party against attacks. But, one might object, the newly elected Executive Committee could have selected a subcommittee of itself to hear the charges composed of only those members of this exec who had not originated the charges. Such a motion was tabled to the exec from the branch. Now, technically this motion was out of order since the constitution clearly specifies that the Executive Committee itself will decide whether to hear the charges in its entirety or to elect a subcommittee to do it. As has already been reported, we did discuss the question. It was particularly the new members of the exec who were most adamant in urging that this course of action not be followed. Collectively, it was decided that the democratic rights of the eight comrades would be best served if the entire exec heard the charges. As you know, this was the course of action we decided to follow. We did not follow the bourgeois separation of powers.

It has been suggested that in these deliberations we are setting precedents which will be used against other groups or individuals. We do not believe this to be true. We are simply bringing recommendations that are in full and total agreement with our party constitution and with the principles enumerated in The Organizational Character of the SWP. In this sense, these proceedings and the recommendations we are considering tonight are simply reaffirmation of the long-standing basic principles of the party. There are no departures from the norm in anything that has been said or done. It should now be clear to all that we do have principles which govern the functioning of everyone in the party; that this branch and its leadership understand them, and mean to see that they are enforced. As The Organizational Character of the SWP states:

"Again and once again, comrades must be taught that party patriotism is part of revolutionary consciousness. Disloyalty and indiscipline must be looked upon as crimes that bring punishment. A party that aims to lead the most decisive revolution of our time must have members who believe in it, who want to help build it, and who are quick to defend it. People of that calibre must in turn have the kind of a party to which they can confidently dedicate their life and their hope for the socialist future."

The Executive Committee feels that the recommendations we have placed before you do help to build that kind of party.

MINORITY REPORT -- John McCann

It's a bit difficult to defend the Communist Tendency. I think it's clear through their attitude that they're not all that interested in being defended. They have made certain predictions: one of them is that they're going to be kicked out. I think the only way they can be vindicated is to be kicked out -- otherwise everything they've said and predicted would be open to doubt. But any contempt we have for them as a group has to be set aside because we're not defending just them, we're defending the party and its traditions.

It's also difficult to defend the Communist Tendency because of the atmosphere that exists in the party. It's rent by ignorance and misconceptions. The biggest crime in the party today is for a minority to speak when the majority doesn't want it to. Factions have been thought up until now to be illegal and declaration of factional warfare on the leadership is considered disloyal. The leadership is equated with the majority and the majority is equated with the party, so that to declare factional warfare on the leadership is equated with declaring war on the party. The incredible ignorance of the leadership contributes to the cloudy atmosphere. After constantly being asked on the floor of the branch and in the E.C. whether or not the actions were illegal, Comrade Wulp, our National Committee member, finally said he didn't know and would have to research the question. Imagine having to research the question of whether or not factions are illegal in the Bolshevik party.

George Basley was predictably libertarian on the question. He said factions were legal, but they had to ask for permission to exist. After researching the question in the 1965 organizational resolution, Dave Wulp allowed, as he pointed out here on the floor, that factions, since they were not specifically proscribed in that document, they must be considered (at that point in the Executive Committee he said "tentatively") legal. He's firmed up his position.

If we allow that factions are legal, then we cannot consider that a declaration of factional intentions is disloyal. If we allow factions, then we also allow factional activity. Some philistine is going to pop up and say, "We allow factional activity every 21 months. For 90 days, we allow factional activity." That is to say, out of a total of eight years, seven of those years factional activity is illegal. A situation like that hasn't existed since 1921 in the Bolshevik Party in Russia. I maintain you can accuse people of a lot of things because of what they say on the branch floor and bring them up on charges. You can bring them up on charges for violating norms, for disregarding procedural traditions, but not for disloyalty.

If you vote to expel these people on the basis that what they said at a branch meeting was disloyal, then you're putting a gag on all minorities. I ask comrades to consider the two key phrases upon which the accusations of disloyalty has hinged: "by any means necessary," and the statement of refusal to "lay down arms" and build the party like the PO Tendency. They are a combination of bluster and confused English which leaves the

statement open for a considerable wide range of interpretations. I ask the comrades also to consider the context of the statements. The convention and the plenum reports were the context for those statements.

A year and a half ago we had a discussion in the Boston branch about what was permissible under plenum reports. The majority of the branch at that time, under the advice of Comrades Wulp and Camejo, voted in a majority not to allow discussion under plenum reports. Comrade Larry Trainor and myself and Comrade Mike Tormey opposed them on this. The next week Comrade Camejo came back from a trip to New York and informed us that he had been misunderstood the previous week and put the following motion on the floor of the branch: "That any comrade can say anything he wants in the discussion period following plenum reports. We cannot have a discussion on political line without the approval of the PC." That was passed unanimously. It was explained that the only limitations would be normal time limitations with extensions.

The Communist Tendency did no violence to that unanimous proposal of the branch. They did not attempt, as has been alleged, to continue convention discussion. On what point decided by the convention did they attempt to reopen discussion? What was that point? Even if there were a point, it's no grounds for expulsion or for charges of disloyalty. The basis of their accusations were attacks against the leadership. It was an attack on the leadership. If we allow factions and then don't allow them to make attacks on the leadership, we're not allowing them much. They made a statement which, as Kevin pointed out, contained little that was new. They had already proclaimed war on the leadership when they announced themselves a faction several weeks before the convention. They were reaffirming this in their typical style, by any means necessary and by refusing to lay down their arms.

I ask the Communist Tendency to withdraw the statement "by any means necessary." It is basically a meaningless statement and simply to state that by refusing to "lay down their arms" they meant that they would not lay down their ideological arms but that they will build the party.

COMMUNIST TENDENCY STATEMENT -- Kevin Fitzpatrick

Let's begin at the beginning. Let's begin with the circumstances in which the offenses (alleged) took place. There was a report on the convention in which Comrade Wulp mentioned the Communist Tendency by name, citing what he regarded as its unpleasant characteristics. The Communist Tendency, knowing the leadership well, had prepared a statement on the evident bankruptcy of that leadership in the period of one week and presented that statement and had it appended to the minutes. Rapidly thereafter, a whole series of events took place: railroading is the name for it.

The charges which were presented are ex-post facto charges. The Executive Committee decided that reading that statement and having it appended to the minutes constituted one count of indiscipline and two counts of disloyalty. They decided that.

They refused to even let the branch decide whether that was true. They never made it clear that it was true. But if you look through Comrade Wulp's remarks tonight, you can distinctly see that the only question for the trials (so-called) was the question of whether or not individuals would solidarize themselves with that statement. If they did, then they were guilty. If they didn't, then they were not guilty. That was the only question. The facts of the case had already been decided.

One question we should ask: why the great rapidity in bringing the charges? A special meeting on Sunday; within a week, a trial. You may recall that the charges which were written out were charges against the Communist Tendency. They were not charges against Kevin Fitzpatrick, or Neal Grover or any other individual. They were charges against the Communist Tendency. You may notice, tonight, that the Communist Tendency gets fifteen minutes; not Neal Grover, not David Fender, not Nancy Adolphi. If you want to bring charges against individuals, then you bring charges against individuals by name. It's very simple. Then those individuals would have complied with the request to be tried as individuals. You brought charges against the Communist Tendency and the Communist Tendency went to your trial, in which, Comrade Wulp neglected to mention, we were told to leave by Comrade Powers after we made the statement. We did not leave after making our statement of our own free will. We were instructed to leave. If anyone doubts that, the tape can be played.

Comrade Wulp says that they had no intention of grilling us, no intention of comparing statements. All they wanted to do was to see if, when someone was removed from the pressure of the group, wouldn't he change his mind? Don't those tactics sound familiar? Have you ever been arrested?

One question is: what's the big hurry? Why so quick? Why not give us a little time to prepare for the trial? People had obligations that weekend that some of them had to give up. Some of them were unable to give them up because they had already left for those obligations. Why the big rush? What's so important?

Let's see: did the Communist Tendency just make a self-fulfilling prophesy that it had to have come true? Did it do that? Why is Tom Cagle on charges in Oakland-Berkeley? Is that an accident? He's up on charges for actually participating in a left-wing caucus. Can you imagine the nerve of a Trotskyist participating in a left-wing caucus? And he's going to be expelled -- whenever they think they can manage it.

Let's talk a little more about Oakland-Berkeley, and the present climate in the party. How many comrades has this branch shipped to Oakland-Berkeley? Why have they shipped them there? Did they ship them there to build the antiwar movement, or are they going to intervene in the Longshoremen's strike? Do you know how many people are in Oakland-Berkeley that haven't been there before? Fifty new faces are in Oakland-Berkeley. What's the purpose of that, except to provide the means, the votes, and the bodies for a new branch after the dissident elements are expelled? There's no other purpose for that.

We characterize this party as a centrist, or right-centrist party. In dialectical terms, centrism is a conflict between content and form. The form is the bust of Trotsky in the other room and the content is, for example, Powers' reformist campaign for mayor of Boston. He definitely had the best liberal program. But a centrist party doesn't stay centrist forever. Given the objective circumstances in this country right now, the SWP is attempting to form a bloc with the union bureaucracy. That's why the Sudies and Gebbs are now expendable. That's why the sudden interest in the labor party. Haven't you heard that story about how the Stalinists were pulled out of nowhere by John L. Lewis in order to build the CIO? Weren't you told that the SWP was going to play the same role in a labor party? Is that just a mistake that was made? Or is that a forecast, even an unconscious forecast, by the leadership of where they're going?

The SWP is on its way to becoming a reformist party -- to actually overtly betraying the class and before it can do that it has to expel every left-wing proletarian element, the same way the Russian party did, the same way the American Communist Party did, the same way the Socialist Party did in 1939 when it expelled the Trotskyists.

Let's look at the Executive Committee. First of all, it had nothing to do with factions. Remember that -- that was distinctly stated. Now they've changed their line; they were wrong again. We got a lecture on correct procedure from Comrade Wulp, a well-known expert on correct procedure if you remember the preconvention discussion. Let's take a look at the new members of the Executive Committee. Never mind the ones that pressed the charges and that little soviet they held in George's apartment. That's a brilliant analogy, probably the most brilliant analogy I've heard since...I guess it must be the most brilliant analogy I've ever heard.

The point is that even a soviet has certain organs which are designed to bring charges and certain organs which are designed to hear charges. Even the soviet makes a pretense of understanding that people have some bias to bear when they are the ones who accuse, and should not be the ones who try. Now we discover that factions are permissible in the party. Yet one member of the present Executive Committee, Mary Lipman, got up and said that the constitution specifically forbade factions and tendencies and for that reason we were disloyal. Well, scratch that one.

Now, this party-building stuff. Is that for real? How many people are here tonight from the majority? Where's Harvey Lipsky, for instance? Has anybody seen Harvey lately? Harvey's not much of a party builder. Why don't you bring him up on charges? Isn't there a double standard there? That activity, defined by you, only applies to those with whom you disagree? Think about it. Take a look at where the party's been in the last period -- on the campuses, in every little movement that popped up -- and think about a sudden turn. Comrade Wulp says you can't belong to the Socialist Workers Party if you favor capitalist politics. How about Comrade Camejo who wanted to support the Black Panthers when they ran on the Peace and Freedom ticket in Berkeley? How about those members of the

Los Angeles branch that were members of the Peace and Freedom Party? How about Senator Hartke?

How about Senator Hartke? You can do anything you want for Senator Hartke as long as you don't vote for him. You can build a demonstration of I don't know how many people for him so he can speak and get his mug on television, but don't vote for him. Don't vote for him. You can put a telegram magnified to 100 times its natural size up in an NPAC office signed by him and Bella Abzug and a few others. You can do that, so that everyone who walks in there must think that it's a room for recruiting Democrats. You can do that, but don't vote for him. Remember how the Communist Party started the popular front farce? They even ran their own independent candidate in 1936 of a "defeat Roosevelt" platform. That's a little hard to reject right now -- over electoral blocs -- simply because this still is a centrist party. It still plays lip-service to Trotskyism. But when, in fact, you do everything else for the bourgeois candidates, when in fact you say "support Hartke, build a demonstration for Hartke, have Hartke speak, encourage people to come and see Hartke, Muskie, McGovern, Kennedy" (the list is endless) what are you doing but supporting one wing of the bourgeoisie against another? Supporting the soft wing of the bourgeoisie against the hard wing of the bourgeoisie; supporting the wing that sees no gains to be made in Vietnam against the wing that sees all kinds of gains to be made in Vietnam? That's why you support the puppet of that section of the bourgeoisie, the labor bureaucracy -- the labor lieutenants of the capitalist class -- and that's where you're going.

We don't make self-fulfilling prophecies. We make predictions based on an objective analysis. And we haven't been wrong yet. I've even been surprised we haven't been wrong yet because people are wrong. We told you that you have to make a turn to the proletariat. In my presentation to the branch I got up here and I said there was no way that this opportunist leadership could be kept from making a turn to the proletariat when that turn seemed profitable. And it seemed to be profitable, and the turn was made.

If you think that you're ending your problems by expelling us, then you're wrong. You're wrong because it isn't just eight people in Boston. It isn't just eight people in Boston. It used to be one person in Oakland-Berkeley who belonged to the Communist Tendency, now there are more. Who knows where it will appear next? Keep watching because one thing about Marxism is that it doesn't disappear when you expel it.

EXCERPTS FROM THE DISCUSSION

[The following remarks made by members of the Communist Tendency at the branch meeting considering the charges brought against them were transcribed from the tape of the meeting.]

Nancy Adolphi

A faction has certain rights and that's what we want -- the rights of a faction. That's what our statement is: a declaration of a faction and our confirmation that we were going

to pursue the rights of a faction. We're not a faction so we can call ourselves a faction and sit on our thumbs. That's not what we're after. We're a faction that wants to take over the leadership of the SWP. To do that, we must pursue our democratic rights. But you can't even expel us democratically. The leadership can carry any vote it wants in this branch, and you all know it. So, instead of letting the branch hear the trial, the Executive Committee that brought the charges against us, tried us. The only function of this branch is to approve or disapprove the findings of the Executive Committee. You have no voice in whether or not we're guilty. You either approve or disapprove their findings.

This is on time. Even in bourgeois courts the defense gets equal time with the prosecution.

But then I'd have to ask myself: why is it that these antidemocratic procedures don't even cause a wave in the ranks of the majority? That's because, comrades, you don't know any better. You're not being schooled (and I'm speaking specifically to the newer comrades) in Leninism. Or do you think, comrades, that skimming through the first half of State and Revolution and getting a class on it is enough to convey the principles of that classic of Lenin? And where are the classes? Where are the contact classes? The new members classes? The internal classes? They've been put aside repeatedly -- repeatedly and repeatedly and repeatedly. Now I'm not saying you have just classes and no activity, obviously. But to put them aside repeatedly must say that there is some trend, some feeling, that the classes are secondary and that revolutionary theory is secondary and you don't need it to hand out leaflets -- to do the labor for the leadership. You don't need it to raise your hands.

And where are we going to get the future leadership for the SWP? It'll come off the streets, spend about six months in the YSA, and go straight into the leadership of the SWP. And what education will it get? It'll be schooled in pragmatism and opportunism and the SWP will be its school. Whether it be tail-ending the women's liberation movement, Vance Hartke and the labor bureaucrats, or changing sexual preference. Well, another thing that you'll learn in this school is how to expel opposition for intent, how to poison the well, and without once, without once ever discussing the politics.

Dave Fender

Let me address one quick remark to Comrade McCann. Comrade McCann said it's hard to defend the Communist Tendency. But he did say, when he defended us last Sunday when charges were brought against us, that charges shouldn't even have been brought against the Communist Tendency. On that basis it's not too hard to defend the Communist Tendency. In fact, charges shouldn't have been brought against the Communist Tendency whatsoever.

The Executive Committee, if they had any doubt about the statements that were made that the charges were based upon, had come to us and asked us about those quotes in question, it could have been explained very quickly, very easily.

Comrade McCann asked us about what did we mean when we said "the Communist Tendency will not lay down its arms" and the quote "by any means necessary"? It's very simple comrades. That whole statement that we made falls under the umbrella of democratic centralism. We support the basic principles of democratic centralism in the party. What did we mean, for example, "lay down its arms"? Well, that we were not going to dissolve, very simply. The PO Tendency dissolved, we were not.

At the convention, in the preconvention discussion and so forth, the whole atmosphere existed in the party that there would be no tendencies, no factions, no type of organization inside the party after the convention discussion period. That was what was implied and can be inferred from the speeches at the convention by the leadership of the Socialist Workers Party. That's what was said by several members, even ranking members, of the party who got up and spoke on the convention floor. That's what was said, Mary, when you got up and said "It is my understanding from the convention that no tendencies are allowed to exist after the convention." That's what you said. It's on tape, comrade. That has been the atmosphere in the party and that is what is at question, comrades. That is the very point that is in question. It is for the first time tonight that Comrade Dave gets up and says that factions are allowed in the party -- for the very first time. And that is exactly what is in question, comrades.

The party does not want us to exist as a faction because we are a political faction that knows how to struggle politically, and you could not answer us politically, either in the preconvention discussion nor can you answer us in any discussion politically. In fact, you couldn't even answer the PO Tendency politically. You had to continually answer them with organizational maneuvers. And that's exactly the way you're answering us today. You're answering us with organizational maneuvers, comrades. I pointed out the organizational maneuvers against me personally, denying me the right to work. It's not enough to say that we have enough work and that we want everybody to pitch in and work and so forth. Because when we did pitch in and work sometimes, you heard Comrade Bob Gahtan get up here and deny that I had done any work on the Pathfinder book press, for example. You also heard Comrade Gahtan accuse us that I was the only one who participated in the petition campaign, which is not true.

The organizational procedures have been laid against us like this little thing about my not showing up for the trial. We had less than three days notice. I was the first one informed and I told Comrade Dave that a month ahead I had a previous engagement and could not make it. We simply asked then that the comrades allow us one week to prepare our defense. Most of the comrades in the Tendency work. We wanted one week for defense. They wouldn't even allow us one week for defense. Sunday is the time that we wanted to have the defense meeting to decide what we were going to do.

We are a faction, comrades, and we speak as one in the party. We are not a tendency, a political tendency. We are a faction and you have to treat us that way. When we put out a

statement, we put out a statement in the name of the faction and it's binding for everyone in that faction. So it wasn't a question of where one individual stood on that statement. It was a question of where the faction stood on it. We supported it, but we reject your interpretation that it is against and violates and is disloyal to the party and that it violates democratic centralism. It is you, comrades, who have violated democratic centralism. Your whole factional past, previous to the preconvention discussion period, during the preconvention period, the way you carried it out, and afterwards, have proved that.

Terry Bell

Good evening, comrades. So factions are allowed in the SWP. They can't do anything except 90 days every two years, after that they have to dissolve. You don't even keep in touch, comrades of the majority, with your own West Coast, which, for your own information, is now organized as a faction. A majority of the Oakland-Berkeley branch is entering that branch with a slate for the elections. The axe only swings to the left, as you can see.

On expulsions -- oh, this is a rare event. It isn't going to happen very often. No. Cagle's going to be another rare event. In case anybody misunderstood Kevin, it's not fifteen comrades the majority has sent into Oakland-Berkeley, it is fifty warm bodies to raise their little right hands to expel the PO out there. The same fate will occur with the PO here in Boston, although it may take a little longer time. There's a tempo to things. The leadership is very competent when it comes to maneuvers and such things of that nature.

And also, Geb and Sudie, Kevin's wasn't an offhanded remark at all about you being expendable now that they have to make their turn to the labor bureaucrats. You may not be aware of it, but they're already poisoning the well against you. The rumor now in Boston, flowing very strongly among the many other rumors, is that you, Gebert, are the leader of a cult. They're laying the groundwork for you also. That's another prediction. You can see if it comes true.

On GI work, that nonexistent thing that we all support and everything, we haven't had any in a number of months. But the left wingers are never excluded from activity. As far as I'm concerned, the only reason we haven't had GI work here in Boston in the past period is because nearly every GI and vet in the Boston branch is a member of the left wing. That's really strange. Of course, some of us the majority wants for a time, like me. They tried to buy us out like Peter Camejo did to myself when he offered me going up to Canada and interpret with the NLF because I speak a little Vietnamese. They'll offer you any pie in the sky if they think they can buy you out.

And finally, you think, those of you who are going to vote for our expulsion, that after you do so tonight, that's the last you're going to see of us. We're going to be gone. We're going to disappear. We're just ultraleft cynics. Just keep

dreaming, comrades. Keep dreaming. We'll be around.

Dave Morgan

These proceedings are nothing we didn't expect. What does surprise us, though, is the alacrity with which the leadership persists in displaying its political cowardice, its Pabloite revisionism. We have seen the SWP using the criteria of oppression and alienation -- Mandel's alienation -- as opposed to the Marxist criteria of expropriation and exploitation, to put their proletariat in the back seat and their petty-bourgeois milieu in the driver's seat, while generally welcoming the infection of multi-class coalitions of the antiwar movement, bourgeois feminism, national culturism in the various Black and Chicano liberation movements, and even the fruit-cake politics of faggot liberation.

Some comrades believe that a few hundred workers is all that is needed to cure this illness, but it takes a lot more. It takes a lot more than a little penicillin to cure tertiary syphilis.

The new turn to the workers by the present opportunist leadership is not a proletarian orientation, but rather a rounding out of the Pabloite poly-vanguardism. To assume that this policy of the SWP leadership can reform itself is like putting oneself in the position of a faggot waiting for a penis transplant -- no quantitative change is going to make a bit of difference. It's a qualitative change.

On the international scene, the party has done no better. We were told that dual power was on the agenda in Bolivia, while six days later after that bright prediction Paz Estenssoro was invited back to rule the military dictatorship and without a murmur from the student movement. I wonder why.

We were told the problem with Hugo Blanco was that he was not on the campus, where every good Pabloite should be. So much for proletarian orientation in Peru. Now Blanco's forced to run to Mexico. It all goes to show that the SWP and the International in general really don't need the proletariat when you get students and peasants in your wing.

You were told that the problem in Chile revolved around the fact that that section had not liquidated into the SP. The SP no less. I guess the Abernites, such as Hansen and Kerry, are reeling their [?] once again.

Well, we have a bad attitude. So Comrade Wulp tells us. Bad attitude. I haven't heard that charge leveled against me since I left SDS. Or since I exposed a foreman on the shop floor. I was told then I had a bad attitude.

Mary. Mary, Mary, quite contrary. Long-time member of the socialist movement, until the going gets tough. She says the trial is to clear the air. To clear the air. What a nerve. What a nerve. Judge, jury, prosecutor and executioner all rolled into one. To clear the air. She says there was no predecision that we were going to be thrown out. However, the organizer,

Dave Wulp, stated in a telephone call to Neal Grover that although some of us couldn't make it Saturday, he'd get us Sunday. I wonder what that means. I wonder what that means. A slip of the tongue? I think not. I think not.

Toba, all the time she claims we're poisoning the water for democracy. Poisoning the water for democracy. They've been polluted a long time. A long time ago by the degenerate leadership.

Larry, did Lenin crawl on his belly to Menshevism? Or was the fight for Bolshevism steeled in the fight against Menshevism? I'd like to hear an answer to that.

Gustie was talking about other sides of fences. Which side are you on now? You said you've changed your mind. I have a feeling the chickens are going to come home to roost.

Neal Grover

Comrade McCann has defended us well. On one hand I'm told that here it is, Neal Grover, you're being brought up on charges as an individual. The Communist Tendency doesn't exist. We haven't even recognized the right of it to exist. Yet, on the other hand, I'm told that I might have five minutes in the discussion period to defend myself. Well, so much for that.

Robertson once said that factions and tendencies are perfectly legal in the Socialist Workers Party, but factions and tendencies are disloyal, and disloyalty is incompatible with membership in the Socialist Workers Party. How right he was. On the other hand, everybody tells me I've got three weeks to defend myself on charges that only came up six days before I was brought to trial. Lovestone gave Kornikow five days to defend herself before she was brought to trial, too, and she told him to go fuck himself.

A few other things. Yes, Alan, I think that the left wing must have had a god-damn hard time the last four years with you in it.

Mary. You know, Mary, there were a lot of important issues to get out during the McCarthy period, too. Where were you?

Comrade Gurewitz said Saturday that the only reason he wanted to bring us up on trial as individuals was because he'd never heard of anybody in the party being expelled en masse. Never heard of them. Never heard of the Oehlerites. Never heard of the Shachtmanites. Never heard of the Cochranites. Never heard of any of them.

Then we come down to the question of democratic centralism and how important it is to Mike Hebert. Of course democratic centralism and how well it should be carried out is important to Mike Hebert, until it comes to Mike. I mean you all remember Mike. When it came to defending the party physically, a 90-pound woman couldn't talk Mike into going in there and fighting. Comrade McCann might still have the use of one eye if you weren't such a chicken-shit cowardly pacifist puke.

Dick Osborne. No, Dick, we're not going to ask Comrade Mandel to support us. We're not even going to support Comrade Mandel when he comes over here to go to school for a year to organize a faction inside the Socialist Workers Party. We're not even going to support him then.

As far as we're concerned, Larry, it's going to be a hard, hard day for you when you vote for the expulsion of us, when you vote on the side of cowards like Wulp, Hebert, people that run, when you vote with a professional opportunist like George, when you vote with a professional bureaucrat and it gets even worse, Larry. Yes, it's a hard decision to make. I agree. But, you're not going to throw us out in Boston. You've got a lot further to go than that. You're not even going to just throw us out in Oakland-Berkeley. But I will promise you one thing, you're not going to have to dig us out of the walls. Because we'll be standing here fighting until the very end.

As far as Barbara's concerned, of course they threw us out. Even Jeff will get up here and say he said "get out." But we could have stayed. I suppose we could have stayed. I don't know where it would have gotten us except proving that they probably couldn't have thrown us out.

FITZPATRICK SUMMARY

First off, let's get a few facts straight just to settle a few things because the usual confusion that's been put forward by the leadership has reared its ugly head once again. The remarks that were presented in the statement of the Communist Tendency were not presented in the T & P. They were presented in the convention discussion in which the name of the Communist Tendency was brought up, deliberately I'm sure, by the organizer. Secondly, we have no intention of appealing to the "Fourth International." That statement says very clearly we're writing a document for the world congress of the Fourth International, not an appeal. How could we say we're going to write an appeal before charges were brought against us? That isn't even logical on a formal logic basis. That's one of the things that the leadership is definitely afraid of. They're afraid of people finding out the history of the Fourth International and all the things it's done in the period of its departure from Trotskyism.

There's not an appeal intended. You see, we have learned a few things from the Spartacist and Wohlforth events, which Louie continually brings up and continually gets wrong. Spartacist was expelled in 1963, not '65. Point one. The world body of Trotskyism, Pierre Frank and company, even refused to hear the appeal of Spartacist because the Socialist Workers Party doesn't belong to the Fourth International, so how could they possibly hear an appeal? We know that. We have no intention of appealing to the Pabloites.

Now the whole point is faction rights. The whole point is faction rights and democratic centralism. You bet it is. What you have to prove is that those things that we did are in fact violations of democratic centralism, and not exercises of

legitimate faction rights. And you didn't even know what a faction was until we told you. We were right on that organizational point, weren't we? And we're right on all the other organizational points too. And eventually you'll find out about it -- the hard way, I'm sure. When your so-called power, that you get from the support that the liberal bourgeoisie gives you because you're the best builders of the antiwar movement melts when they no longer need you. You'll find that what you have is 1,000 people, and that's all that you'll have. All the power you have now is illusory. It's a dream and it's going to melt. You won't get any bigger. That's a promise.

Now Mary says that the trial was to determine whether or not we were guilty, that no one had made up their minds, even though "I had already decided that the statement they made was disloyal." Come on. I'm sure she prepared her statement. She should at least check out the logical inconsistencies in it. You're going to expel us. You could expel Trotsky today. If the leadership got up and said "The world is flat," you'd get a majority vote supporting that view. You could do anything you want on that basis. No doubt about it. No doubt about it.

Michael's afraid that we're going to terrorize him after we get out of the party. He's sure there's a threat. He's a little paranoid. The only thing we're saying is that we're going to be around politically in this city. And we're going to beat you in the working class because the working class is the only decisive factor in history. So consider, and Larry consider too, if you vote to expel us, who are you siding with? Neal's already run down some of the people. Take Steve, a professional anti-Trotskyist. The biggest Trot-baiter at Boston University that existed until he went to Canada and got religion. That's what this party has, for the people who make up the majority. What you have to seriously consider, anybody who's even got the slightest inkling of critical thought, is what does that mean? Where is it leading you? And if you can think any more, you'll vote to keep us in this party.

McCANN SUMMARY

Just on the last charge that's been leveled, that the CT refused to comply with the decision of the majority. That's not exactly true. They showed up at the trial as they were charged -- that is, as a tendency. They were charged as a tendency, they showed up as a tendency, they wanted to defend themselves as a tendency. Now we've been handed this hogwash that we just wanted to see to it that each person got his or her individual rights and that democracy prevailed. Democracy is not simply a matter of majority rule. That's been the most dangerous precedent that's been set here tonight. Democracy has been equated with majority decision. What the majority decides is democracy. In that case, Stalin was a supreme democrat in 1929.

But that isn't the case. As Kevin pointed out, a motion could be passed here easily that the world is flat if the leadership put it up. That wouldn't make it so. I think it's phony patriotism to get all indignant about the alleged walk out of the Communist Tendency at its trial. I think it's phony

patriotism to ignore the substance of questions, to decide, as Larry has decided, that they're not guilty on those questions, and then decide to vote to expel them on alleged organizational violation. You're going to expel these comrades, Larry, for violating organizational norms, for violating one organizational norm. You made up your mind and you said on the floor that you weren't going to expel them for what they said on the floor, but now they've walked out. They walked out of a trial, which they didn't really walk out of. They walked in and made their statement and said "The rest is up to you." In essence that is what they said. And then they walked out after they were told to leave. And now you're going to expel them for the violation of an organizational norm. Well, you can expel them. I won't.

WULP SUMMARY

I was flattered to be accused of quoting Comrade Cannon without giving the source of my quotes. I share the ideas with Comrade Cannon -- the words are my own.

I want to make one other point. Comrade Mary left the party. Comrade Mary came back. Since Comrade Mary came back she has been a selfless, loyal, dedicated builder of this party and is now part of our central leadership.

Now let me deal with some of the points that have been raised. Comrades, we've heard from every member of the Communist Tendency, every person that's on trial, who chose to speak. The remarks in general have simply been a further reintroduction of political questions. If you had to characterize in one statement the general overall thrust of what was said by all the members of the Communist Tendency who spoke, it was that they felt that their last point, the last time that they felt that they would speak on the branch floor if the branch approves the recommendation of the exec, should be spent in arguing once more the political questions that they lost at the convention. I think this speaks again to the question of whether these comrades are loyal to the party or not.

Comrade Fender told us that the faction speaks as one. Then he offered some interpretations of some of the sections. Who are we to believe, Comrade Fender, you or Comrade Morgan in his despicable gay-baiting, which in and of itself is grounds for charges? You can't have it both ways.

On procedures. The Communist Tendency is not charged for indiscipline, that last charge, because they left the proceedings as a group. I agree with Comrade John that we told them to leave. They're charged with that last point of indiscipline because they refused to comply with the Executive Committee's request that we be enabled to hear them one by one to find out how each individual viewed the statement of the Communist Tendency. Comrade John, who has just remarked on phony patriotism, also walked out at that point and did not continue with us in the five additional hours that we spent before reaching the decisions that have been brought before you tonight. Because the comrades in the Communist Tendency refused to meet with us as individuals we had to interpret their statement on its face

value. There was no other course open for us because they did not give us one. And on its face, that is a declaration of war against the party.

I want to list some of the questions, because we thought a good deal about this and, as Matilde indicated, we spent the first hour of our deliberations, from 9 until 10, dealing with the questions that we wanted to ask the members. I just want to read you a few. I have them with me: Were you consulted about the decision reported to the organizer by Comrade Neal that you had refused to come before the trial committee except in a group, that you insisted that this meeting between the group and the trial committee take place on Monday night? Will you participate in the sub drive, which the CT delegate opposed at the convention? The statement of the Communist Tendency says that you do not intend to give up the fight for the next 21 months. Does that mean that you intend to reintroduce questions decided by the convention on the branch floor? How do you interpret "not intending to give up the fight"? Do you think that this falls within the statutes of the party? What is your conception of the final battle? Must this battle be fought out now, without waiting until the next pre-convention discussion? What do you mean where the document says "by any means necessary"? Do you think this statement should be interpreted as meaning that the oppressed does not have the necessity of fighting by the rules outlined by the oppressor? Do you mean by any means outlined by party statutes? Does this include collaboration with non-party elements? Do you agree to abide by the party constitution in your functioning in the party where it states: "Questions decided by the party convention may be subjects of new discussions only when such discussion is formally authorized by the National Committee or in the established pre-convention discussion period"?

These are the kinds of questions that we wanted to ask the individual members of the Communist Tendency, to ascertain to the best of our ability exactly what each and every member thought they meant by the statement, which some lawyers might indicate is open to some degree of interpretation. We wanted to be crystal clear before recommending any course of action to you. There was no one who walked into that meeting on Saturday morning, no member of the Executive Committee with the possible exception of Comrade John, who had decided ahead what our opinion was on the individual members who make up the Communist Tendency. We did think that the situation was serious enough to warrant charges, and that's why those charges were brought -- not so that we could have some kind of discussion in the corridors and some individual could ask some individual of the Communist Tendency how that person interpreted one section and some other individual could ask the same person who might say the same thing, but so that we could do it in the most democratic fashion -- in front of the Executive Committee. Then we could bring a report of that to the body and we could act on the basis of that.

There was a suggestion that the comrades should have been tried in front of the branch. Now let me quote a section from the party constitution. It's been quoted on the branch floor recently, so comrades should recognize its existence. It says:

"Charges shall be filed and heard in the branch to which the member belongs [this happened on Sunday, a week and two days ago] or in a higher body which may decide to act directly in the case. Charges filed before the branch shall be considered by the branch Executive Committee at a meeting to which the accused member is summoned." That is the section of the constitution which we carried out in attempting to hear testimony from each individual member of the Communist Tendency.

But comrades, we weren't able to do that. They did not let us do that. Therefore, the only opinion that we could form was that the statement of the Communist Tendency was in fact a statement of intent and it was being carried out on Saturday morning; that this group thought they had the right to decide their own norms of functioning in this party. I think that's sufficient on that point.

Now, comrades, I want to respond to a couple of other remarks that were made. All political questions are out of order in terms of setting a line in between pre-convention discussions. If comrades think otherwise, or think that some cataclysmic event has taken place, then they should write asking the Political Committee that questions be reopened. Because that's the only way to function in our party. That's the only way that it's allowed to reopen a discussion -- by the correct higher body.

Barbara raised the question of other factions being able to make statements on cataclysmic events as they occur. The answer, comrades, is no. No. In between conventions, analyses of events are made by the National Committee. In between National Committee plenums they are made by the Political Committee and comrades are obliged to loyally carry out the line as decided by those bodies until the next pre-convention discussion period begins. That's the law of our party. We reject the idea of many heads making political analyses of events as they occur. This is the way the social democracy functions -- not the way the Socialist Workers Party functions.

I want to just close with as many quotes as I can squeeze into the time that I have left from The Organizational Character of the Socialist Workers Party.

First: "While a decision is being reached, comrades holding dissident views receive all normal minority rights including the right of organized dissent. After a party decision has been made, the democratic rights of the majority take precedence. All members are required to accept the majority decision and help to carry it out. Comrades holding minority opinions are not disqualified from serving the party in any capacity, nor are they asked to give up their dissident views. They must simply wait a new opportunity to present their views when internal discussion is again formally authorized."

Second: "The party is guided by the concept of democratic centralism in regulating both its public activity and its internal affairs. Full rights are accorded to minorities as conditioned by the democratic principle of majority rule. Minority views may be presented in internal discussion at the proper time and in

an appropriate manner as determined by the party."

Third: "As a voluntary and revolutionary organization, the SWP has the right to define the basis for its existence. The party exercises that prerogative by putting distinct limits on the right of advocacy within its ranks, as determined by majority decision through official bodies, acting in compliance with the party's program, principles and convention decisions."

Comrades, I think the case is clear. As a representative of the Executive Committee, we ask you once again to vote for both charges of indiscipline, for both charges of disloyalty, and for the subsequent motion to expel all eight comrades.