

JUL 7 1973

APPEAL TO THE POLITICAL COMMITTEE
OF THE SWP

Political Committee, SWP
% SWP, National Office
14 Charles Lane
New York, NY 10014

Dear Comrades,

There are 3 purposes to this letter:

- 1.) To inform you of a number of violations of democracy, in connection with the trial proceedings we are going through, around the security policy.
- 2.) To protest these undemocratic proceedings.
- 3.) To request your direct & immediate intervention to stop the trial proceedings & take direct responsibility for all further actions in the conduct of our two cases.

By this time, these violations have gone so far that we feel there is no way we can have a really fair trial. What started out as problems with undemocratic procedures has now become a situation, severely compromised by irreversible errors & self-justifying excuses. It has gotten so far out of hand that the democratic nature of the trial proceedings is now in question.

We don't know what else to do at this point but call on the national leadership of the SWP for your intervention & direction.

I. MAIN VIOLATIONS OF DEMOCRATIC NORMS IN THE HANDLING OF EVIDENCE

The following is a run-down of the main violations of democratic norms that have occurred in the handling of the evidence.

All evidence on which Comrade C's allegations against 5 L.A. comrades & charges against 2 of them were based, was obtained through taped interviews, conducted by a sub-committee of the executive committee of the branch.

VIOLATION #1 ---

We requested to hear the tapes in preparation for our defense & were denied the right to do so. This violates our democratic right to defend ourselves on the basis of all the facts.

Official justification: Party security
Right to personal privacy

VIOLATION #2 ---

All members of the trial body, not on the original e.c. sub-committee, were denied access to the tapes, the only complete record of the allegations against all of the L.A. comrades involved. This is a violation of the right of the trial body members to hear all the testimony. Only in this way can they make their own judgement about all of the questions involved.

Official justification: Party security
Right to personal privacy

VIOLATION #3 ---

Executive committee member Judy S. (who is also a member of the International Majority Tendency) was prevented from giving a minority report at the branch meeting of 6/24/73 on the question of the tapes. This violated/democratic fight to express her minority point of view & to present a motion to make the tapes available to the trial body members & the comrades on trial.

This also denied the branch its right to know there was a disputed issue, & its right to hear points of view in disagreement with the leadership.

Official justification: Party security

VIOLATION #4 ---

The trial body (consisting of the e.c. & the branch city secretary) voted in its majority to destroy the tapes, and did it.

- a.) This action destroys the only evidence available against all the comrades named by Comrade C., and the procedures used to obtain it.
- b.) It also destroys evidence necessary for an appeal, if the right of appeal is exercised. So this not only obstructs our democratic right of appeal, but also makes it impossible for the national leadership to carry out its responsibility to conduct its own independent investigation, if required.

Official justification: Party security

In summary, the following denials of democratic rights have occurred:

- 1.) Denial of our democratic right to hear all relevant evidence, so as to prepare the best possible defense for our respective trials.

- 2.) Denial of the rights of the trial body members to hear all the evidence.
- 3.) Denial of the right of an e.c. member to present a minority point of view to the branch.
- 4.) Denial of the rights of the branch membership to hear a minority point of view & to exercise their authority over the executive committee.

In addition, both ourselves & the national leadership have been denied an important basis for an appeal, if necessary, by the destruction of the tapes.

VIOLATION #5 ---

The above violations of democratic rights have the cumulative effect of denying us the right to a fair & objectively conducted trial.

II. CIRCUMSTANCES THAT RAISE THE SUSPICION OF A COVER-UP.

The following are circumstances that raise the suspicion of a cover-up. We have been very reluctant & cautious in coming to such a conclusion, largely because of our belief in the party leadership's long history of respect for democratic norms & the rights of minorities. After all, the Trotskyist movement itself came into existence as a minority, fighting for the right to express a different point of view. That's enough to make anyone/super-sensitive to the extreme importance of democratic rights.

Only now, do we find ourselves in the position of being forced to re-evaluate the L.A. leadership's role in this whole dismal affair. In light of the circumstances we outline below, we feel confident that you will understand our concern, even if you don't share the same concern.

1. 6 out of a total of 7 comrades admitted that Comrade C's allegations against them were essentially true.
2. The only comrade who denied the most incriminating of her allegations against him is a prominent national committee member & international spokesperson for the SWP. He did admit to a violation of one important aspect of the security policy (by not informing the leadership of Comrade C's violation of discipline when he first learned of it). Despite his important position as ^{an international} national leader of the Trotskyist movement,
 - a.) He was not asked to resign.
 - b.) Charges were not brought against him.

(We might add here that of the 7 comrades implicated:

- a.) 3 have agreed to resign.
- b.) 3 are being brought to trial on charges of indiscipline.
- c.) Only 1 comrade, this n.c.er, is denying the most incriminating of Comrade C's allegations, hence is getting off completely.)

3. The e.c. sub-committee dismissed Comrade C's entire testimony as invalid on the basis of:
 - a.) Supposed inconsistencies in her testimony about the n.c. member during 8 hours of questioning in 2 sessions of the sub-committee.
 - b.) The n.c.er's denial of the accuracy of her testimony against him.
 - c.) Her disturbed state of mind, which is seen in her opinions on a whole range of other un-related (or only indirectly related) matters; this is without any regard for her general accuracy on all other allegations.
4. In addition, Comrade C. told Comrade Sudie, approximately 10 months ago (when S. arrived in L.A.), that she had directly violated discipline on the security policy with this n.c.er, when there was no question of her mental instability (~~existing~~ a very recent development). Sudie's testimony was not accepted as valid by the sub-committee.
5. Comrade C. was asked & has agreed to resign. Very convenient, since she will not be at the trial to deny or dispute the majority's analysis of her testimony & the highly questionable claims about her "disturbed" personality.

A request by Comrade Sudie was made at the trial body hearing to invite Comrade C to the trial as the crucial witness. This request was either ignored or denied. We don't know, having had no response to this request at this point.
6. The reasons given for denying everyone access to the tapes were:
 - a. Party security
 - b. "Sensitive" personal information (although much of it was included in the sub-committee's own report to the trial body and, presumably will be presented to the branch on Sunday (7/8)).

Two motions with regard to the tapes were made by members of the trial body (6/7/73):

- a. that the tapes be immediately destroyed, in the interest of security.
- b. that the tapes be sealed but preserved until all trial proceedings are over.

Motion #2 would have accomplished 2 things at once:

- a. It would have been consistent with the strictest enforcement of security.
- b. It would have satisfied a basic requirement for a fair trial & appeal process.

This motion was motivated to allay suspicions of a cover-up. It was never seriously considered.

We believe that this makes it obvious that the real reasons for preventing anyone from hearing the tapes were NOT protection of party security or personal privacy, since both of these would have been fulfilled by sealing the tapes.

7. During the July 1 session of the trial body, in the absence of the accused comrades, the motion to immediately destroy the tapes was passed, & subsequently carried out.

Is it any wonder that we are a bit suspicious of a cover-up, that is, of conscious & repeated acts of concealment that culminate in destroying the tapes (an irreversible act), and with them the evidence for a cover-up?

At this point, the only remaining possibility of getting at the truth is to speak to the comrade who initiated this whole thing, Comrade C. But it will do us no good to think in terms of getting crucial testimony from the central witness for 2 reasons:

1. Whatever she has to say at this point is totally "unreliable", because, we're told, she's "unbalanced", "disturbed", "subject to fancicizing", & we just can't believe what she says.
2. Besides, she's unavailable for further testimony. Even though she's still a member of the branch (& will be until her resignation is brought before the branch for action), the trial body would not agree to carry out Comrade Sudie's request that Comrade C. be invited to attend the branch trial as a crucial witness.

SOME LOGICAL QUESTIONS

1. Is it possible that it would be much harder for the leadership to maintain the appearance that its security policy is uncritically accepted by the membership, if it becomes known that there are those in the leadership who do not agree with & even find it impossible to abide by the line?
2. Whose "security" is being protected? Is it the security of the Party or the security of the leadership's policy? Could it possibly be that the policy has become such a fetish, to the point where destruction of evidence & the denial of democratic rights are necessary to uphold it?

From where we stand, it looks like the answers to these questions were destroyed along with the tapes.

III. ON THE QUESTION OF EXPULSION AS A RECOMMENDATION

In light of the many violations of democratic norms & other irregular circumstances that raise these suspicions, does expulsion seem like a reasonable punishment for indiscipline?

Such a serious recommendation for Sudie & Dave has to be considered in a very serious way in light of the above facts & the following additional ones:

1. We are both known to hold dissident views on this question of the security policy. We have made no attempt to hide our disagreements to "get off". We have admitted our errors. We have agreed to strictly adhere to the security policy from here on out. We have agreed to confine our disagreements on this question to a political discussion on the policy that has never been had. It is a political problem that must be solved politically. We have maintained this all along.
2. One of the accused comrades in L.A. (Comrade Sudie) & one from another branch who is also being brought to trial (Comrade Geb), submitted a contribution to the 1971 SWP pre-convention discussion, putting forth their views on the security policy. That contribution was censored out of the discussion. Numerous attempts to get a written explanation from the leadership, including several written appeals & an appeal to the national committee plenum, have been in vain.
3. We are in the midst of pre-convention discussion, where a maximum amount of democracy is necessary for the resulting line of the party to have real authority. The events surrounding this trial are going in the opposite direction.
4. No democratic discussion (one open to the rank & file) has ever taken place on the party's security policy on illegal drugs. Comrades who disagree with it have no way of expressing their disagreements but are expected to abide by the discipline of it.

IV. REQUEST FOR INTERVENTION BY THE POLITICAL COMMITTEE

Although many of the things we have raised, you most likely have doubts about, with regard to accuracy, motive, etc., we know of no other way to clear up these serious problems short of direct intervention by you, or a special body appointed by you.

As we have said, we don't any longer believe a fair trial is possible under the direction of the L.A. branch leadership. We also believe that this whole business is not helping the party one bit. It is, in fact, hurting the party, making it more vulnerable to attack by the state, hence increasing the risk to the party's security.

We are hoping that the sooner you get into the act, the better the chances are for restoring some semblance of democracy in these important proceedings.

Please acknowledge receiving this appeal & let us know your decision at once.

Comradely,

Sudie & Dave Ch.

Sudie & Dave Ch., L.A. branch

P.S. Our trial before the branch is scheduled for Sunday, July 8. So time is short. Sorry for the delay in sending this. It has taken some time to make our points as clear & complete as possible.

cc/ Wendy R., SWP L.A. organizer
United Secretariat
Judy S., Minority reporter, trial body

july 5, 1973