

Text of Constitution
before amendment by
1946 convention.
(May be original
Constitution?)

CONSTITUTION OF THE WORKERS PARTY

Article I NAME

The name of the organization shall be the Workers Party of the United States (hereinafter referred to as "the Party".)

Article II PURPOSE

The purpose of the Party is set forth in its program as embodied in resolutions and declarations of National Conventions; its purpose shall be to educate and organize the working class for the abolition of capitalism and the establishment of a Workers Government to achieve socialism.

Article III INTERNATIONAL AFFILIATION

The Party is affiliated with no other group, party, or organization in the United States or elsewhere. It seeks to establish fraternal relations with groups and parties in other countries, and, if they stand on the same fundamental program as its own, to cooperate with them in the elaboration of a complete world program and the speediest possible establishment of the new revolutionary International, the Fourth international. Action on any such step must be submitted to a National Convention of the Party.

Article IV MEMBERSHIP

Section 1. Every person who accepts the program of the Party and abides by the decisions and engages actively in its work shall be eligible to membership.

Section 2. Every member (except as otherwise specifically determined in individual cases by the National Committee) must belong to a duly constituted Branch of the Party in the city where he resides, if such a Branch exists. In territories where no Branch exists, applicants shall be admitted as members-at-large.

Section 3. All applicants for membership shall be recommended by two persons who have been members for not less than four months. Action by the Party Branch on applications for membership shall take place in the absence of the applicant.

Section 4. Applications for membership shall be acted upon by the local branch and the local Executive Committee (Article V Section 3) concerned, in accordance with the general procedures laid down by the National Committee, and subject to review by higher units of the Party. Applications for membership-at-large shall be acted upon by the National Committee, or by such committee as it designates.

Section 5. A member desiring to transfer membership from one locality to another must apply to his Branch for permission, and receive a transfer, which is to be deposited with the Branch of the locality to which the member moves, but final permission can only be given by the National Committee or the body it designates. If no Branch exists in the locality, the member shall be a member-at-large.

Section 6. All new members shall be on probation for a period of two months. During this time they shall have all the privileges and obligations of membership except that they shall not have the right to vote or the right to hold office on the Branch Executive Committee or any higher body.

Section 7. The National Committee is empowered to accept groups or organizations of individuals, eligible under Section of IV of this Article, as members in bloc, and to assign them to the proper branches.

Article V UNITS OF ORGANIZATION

Section 1. The basic unit of the Party shall be the Branch. A Branch shall consist of not less than 5 nor more than 30 members. When a Branch achieves a membership of 30, it shall be divided into two Branches; exceptions may be made only by permission of the National Committee.

Section 2. Wherever more than two Branches exist in the same locality as determined by the National Committee, a local Executive Committee shall be formed by elections at a local convention. Where only two Branches exist in a locality, the local Convention shall be a joint membership meeting called for this purpose.

Section 3. Where a local Executive Committee is elected, the Convention shall be the highest body of the Party in the given locality. Branches in that locality shall derive their power or limitations of power from the local Convention and between conventions from the Local Committee except in the case of elections of national convention delegates which shall take place on a Branch basis.

Article VI. ADMINISTRATION

Section 1. The highest governing body of the Party is the National Convention. Its decisions shall be binding upon the entire membership.

Section 2. Between National Conventions, the authority of the Convention, subject to the decisions of the Convention itself, is vested in the National Committee elected by the Convention.

Section 3. The National Committee shall be comprised as follows:

Par.1. There shall be ___ members, elected by the National Convention.

Par.2. The National Convention shall also elect ___ Alternates, to fill vacancies in the National Committee in the order decided upon by the Convention.

Par.3. Members of the National Committee may be removed from the Committee and/or expelled from the Party only by vote of the National Convention. Members of the National Committee may, however, be suspended from the National Committee and/or membership, for cause, pending final decision of the National Convention, by vote of two-thirds of the membership of the National Committee.

Section 4. The National Committee directs all the work of the Party, decides

all questions of policy in accordance with the decisions of the Convention, appoints a National Secretary, and all other subordinate officers and sub-committees, and, in general, constitutes between Conventions the highest functioning authority of the Party. The National Committee shall meet periodically.

Section 5. The National Committee shall elect a Political Committee from among its members which shall function for the National Committee between meetings of the National Committee.

Section 6. The local governing body of the Party shall be the Local Executive Committee, or where only one branch exists, the Branch Executive Committee.

Section 7. The Branch Executive Committee shall be elected and is removable by a special membership meeting of the Branch called for that purpose and is subordinate to the Branch membership. Its term of office shall be for six months. Its duties are to direct the activities of the Branch, and to act with full powers for the Branch between Branch meetings. This section applies likewise to Local executive Committees, except as modified by Article V, Section 2, and except that the term of office shall be as provided by a local constitution and by-laws, but shall not be for more than one year.

Article VII. INITIATION FEES AND DUES

Section 1. Each applicant for membership shall pay an initiation fee of one dollar. The entire initiation fee shall be paid to the National Office.

Section 2. Each member shall pay the dues and assessments as determined by the schedule adopted by the National Convention.

Section 3. No member is exempted from the payment of at least the minimum dues. The minimum dues are established by the National Convention.

Section 4. Any member who is three weeks in arrears in payment of dues shall cease to be a member in good standing and shall be so notified by the Branch Executive Committee. Any member five weeks in arrears shall be stricken from the rolls of the Party into which he may be reinstated only by making a new application for membership accompanied by the regular initiation fee, and subject to any further conditions that may be determined by the Branch with the approval of the National Committee.

Section 5. Only members in good standing have the right to vote.

Article VIII DISCIPLINE

Section 1. All decisions of the governing bodies of the Party are binding upon the members and subordinate bodies of the Party.

Section 2. Any member or unit violating the decisions of a higher unit of the party shall be subject to disciplinary action up to expulsion by the body having jurisdiction.

Section 3. Charges of breach of discipline or conduct unbecoming a member made against any member shall be made in writing and the accused member shall be furnished with a copy one week in advance of the hearings. Charges filed

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before branches shall be considered by the Branch Executive Committee at a meeting to which the accused member is invited. The Branch Executive Committee shall submit a recommendation on the charges to be acted upon by the membership of the Branch. Charges considered by higher units of the Party shall, however, be acted upon by the said units,

Section 4. Disciplinary action against a member, proposed by a higher unit of the party, shall be heard in the Local Branch. In case of failure of the Branch to act, or Branch action deemed improper by a higher unit, or by any member of the Branch, the charges in question may then be considered and decided upon by the higher unit.

Section 5. Charges initiated against members of any unit higher than a Branch Executive Committee may be considered and decided directly by the higher unit in question, if it establishes its jurisdiction in the case.

Section 6. 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.

Article IX QUALIFICATIONS FOR ELECTIONS

Section 1. Except in the case of newly organized branches, members of Branch Executive Committees must have been members of the Party for at least four months, and members of the Local Committee must have been members of the Party for at least six months.

Section 2. Members of the National Committee must be members of the Party for at least 2 years.

Article X NATIONAL CONVENTIONS

Section 1. The National Conventions of the Party shall be held at least bi-annually. The National Committee may by two-thirds vote postpone the National Convention for not more than six months, provided that a notice of such postponement be given not later than one month before the time for the convention call. Such action may be nullified on the demand of branches representing at least one-third of the membership.

Section 2. A special convention may be called by (1) a majority vote of the National Committee. (2) Any three or more branches representing 1/3 of the membership can initiate a motion for a special convention. This motion upon receipt by the National Secretary shall be communicated to the Branches within ten days. (3) If within the period set in Section 5 of this Article X fifty percent of the membership signify their support of the motion, the call for the National Convention shall be issued. (4) The voting period shall extend over a period of thirty days from the date the question was formally submitted to the membership. (5) The rules of voting shall be the same as the rules under Article X, National Conventions, and those rules determined by the National Committee or the Political Committee.

Section 3. The Call for the Convention, together with an agenda and the proposals of the National Committee shall be issued at least 90 days before the date of the convention for discussion in the local organizations and the official publications. An Internal Bulletin shall be issued during the Convention discussion period.

Section 4. Representation at the Convention shall be proportionally based upon the dues paying membership in good standing in branches at the time of the election of delegates who were members of the Party at the time of the issuance of the Convention Call.

Members voting for delegates to the National Convention shall vote in the Branches in which they were members at the time of the Convention Call. Branches organized after the Convention Call shall have Fraternal Representation, in the form of a delegate or delegates with voice but no vote.

Section 5. All other rules and regulations in relation to voting and representation at the National Convention which are not covered in the constitution shall be defined by the National Committee in the Convention Call.

Section 6. Delegates and Alternates to the National Convention must be members of the Party for at least six months, except in the case of newly organized Branches.

Article XI. AMENDMENTS

Amendments may be made to this Constitution by majority vote of the National Convention.

Article XII. Press

All official organs of the Party are subject to and under the direction of the Party and National Committee.

RULES AND BY-LAWS

- I. All units of the Party shall be guided by Robert's Rules of Order and special rules established by the Branch except where it conflicts with the Constitution or with the rules as herein stated.
- II. Any disputes on Rules and By-Laws that are not covered in the Constitution or in the Rules and By-Laws shall be settled by the National Convention or by the National Committee between sessions of the National Convention.
- III. In all cases except as specifically otherwise set forth in the Constitution a majority or plurality vote shall carry a motion.
- IV. A member may decline any nomination. Upon being renominated, the nominee shall remain a candidate and his declination shall be accepted by the body as an expression of opinion.
- V. A recorded abstention is counted as a vote and is, therefore, tabulated in the total vote for purposes of proportional representation when this system of representation is employed.
- VI. Not voting is not a vote nor is it tabulated in the total vote for purposes of proportional representation when this system of representation is employed.
- VII. A member has the right to be recorded in any unit of the party of which he is a member on any question before that body.
- VIII. Motions need not be seconded to be considered, except a motion to admit a new member.
- IX. Censure, which is a disciplinary action, is a rebuke, a public (inside the party) expression of disapproval.
- X. Suspension, which is a disciplinary action, is a suspension of all or some of the rights of a member, but none of his obligations.
- XI. All forms of discipline must be specifically defined by the unit voting the action.
- XII. Chairmen always have the right to vote.
- XIII. Former members, reapplying for membership shall be referred to the National Committee for action. Such applicants, if accepted for membership shall be on probation for a period of not less than three months.

Recommendations by
Natl. Comm. to the
1946 Convention.

CONSTITUTION OF THE WORKERS PARTY
AND RULES AND BY-LAWS

The following are the amendments to the Constitution and By-Laws recommended by the National Committee.

The reporter recommends that delegates having any amendments or changes write them out and submit them so that we will not attempt to write amendments on the floor of the convention.

This procedure will also save a great deal of time.

Paul Bern
N.C. Reporter

CONSTITUTION OF THE WORKERS PARTY

Article I same

Article II same

Article III same

Article IV

Section 1. same

Section 2. same

Section 3. same

Section 4. same

Section 5. same

Section 6. same

(The following rule shall not be included in the text of the constitution but is to be enforced for the next year: "All new members who are industrial workers shall serve a probationary period of two months; all others shall serve a probationary period of not less than four months.")

Section 7. same

Article V

Section 1. same

Section 2. Strike out present section.

"Wherever more than two branches exist in the same locality as determined by the National Committee, the highest governing body shall be a delegated City Convention. The City Convention shall meet at least annually. It shall elect a City Committee which shall be the highest governing body between conventions. The City Committee shall elect a City Organizer and such other officers

as may be necessary to conduct the affairs of the organization. In between City Conventions decisions of the City Committee shall be binding upon all units and members until and unless reversed by a higher body. In localities where there are only two branches there shall be a local executive committee. The local executive committee shall be elected at a joint membership meeting of the two branches called as a convention for the purpose of electing a local executive committee and for the transaction of such other business as may come before such a joint meeting. A joint membership meeting for the election of a local executive committee and for the transaction of other business shall be held once each six months. In between joint membership meetings which have been called as local conventions, a local executive committee shall be the highest governing body in the locality. Its decisions shall be binding upon all units and members until and unless reversed by a higher body."

Section 3 Strike out present section.

Article VI

Section 1. same

Section 2. Add at end of sentence: "except where the National Committee thinks it necessary to call a referendum."

Section 3. same

Section 4. Strike out "periodically" (last word) and add: "at least twice a year."

Section 5. same

Section 6. In that section where it says "local executive committee" change to read "local or City executive committee."

Section 7. Strike out sentence 4, five lines down.

Article VII

Section 1. same

Section 2. same

Section 3. same

Section 4. same

Section 5. same

Article VIII

Section 1. same

Section 2. same

Section 3. Strike out last sentence in this section.

Section 4. same

Section 5. same

Section 6. same

Article IX

Section 1. Change "four months" to "six months".
Change last two words "six months" to "one year".
Where it said "local committee" change to "local executive committee and city executive committee".

Section 2. same

Article X

Section 1. same

Section 2. same

Section 3. Strike out last sentence. Insert: "A bulletin shall be issued during the Convention discussion period under the direction and supervision of the National Committee."

Section 4. Add a third paragraph: "The election of delegates to the National Convention shall take place on a Branch basis."

Add a fourth paragraph: "Under no conditions shall persons who have been stricken from the rolls of the Party under Article VII, Section 4 be counted in the basis of representation."

Section 5. Following the word "Constitution" add "or Rules and By-Laws".

Section 6. Change "six months" to "one year."

Add a new Section to Article X:

"Section 7. Members of the National Committee and Alternates to the National Committee shall be seated at National Conventions of the Party as Fraternal delegates with voice and no vote."

Recommend that the incoming National Committee be empowered to provide statutory provisions in the constitution for Party-Youth relation once the Youth Organization of the Party ceases to be provisional.

RULES AND BY-LAWS

- I. same
- II. same
- III. same
- IV. same
- V. same
- VI. same
- VII. same
- VIII. same
- IX. same
- X. same

- XI. same
XII. same
XIII. same
XIV. Add "Representation at the National Convention shall be as follows:

1. Each branch organized before the Convention Call shall be entitled to one delegate for every seven members or major fraction thereof.

2. Where a branch is entitled to one delegate the majority gets the delegate.

3. The number of members voting shall be considered the total number of members who have cast any counted vote during the meeting on any resolution or motion presented for the convention. Majorities and minorities shall be established on the basis of votes cast and counted for any resolutions or motions submitted on the night of voting by any member of the branch.

4. Where a branch is entitled to two delegates and a minority receives 40% of the total votes cast and counted, such a minority shall be entitled to one delegate and the majority to one delegate.

5. Where a branch is entitled to three delegates and a minority receives 33 1/3% of the total votes cast and counted such a minority shall be entitled to one delegate and the majority to two delegates.

6. Where a Branch is entitled to four delegates and a minority receives 25% of the votes cast and counted such a minority shall be entitled to one delegate or a minority receives 40% of the votes cast and counted shall be entitled to two delegates.

7. Where a branch is entitled to five delegates and a minority receives 20% of the votes cast and counted such a minority shall be entitled to one delegate or a minority receives 40% of the votes cast and counted such a minority shall be entitled to two delegates.

8. Where a Branch is entitled to an odd number of delegates (1,3 or 5) and each motion or resolution receives 50% of the votes cast and counted the delegates shall be divided in half (one delegate, each receives 1/2 vote; three delegates, each receives 1 1/2 votes; five delegates, each receives 2 1/2 votes)

9. A Convention Tax of one dollar shall be paid no later than the night of voting in order for a member to be in good standing. This is in addition to the constitutional requirements in Article VII, Section 4 and Article X, Section 4.

10. Delegates and Alternates shall be named by the members voting for the respective resolutions or motions providing they have the required proportion of the total votes cast and counted and shall be formally notified by the branch as a whole.

11. Members on probation at the time of the Convention Call and those who have joined since the issuance of the call shall not be counted in determining the number of delegates to which a branch is entitled.

12. If between the time of the call and the night of voting a member on probation has been installed as a regular member he shall have the right to vote on resolutions and on delegates without being counted, however, in the total membership which forms the basis for representation to the convention.

13. Voting shall take place no later than 7 days before the date of the convention nor earlier than 30 days before the date of the convention.

14. Unchartered branches shall be represented at the convention by fraternal delegates with voice and consultative vote.

15. Branches may elect one or more alternates.

16. Voting for delegates by mail is to be allowed only in case a member is prevented from attending the election meeting of the branch by virtue of his occupation, severe illness or transfer to another locality. Mail votes must be in possession of the branch secretary not later than the actual time of voting in the branch.

17. All members of the Party must receive previous notification of the date, time and place of branch elections of delegates to the National Convention.