

DAILY PEOPLE

VOL. 7, NO. 147.

NEW YORK, SATURDAY, NOVEMBER 24, 1906.

ONE CENT.

EDITORIAL

AN OPEN LETTER TO CHARLES H. MOYER, ADA COUNTY JAIL, BOISE, IDAHO.

By DANIEL DE LEON

FELLOW Worker—

The *New Yorker Volkszeitung* of the 22d instant publishes what purports to be a letter from you, in which a number of charges are made against the late convention of the I.W.W., and upon the strength of which, “after long and earnest consideration” you urge the membership of the Western Federation of Miners to reject all the decisions of the said convention.

I must, first of all, admit that I run a certain amount of risk in basing this open letter upon matter taken from a publication of the *Volkszeitung* Corporation. Since the establishment of the I.W.W. these publications, well known to be supported by corruption moneys of A.F. of L. branches, have uniformly assailed and slandered the I.W.W., going, obedient to their economic determinism, to the length of forging documents against the I.W.W., as has been more than once documentarily proven in the course of the last twelve months. That what now purports to be a letter from you should likewise be a forgery would be nothing out of the way. Nevertheless, considering the intimate relations that have latterly sprung up between several leading officers of the W.F. of M., on the one hand, and the *Volkszeitung* Corporation publications, on the other hand, the probabilities are that the letter is genuine. I run one chance in ten of being in error. That chance I take. Should it turn out that I am in error, I request you to consider this open letter as unwritten.

You make a number of statements, or charges, to the effect that the convention violated the constitution. In vain do I search your letter for the slightest evidence of proof to substantiate your statements. They are wholly unsupported. Nothing should be easier than the citing of a constitutional provision that is charged with having been violated. No such citation is found. This is all the more striking, if not amazing, seeing that among the misdeeds of the convention, enumerated by you,

the “abolition of the referendum” is one, and seeing, moreover, that your letter is addressed to the membership of your own organization with the request that they defeat by their vote the actions of the convention. Such a position ill befits one who steps forward as upholder of the referendum. Your statements are merely your own conclusions. These conclusions may be ideally correct. But, at referendums, the rank and file is not supposed to pass merely upon conclusions. Conclusions are no argument, let alone proof. They are individual opinions. To request and expect the rank and file to vote upon conclusions only is to request and expect them to “fall in line” with leaders without doing their own thinking. Such a thing is a travesty of the referendum. The referendum is not intended for “followers,” it is intended for men. Too long has the working class been undone by a leadership that does the thinking for them, and expects and demands that they follow. It is just this sort of thing that the referendum is meant to put a stop to; to call such a practice the referendum is but to pile a fresh wrong upon an old one.

Unable to find any proof in your letter to substantiate your charges I hereby invite you to produce your proofs; to quote the constitutional clause, or clauses, that have been violated; to advance your arguments in support of your views. I might rest here. I shall not. I wish to save time. If the convention did any wrong, that wrong should be smashed, and none too promptly. Accordingly, I shall take up your charges or statements, and myself prove that they are without foundation in fact, or in the constitution, but wholly imaginary. That will give you a clean target to hit at. Hit it hard—if it can be hit.

First. You say that, along the lines of the convention, you may “awake some fine morning to discover that the Western Federation of Miners has ceased to be a Department.” If this means anything, it means that the I.W.W. constitution recognizes the W.F. of M. as a Department. There is no truth in this. The W.F. of M. is not, never was and never can be a whole Department under the constitution of the I.W.W. We refer you to Sec. 2 (a) Art. II. of the constitution. The constitution recognizes a “Department of Mining Industry.” The W.F. of M., as an ore-mining organization, is but a unit, or part of that Department. Other units belonging to that Department are the coal, the salt, etc., mining industries. All these compose the “Department of Mining Industry,” not any one of them. The very name of your organization, WESTERN Federation of Miners, precludes the idea of its being a whole Department. An organization of exclusive territorial denomination can not be

a whole Department. What does not exist can not be abolished. What the W.F. of M. is to-day is the sole Industrial Union in existence of the several industries which eventually will constitute the “Department of Mining Industry,” and in view of this, its officers have been recognized as the Departmental officers; but officers are not a Department. So your supposition of what may happen some fine morning, and what the supposition implies was purely imaginary.—I challenge facts, or constitution, in contradiction.

Second. You charge that the convention abolished Departments in violation of the constitution. Seeing that there were only three Departments supposed to exist, and that the Departmental officers of one of them, the Department of Mining Industry, continue to be recognized, the charge can have reference only to the alleged Department of Metal and Machinery Industry, and the alleged Department of Transportation Industry. Your charge is false. I refer you to Sec. 4 of Art. VII. of the constitution. It provides: “So soon as there are ten local Unions WITH NOT LESS THAN 3,000 MEMBERS in any one industry, the General Executive Board shall immediately proceed to call a convention of that industry and proceed to organize them as an International Industrial Department of the Industrial Workers of the World.” It matters nothing to the argument whether the delegates of these two industries at last year’s convention padded their vote or not. The fact is that both of them, with a membership greatly below the constitutionally requisite 3,000—one with only about 800, the other with only from 200 to 300 members—were allowed by the G.E.B. to figure as “Departments.” In doing so the whole G.E.B., yourself included, violated the constitution. You may not have said “To hell with the constitution,” you acted up to the motto. What the convention did—the convention which you jauntily charge with trampling the constitution under foot—when that convention declared the Kirkpatrick and McCabe alleged Departments as non-existent, was to rectify the constitution that had been violated. Or is it your claim that the G.E.B. had a right to violate the constitution, but the convention had none to rectify the violation? The membership are entitled to light upon this head. The convention did not “abolish,” constitutionally or otherwise, either of those two Departments. Their unconstitutional incipience rendered them non-existent. The convention therefore constitutionally removed the two frauds who claimed seats in the convention by virtue of their original trampling roughshod over the constitution.—I challenge facts or constitution in contradiction.

Third. You charge the convention with having “abolished the referendum in its most important features.” The charge has no foundation in fact. To abolish a thing it must first exist. The old constitution mentioned “referendum” in only one place, and that only as a loose provision for the “initiative” demanded by a subordinate part. (Bottom paragraph on page 11.) In point of fact, the old constitution did not provide for the referendum. Even if, indeed, the convention had been opposed to the referendum, it needed abolishing nothing under that head. All it would have had to do would have been to “let well enough alone.” But so false is the charge, that this convention it was that expressly provided for a referendum. And the convention did more. It provided for that without which the mere word “referendum” is a snare and a delusion—it provided for the systematic furnishing of INFORMATION to the membership. Over the protest of the McMullens and McDonalds who disgraced the W.F. of M. jointly with Mahoney, the convention provided for the furnishing of the membership with regular stenographic reports of the sessions of the G.E.B., and also with a stenographic report of the proceedings of the conventions.—I challenge you to produce facts, or constitution, to the contrary.

Finally you charge the convention with having “unconstitutionally abolished the presidency,” and you ask: “If the office of president was to be abolished why did not the convention first submit the matter to a vote of the membership?” The question indicates wherein, in your opinion, lay the “unconstitutional act.” According to that the “constitutional method” was to leave the presidency in existence, until the rank and file had approved of its abolition. For one thing, there was nothing in the old constitution to compel a referendum upon the subject, and upon that I again challenge you to produce facts, or constitution, in contradiction.

But, it may be argued, would it not have avoided a lot of trouble if, although the constitution did not demand it, the matter of the presidency had been left for the membership to decide? I recognize the force of the spirit of the objection, but I shall prove that, under the circumstances which confronted the convention, any such concession would have done infinitely more harm than any trouble which the other course can possibly occasion. The situation was this: In the course of the first seven days of the convention the incumbent president was convicted out of his own mouth of apostatizing from the industrial form of organization and of having forced craft Unionism upon applicants for membership on the ground that the industrial form of organization “was 1,000 years too early”! He was convicted of keeping worthless

chums of his on the pay-roll as organizers; he was discovered to have discharged an organizer at the behest of a friend of Mitchell's, a behest arrogantly, brazenly and brutally made at I.W.W. headquarters in the presence of a number of people; he stood convicted over his own signature of having his hands up to his elbows in the organization's treasury. Etc., etc. Be kind enough to stick a pin there. On the other hand, the constitution provided the officers shall "hold office until their successors are elected and qualified" (Sec. 3, Art. II.), and it provided (Sec. 2, Art. II.) that the President was to be elected by a general vote of the membership. In view of the situation created by the above facts concerning Sherman, together with the constitutional provisions, NOTHING SHORT OF THE ABOLITION OF THE PRESIDENCY, AND THAT ON THE SPOT, COULD HAVE SAVED THE ORGANIZATION FROM DESTRUCTION. Sherman's subsequent conduct—his organizing himself Kangaroo Court-like into a referendum all by himself with Mahoney, Kirkpatrick, McCabe and Cronin, and among themselves, to the exclusion of the membership, "referendum" the decrees of the convention out of existence; his hiring of detective plug-uglies to furnish him with the physical force whereby to back up his private and usurped referendum rights; his stating in an affidavit in the Court proceedings, over his own signature and under OATH that neither he nor the G.E.B. had at all called the convention; his blowing hot and cold on the subject of the referendum, claiming in one breath that the convention had "heinously abolished the referendum," and in the next breath, in his endeavor to escape the consequences which he justly apprehended would flow from the referendum, which, in fact, the convention had established, denying, again over his own signature and under OATH in the above referred-to proceedings, that no provision was made in the old constitution for submitting the convention to a referendum; finally, as if to cap the climax, his, jointly with Mahoney's and the rest of his bogus G.E.B.'s, summary EXPULSION from the Board (!!!) of Trautmann and Riordan, an act that not even a legally constituted G.E.B. has authority to perform—all these acts, each and all of public notoriety, several of them, including the last one, being officially announced by himself—all these felonious acts have since fully vindicated the course of the convention. Any other and less swift course would have left Sherman in office as a "hold over," accordingly with power to wreck the convention financially and otherwise. The man is capable of any act. No act is too base for him except an act that requires courage. Had the convention acted otherwise, under the

circumstances, it would have been justly held by the membership as culpably derelict in its bounden duty. As things now stand, nothing is lost; no rights have been violated, or tastes done violence to. Should, what is wholly out of the question, the majority of the membership have a taste for Shermanism, they have the power to reinstate him; or if, tho' condemning Shermanism and glad of having been rid of the mischief, they still entertain a superstitious affection for a presidency, they can always amend the constitution to suit themselves, with such safeguards as to prevent the recurrence of the predicament that the organization was in, due to defective enactments in the old constitution.

Sir, there are labor organizations, the craft railroad brotherhoods among them, where, by the EXPRESS LETTER of the constitution, the Grand Chief's vote can outweigh the vote of the whole membership. To what corruption, at the one end, and to what disasters to the workers, at the other end, such a constitutional provision has led I need not here rehearse. Imagine that the sense of manhood, aye, the revolutionary spirit, were to assert itself some day, as it certainly will among these men, and at some critical moment they were to trample, aye, TRAMPLE upon that constitutional provision, and save themselves,—imagine that, and imagine them blamed for their act, and asked “why did you not first submit the matter to a vote of the membership?” Would not you join in emphatic condemnation of such a critic? If swift action may be justified even where the EXPRESS LETTER of the constitution forbids it, is swift action, demanded by such an emergency as arose in Chicago, to be condemned notwithstanding there was NO SUCH LETTER of the constitution in the way?—I challenge you to controvert these facts, or to present more cogent and constitutional argument.

That disposes of all the concrete charges that I can find in your letter.—The constitution was “violated by the late I.W.W. convention”? No innocent so-called Molly Maguire workingmen, or so-called Chicago Anarchists, were ever more unjustly hanged, nor others shot down when on strike, to the tune of “Law and Order!” intonated by the MacParlands, than the late I.W.W. convention is howled at to the tune of “The Constitution!” intonated by the Shermans, the Mahoneys, the Kirkpatrickes, the McCabes and the Cronins. Nor is the purpose of the slogan, raised in either instance, a different one. It is the slogan of malefactors charging others with the crime they are themselves guilty of. The only difference between the two instances is that in the former the malefactors prevailed, in the latter they were

whipped.

Sir—regrettable is the fact that the same pen, which, more than any other one pen, smote the shield of the foul capitalist conspirators against yourself, besides Haywood, Pettibone and St. John should now be constrained to open this polemic with you. The pen has not changed. In tearing to pieces the capitalist conspiracy, as well as now in refuting your false accusations against the convention, that pen acts obedient to the same impulse and purpose—the impulse of helping to convey to the working class the varied knowledge, and to impart to them the characterfulness they must be in possession of for their enlightenment and liberation—the purpose of helping to set on foot, building up and perfecting that Industrial organization of Labor without which the Labor Movement will stagnate, politicians thrive, and the working class will be rolled in the dust by their despot capitalist oppressors.

Sir, you have been deceived. Nor will it be long before, if you are the man I take you for, you will admit your error, and will regret—not that you helped destroy the I.W.W.; that is now happily beyond the power of any one to do—but that you allowed yourself to be duped into a discreditable position by a pure and simple political Socialist cabal.

Fraternally,

DANIEL DE LEON.

Transcribed and edited by Robert Bills for the official Web site of the Socialist Labor Party of America.

Uploaded May 2009

slpns@slp.org