

Labor Conscription

Involuntary Servitude of Labor

By Arnold Petersen and Eric Hass



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ARNOLD PETERSEN (1885–1976)

Labor Conscription

Involuntary Servitude of Labor

By Arnold Petersen

Here we stan' on the Constitution, by thunder!
It's a fact o' wich ther's bushils o' proofs;
Fer how could we trample on't so, I wonder,
Ef't worn't thet it's ollers under our hoofs?

—*James Russell Lowell.*

I. DISTORTING DEMOCRACY.

IT IS AXIOMATIC that in times of extreme crises in class-ruled societies the conflicting interests of the classes are brought into sharp relief, the struggle is intensified, pretense is cast aside, and that which formerly was merely implicit in the reactionary proposals and measures sponsored by the ruling class is now being presented unblushingly, though, even so, the reaction may render the last tribute to the spirit of progress by applying nice-sounding phrases and terms to the reactionary proposals. And, of course, ruling class spokesmen are careful to make such proposals in the name of “the people,” “the people” obviously being “our very best people”—the 13 per cent who own 92 per cent of the country’s wealth. The audacious, and obviously unconstitutional proposal to conscript the workers is the latest, and most ominous, case in point.

Using as pretext the globe-encircling war (itself a logical and inescapable product of capitalist society—impossible in a Socialist society), the plutocracy and their agents stress the need of what euphemistically they call “universal service,” or

“national service,” meaning by that the conscription of labor for privately owned (or State owned or controlled) industry. And to give a color of reasonableness to their brazen demands, they tell us with great emotion that if “our boys” may be forced into military service, and compelled to risk their lives on the battlefield, it is only proper and fitting that the rest of us should be compelled to work in specified places, and under certain conditions, regardless of our individual wishes in the matter, regardless of our legal status as free labor. The two cases are not, of course, analogous at all.

The conscript soldier does not serve an individual master—the military institutions of the country are not the private property of individuals who reap personal profit out of the services of the conscripts. On the other hand, the industries are privately owned—they are, under the laws of the predatory capitalist system, the private property of usurping capitalists who harvest vast profits out of the toil of the workers working in private industry. Since we must accept the fact of capitalism for the time being—since we cannot arbitrarily step out of capitalist society into a better society—we have no choice but to be governed by the rules and conditions *normal*, to capitalism. Hence such questions as the nature and purpose of the State, or the cause and objectives of the war, are irrelevant in this connection—the State is here to stay for a while yet, and so is the war.

But it should be obvious to any fairly rational person that to justify industrial conscription by military conscription is to resort to dishonest argument, to be guilty of bare-faced swindling. The dishonest claim was presented boldly recently by Under-Secretary of War Patterson when he testified before the Senate and House Military Committee. Injecting the surreptitious premise that military conscription is democratic (as if *anything* involuntary or compulsory could possibly be!), Mr. Patterson said:

“If it is democratic to tap a man on the shoulder and send him to fight the Japs in a New Guinea jungle, can it be undemocratic to select a man or a woman to load shells, work on an airplane, or stay on a farm?”

The answer, as said, is that it is not democratic “to tap a man on the shoulder, etc.,” and that it is undemocratic, as well as *unconstitutional*, to *force* a man or a woman to work in industry at the behest of a private master, or even at the behest of a bureaucrat supposedly in the service of the people.

II. AGILE DODGING OF THE ISSUE.

THE ADVOCATES OF INDUSTRIAL CONSCRIPTION do not honestly face the issue. Sidestepping adroitly the real question at issue, they will, among other things, justify labor conscription by the fact that it has been adopted by Great Britain, or some other ally of the United States in this war. The outspoken representative of plutocratic feudalism, the New York *Herald-Tribune*, a few weeks ago gave expression to this plea in an editorial which it gave the significant title “A Labor System That Works”:

“Consider the simplicity of the British system. First it selects to head the labor portfolio in its war cabinet a man with paramount influence in his field, then, with his help, it adopts a universal service measure [read “labor conscription act”] and clothes him with the power and full responsibility for its enforcement.”

“Simplicity” properly describes it, but no matter how much the plutocratic journal may torture the language, it cannot possibly make British s-i-m-p-l-i-c-i-t-y spell American constitutionality!

But, apart from other considerations, why should the mere fact that a particular measure has been adopted by an ally of the United States recommend it for adoption in the United States? The suggestion lacks logic as well as relevancy. Moreover, if the plutocratic organ was looking for a system that works, it should have looked across the channel to Nazi Germany—*there* is a “labor system” that works! But to cite the detestable Nazis as a sample of how to rope and gag labor in America might perhaps be misunderstood, or it might prove too much. It might prove, for instance, that the “labor system” it wants is, in fact, an “employer system that works”—a top-notch capitalist fleecing system that really sweats labor, with super-duper profits to the patriotic employer! That the “British system” is not essentially different in character from Schicklgruber’s,¹ however, is unwittingly admitted by this champion of labor serfdom when approvingly it quotes the British plebs-leader (Bevin) as saying that “he had suddenly found himself ‘a kind of fuehrer with powers to order anybody anywhere and to do anything.’”

¹ [An allusion to Adolph Hitler (1889–1945), whose father, Alois, was the illegitimate son of Maria Anna Schicklgruber.]

We think we get the point! And are Deacon Green's and Fuehrer John L. Lewis's mouths watering!

The labor conscription advocates are tireless in their efforts to introduce the system of Nazi labor slavery in the United States. Malice, cunning and devilish sophistry mark every plea they make. With only one known exception (that of Bernard Baruch, who has since maintained a discreet silence), the Socialist Labor Party has been alone in pointing to the one obvious answer to all these sophistries, namely, that labor conscription would be in direct, flagrant violation of the United States Constitution. Those others who have opposed labor conscription have done so on grounds that concede the essential premise to the pro-slavery champions, and which, for the rest, relate to non-essential details.

There is the case, for example, of the secretary of something calling itself the "Workers' Defense League," who recently wrote to the New York *Herald Tribune*, voicing the "League's" opposition to the infamous Austin-Wadsworth bill on the grounds that the bill is "ill-advised and badly drawn," that there is "no need of a national service [!] act" because there is really no shortage of man-power, and that the proposed labor conscription act is "a bad bet for both labor and management"—meaning by "management" the plutocratic fleecers of labor! Such opposition, such contentions, are heaven-sent manna to the plutocratic lackeys who dare not come out openly to argue that forced labor is the opposite of involuntary servitude of labor.

In its reply to the aforesaid "Defense League," the *Herald Tribune*, however, comes dangerously close to admitting that the act is a slave labor bill. It seizes upon the League's stupid objection that the bill is a "badly drawn measure," and proceeds to "prove" that "It is so well drawn that organized labor recognizes in it the death knell of its domination." Which is plutogogic lingo for saying that the bill will render working class unionism superfluous, since slaves obviously have no need of labor unions! And by way of adding further "proof" that the bill is "so well drawn," the plutocratic contemner of the Constitution cites the fact "that the author of the Austin-Wadsworth bill is a New York lawyer named Grenville Clark who drew up and saw to passage the selective service [military conscription] act." That, as Shakespeare said, is proof ocular—thou see'st it plainly with thine own eyes! And it is dollars to doughnuts that neither lawyer Clark, nor Messrs. Austin and Wadsworth, nor plutocratic editor will ever descend into the mine pit, nor enter the

steel infernos, nor yet even spend long and dreary hours in a soul- and mind-crushing factory, with a policeman's club descending upon their heads to encourage them to perform their "voluntary" involuntary servitude!

And speaking, as we are, of involuntary servitude, the *Herald Tribune* is silent as the tomb with respect to lawyer Clark's possible ability—or should one say "agility"?—to explain away the unconstitutionality of the slavery act he so kindly drew up for the two Washington Solons. Perhaps Dean Swift really had something on both Solons and lawyers when so long ago he gave us this to think about:

"You have clearly proved that ignorance and idleness are the proper ingredients for qualifying a legislator; [and] that laws are best explained, interpreted and applied by those whose interest and abilities lie in perverting, confounding *and eluding them.*"

Lawyer Clark, and his fellow-conspirators against the United States Constitution, and the traditional liberties of America, have indeed proved themselves experts in eluding the Thirteenth Amendment to the Constitution of the United States!

III. THE CONSTITUTIONAL OBSTACLE.

FOR THAT AMENDMENT IS THE ROCK on which this vicious labor slavery bill will suffer shipwreck, unless a majority of the Congress and the President' of the United States commit a treasonable act by trampling underfoot the Constitution, which they took a solemn oath to uphold and defend. For the Austin-Wadsworth bill is as incontestably unconstitutional as would be the voluntary surrender of United States territory to a foreign power—as unconstitutional as would be the act of a President who superseded Congress by himself framing and putting on the statute books certain “laws.” The Thirteenth Amendment to the Constitution reads:

“Section 1: Neither slavery NOR INVOLUNTARY SERVITUDE except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

“Section 2: Congress shall have power to enforce this article by appropriate legislation.”

Now, this is so clear and specific that even a legislator, an editor, aye, even a lawyer, should be able to understand it!² And let us not forget also that Section 2 provides that Congress shall have power to enforce the amendment by *appropriate* legislation. It does not say that Congress shall have power to nullify the

² The following interesting and authoritative statement on the clear and unmistakably expressed prohibition of compulsory labor (a la Austin-Wadsworth bill) under the Thirteenth Amendment to the United States Constitution, is reproduced from an official government document published in 1924 (“The Constitution of the United States, Revised and Annotated.” [Senate document No. 154, 68th Congress, 1st Session] Government Printing Office). The statement follows:

“SLAVERY AND INVOLUNTARY SERVITUDE PROHIBITED [Thirteenth Amendment]

“In General

“The meaning of this is as clear as language can make it. The things denounced are slavery and involuntary servitude, and Congress is given power to enforce that denunciation. All understand by these terms a condition of enforced compulsory service of one to another. While the inciting cause of the amendment was emancipation of the colored race, yet it is not an attempt to commit that race to the care of the Nation. It is the denunciation of a condition and not a declaration in favor of a particular people. It reaches every race and every individual, and, if in any respect it commits one race to the Nation it commits every race and every individual thereof. Slavery or involuntary servitude of the Chinese, of the Italian, of the Anglo-Saxon are as much within its compass as slavery or involuntary servitude of the African.”

Let the point sink in: “THE MEANING OF THIS [THE THIRTEENTH AMENDMENT] IS AS CLEAR AS LANGUAGE CAN MAKE IT.” Will the members of Congress, will the President, dare to challenge this claim?—A.P.

amendment, either by appropriate or inappropriate legislation, by “badly drawn” or “well drawn” unconstitutional bills!

The amendment speaks of slavery *and* involuntary servitude. This is important. As everyone knows, the Thirteenth Amendment was adopted after the close of the Civil War, which resulted in the abolition of chattel slavery in the United States. Obviously, the intention was not merely to prohibit absolute slavery, but also to block efforts of propertied interests to re-introduce subsidiary forms of slavery, and undoubtedly to defeat the devilish ingenuity and trickery of lawyers to argue that while the Constitution forbade slavery, it said nothing about involuntary servitude which might or might not be complete, or absolute, slavery. Serfdom is, of course, a form of slavery, yet it is not chattel slavery in the sense that the Negro was a slave. Imprisonment for conviction of crime is, of course, involuntary servitude, and yet not slavery. And so lawyers might conceivably argue that compulsory labor is not slavery, since slavery means that the slave is property, a piece of merchandise, that is, a thing bought and sold on the block. By adding “involuntary servitude” the framers of the amendment insured that no such sophistries or legalistic trickery should make it possible to circumvent the intent of the amendment, and the command of the Constitution.

For labor conscription is forced labor, and forced labor is involuntary servitude, and involuntary servitude is the essence of slavery, *and both are expressly and unqualifiedly forbidden in the United States by the Constitution*. Let lawyer Clark and his clients and editorial friends play around with that a bit! It would indeed prove vastly entertaining to watch a performance wherein it is attempted to show that labor conscription does not contemplate compulsory labor; or that compulsory labor is not involuntary servitude! Will the lawyer, will Messrs. Austin and Wadsworth, will the New York *Herald Tribune*, the New York *Times*, and the other journalistic pro-slavery advocates accept a challenge to debate the proposition that labor conscription is involuntary servitude, and that involuntary servitude is strictly forbidden by the Constitution, and that any planned enactment of involuntary servitude therefore is, ipso facto, attempted treason, contemplated disloyalty to the Constitution? Speak up, gentlemen; have the decency to be frank and honest. Admit either your defeat, or your avowed intention to nullify the Constitution by illegal decrees.

The pro-slavery advocates may argue that the war-needs justify violating the

Constitution, even in its most essential and basic parts. The contention is, of course, rejected as brazen, dishonest and utterly intolerable, but supposing the slave labor act is passed on that plea, what then? We are then confronted with a situation where an elected despotism has arrogated powers denied by the Constitution. But, if one group may commit an illegal act on the ground of expediency, the same right cannot logically be denied another group which has, or subsequently secures the power and has the daring to commit a similar illegal act. The issues, having been removed from the sphere of law and legality, are then inevitably submitted to the arbitrament of force—it is *my* force against *yours*, and may the strongest and most brutish win! We are, then, finally back to the claw-and-fang struggle, down to the level of the savage and cruel creed and practices of the Nazi gangsters—down to the level of the very savagery which we are supposed to fight on a worldwide front in *the war which was claimed as justification for trampling the Constitution underfoot in the first place!*

Think it over, gentlemen. If you dare discard the Constitution by adopting the Austin-Wadsworth slave labor act, you are planting the bombs which eventually if not now will explode in a manner that will produce the wildest conflagration of social anarchy and civil war the world has ever known!

IV.

LABOR LEADERS AND THE LABOR DRAFT.

SOME OF THE SO-CALLED LABOR LEADERS (also known as the labor lieutenants of the capitalists) have professed opposition to the Austin-Wadsworth slave bill, though they have managed to be very discreet in making known their alleged opposition. As the chief champion of the treasonable bill, the New York *Herald Tribune* has not been slow to smoke out, as it were, the hypocritical labor lieutenants of capital. It undoubtedly “rang the bell” when on July 27 it stated editorially that “organized labor’s [meaning the labor fakers] bitter opposition to selective service for workers as for fighters had its source in the fear of union leaders that it would break their power to dictate union membership to war-workers.”

The editorial goes on to show that the Austin-Wadsworth bill contains a clause which provides that no conscripted person needs to join a labor union—as if any need of doing so could possibly arise in a condition of involuntary servitude! And for once correctly acknowledging that the intent of the bill is to “conscript labor,” the editorial in mock-horror exclaims: “Imagine, for example, giving government the right to draft men into the coal mines and to compel them at the same time to pay dues to John L. Lewis! *This, indeed, would be involuntary servitude.*”

Imposing forced labor on workers—that is not involuntary servitude! Denying the workers their human, civilized right to dispose of their persons, and their labor power, as they please—that is not involuntary servitude! Robbing the workers of the liberty and the rights guaranteed under the Constitution, and subjecting them to the slave driver’s lash—that is not involuntary servitude! But to tax them out of a few dollars from their slaves’ pittance, in behalf of an organization they call their own, and which, however mistakenly, they think benefits them—that, indeed, were involuntary servitude enough! The smart editorial poodle slipped rather badly there, since, incidentally, he acknowledged that he *does* know that the real argument against the Austin-Wadsworth bill is precisely that it imposes *involuntary servitude*, a direct violation of the basic law, of the land.

[Since this was written, the press reports, under a Washington date line (August 11), that the “Labor Draft Wins Backing of Roosevelt.” After stating this as a *fact*, the news item goes on to say that the President “is *believed* ready

to ask Congress to pass {the} Austin-Wadsworth bill,” the author of which (lawyer Clark), incidentally, is reported to be a personal friend of Mr. Roosevelt. The New York *Herald Tribune*, in the same issue which carries this news item, returns editorially to the subject of labor conscription, this time really attempting to argue the Constitutionality of the Austin-Wadsworth slave labor act. Obviously the paper comes a very bad cropper. It is worth quoting the plutocratic paper’s “argument”—“plea of confession and avoidance” would express it more accurately:

“However, there is one argument they [opponents of slavery] put up which merits attention—namely, that a draft of labor would violate the Constitutional ban against involuntary servitude. They have not been the only ones to point out that compulsion to serve the government in the armed forces is one thing and to work for a private employer is quite another. The distinction, we agree, would be basic except under the circumstances which have made of every private employer engaged in war production a virtual agent of the government. For refusal to accept a war contract on the government’s terms, to pay wages or conduct his labor relations as prescribed by the War Labor Board, or for failure to manage his enterprise efficiently, the employer is subject to the seizure of his plant. His profits are strictly limited.”

At last the unscrupulous house organ of the plutocracy is smoked out! But note the Machiavellian doubletalk and sophistry: The capitalist who owns the industry—the profit-bloated exploiter of labor—is “a virtual agent of the government,” and “his profits are strictly limited.” For sheer humbuggery and crooked pleading this would be hard to beat! “Virtual agent” means, of course, that as a matter of fact and law the capitalist employer is not a government agent—that is, an agent of government property. He remains, *de facto* and *de jure*, a private-property-owning employer, reaping profits out of his enslaved workers. And as for his profits being “strictly limited”—aren’t they always so, or rather, do not capitalist exploiters always claim that profits are “strictly limited”? The fact remains, and the vicious pro-slavery sheet admits it, that the private employer *does* reap profits out of the workers presumably enslaved by Congressional and Presidential act of usurpation!

It is, however, utterly immaterial to the point at issue whether the employer is, or is not, an agent of government. The Thirteenth Amendment is

specific and unqualified in its prohibition of involuntary servitude, with the one exception noted—incarceration for crime committed after being duly convicted in court. *And, incidentally, the specifying of that one exception, legally and by the logic of language, excludes all other conceivable exceptions.* Neither Congress, nor the President, has the legal power nor the right to amend the Constitution by adding “exceptions” not specifically granted by the Constitution. It is a violation of the Constitution to institute involuntary servitude of labor in the United States, *even by making the government (the State) the employer.*

And let us not overlook the hypocritical and dishonest attitude of the plutocratic exploiters on this point: When the State takes over an industry (in the interest of capitalism as a whole), those directly concerned, and their journalistic spokesmen, set up a howl about “State socialism,” “governmental usurpation,” “violation of property rights guaranteed under—the Constitution,” etc., etc. But when it is a question of enslaving labor by illegal governmental decree, or by Congressional usurpation, and in direct violation of the Constitution, everything is legal and in perfect order, and not remotely related to “State socialism,” “governmental paternalism,” or what have you!

Venal plutocratic journalism was rarely, if ever, exhibited in more unscrupulous and vicious performance than in the present case of justifying illegal involuntary servitude by the patently false plea that the State was given the right by the Constitution to enslave what only a short time ago was boastingly hailed as “free labor” in the United States!

It cannot be repeated too often that the Austin-Wadsworth slave labor bill is undeniably in violation of the Constitution. And Congress, as well as the President, would do well to remember that deliberate and planned gross violation of the Constitution renders the lawbreakers liable to impeachment proceedings.

Once again, Mr. President and gentlemen of Congress, think it over—think it over well!]

But the plutocracy need have no fear of any real opposition from the camp of the labor lieutenants. These slick fakers know when to pull in their horns. They will

be terribly brave, even defiant of their capitalist masters, when it becomes necessary to delude their victims, the exploited workers. When that necessity disappears they will fulfill all the essentials of the plebs-leader, the labor bellwether that marches the docile (?) workers to slaughter. The case of British plebs leader Bevin, cited by the *Herald Tribune*, showing how this labor decoy—duck functions in the interests of his masters, offers an almost exact parallel to the story told by the great American scholar and social scientist, Daniel De Leon, in his profound study, *Two Pages from Roman History*, with respect to the duties of the Roman plebs-leader to his patrician masters. The Bevin case is a classic, and the brief account of it by the official organ of America’s plutocracy bears repeating:

“Consider the simplicity of the British system. First it selects to head the labor portfolio in its war cabinet a man with paramount influence in his field [labor herding], then, with his help, it adopts a universal service [labor conscription] measure and clothes him with the power and full responsibility for its enforcement.”

The British cousins of our American plutocrats have learned the Mark Hanna lesson well—so well that our plutocrats can now learn from their British brethren!

Daniel De Leon in his great lecture “Plebs Leaders and Labor Leaders,” with the strokes of the master artist, has limned the portrait of the labor leader—the modern plebs leader, as he also called him. Drawing a parallel between the patricians and the plebs leaders of ancient Rome, and the plutocratic capitalists and modern labor leaders, De Leon said:

“The Plebs Leader was not in arms against patricianism; least of all was he in arms to overthrow plebism, meaning economic slavery. Whether or not the Plebs Leader ever indulged in speculations upon the beauty, or the sacredness, or the wisdom, or the necessity concerning ‘the poor ye will always have with you,’ I know not; nor does it matter. What does matter is that the Plebs Leader ‘followed no ideals,’ he ‘pursued no visions,’ he was ‘practical.’ The Plebs Leader justly saw in plebism a hell; he saw no way for the extinction of the flames that devoured the plebs masses, at least none that did not interfere with his own interests; his political and social economy tallied exactly with that of the patriciate; he sought to secure himself against the dire ordeal of plebs insecurity and poverty. Given such premises, a policy of deception was the inevitable result. The Plebs Leader was bound to work for the perpetuation of all that was essential in the patriciate, with himself, however, as a sharer in the privileges. As a

consequence, the Plebs Leader could feel not a throb in favor of any plan, nor could his mind be open to any thought that made for the abolition of the economic usurpation that he enjoyed, and the obverse of which was the dreaded hell of plebism. In the deliberate and instinctive pursuit of his class safety, the Plebs Leader was aided by the circumstance of his Order—the name of *plebeian*.”

And completing the parallel, De Leon concluded on that point:

“Need I, after all this, answer the questions that I posed at starting: What strength, if any, is there in the Labor Leader, and what is the nature and source thereof? What is the strategic significance of the Labor Leader on the field of the modern social question? Is it a strategic force that accrues to the benefit of the Labor Movement or is it one that makes for capitalist interests? Need I now answer these questions? Meseems such an answer is superfluous. Well known facts, known to you all, must have all along suggested themselves in the course of my narrative on the career of the Plebs Leader. He who is at all informed must have detected the startling resemblance there is between the leading lineaments on the physiognomy of the Plebs Leader and those on the physiognomy of the modern Labor Leader; and he must have perceived that the latter is to modern capitalism what the former was to the patriciate—a strategic post of strength for usurpation, of danger for its victims.”

Just so. And because it is so, the workers will not be long deceived by the villainous misleaders who pretend to serve them, when, in fact, the peculiar talents they possess are dedicated to the interests of those who oppress them and who rob them of the fruits of their labor. Nor will they be deceived by the false pleas and phony arguments of the intellectual scoundrels who openly serve their plutocratic exploiters and tormentors, the journalistic plutogogues. And there is, indeed, grave occasion and serious need for labor to be alert. We have often before spoken of the chains that were being forged to shackle still more the exploited workers. Now, indeed, the clanking of the chains of labor slavery are heard loudly in the halls of Congress.

Meet the challenge, fellow workers, as men worthy to be free! Arm yourselves against this brazen assault on your individual liberties, on your rights to your own persons—even as wage slaves, a status, degrading as it is, yet infinitely above the status of the chattel slave! Arm yourselves, we repeat, not with weapons of destruction, but arm yourselves with knowledge, with *effective organization*.

Capitalism destroys your life, your liberty and your pursuit of happiness! Capitalism is the direct cause of all your miseries, of your wretched existence!

Organize in Socialist Industrial Unions to crystallize your power, the only power that can frustrate the evil schemes of those who would fasten upon you the chains of labor conscription, of degrading involuntary servitude! Organize industrially to provide yourselves with administrative agencies that you *must* have as freemen in a Socialist society, wherein the earth, and the marvelous instruments of production which your labor produced, will be yours in perpetuity, and wherein you will be able to enjoy the fruits of your collective labor, in peace, in happiness, in affluence, and with the specter of war, want and slavery banished forever!

Meanwhile, assert even such organized strength as you now possess, and strike a smashing blow at those who dare to advocate labor conscription, at those who—eighty years after the chains were struck from the Negro bondsman—audaciously threaten you with forced labor, with the involuntary servitude proscribed by our Constitution! Remember the words of the great Emancipator, the noble Abraham Lincoln:

“I am glad that a system of labor prevails . . . under which laborers can strike when they want to, where they are not obliged to work under all circumstances, and are not tied down and obliged to labor whether you pay them or not. I like the system which lets a man quit when he wants to. . . .”

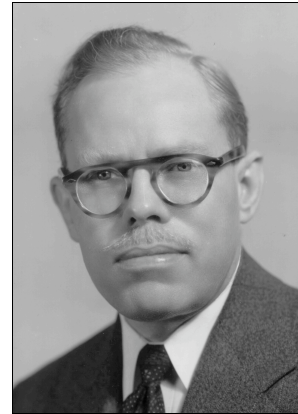
Lincoln’s system is not the ideal condition for labor, for any system which makes strikes necessary and compulsion possible is a system based on oppression and exploitation. But until we can get rid of the cursed system of capitalism, let us not surrender such rights and liberties as we have conquered even under that system. On the contrary, we must cling to them with the utmost tenacity, and use them as levers and instrumentalities to attain that true and complete freedom encompassed in the words—

SOCIALISM:
HOPE OF HUMANITY.

*Exploding some quibbles and
phony arguments advanced in
defense of illegal*

LABOR CONSCRIPTION

By Eric Hass



ERIC HASS

Familiarize yourselves with the chains of bondage, and you prepare your own limbs to wear them. Accustomed to trample on the rights of others, you have lost the genius of your own independence.

*

I have always thought that all men should be free; but if any should be slaves, it should be first those who desire it for themselves, and secondly those who desire it for others. Whenever I hear any one arguing for slavery, I feel a strong impulse to see it tried on him personally.

*

Many free countries have lost their liberty; and ours may lose hers; but if she shall, be it my proudest plume, not that I was the last to desert, but that I never deserted her. I know that the great volcano in Washington, aroused and directed by the evil spirit that reigns there, is belching forth the lava of political corruption in a current broad and deep, which is sweeping with frightful velocity over the whole length and breadth of the land, bidding fair to leave unscathed no green spot nor living thing; while on its bosom are riding, like demons on the waves of hell, the imps of that evil spirit, and fiendishly taunting all those who dare to resist its destroying course with the hopelessness of their effort; and knowing this, I cannot deny that all may be swept away. Broken by it I, too, may be; bow to it I never will.

—ABRAHAM LINCOLN.

“Free Labor Can Outproduce Nazi Slave Labor!” This is what the posters have been screaming at us ever since Pearl Harbor. Pep speakers have sung the same refrain. Editorials have exalted our “free labor system,” and urged us to demonstrate its superiority over regimentation and industrial slavery. The Nazis, they say, regiment the German worker. He is told where he must work. If he refuses, he is fined and sent to jail. He is sent to jail if he quits one job to take a better one. He is an industrial slave.

But isn't this precisely what is happening to the American worker, to "free labor" in "the land of the free"? Already millions of workers are frozen to their jobs and forbidden to take jobs that pay them better. In Congress our legislators are discussing a bill, written by a New York corporation lawyer, to draft labor, to compel the American worker to take the job to which he is assigned. The Austin-Wadsworth bill is a clear and unequivocal violation of the Constitution. For the Thirteenth Amendment to the Constitution states in plain language that "Neither slavery nor involuntary servitude shall exist within the United States, or any place subject to their jurisdiction."

This bill, or any similar measure to draft labor, means industrial slavery. In the words of the Most Reverend Francis J.L. Beckman, archbishop of Dubuque (who, far from being a Socialist, is a staunch upholder of capitalism): *"I solemnly warn my people that if they permit their Representatives in Congress to enact a law, the sinister soul of which—no, matter how camouflaged—is slavery, then that freedom for which our boys are fighting may well fall a dead and empty cause!"*

How do the advocates of involuntary servitude camouflage this slavery? Their arguments all fall in the same pattern. They consist mainly of five quibbles.

Quibble No. 1. *If it is democratic to draft men for military service, it is democratic to draft men for labor in war production.*

Here the pro-slavery advocates cunningly raise their case on the premise that military conscription is democratic. But one has only to modify this quibble slightly to expose it for the cunning and vicious sophistry that it is, to wit: *If NAZI military conscription is democratic, then NAZI conscription of labor is also democratic.*

But even if it were granted that military conscription is democratic, the fact remains that the conscript soldier serves the State which, in theory at least, represents all the people (who elected their political servants in what were generally free and open elections), while the conscript worker is sent to labor in privately owned and autocratically operated industry for the enrichment of private owners. As Bernard Baruch, retired financier and chairman of the World War I War Industries Board, pointed out:

"Enforced service for a private master is and has been clearly and repeatedly defined by our Supreme Court as slavery. . . ."

It is an incontestable fact that every worker drafted to work for a capitalist corporation will, while producing arms for the use of the State, produce profits for the corporation's owners, hence is a slave to those owners!

Quibble No. 2: *Compulsory labor is not involuntary servitude if the compulsion is universal.*

The plutogogue, Walter Lippmann, put it this way: “. . . the more universal the compulsion, the less the compulsion resembles servitude.”

This is as much as to say that if *all* are slaves, *none* is a slave! But Lippmann knows that the universality of any labor draft enacted would be in theory only, that, except for a notorious playboy here and there, the capitalists would (in the nature of things) be exempt from compulsory work service, and on scores of pretexts when such might be needed. He knows, moreover, that even if universality applied in fact, the status of the drafted worker would still be that of an exploited slave *compelled to work for the private profit and the enrichment of a private master.*

We say labor conscription is *involuntary servitude* and *universal slavery* and that universal slavery is not universal freedom and no amount of bedeviling of the English language can make it so!

Quibble No. 3: *Conscription of labor cannot be a menace to liberty because “democracies like Britain and Australia . . . have adopted it.”*

By the same token, so have Nazi Germany, Fascist Italy, Falangist Spain, Vichy France, Imperial Japan, and other totalitarian nations adopted conscription of labor. To say that Britain and Australia have adopted conscription of labor is merely to observe that they have preceded America in adopting a measure which was pioneered by the fascist nations. As the Socialist Labor Party has pointed out repeatedly, *capitalism* is the common denominator between the Axis and the Allied nations, and it is to solve the problems cast up by this evil-ridden system that totalitarian controls are resorted to.

Quibble No. 4: *We really won't have to use compulsion if we have a legal compulsion to back up a call for volunteers.*

This is obviously sugar-coating. Since when has despotism become more palatable because the people cringe before it? That workers are intimidated into “volunteering”—instead of resisting and suffering the penalties for resisting—merely attests to the harsh and despotic character of the compulsory labor draft.

Quibble No. 5: *Anyway, the contemplated measure is temporary, and will be “relaxed” when the war is over.*

This argument is advanced with the obvious purpose of placating the natural apprehension of the workers. In considering it, the workers should take into account two inescapable postwar conditions: (1) After the war, with demobilization, there will be a manpower problem *in reverse*—that is, there will be millions seeking jobs that are not to be had. (2) The vast bureaucratic controls set up to administer labor conscription can very readily be adapted to regiment the disemployed workers after the war just as the unemployed German workers were regimented by similar controls before the war.

Slavery, even for a week, a month, a year, or for “the duration,” is *still* slavery, and *still* in obvious violation of the Constitution. Moreover, once the principle is yielded and involuntary servitude is submitted to on the specious plea of emergency, it will be a hundred times easier for an employer-minded Congress to modify and extend the act. Compulsory labor, writes the archbishop of Dubuque, “is the final totalitarian blow to freedom both at home and abroad, a blow from which, despite military victory, we cannot expect to fully recover for many years to come. *For once the idea of forced labor has been accepted by our civilian populace we shall all be on a totalitarian toboggan with no brakes to hold it back.* No, there is no temporary exchange of freedom for slavery. Slavery . . . once imposed, will be long and lasting as far as the American people are concerned; make no mistake about that.”

It was decadent and outmoded capitalism which led to industrial serfdom in Nazi Germany. It is decadent capitalism which is leading to industrial serfdom here. Our task is not simply to resist industrial serfdom. Our task is to abolish its cause and build a society of freedom and plenty for all. Those who perceive the ominous significance of labor conscription must abandon the notion that mere personal opposition will suffice. The monumental task of arousing the American workers to their critical danger, and of imparting to them the principles, aims and

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program of militant Socialism, requires *organized* effort and *organized* agitation. Every classconscious worker who grasps the sinister significance of the present trend, and whose purpose in life is to bring to birth a society of freedom and human happiness, should join in the organized effort of the Socialist Labor Party. And he should, first of all, familiarize himself with the principles of Socialist Industrial Unionism, the unionism which unites the workers on the basis of their class interests, and through which (combined with political action) they can alone abolish class rule and institute a Socialist society.

Fellow workers, study the Socialist Labor Party's program. Join with us in saving civilization from catastrophe!

(THE END)