
The Ruthenberg Trial

[Afternoon Session — April 27, 1923]

by Caleb Harrison

Mimeographed press release of the Workers Party of America News Service.
Copy in Comintern Archive, f. 515, op. 1, d. 211, l. 89.

April 27, 1923.

St. Joseph, Mich. (Special Wire.)- The defense scored heavily this afternoon in the trial of C.E. Ruthenberg when Judge Charles E. White ruled that the program of the Workers Party, which Ruthenberg brought to the Bridgman Convention of the Communist Party, and which the defense claims was the only program of Communism in the United States at the time of the convention, was admitted in to evidence over the strong objection by the prosecution.

Jay Lovestone, called as a witness for the defense, testified that this program had been presented to a meeting of the Central Executive Committee of the Communist Party, held on August 6th of last year, and had been adopted by that committee, and thus had become the Communist program of the United States. It is the contention of the defense that the Communist Party had given up any separate advocacy and was merging into the Workers Party, and while there were differences of opinion about how quickly the open Communist Party could be established, practically the whole Party was united upon the question of carrying on all political activities through the Workers Party.

Earlier in the afternoon Lovestone had identified a typewritten report as the report of the Central Executive Committee of the Communist Party made at the Bridgman Convention. This report had been offered as evidence by the prosecution. The defense took it out of the hands of the prosecution and Humphrey S. Gray read it to the jury to show what kind of activities the Communist Party had carried on during the previous year.

The report, which took nearly two hours to read, sketched the controversy in the Communist Party on the question of establishing an open party, a controversy which the prosecution had tried through their chief witness Frank Morrow to deny existed. It outlined the work of the Party in the trade unions, in relief work for Soviet Russia, its work in the coal strike, the railroad strike, and among the farmers. The reports gave the listeners the im-

pression of widespread activities by the Communist Party in every field of working class organization; but nowhere was there a suggestion that the Communist Party had carried on activities violating the Criminal Syndicalist Law of the state of Michigan or any other state. The report seemed to indicate that so far as its work was concerned as reported to the convention, the Communist Party could just as well have carried on its work openly. Of course, as has been explained to the jury again and again, the Communist Party was not an underground, illegal organization because it was engaged in illegal work, but because raids and persecutions directed against it had obliged it to exist in an illegalized state in order to carry on its work. The trial was adjourned until Monday morning [April 30, 1923], when Love-stone will be cross-examined, following which Ruthenberg will resume his testimony. Unless the prosecution makes an unusually long cross-examination the case should go to the jury by Wednesday [May 2, 1923].

Edited by Tim Davenport

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