

On Tuesday, November 23, Steve Schmuger, a member of the Boston SWP and organizer of the Boston local of the YSA, filed charges against Carol Merrill and Dick Merrill for indiscipline in organizing a grouping around a line in opposition to that passed at the 1971 convention of the SWP, which includes non-SWP comrades, in the YSA. He went on to state that, "this clearly violates the democratic centralist norms of our party with regard to functioning in an outside organization."

Acting in accordance with Article VIII, Section 3, of the SWP constitution, the full executive committee, functioning as a trial body, considered these charges at a meeting on Dec. 1, to which the accused members were summoned. Our deliberations and the testimony given to us by Comrades Carol Merrill and Dick Merrill led us to concur with Comrade Schmuger that the writing of the document, "Toward a Mass Working Class Movement," was indeed a gross violation of the norms of our party. We found them guilty and recommend that the branch do likewise. Further, because of the testimony given us, we became convinced that these acts were not made out of ignorance of our norms. As Comrade Dick Merrill put it, "It was a careful political decision." Therefore, the trial body has added two words, "and disloyalty" to the charges of Comrade Schmuger so that now the charges read indiscipline and disloyalty in organizing a grouping around a line in opposition to that passed at the 1971 convention of the SWP which includes non-SWP comrades, in the YSA.

As the result of having found them guilty not only of indiscipline but also of disloyalty, the executive committee recommends to the branch by a vote of 12 to 1 that Carol Merrill and Dick Merrill be expelled from membership in the Socialist Workers Party.

Let us first deal with factual matters. Here there is no disagreement. The two comrades did play a role in organizing the group. Dick and Carol are the only two SWP members among the 6 who signed the document. The document does contain a line counter to the party's as decided at the recent convention of the SWP. Here are some relevant sections of the testimony they gave us:

Q John Zanelotti, in discussion with Chuck Petrin, the D.C. YSA organizer, stated that the two of you had taken the initiative in writing the document. Is this true?

A We took part of the initiative.

Q How did you make contact with the other four YSA comrades who signed the document?

A Through Tom Peterson.

Q You know that the SWP functions under the Leninist norms of democratic centralism?

A Yes.

Q In the document that you wrote for the YSA pre-convention discussion you attack Mandel's theory of neo-capitalism, and you call the theory of the new radicalization totally reactionary and urged a struggle against nationalism.

A Yes.

Q Do you understand that you are directly attacking party positions made or re-affirmed at the convention in doing that?

A Yes.

and again at a later point:

Q You understand that your document is counter to the party's line as developed at Oberlin?

A Yes. That's absolutely correct. We know that we are putting ourselves in opposition to the party's line,

and now we come to their defense, the reason they say they can do this

The answer continues,

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"And we also know from the past history of the Party and the YSA that that is not an undisciplined act."

It's worth taking the time to quote ~~xxx~~ one more exchange to allow their own testimony to show their position.

Q. Did you understand the relationship between the YSA and the SWP and the fact that you were posing a line document directly counter to that of the SWP?

A. We understand perfectly about the question of party-~~xxx~~ youth relations. We understand what was outlined at Oberlin. What was outlined at Oberlin is the re-affirmation of party-youth relations as they have been. The comrades are free to raise criticisms in the YSA because the YSA is not just any other outside organization. And one branch, the Boston branch, does not have the ~~right~~ right to change that decision of the YSA and make it undisciplined to raise criticisms. That's what we understand and the Boston branch has made that decision--has decided that they're going to overturn their ~~own~~ own convention rule on this. All Frank Boehn made was implications. He did not make any explicit statement about this. And the Boston branch decided--the leadership apparently supports Comrade Schluger in the whole thrust of his charges--they decided they were going to overrule the convention decision on party-youth relations as ~~xxx~~ they have been and they were going to make up a new rule now; that comrades were undisciplined if they ~~xxx~~ were bringing up political discussion. We say again that that's an organizational way to fight a political perspective that the leadership is afraid of.

So that is their ~~basic~~ basic defense: that they were not undisciplined in raising what they delicately call "criticisms" but which really is--as they had already admitted--what it says it is, a counter-line political resolution--that they are not undisciplined but that the Boston branch insofar as it agrees with Comrade

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the YSA, YSAers have noxxy in Party decisions. The YSA has its own conventions to decide its own political positions, it elects its own leadership, it pays its own way, and, inx its majority, it is composed of young people who are not in the SWP.

But, ~~xxxxmighkx~~ Comrades Dick and Carol object, all of this doesn't speak to the question of ~~tk~~ historical precedent. We know without being brought up on charges. at times that dual members have raised questions in the YSA/ Yes, that's true. But in all cases, when it was ~~fx~~ done the Party ~~fxxxx~~ decided to allow it.

At the June, 1961 convention ~~xx~~ of the SWP, the following motion was passed as part of a report given by Tom Kerry on party-youth relations:

Despite possible variations in formal party-youth relations at ~~xx~~ given stages of objective development, as in all other areas of Party activity, Party members in the youth organization remain subject ~~xx~~ at all times to Article VIII, Section 1 of the Party constitution which states: 'All decisions of the governing ~~xx~~ bodies of the Party are binding ~~xx~~ upon the membership and subordinate bodies of the Party.

~~Exkxx~~

This motion says quite clearly that the Party and not some individual decides when and if dual members may raise disputed party questions--either before or ~~xxxx~~ after their resolution in the ~~Exkxx~~ Party--in the youth. This motion is still inx effect.

Does this motion mean that disputed Party questions are never to be raised in the youth? No it does not. In deciding such matters the Party is guided by two intimately related questions: Would this be good for the Party? and Would this be good for the youth?

For example, just a few months after this resolution was passed, the Party decided ~~xx~~ that the answer to those questions was "yes"

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Nov, comrades should remember that we have ~~just~~ just been through a Party convention. Leading up to that convention the Boston branch had discussion on the disputed questions lasting some 48 hours. Documents were printed which are the equivalent of about a 2,000 page book. We voted the questions in Boston and we sent our delegation to the convention. Again at the convention there was a full, democratic discussion. Based on that discussion votes were taken, decisions were made, and we returned from the convention prepared to act on ~~these~~ those decisions according to the democratic centralist norms which govern our Party.

The 1961 motion governing party-youth relations is still in effect. But it was reapproved by the 1971 convention in the organizational report. In that report is the following ~~mx~~ paragraph:

I want to make one comment on the functioning of Party comrades in the youth. That is that Party members in all areas of work are bound by Party discipline. Given the fraternal relations with the YSA, the nature of the YSA, and the nature of its relationship to the SWP, there's certainly no fractional intervention, as Frank pointed out, in the YSA by the SWP at this time. But on the questions of important political differences that have been discussed and decided upon by the Party, Party members are bound by those decisions unless the Party decides that Party members may take up those differences inside the YSA.

This is ~~mx~~ the norm governing Party members' political discussion in the YSA. It is not a new norm. It need not have been re-stated to be in force. The motion from the ~~the~~ '61 convention says the same thing and is still in effect. But it was restated. In the mind of any loyal comrade there can be no ambiguity over what was said and what it meant.

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working class underneath those petty bourgeois movements are being broken apart by the movement of the working class and the sharp open conflicts between the working class and the bourgeoisie...The SWP is in a crisis too. The expelling of the Fender group, the charges against us, this is part of a suppression of political discussion in the Party. Just as Dave Edwards stated in his statement for the minutes at the branch meeting, it's a bureaucratic and organizational attempt to suppress the voice of the proletariat within the Party.

Along the same line, when questioned about their disruptive behavior at Branch meetings, Dick told us :

The proper bodies and functions and all this in the Bolshevik Party were not designed to suppress and quell political discussion at any time. They were meant to facilitate the functioning and development of the revolutionary party and that's not what they're being used for here. They're being used to stop discussion. That's the only thing that this whole appeal to the proper bodies and the proper functions is an admission that you don't want discussion. That we shouldn't have discussion on any of this stuff and it just shows the complete bankruptcy of the leadership in the face of these new events. You're afraid to confront what these new events mean.

Comrades we're not afraid of these new events. The National Committee resolution that was passed at Oberlin predicted them as one possible variant the capitalist class might follow. But the convention is over. The norms that the party has had since 1961 to regulate party-youth functioning have been violated. They have been violated consciously. A conscious violation of party norms is disloyalty to the Party. And the Party will not tolerate disloyalty.

The Organizational Character of the SWP passed at the 1965 con-

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vention states:

...loyalty is far more than an abstract idea; it is a standard of political conduct. The Party's whole democratic centralist structure is founded on the rock of organizational loyalty. Without loyal members the Party, as a voluntary organization, would have no basis upon which to maintain the necessary discipline in carrying out its revolutionary tasks. Disloyal people don't believe in the Party, they won't pitch in selflessly to help build it. And they will resist and evade discipline. That is why the organizational resolution adopted at the SWP's founding convention specified that unconditional loyalty to the Party is required of every member.

Royalty is not a matter of abiding by norms which one considers to be ~~genuine~~ "really" Leninist or Trotskyist--of feeling oneself bound by norms that do not "restrict discussion" and of ignoring those that one feels do hamper discussion. Not at all! Loyalty comes in abiding by all the norms of the party. Trotsky gives an indication of how he feels loyal comrades should proceed in a letter to John G. Wright which can be found on p. 63 of In Defense of Marxism. He says,

"You have not the slightest interest in a split, even if the opposition should become, accidentally, a majority at the next convention. You have not the slightest reason to give the heterogeneous and unbalanced army of the opposition a pretext for a split. Even as an eventual minority you should in my opinion remain disciplined and loyal towards the party as a whole. It is extremely important for the education in genuine party patriotism, about the necessity for which Cannon wrote me one time very correctly."

Perhaps Dick and Carol see the wage freeze as being in the same category as a possible SWP majority composed of petty bourgeoisie who

were capitulating to capitalist pressure to abandon our

defense of the gains of the October revolution in the Soviet Union.

Maybe so, but Trotsky said, "remain disciplined and loyal towards the party as a whole," under precisely those conditions.

Comrades, the trial body was unanimous -- including John McCann who will shortly be giving a minority report on our findings -- we were unanimous in finding the testimony of Carol and Dick vague and evasive. The 12 comrades I am representing in this report also feel that the two comrades under charges were consciously attempting to use the YSA as a vehicle to change Party positions. This can be illustrated by a few more quotes.

Q. ~~xxxx~~ Allan Sawyer reports that you told him that you were fully aware of what you were doing in writing this document and John ~~xxxx~~ Zanelotti, the signer of the document in Washington, told Chuck Petrin, the D.C. organizer of the YSA, that he ~~xxxxxx~~ ~~xxxxxx~~ expects, "the Boston comrades as well as himself will ~~be~~ probably be brought up on charges-- or expelled." Would you comment on that.

A. As we understood it from our experience in the Party and the YSA and from the ~~xxxxxxx~~ convention at Oberlin that the Party-youth relations remained ~~xxx~~ as they had been before we didn't do anything new. We felt we haven't done anything that hasn't been done before. We didn't do anything undisciplined. We considered all this very carefully before putting our names on the document and discussing these questions with the YSA. We had some inkling because we saw what happened to the C.T. that there might be ~~ix~~ members who would try to bring charges against us. But we felt ~~xxxxxx~~ that we were completely justified in doing what we did. We felt we broke no statutes of the Party, no discipline. That in writing a document we were continuing in the disciplined way we have always functioned in the YSA and the Party. And with the new political situation we felt we had to raise these questions.

Q. Why did you choose to raise them in the youth? Why didn't

~~you try to convince the~~

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you try to convince the Party?

A. It's nothing new for dual members to raise criticisms in the YSA. At the last convention there were many who did so. Dick was one of them. Lauren Charos on the West Coast. We are disciplined. We are active. There's no need for these charges.

Q. You were at the organizational report at Oberlin. You must have understood because it was made explicit that comrades in the Party were going to be under discipline in the YSA.

A. It was not made explicit. There were heavy implications. We wouldn't have done it if we had considered it an undisciplined act.

Q. What about checking with the N.C. or P.C.?

A. The leadership ~~doesn't~~ doesn't dare have discussion in branch meetings. Of course you have to carry on political discussion. You have to assess the events. When the events run counter to Oberlin you have to have discussion. There's a great fear in the Party of the content of our document. Last night you were afraid to have discussion so you ruled us out of order.

Q. Why didn't you go through the correct norms to raise the questions in the Party?

A. Carol-The point is that we're attempting to do just that. However the leadership is so afraid to hear of our political perspectives that they avoid it.

Dick-As we understand it we didn't have to do this.
Answering the same question they contradict each other!

Q. Do you think discussion ceases between conventions?

A. Absolutely not. I don't believe it should.

Q. If you're a serious member of the SWP that wants to build the SWP--to make the SWP that organization that will make the revolution--how did you see what your actions were doing

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in any way contributing to that process?

A. Carol--You're trying to get hungup on these technicalities.

Dick--If the YSA convention would have passed this its not something that would be hostile to the Party and itxx would be a progressive step for the Trotskyist movement for the YSA to adopt this document.

Q. On the last page mx of your document you say that the YSA mxkx has to have an unrelenting struggle against nationalism whichx is a reactionary ideology. Now suppose the YSA convention passed this and the YSA goes full blast and begins attacking nationalism as being counter-revolutionary, reactionary and everything. Now you're a member of the SWP. How does this help build the SWP? What would you're course of action have been?

A. If youwant to pose this is such a formal way--I mean you think that its a big joke. If youwant to pose it in a formal way then we can answer it in a formal way. But we didn't see it in a formal way. For the YSA to pxx pass that document would mean that a sizable section of the YSA leadership which is also in the Party agrees with it and that discussion withingx the PARTY WOULD BEGIN to take place also. I don't see any reason to pursue that any further xxx at all.

Q. I think the answer to the question is that he wants to change the line of the Party and kxkx he views this as a way to go about changing the line fx of the Party.

A. The thing is that you think you can keep this whole discussion insulated as if it doesn't have anything to doxx with the changing events that we're talking about--as if it doesn't have anything to do with the political context of the document. You seem to think that the Party mx is some insulated kx little core. We're talking about the Party being affected by these questions. We have to bring them in as Trotskyists. We have to mx bring them into the Party. We have to bring them in to the YSA. Now you're also talking like the YSA is some outside Party or something. YSA comrades came to preconvention discussion

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They were ~~xxxx~~ at Oberlin.

Q. You stated before that you would submit yourself to Party discipline. Knowing that there was a question in your mind that this might ~~ix~~ be the case why is it that if you are such disciplined comrades that you didn't once ask any higher body of the YSA ~~fxm~~ for clarification, that you didn't ask the organizer or an NC member for clarification on this issue? But there was a question which you said there was where you knew there was a distinct possibility that ~~xxxxxxx~~ you ~~mxix~~ might run into some problems and ~~andx~~ you are such strict loyal, disciplined comrades, why didn't you bring this up? Was this for a purpose? I mean there's a contradiction there.

A. We've answered that already. For one thing we think that Comrade Schluger represents a very dangerous right ~~xxxxx~~ wing tendency in the Party. We don't ~~gx~~ think our political actions would be directed by speculation about what Comrade Schluger might ~~doxx~~ or what some other comrade might do. It was a careful political ~~xxxxx~~ decision. I think we explained that.

I hope the comrades ~~arex~~ still following. The ~~xxxxx~~ trial body spent 12 hours listening and ~~he~~ debating this testimony but we didn't just want you to take our word for it. We ~~ix~~ unanimously feel--as I said--that the testimony was vague, deliberately evasive and contradictory. However, one can piece together the story. Carol and Dick thought there might be some objection to the document but they didn't check with the Party locally or with the Party nationally to find out, although Dick's statement during the CT trial discussion clearly indicates he understood that this was necessary to re-open political discussion. Instead they helped to organize a grouping of non-Party youth in the YSA, submitted a counter-line resolution hoping to be able to build a larger grouping having in it more dual ~~members than using the proceedings of an outside~~

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members thus using the proceedings of an outside organization to organize against the line of the SWP. They chose to operate this way because the Party is, as they say, "afraid of the line of their document," and has refused to open discussion on the branch floor in Boston. In the entire period of time they have never once asked the Political Committee to open discussion on the wage freeze. Neither did they ask permission to reopen discussion on any disputed matters decided by the convention--or to be allowed to re-open this discussion in the youth.

The Organizational Character of the SWP is clear on this point.

It says:

Once a decision has been made on disputed issues, the minority is subordinated to the majority. Between conventions authority becomes centralized and the Party confronts the outside world with a single policy, that of the majority. All members are required to subordinate themselves to the policies and decisions of the Party. Official Party bodies determine what is correct procedure and no individual or group can arrogate that right.

To decide for yourself what correct policy is, to arrogate the right belonging to official party bodies, is disloyalty. It is not a mistake--it is disloyalty. It does not matter whether one agrees with the policies or not. By definition, correct procedure is determined by official party bodies, not by individuals. No procedure at variance with that decided upon by the official Party bodies is correct.

The pertinent point has been quoted from The Organizational Character of the SWP. It has been rephrased 4 different ways.

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Hopefully, this will be sufficient.

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We must go through a chronology of what happened. On Nov. 19, we received a copy of "Toward a Mass Working Class Youth Movement" forwarded by xxx to us by Barry Sheppard. Sometime between Nov. 19 and Nov. 23 Dick and xxx Carol Merrill requested extended time of both the Boston and Cambridge locals to present verbal arguments for their document. On Nov. 23 Comrade Schmuenger filed charges against Carol Merrill and Dick Merrill in the Boston branch. On Dec. 1 the trial body heard testimony from both comrades, the testimony that has been quoted so often. On Dec. 2 the two comrades were informed that the trial body had xxx been unable to complete its deliberations and because of scheduling problems would be unable to report back to the next branch meeting scheduled for Dec. 7 and would do it at the Dec. 14 meeting. On xxx Dec. 2 both comrades went ahead and gave presentations--one to the Cambridge local, the other to the Boston local. On Dec. 8 discussion was held in the YSA on the political resolutions and summaries were given by the Merrills. On Dec. 10 by phone and Dec. 11 in person, Comrade Carol and Dick came to me as organizer and said that they had made a mistake. To quote comrade Dick,

We didn't know the Party would think it was wrong to do what we did in the YSA. We think we got carried away. We don't think it was wrong to raise questions in the YSA but we didn't think we'd have this kind of response.

They then informed me that they would not be speaking in the YSA for their document. However, when they were reminded of the fact, they admitted that they had already used all their allocated time to speak for the document. But, they said, they would take

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their names of f the xxxxxxxx document. They were adamant about continuing to insist xxxix they had not committed an undisciplined act. They said that they had been wrong, had gotten carried away, made a mistake, would not do it any more and above all did not want this "to result in the discontinuation of our membership."

To finish the chronologyx . Their statement to me had been taped. It was played to the DEc. 11 meeting of the trial body. That meeting was the one which voted to add disloyalty as a xxxxxxxx charge and to recommend expulsion.

The reasoning which we felt applied is as follows. Organising an anti-Party groupeng xxxix inside the YSA and submitting a document counter to the line of the SWP in the YSA are irreversible acts. These acts cannot be undone--even by removing their names from the document. Putting their names on the document in the first place was simply a challenge to the Party. It was a challenge as to whether we would uphold our democratic centralist norms of functioning. If they had not signed the document to begin with, but had participated in the organization of the group and the writing of the document they would have been just as disloyal, but the Party just wouldn't have known about it. Taking their names off now would not uncommit the acts. It is a meaningless and empty gesture on the part of two disloyal comrades to attempt to remain in the Party. We agree with them xxx that they made a mistake. From their point of view it was a tactical mistake. After the discussion in the YSA they expected to have picked up enough support to be accorded a delegate to the YSA xxx convention so they could continue their anti-Party activity. Afterx the discussion they could

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see that this would not be the case and so they now hope to be able to retain their membership in the SWP and continue their anti-Party activity at some future date. That's all. What they miscalculated was the number of YSA members who are hostile to the SWP. They thought there were ~~maxx~~ more than there are. It is only this interpretation which accounts for 1) their insistance still that they had not been indisciplined, 2) their statement that they had made a mistake, and 3) the extreme lateness of this supposed act of contrition.

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The ~~xxxxxxx~~ trial body found the acts of Carol Merrill and Dick Merrill grossly indisciplined and totally disloyal to the Party. If the branch does likewise we hope you will agree with us that there is no place for disloyal members in the SWP and vote to expel them. We have not forgotten and we do not expect you to forget the travesty that these two comrades made of two branch ~~xxxxxxx~~ ~~xxx~~ meetings in a row. We feel it tobe simply additional proof-- as if ~~any~~ ~~verens~~ needed--of the hostility and contempt with which these comrades view the Party. It is the opinion of most of us that ~~xxxx~~ this case is far more clear than that of the Communist Tendency. You must remember that there is no disagreement by the two comrades that they helped ~~ix~~ to organize a group around a document which was a counter-line to the positons passed at our recent convention. The comrades admit this. And even if they didn't the document is there for all to read. There is no disagreement on this ~~xx~~ point and that is enough grounds, in and of itself, for expulsion. Carol Merrill and Dick Merrill simply say that it wasn't an act of indisciplin and disloyalty. What that~~xx~~ ~~xxxxx~~ means

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is that they thought they could get ~~xx~~ ~~xxx~~ away with it. There are no arguments to explain away disloyalty. It is permitted at no time and under ~~any~~ no circumstances.. The Organizational Character of the SWP may help comrades to understand their behavior. With the experience gained in over 30 years of revolutionary struggle it says "...those who develop basic political differences also develop an urge to throw off restrictions imposed upon them by the Party's organizational concepts. They become antagonistic to democratic centralism."

This helps to explain it. It does not excuse it. The Party should not, and the Party will not, tolerate this kind of wrecking action from within.

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Should the branch pass these recommendations, Carol Merrill and Dick Merrill may appeal this expulsion as ~~outlined~~ outlined in Article VIII, Section 5 of the constitution"

Any member subjected to disciplinary action has the right to appeal to the ~~next~~ next higher body, up to and including the National Convention. Pending action on appeal, the ~~decision~~ decision of the Party body having jurisdiction remains in full force and effect."

On this case the next higher body would be the National Committee. Since the National Committee plenum will not be held for a number of months, the Political Committee would act for it, recommending a Control Commission investigation if it felt the need for more factual information, or simply setting the matter aside for the consideration as an agenda point at the next National Committee Plenum. After consideration by the plenum, if still

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unsatisfied, the comrades may appeal to the 25th National Convention which will take place in 1973.

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How will this decision affect Carol Merrill and Dick Merrill in their functioning in the YSA? Not one bit! They have collaborated with other YSA members to write a document which is against the line of the SWP as passed at its 1971 convention. As YSAers they have that right. In the process of exercising their rights as YSAers they have violated the norms of the SWP. For this violation we are recommending that they be expelled from the SWP. If and when they violate any norms of the YSA it will be up to the YSA to deal with that because the YSA is an independent outside organization. So the discussion in the YSA will be had on the merits of the respective political positions. But in the Party Carol Merrill and Dick Merrill have posed us with the duty once again to uphold our norms. We think the branch will do this.

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It seems fitting to close with the same statement which ended the majority trial body report in the case of the Communist Tendency.

It has been suggested that in these deliberations we are setting precedents which will be used against other groups or individuals. We do not believe this to be true. We are simply bringing recommendations that are in full and total agreement with our Party constitution and with the principles enumerated in The Organization Character of the SWP. In this sense, these proceedings and the recommendations we are considering tonight are simply re-affirmations of the long-standing basic principles of the Party. There are no departures from the norm in anything that has been said

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or done. It should now be clear to all that we do have principles which govern the functioning of everyone in the Party; and that this Branch and its leadership understand them, respect them, and mean to see that they are enforced.