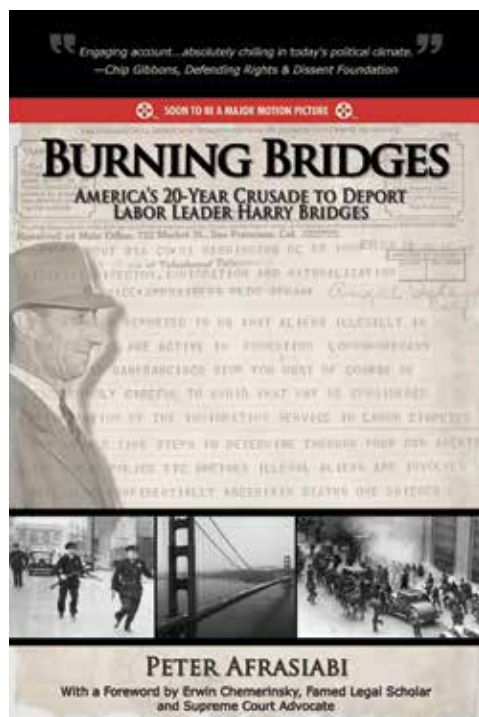


Burning Bridges: America's 20-Year Crusade to Deport Labor Leader Harry Bridges.

Peter Afrasiabi. Brooklyn, NY: Thirlmere Books, 2016. 293 pages. \$21.95 paperback.



In his new book, *Burning Bridges*, attorney Peter Afrasiabi introduces us to the relentless, decades-long crusade to discredit and deport ILWU leader Harry Bridges. The book transports readers back to the tumultuous height of the red scare during the 1940's and 50's and provides a sense of how doggedly the government and employers tried to rid the country of a man because of his labor activism and political ideas. It also gives the reader a sense of how immigration law has been historically used to attack workers' rights and their ability to organize.

Afrasiabi opens the book with details about Bridges' early life and the events of the 1934 coastwise waterfront strike. But it's not until he delves into the deportation attempts against Bridges and the legal drama that unfolded in court that Afrasiabi's writing truly shines.

Afrasiabi quickly examines how the case against Bridges formed. Early in his role as the leader of the newly-organized longshoremen, Bridges came under the watchful eye of a loose-knit



The defendants: (L to R): Harry Bridges, Henry Schmidt, and JR Robertson confer during their perjury trial.

group of anti-union players—employers, American Legionnaires, and police officials. Bridges collaborated with a diverse array of people supporting longshore workers' efforts to improve their conditions, including some Communist Party members. He himself believed passionately in fighting racial discrimination and granting rank-and-file workers a say in how they were treated on the job—ideas that were considered radical at the time. These beliefs, associations, and Bridges' overall effectiveness as a leader put him in the crosshairs of anti-unionists who were collecting information on him by 1935, with a goal of removing him from the waterfront. They even discussed assassination. As a safer alternative, deportation offered a promising opportunity dispose of Bridges.

Bridges proved vulnerable to this strategy. Australian by birth, he had never gotten naturalized after relocating to the U.S. as a young man in 1922. Employers seized upon a 1918 law that allowed for the deportation of non-citizens who belonged to subversive organizations advocating overthrow of the government. If they could link Bridges to the Communist Party, they could have him legally deported. They demanded action from Congress and the Department of Labor, which then oversaw immigration matters.

Initial government investigations failed to link Bridges to the Communist Party, but private interests conducted their own independent but biased investigations, including the American Legion's Subversive Activities Commission in San Francisco. Its Chair, Harper Knowles, conspired with John Keegan, Chief of Detectives in the Portland Police Department, and Stanley Doyle, an undercover prosecutor in Oregon. Afrasiabi calls the three the "Knowles-Keegan-Doyle Axis." This "Axis" coordinated an interstate effort to collect evidence and witnesses against Bridges. It met secretly with several of his associates and used bribes and blackmail to extract testimony. Some of the money and resources for this nefarious endeavor came from the State of Oregon and the City of Portland, even though the investigation was outside of Oregon's jurisdiction.

Knowles and the American Legion had friends in Congress who pressured Francis Perkins, President Franklin Roosevelt's Labor Secretary, to push for Bridges' deportation. Several of these Congressmen were members of the Dies Committee, an anti-Communist body that was a precursor to the House Un-American Activities Committee. Because Secretary Perkins did not direct the Department of Labor to take swift action to have Bridges tried and deported, some Congressmen called for her impeachment. This was rejected, but its threat irreparably damaged Perkins' credibility in immigration matters.

Perkins and the Department of Labor eventually capitulated and

agreed to hear the case against Bridges. Public hearings began on Angel Island, the San Francisco headquarters of the Immigration and Naturalization Service (INS), in July 1939. The government chose the remote island to avoid publicity and protests. John Landis, the highly respected Dean of Harvard Law School, conducted the hearings.

Afrasiabi describes the hearing room scene like a movie screenplay for a tragi-comedy. Government witnesses contradicted themselves. The prosecution's key evidence, Bridges' supposed Communist Party membership card, was a forgery. A star witness had been indicted for racketeering in another case. Keegan and Doyle used bribery and threats to extract testimony. Bridges, on the other hand, freely acknowledged that he knew and worked with people who were Communists, but convincingly denied membership in the Party. He pointed out that the Party's political theories were of little practical use to him because "there is no one, when it comes to the best policy of the longshoremen on the waterfront, that knows more about what is best for us than we ourselves."

Landis ruled in Bridges favor, saying "that Bridges' aims are energetically radical may be admitted, but the proof fails to establish that the methods he seeks to employ to realize them are other than those that the framework of democratic and constitutional government permits." Bridges filed an application for naturalization. Meanwhile, the anti-Bridges forces prepared for another attack. The Bridges case was only beginning. The new onslaught featured rewriting immigration laws, reducing the influence of the Department of Labor over immigration matters, and expanding government surveillance against alleged subversives.

Within months of Landis' decision, Congress passed a resolution directly targeting Bridges. H.R. 9766 authorized the U.S. Attorney General to deport the ILWU leader, "whose presence in this country the Congress deems hurtful." The bill was illegal because the U.S. Constitution prohibits bills of attainder—laws that target a specific person or group. Knowing that the popular bill would pass in the Senate, Roosevelt feared vetoing it. Not wanting to seem "soft on Communism," he directed Attorney General Robert Jackson to work with Congress to find a political compromise.

The compromise came in the form of another bill, the Smith Act, which Roosevelt signed into law on June 28, 1940. It didn't mention Bridges directly, but opened the door to another deportation attempt by expanding anti-sedition language and allowing the government to deport any noncitizen who "at the time of entering the United States... or any time thereafter" was a member of or affiliated with the Communist Party. Legislators hoped this language would make Bridges a vulnerable target.



Attorneys: Carol King, Richard Gladstein, and Aubrey Grossman, strategize with Harry Bridges during the hearings on Angel Island.

More than legislation was needed to activate Bridges' deportation. But when criticism intensified against Perkins and the Department of Labor for their handling of immigration cases, Roosevelt caved to the pressure and transferred INS oversight from the Department of Labor to the Department of Justice. This removed Secretary Perkins' influence over immigration matters and placed the INS under the control of the U.S. Attorney General—and the investigative arm of the FBI. Attorney General Jackson quickly ordered FBI head J. Edgar Hoover to investigate Bridges. Hoover requested and received extended wiretapping powers over "aliens" and "subversives," and put Bridges' under constant surveillance. Hoover was a fanatical anti-Communist who declared the press that "beyond a doubt, Bridges is a Red."

Based on the new law and FBI investigation, the Bridges case went to trial again in 1941. Bridges lost this second trial, but appealed the decision to the Board of Immigration Appeals, which overturned the verdict. U.S. Attorney General Francis Biddle subsequently overturned the appeal. A lengthy appeals process eventually reached the U.S. Supreme Court in 1945. Justice Frank Murphy wrote the high court's majority decision, which favored Bridges, saying that "seldom if ever in the history of this nation has there been such a concentrated and relentless crusade to deport an individual because he dared exercise that freedom which belongs to him as a human being and is guaranteed him by the Constitution.... Freedom of speech and of press is accorded aliens residing in this country. So far as this record shows, the literature published by Harry Bridges, the utterances made by him were entitled to that protection. They revealed a militant advocacy of the cause of trade unionism. But they did not teach or advocate or advise the subversive conduct condemned by the statute."

With that victory, Bridges then filed for citizenship. As part of the naturalization process, two of Bridges' close colleagues, ILWU International Vice President J. R. Robertson and Henry Schmidt, a 1934 strike veteran from Local 10, signed an affidavit stating that Bridges was not a Communist Party member. Bridges testified to the same. The Judge granted Bridges' citizenship.

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NEW PENSIONERS:

Local 8: Mark O. Wright;
Local 10: Pablo O. Alba; Albert Cardoso; Robert J. Martin, Sr.;
Local 13: Richard Olson; Steve German; Floyd E. Elliott; Charles D. Hackett; Robert E. Harrell; Kelly W. King; **Local 19:** Duane C. Rogers; Roger R. Cranford; Jonathan B. Rider;
Local 23: David R. Singleton; Debra J. Roscoe; Robb B. Cole;
Local 63: Jennifer Clark; Mary H. Johnson; Anne C. Alberts;

DECEASED PENSIONERS:

Local 10: Willie Freeman Jr.; Addison D. Hoover; Timothy Goddard; James E. Pitcher; Noble L. Harris; Eddie R. Johnson; **Local 12:** Leonard Garrett; Michael J. Karavanich;
Local 13: Thomas Gonzales; Adolfo Bojorquez; Carlos R. Castro; Harry V. Freeman; **Local 18:** Robert L. Mc Guire (Rebecca); **Local 19:** Phillip Ervin (Louise); Richard S. Wright;
Local 23: Lewellyn R. Smith; Carlton N. Williams III; **Local 29:** Robert

Bolata; **Local 32:** Clarence E. Plant;
Local 34: Charles L. Jones; **Local 52:** James Sanders; **Local 63:** Edward R. Luera; Myles M. Sakamoto (Teresa);
Local 92: Herbert Urie; **Local 94:** Hendi A. Ancich Sr. (Sharon);

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Local 92: Birdie M. Rapp;

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zensionship petition. Bridges was finally a U.S. Citizen.

But, the attacks against Bridges and the ILWU continued. In 1948, ILWU longshoremen struck for 90 days against an employer attempt to use the newly passed Taft-Hartley Act to red-bait Bridges and other ILWU leadership and to destroy the union's hiring hall. The strike was won, but the following year Bridges and the two witnesses to his naturalization hearing were indicted on three counts of criminal perjury and conspiracy because both claimed in their testimony that Bridges was not a Communist. At the same time, the Department of Justice filed a civil suit to cancel Bridges' U.S. citizenship and have him deported to Australia.

The three unionists were tried and found guilty. Robertson and Schmidt were given two year prison terms. Bridges was sentenced to five. Even their lawyers, San Francisco attorneys Vincent Hallinan and James McGinnis, were sentenced to criminal contempt of court and served prison sentences. Bridges got out on bail, which the government revoked, and he served 21 days in jail.

The case went through another appeals process and again landed before the U.S. Supreme Court. In 1953, the high court ruled in Bridges' favor a second time, setting aside Bridges', Robertson's, and Schmidt's sentences and restoring Bridges' U.S. Citizenship. The civil suit against Bridges was dropped at the federal court level in 1955. By then Bridges had endured nearly 20 years of trials and appeals.

Afrasiabi summarizes Bridges ordeal as "persecution by prosecution, the heart of the use and abuse of the legal system by those in power against those who challenge the status quo." Concluding his book with a thoughtful legal analysis of the case, Afrasiabi

examines oversteps by the government's executive branch and its influence on the lower courts throughout the 20 years Bridges fought for his right to remain in the United States.

Because Afrasiabi focuses primarily on legal arguments and courtroom transcripts, rather than the trial's broad, lasting, social impact, he leaves out some historical information that should interest ILWU members. For example, the Smith Act, the law passed to invite a second set of trials against Bridges, eventually resulted in indictments of 215 U.S. citizens and non-citizen immigrants before it was rendered unconstitutional by a Supreme Court Decision in 1957. Among those indicted were socialists, Communist Party members, ILWU labor activists in Hawaii, and a founding member of the ACLU. The expansion of the FBI's surveillance activities continued beyond the Bridges case and later included secret investigations into nonviolent movements, including civil rights and anti-war groups. Finally, the INS transfer from the Department of Labor to the Department of Justice—and more recently, to the Department of Homeland Security—permanently refocused the lens from which the government views immigration matters. Although he lightly touches on some of these topics, examining these points in depth is not the point of Afrasiabi's book.

Although other historians have written about the case against Harry Bridges, Afrasiabi's is the first full-length book on the trials. Afrasiabi undertook an extensive study of the Bridges case, including its thousands of pages of transcripts, and wrote an admirable book that is accessible to readers. The result is required reading for anyone with an interest in the ILWU and the life of Harry Bridges.

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CORRECTION: A photo appearing on the right side of page 3 in the January issue was mistakenly attributed to Local 23 in Tacoma but actually came from Local 46 in Pt. Hueneme, showing a large collecting of toys donated for their annual holiday drive. Secretary-Treasurer Janet Ritza says, "we were overwhelmed by so many 'thank-you' notes we received from recipients," and extended her own appreciation to everyone in the Local 46 family who gave so generously.

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