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# **Ruthenberg Opens Testimony in His Defense**

## **[Morning Session, April 26, 1923]**

**by Jay Lovestone**

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Copy in Comintern Archive, RGASPI f. 515, op. 1, d. 211, l. 88.

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St. Joseph, Mich. (Special Wire).- Law books arranged in line a couple of feet long appeared on the table of the prosecuting attorneys who are trying to prove that the Communist Party is an organization which advocates criminal syndicalism and that C.E. Ruthenberg "assembled with" this organization. These law books are intended to prevent C.E. Ruthenberg from telling the jury what Communist Principles really are and what the Communist view about force in the class struggle [is].

In the Foster case the prosecutors were taken by surprise when Ruthenberg began his exposition of Communist principles from the witness stand and permitted him to go on for a half day before they made their attempt to have him barred as a witness. It being impossible to bar Ruthenberg as a witness in his own case, the prosecution has evidently prepared to throw every legal impediment in the way of the defense in presenting to the jury the truth about Communism.

Ruthenberg took the stand at about 11 this morning after a number of hours spent in reading depositions from Frank Morrow's associates in Camden and Philadelphia in which his character and reputation for truth and veracity were attacked. Ruthenberg stated, in answer to questions, and after frequent interruptions by Smith of the prosecution, that he was born in Cleveland, Ohio forty years ago and attended a Lutheran parochial school and business college. Over more objections from Prosecutor Smith he was permitted to state that he had begun work sandpapering moldings in a picture frame factory, had then secured a clerical position in a publishing house and successively begun bookkeeper, stenographer, and manager of a department. Later he became head of the correspondence department of a Cleveland garment factory and was promoted — Smith objecting to the promotion — to head of the maintenance and supplies department of the same concern.

Walsh next took up Ruthenberg's participation in the Socialist and Communist movement and, over frequent objection by Smith, Ruthenberg was able to tell that he began reading socialist literature in 1907 and after several years of study, covering the classic literature of socialism, had joined the Socialist Party in 1909. He said that he had been a candidate for public office each year from 1910 to 1919, running for State Treasurer, Governor, United States Senatorial representative in Congress, and for Mayor of Cleveland on four occasions.

Taking up his connection with the Communist Party Ruthenberg told the jury between frequent interruptions that he had become Executive Secretary and a member of the Communist Party of America in 1919 when it was organized in a public convention in Chicago and that a year ago he had become Executive Secretary of the Workers Party and that he still held that position.

At the time of noon recess Mr. Walsh had asked Ruthenberg whether the First, Second, and Communist International had all been founded upon Marxian principles and Ruthenberg stated that they had. Walsh then asked what those principles were. Smith interposed an objection to the answer and it looks as if the real battle as to whether Ruthenberg could tell what communism really stands for was about to begin. Judge White adjourned the court, reserving decision at the time of reconvening.

*Edited by Tim Davenport*

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