Sugar spent ten months in prison. He immersed himself in the daily conflicts of prison life, made friends with prisoners, and helped to improve prison conditions. He also had the opportunity to read much of the social and political theory that he had left aside during the preceding years of constant activity. The year of his imprisonment was marked by massive political upheaval around the world and in the United States. His vicarious relationship to these explosive times allowed him a degree of detachment not possible for many of his contemporaries and meant that he could avoid many of the irreconcilable differences arising from the heat of battle in 1919. Still, his political ideas moved decidedly to the left, causing a permanent break with many of his old allies.

Sugar in Jail

The first weeks, especially, were agony. Jane wrote tender, loving letters. On November 29, she wrote, “I walked the boulevard from Woodward to Grand River this evening coming home from Pearl’s. It was a wonderful sight! I wonder if there is a window in your cell so you see the stars. The stars make me think of you—your beautiful eyes.” But the real torment was to be at home alone. “If only you were in the big comfy chair beside me, reading your newspaper, so I could tease you and make you kiss me and beg me to sit quiet so you could finish.” Finally, Kalman and Mary Sugar moved in with her, giving her more to occupy her attention and relieving some of the loneliness.

There is a delicate, playful sweetness in the surviving love letters between Jane and Maurice. There is also depth and maturity. They were best friends who shared all that they did. “It seemed so strange,” wrote Jane, “to attend a mass meeting without you.” But the fullness of their romantic love was also obvious.
Because of prison regulations, Maurice could only write to her every two weeks. His letters therefore tended to be more mundane, often including messages to others. His expressions of feeling were rarer and more condensed. Above all, they came in the form of poetry. A flurry of poems reflecting the same sentiments as Jane’s letters accompanied his early letters. “You Kissed Me,” “Rem’bers,” “One Soft Caress,” and “A Wish” were some of the titles.

Sugar’s outlook in prison remained generally cheerful. In his letters, there were no indications of self-pity, doubts about what he had done, or complaints about his personal comfort. Even in the journal that he began to keep on January 1, 1919, such complaints were likely as not turned into jokes. But there was nothing funny about the degrading conditions in this place. The Detroit House of Correction was built in 1861 for the temporary purpose of housing Civil War prisoners. It was dark and dank and filthy. Sugar’s tiny cell had a straw cot attached to the wall, a three-tiered rack in the corner, and a pail for refuse. That was all. The main guard—called only “the deputy”—was a brutish character who carried a huge cane that he swung at the least provocation. The food was slop, punctuated by weekly treats of meat and fruit. Worst of all, prisoners were not allowed to talk to one another. A brief, silent march in the court constituted their daily exercise. Early in his term, Sugar summed up his reaction to the prison in a poem that began,

This is the place where manhood dies
And the stricken soul in anguish lies

He vowed that he would change it.

The presence of someone as well known as Sugar, however, put this backward jail under public scrutiny. Sugar made friends easily with other prisoners and also got on well with many of the guards, upon whom he lavished requested legal advice. This helped when he began to act as a spokesman for the prisoners’ concerns. Through comments to visitors and sympathetic guards, who told him that many of the “rules” were personal whims of the deputy, he began to draw the attention of the prison board to conditions at the jail.

Sugar also used the moral-uplift lectures sponsored by the board to mock prevailing philosophies of rehabilitation. They emphasized Horatio Alger key-to-success stories and how to cope with society without trying to change it. An organization called Pathfinders, developed to assist exconvicts, brought such messages to the prisoners. To take one example, Mr. Wright, its founder, gave a speech about the power of positive thinking. Sugar countered with the story of the barn filled with popcorn and housing a horse. “The barn caught fire. Did the horse burn? He did not. The popping corn popped, the horse thought it was snowing and instead of burning, he froze to death. Ah, the power of the mind!” Sugar’s willingness to challenge speakers caused others to do the same, and increasingly a variety of issues were raised, further illuminating both the prob-
lems of the prison and the humanity of the prisoners for board members who often came to these gatherings.

Early in February the city chose a new “reform” board. It was headed by Mary Thompson Stevens, a prominent philanthropist. On February 3 came the electrifying news that a noisy period, 5:30–6:30 p.m., would be allowed. On April 13, Stevens announced that the warden had resigned and that she would be acting superintendent. She promised a variety of reforms and lifted the rule of silence in the shops. The assembled prisoners shouted their approval and encouraged Sugar to say a few words. He did so, voicing the appreciation of the inmates and concluding with a call for a vote of confidence for the new board. The response was overwhelming.

In the weeks that followed, the atmosphere in the prison changed significantly. Most of the major health issues were dealt with, and a recreation program, which gave Sugar the chance to play softball and to box, provided the exercise so long denied the prisoners. For Sugar, all of this had a somewhat embarrassing result. The Detroit News, always on the lookout for 100 percent “Americans,” had interpreted Sugar’s speech of thanks as proof that he had recanted his earlier views. His “loyalty” to the prison administration marked the triumph of the new rehabilitation program. Sugar greeted this story more with amusement than with consternation. But a week later, Mr. Wright of the Pathfinders proceeded to take credit for Sugar’s return to the path of righteousness. The issue became semiserious when his friend and fellow socialist, Bob Westfall, attacked Wright and his organization in a letter to the News. There was nothing wrong with Sugar’s character in the first place, he said, and Wright’s claim “smacks of cheap advertising.” A further exchange followed, and Sugar’s reputation as an unreconstructed Socialist was reestablished.

Without question, the most gratifying consequence of Sugar’s time in prison was the bond of comradeship that he developed with other prisoners. They often talked about their crimes. Some were proud of their deeds, others contrite, but in general Sugar was impressed with the lack of hypocrisy that he found in almost everything they said. Sugar was surprised by the attitude of most toward women. It was not so much the heavily sexual nature of many of their comments that bothered him, but the indifference they showed toward wives and sweethearts. But, he said, it became understandable “when one sees the number of divorce suits started against men who are in prison.” Women who “stick by their man” were regarded as “most unusual specimens.”

While it was not universal, “the good humor of some prisoners,” Sugar remembered, “was irrepressible. No amount of brutality seemed to dampen it.” One of Sugar’s best friends was Tom, a big, fifty-year-old Irishman, who worked with him in the shipping room. He and Sugar would get into those situations where the tiniest glance would send them both into gales of uncontrollable laughter. The only problem was that Tom had to load stacks of chairs onto waiting trucks. The game was to try to break him up while he was carrying stacks of chairs. They also sat together in chapel, with inevitable results.
Sugar made no effort to preach socialism to his friends. Yet it was obvious that sympathy for his position was widespread. Sugar was convinced that as his friendships grew a growing respect for ‘bolshievism’ accompanied them. “It was not long before it had many champions, quite ill-informed, but altogether solid.” Sugar loved to tell one story in later years. He and a friend were getting their weekly shave from inmate barbers, when a stubby young tough named Mac—who was just beginning to serve “a life sentence in installments of thirty, sixty, and ninety days”—came up to the door of the barber shed and sneered; “I see you got a Bolshevik in here.” “Two,” said the man in the other chair, “And what the hell of it?” growled Sugar’s barber. “Three of ’em,” jeered the man at the door. The other barber made it four and when “the damned little runt” continued his derisive comments, the two barbers turned on him with razors in hand. “Whoa now,” said Mac, “there are five of us!” These kinds of incidents and low-key comraderie gave Sugar the untypical experience of actually watching the cause benefit by his presence. Socialist war resisters elsewhere were usually mistreated by other inmates.

Sugar’s political outlook did not remain stationary, however. He read voraciously from the moment he arrived (ten novels, a half dozen scientific works, and a raft of magazine articles were digested before Christmas). His nonfiction reading was diverse, but he gave more attention to Marxist classics than he had in the past and even completed all three volumes of *Capital*.

Sugar had already moved to the left before entering prison. The bonds of past friendship more than politics kept him tied to the yellows. But he also felt that the leaders of the Michigan left wing often made the cause look foolish by their bombast and their weakness in cogent argument. To illustrate: Sugar liked Dennis Batt’s first articles in an exchange with editor Nimmo in *Detroit Saturday Night*. Then he watched Nimmo get away with stating that Engels had not foreseen the trust, when in fact a whole section of *Socialism, Utopian and Scientific* was devoted to industrial concentration. Batt later allowed the debate to degenerate into mere nitpicking and he was consistently on the defensive. Sugar did not object to the positions Batt was taking, only to his competence.

The development of Sugar’s thought in 1919 can be traced through his letters, his prison “order book,” and writings while in jail. The first indicator came in mid-February. He revised his speech, “Law and the Prevailing Order,” for publication in the *New York Call Magazine*. A number of alterations toughened the language, but the main change was a new ending: “The final struggle has started. The rumble of conflict fills the air as it rolls across the waters of the world. The social revolution is on.”

There was good reason to believe this was so. Despite the brutal suppression of the radical Spartakus League by Social Democrat Gustav Noske, the German revolution still appeared to have a chance to materialize as many soviets, including Kurt Eisner’s Soviet Republic of Bavaria, continued to hold on. Bela Kun in Hungary was on the ascendant and would soon create another, though highly volatile, Communist regime. In Austria and Bohemia the Left controlled
the Social Democratic parties. Italy and England continued to seethe with agitation. In western Canada the One Big Union movement gained ground and craft unions radicalized. The Winnipeg general strike was on its way. On February 2 came the general strike in Seattle. Although it began when the AFL craft unions decided to support striking dockworkers, it turned into an excuse for Mayor Ole Hansen to close down every Wobbly hall in town ("We didn’t have any law to do it with, so we used nails"). The AFL pulled out and the strike ended on the tenth. In mid-January there had occurred a huge "Mooney congress" in Chicago, which considered calling a nationwide strike to protest Mooney’s imprisonment. While the congress was roundly condemned by AFL officialdom, twelve hundred AFL affiliates from thirty-seven states attended. They set July 4, 1919 as the date for the strike.2

Something was afoot, and Sugar knew it. On January 31 he wrote, "If I don’t get my article on the League of Nations out pretty soon there won’t be any need for it—those darn Socialists are just as liable as not to go and capture international power without waiting for me to tell ’em how to do it." His "Socialism and the League of Nations" was published in May in the Class Struggle, Louis Boudin’s monthly journal that along with Fraina’s Revolutionary Age served as the theoretical voice of the left wing. The main argument was that while the League of Nations was presented to the world under the guise of democratic internationalism, in reality it was nothing more than a new mechanism of capitalist international power whose essential purpose was to throttle the international working-class movement. The league, he wrote, "will be the main office of the world’s exploiters. . . . Capitalistic institutions have attained such gigantic proportions as to require international administration. The enemies of the workers are wielding a new sword. . . . The international spread of solidarity throughout the ranks of the proletariat generates an international spread of apprehension throughout the ranks of the bourgeoisie. The arrest of the spread of this solidarity must be the principal endeavor of the League of Nations."

The purpose of the League was thus to make the world safe for capitalism. What should be the response of the workers’ movement? In the first place, in countries where the workers have captured power, the question of joining the league, in the unlikely event that they should be asked, ought not be "a question of principle" but one of expediency, of "international Socialist tactics." It is quite conceivable that it might be more useful to join whether “from considerations of preservation of the gains of the revolution” or to burrow from within to undermine the stability of the capitalist member nations. The Leninist tone continued in the conclusion, which called for a "Federation of the Proletariats of the World." This body would help worker regimes maintain themselves against counterrevolutions and aid “socialist movements throughout the world” in their drive for power. The presence of British, French, and U.S. troops in Soviet Russia demonstrated the need for an international Socialist army ready to go anywhere. More important, the federation should provide revolutionary move-
ments with financial aid and ideas, particularly the lessons learned from countries where the revolution had already triumphed.

While the Third International was first proposed by Lenin on January 24, 1919, Sugar did not become aware of its goals until he read Robert Minor’s interview with Lenin two weeks later, after his article was finished. In an entry in his notebook on February 9, he wrote: “In the same interview, when asked what he thought of the League of Nations, Lenin said: ‘They are not forming a League of Nations, but a league of imperialists to strangle the nations.’ Now somebody,” said Sugar, “has gone and shown Lenin my article.”

While Sugar was finishing “Socialism and the League of Nations,” the left wing of the Socialist party began to press for power in a way that made either its dominance or a split inevitable. Party membership had grown from 73 thousand in mid-1918 to 109 thousand in January 1919. The left wing benefitted the most because of the influx of pro-Bolshevik East European emigrés. For the first time in the history of U.S. socialism, the foreign-language federations outnumbered the English-speaking membership. The Revolutionary Age and the Class Struggle, along with a dozen foreign-language journals, spoke for the left wing. The old center of the party was rapidly evaporating. Scott Nearing had become a contributing editor of the Revolutionary Age, appearing side by side with Fraina, John Reed, and the other left-wingers. Sugar, Westfall, and Welch (when he returned from Leavenworth in April) represented a similar shift in Michigan.

Despite Lenin’s sober reminder to the U.S. in December 1918 that “the revolution in different countries proceeds along various paths, with varying rapidity,” the left wing took a European perspective and assumed a revolution in the United States was nigh. It erroneously called the Right “social patriots” and consistently subordinated all other matters to the issue of the “coming revolution.” With the Bolsheviks’ call for the formation of a third, or communist, International, the left wing became more determined to develop a separate identity. The New York Left produced a separate platform, published on February 8 in the Revolutionary Age. On May 17, as the conflict came to a head, Sugar wrote to Jane that he “was quite interested in the ‘Left Wing’ platform. On the whole I like it, though I do think it is a little rough and crude in spots. That, however, is only natural in a newly defined position. It is valuable in its exclusion of what might be termed the Wisconsin element [Berger and his allies], which has long been a flyghty wing of the party. We shall watch developments.”

Its main planks called for “year-round agitation” on behalf of the Soviet Republic and the German Left and the encouragement of “mass action of the revolutionary proletariat” in the United States to destroy the capitalist state and replace it with the rule of “federated soviets.” The party should engage in electoral politics only for “destructive” purposes. Industrial unions would be the organizational core for developing class consciousness. With the triumph of the revolution, worker councils would take over industry, banks, railroads, and foreign trade. All national debts would be repudiated. This Bolshevik program
concluded by demanding that the Socialist party give up its “immediate demands” and “agitate exclusively for the overthrow of capitalism and the establishment of Socialism through a proletarian dictatorship.”

Sugar was the least happy with the last point. In the same letter to Jane, he scoffed at the Michigan convention, which had just passed resolutions to expel any member who (1) advocated immediate demands and (2) did not take “a materialist view of the role of religion.” Although an atheist, Sugar thought the second was silly: why not subject other “socially determined” phenomena—politics, science, the arts—to the same restriction? The first provision was more difficult for him. His immediate reaction was to chide Dennis Batt. He wondered “if friend Batt has yet been expelled for his support of the Detroit Federation of Labor?” Batt had recently been working hard—and with excellent results—in getting the federation to back industrial unionism in auto and had naturally had to pay lip service to its reformist perspective.

But the “immediate demands” issue was no joke. It would soon be at the heart of the explosion that destroyed the Socialist Party of America. Through March and April, the Left had marched steadily forward. Upon receipt of the word that the Communist International (Comintern) had been formed (March 4), Fraina demanded and got a national referendum on the question of joining it. The vote was 10 to 1 in favor. They then had a referendum to authorize new elections of the National Executive Committee (NEC), dominated by the yellows; the elections that followed should have swept the left wing to power. Fraina, Reed, Ruthenberg, Kate Richards O’Hare, and eight others were elected to the board. Only three right-wingers, including Hillquit, were elected. But the old board unilaterally declared the elections void and called a special meeting for May 24 to deal with the crisis.

Their manner of dealing with it assured that the party would break apart. Three days before, Hillquit had called for a purge: “Let us clear the decks.” The first order of business was to expel all of Michigan’s five thousand members. Twenty thousand more were removed as seven foreign-language federations bit the dust. The board “suspended” the election results and called an emergency convention to be held in Chicago on August 30. The split was official. Thousands more left-wingers quit the party. In no time, membership had shriveled to forty thousand, thus leaving around seventy thousand unattached left-wing Socialists—the nucleus of the future Communist movement in the United States. Reactions to the coup varied. Much of the leadership of the left wing said good riddance and soon called a rival convention to meet in Chicago at the same time to organize a separate Communist party. Fraina and John Reed, on the other hand, spent the summer trying to line up left-wingers to go to Chicago and try to take over the Socialist convention.

In Michigan, the Batt-Keracher forces had called an emergency state convention on June 15 to select delegates to a left-wing conference in New York. The old center had to make a choice. On June 2, Adolph Germer, the national secretary, wrote to Nathan Welch, who, like Sugar, had represented the O’Hare-
Debs militant center of the party, and asked him to arrange a meeting in Detroit of people sympathetic to the NEC position. Welch, after consulting several other centrists, responded on June 6 saying that he thought the expulsion of the state party was a “fatal blunder,” especially at this moment of crisis in U.S. society. The Socialist party needed to move toward “a clear-cut revolutionary platform around which most of us could consistently rally and present an unbroken front to the enemy.” The NEC should not hope to gather much support in Michigan. “It is my opinion that the locals and branches who differ from the Keracher group will affiliate with some red local or movement, but will not go along with the national office.” Welch personally refused all aid to Germer and the vast majority of Michiganders agreed. In letters and petitions, Michigan Socialists from Hancock to Monroe condemned NEC decisions. Ben Baze of Port Huron put it succinctly: “Down with the Eberts and the Sheidemans [sic]. Hail to the Spartacists and Bolsheviks.”

Only the English branch of local Grand Rapids gave any appreciable support to the Old Guard. Violet Blumenberg and Charles Taylor claimed that Keracher had stacked the Michigan state convention by denying mileage vouchers to opponents. They were glad the national “house cleaning” was now taking place. But they were even having trouble holding Grand Rapids. Bud Reynolds, a Detroit carpenter working in Muskegon, was making inroads among the Ukrainians there. “He teaches winery instead of Marx,” wrote an outraged Vi Blumenberg. A handful of isolated right-wingers were all that remained of the old party in Michigan. The Detroit yellows had virtually disappeared. Interestingly, Blumenberg wrote Germer on June 13 that “if Maurice Sugar was out of the House of Correction, we would be in a position to put on a strong fight; as it is, in his absence, our side have stupidly allowed the so-called Reds to get a strong hold on our building, The House of the Masses; they have worked a number of their gang in there.”

She was obviously unaware of the path her hero was currently taking. Maurice Sugar’s immediate reaction was mild enough—but telling. He wrote in his notebook on June 8, “So the National Executive Committee has expelled the Socialist Party of Michigan! That expulsion includes me, both formally and in spirit.” The last two words expressed his mood. His prison diary gives a rare glimpse into the mind of a Socialist moving leftward in May–June 1919:

May 1. International Labor Day! A truck driver tells me that there are many policemen around this place. He was told that they were “expecting a crowd of men to come out here and try to get Sugar out.”

May 4 (letter to Jane). Truly these are times pregnant with possibilities, [when] workers’ thoughts turn to breaking into jails instead of breaking out.

May 4. Said Debs, upon entering prison: “Tell my comrades that I entered the prison doors a flaming revolutionist, my head erect, my spirit untamed, and my soul unconquerable.” Kate O’Hare is in, too. Good cheer, Kate.
May 6. During our recess hour I met a man who was given thirty days for selling the *Liberator* (Max Eastman’s new journal) on the 1st of May. I am receiving the *Liberator* in here. I met another, an IWW salesman. Of course both of these fellows will go out with changed views, and will become ardent and reliable supporters of law and order.

May 12. Of all the clauses in the treaty presented to the German delegates the one that rivets my attention is the one that compels Germany to give back to Great Britain the skull of the Sultan of Okwawa. Who can say that the war has been fought in vain?

May 13. Says Dietzgen (*Philosophical Essays*, p. 127): “We, too, desire to love the enemy and to do good to him who hates us, but not ere we have effected his unconditional surrender.” Says Lenin (*Class Struggle*, p. 177): “History has proved beyond a doubt that in every revolution worthy of the name the new ruling class must reckon with the long, continued, selfish, furious opposition of the deposed class, who for years to come have very real advantages as compared with those of the new ruling class.”

May 20. A Washington Methodist preacher would “clean out the Reds from every city, not by moral persuasion, or education, or missionary effort, but clean them out at the end of a rope or a gun.” Let us pray. Arthur Guy Emory tells soldiers: “If you feel like fighting, go out and smash a Red—it is a great sport knocking them off their soap boxes.” Law and Order.

May 25. The Arkansas legislature has passed a bill compelling the mine owners to establish wash houses. Says the American Alliance for Labor and Democracy: “Passage of this bill is a shining example of what organized labor can accomplish. Every known influence was brought to bear to defeat the measure, which miners have clamored for since 1904.” What a revolutionary victory! On with the policy of Gompers! A fifteen year fight to wash up. In fifty years we shall be allowed to take a bath.

Sugar’s outrage grew and grew, and his belief in revolutionary solutions increased. On June 1 he asked Jane to order Lenin’s *State and Revolution* for him. On June 8 he quoted a long passage from Lenin’s “New Letter to the Workers of Europe and America.” At the same time, he read Reed’s *Ten Days That Shook the World*.

Sugar was at work on the problem of the dictatorship of the proletariat. As the Russian Revolution unfolded, the authoritarian character of the workers’ state became obvious. For U.S. Socialists, used to operating out in the open, support for revolution and a dictatorship to shackle capitalism before it struck back meant a marked shift of focus. But the treatment of Socialists during the war, the mounting class conflict across the country since, and the feeling that the worldwide social revolution was at hand made such a shift more reasonable. Between the first of June and mid-August, Sugar carefully put his thoughts in an article entitled “Dictatorship and Democracy.”
He began with a standard analysis of why, as the Comintern said, “bourgeois democracy is nothing more nor less than the veiled dictatorship by the bourgeoisie.” Through control of established channels of education, the system persuades the worker that he governs himself. The press, churches, and the schools “all move in response to impulses which emanate from the dominant bourgeois state.” Only through the exposure of bourgeois cultural hegemony could the workers begin to envision a “new order.” The key instruments of change were “working class economic organizations.” Craft unionism had played an important role, for it created the very idea of organization. As the economy became more complicated, however, the “lines of demarcation between associated crafts” became blurred and the craft unions had an ever more difficult time in coping with the concentrated power of capitalism. Thus industrial unionism emerged as “the key to the door of the new order.”

To make this instrument into a revolutionary force, however, depended on its association with a political movement. Craft unionism corresponded with the politics of bourgeois democracy. It sought reforms through legislation and was represented in politics by liberal, bourgeois “friends of labor.” The revolutionary political party emerged as the adjunct of industrial unionism.

“In order to remain an active, living force,” Sugar wrote, “such a party must keep in close touch with the workers outside its ranks through an active participation in their economic battles. . . . Such a conception, leading to industrial action, and finally to class action, brings them to the threshold of the social revolution. The permanent revolutionary end must ever be kept to the fore, since it is in its attainment alone that the solution of the struggle lies.”

The remainder of “Dictatorship and Democracy” was predictable. With the revolution, the bourgeoisie will not disappear overnight and, indeed, will fight tooth and nail against it. Quoting from State and Revolution, Sugar endorsed the concept of the dictatorship of the proletariat. The likelihood of violence is great, but because the goal is “to absorb members of the bourgeoisie into the ranks of the class in ascendency,” the process will be inherently less violent than the oppression of the working class under capitalism. “The nature of the means employed is not so much a question of democratic practices as a question of the survival of a state of society where universal democracy is ultimately possible. . . . Such a democracy [will give] birth [to] a beautiful and noble humanity, a humanity genuinely concerned with the enhancement of its own happiness, and, in response to that urge, reaching pinnacles which must lie far beyond the vision of those now struggling for liberation.” Sugar’s concept of democracy and his sense of the future society under communism reflects the humanism generated both by the glow of the stirring revolutionary events of the day and his reading of the second and third volumes of Capital.5

Sugar was unquestionably a left-winger. Would he also be a Communist? The answer is no, although his respect for Lenin and the Soviet experience remained profound. How and why he kept his distance from the Communist
movement is a complicated and not entirely clear story. But we must attempt to
sort it out because both the respect and the distance are what make Sugar's
political role interesting. His independence put him in a position to deal much
more broadly with the Left and labor and to serve in political and professional
capacities not possible for Party members. Circumstances both personal and
political arising in 1919 and 1920 cast Sugar into his nonaffiliated position.

In his last letter from prison to Jane, written on September 14, Sugar said,
"I did read an account of the happenings at Chicago, and it was about as I had
expected. You say that some of my friends wonder where I stand in the matter.
We'll let them wonder a little while, what do you say?"

Most of his close friends and his family (save Jane) had not evolved toward
Leninism. His father in fact had finally converted to socialism, but remained
firmly reformist. Vic Sugar, his brother, had joined the army and become a
lieutenant, but the experience made him appreciate the Socialist perspective
more clearly. In 1919, he became friendly with Maurice and Jane's circle, es¬
pecially Larry Davidow and his sister Anne, whom he would later marry. But the
entire family was preoccupied during the spring of 1919 with the health of
Maurice's mother, who had diabetes. Politics, especially for Kalman, remained in
the background.

Sugar's best friends were almost all "yellows." In a letter to Jane (May 27)
he had closed by asking her to give his "love to Dad, Pearl, Lawrence, the kids,
Beck, Wiener, Joe, Larry, Anne, Steve, Dave, Katz, Glad, Seraphin, Charlie,
Ben, David, Julius, Frank, Nate, Mac, and such others as may from time to time
occur to you." Among other available family and office mates (Joseph Becken­
stein, Joseph Selzter, and Henry Wiener) and their wives (Glad and Seraphin),
Sugar names Larry, Anne, and Stephen Davidow, Charlie Gildemeister, Ben
and David Bavly, Julius Deutelbaum, Frank Martel and Nathan Welch, all of
whom, save Welch, remained on the right of the party. Larry Davidow, men¬
tioned in Sugar's letters on many occasions, was a close friend. Sugar recruited
him for the Socialist party, argued theory with him, and enjoyed playing bil­
liards with him. He also had great respect for Davidow's abilities as a lawyer.6

Conflict loomed. Jane was already encountering problems with their
friends. Maurice remarked in an August letter, "In your arguments you find
yourself opposed to the united front of the enemy? Hold the fort, Jennie, hold
the fort. Soon there shall be reinforcements. And when I arrive—with my 10
months of concentrated learning—watch the foe disperse!" His tone was still
quite good natured, however. He obviously was not planning to turn his back on
his friends but would convince them of the errors of their ways.

Sugar was isolated from the hardening political lines of 1919, and he did
not have to make a concrete decision for this or that party as the multiple
meetings in Chicago unfolded early in September. Indeed, he hardly mentions
them in his prison diary or his letters. It was clear, nevertheless, that once he got
out, Sugar would be put in the position of stating his politics clearly.
With the exception of Dennis Batt, he was probably the most prominent Socialist in Michigan. Even while he was in jail, he had stayed in the news. He had run for circuit court judge from prison in April and received nearly eight thousand votes. In May, he and Davidow cooked up a scheme to get him out of jail and cause the federal bench some embarrassment. It was argued that his sentence actually dated from late April 1918, the point at which his last appeal was denied in the U.S. Circuit Court of Appeals. Sentencing was delayed until after the Supreme Court refused to hear the case. Edward Jeffries, the liberal recorders court judge, agreed to hear the plea and issued an order of habeas corpus for Sugar's delivery to his court on May 2, 1919. Then the fun began. Federal Judge Tuttle, who had originally sentenced Sugar, ordered a U.S. marshall to the prison to prevent Sugar's removal. The lawman actually sat there with a gun. The case became a jurisdictional battle between two proud judges. James Pound, a Darrowesque lawyer from Detroit, acted as friend of the court on Jeffries' behalf and cited precedents stretching back to the seventeenth century. The upshot was a lot of newspaper coverage, and Tuttle decided to authorize a two months' reduction in Sugar's sentence. The release date was set for September 25, 1919.

Freedom and Repression

By that time, Marxist politics in the United States had become very complex. The meetings in Chicago created not two, but four, separate parties. The Socialist party, now firmly in the hands of the Right, followed Hillquit's dictum and confirmed the expulsions. The delegates also repulsed an attempt by John Reed and his friends to carry out their takeover strategy. The Socialists nevertheless felt themselves radical enough to vote to seek admission to the Third International. They were finally turned down in 1921 by a famous letter from Zinoviev, who remarked that the Communist International was "not a hotel."

The Communist convention began on September 1. Their perspective was simple enough: prepare for the American revolution and promote the Bolshevik world-revolutionary cause. But there were a number of nettlesome issues, and the Michigan delegation, led by Batt, Renner, and Keracher, was at the center of controversy.

The meeting started off with a bang, as Batt, the official convener, was arrested at the podium for allegedly violating the Illinois antiespionage law two days before. Al Renner was then elected permanent chair. The Michigan people were close to the Russian elements, who dominated the convention. Together they rejected attempts by Reed to negotiate credentials for his group. Only the threatened resignation of much of the other English-speaking leadership prevented the outright expulsion of the Reedites: they could join as individuals if
acceptable to the credentials committee. Most refused such charity and went on
to form the Communist Labor party.

But Michigan’s rapport with the Russians soon evaporated. They rejected
the manifesto that the Russians and the Revolutionary Age caucus, led by Fraina
and I. E. Ferguson, worked out. The main bone of contention had to do with
the question of political action. Following their interpretation of Lenin’s misgiv­
ings about electoral politics, the majority defined all political action as parlia­mentary and rejected it out of hand. The Michiganders vigorously disagreed. As they
put it later, “The Comrades of Michigan, who have upheld revolutionary political
action in the State Convention over a period of years, regard parliamentary
action as but a phase of political action, but an important one in countries
with a form of government like the United States. . . . The trouble with the
dominant elements in our ranks . . . is that they have reverted consciously or
unconsciously to the syndicalist position.” This was not quite the case, although
as Theodore Draper noted, “in practice, the difference was not so great.”

When it became clear that their position did not have a chance, the “Michigan Mensheviks,” as they were soon labeled, refused to participate in the vote for
party officials or to stand for election themselves. Batt and Renner both declined
nomination for party national secretary (Charles Ruthenberg won it), and Batt
for national editor also, which went to Fraina by default.

The Michigan people had thus given up a strong position in the new party
for the role of an outsider carping over an issue that was nebulous and largely
unsettled internationally. As it turned out, the U.S. Communist party in its first
year was totally paralyzed; had the Michigan group not decided to pull out,
perhaps it might have developed a more flexible political position. Batt and his
friends came back to Michigan without formally abandoning the Communist
party, but neither had they joined it. Soon, however, the Communists officially
expelled them, and they formed the Proletarian party, an independent group in
which activists such as Stanley Nowak and Emil Mazey received their socialist
education. While not ruling out politics, the Proletarians still made industrial-
union participation the focus of their activity. Batt, a tool-and-dye maker, was
especially interested in the independent Auto Workers Union, and he coopera-
ted with Deutelbaum, Welch, and Martel to keep the Detroit Federation of
Labor (DFL), despite national AFL opposition, favorable toward it. On the
other hand, the new Communist party, with its support for “dual unionism” and
condemnation of the AFL as a “bulwark of capitalism” had virtually no base in
the Detroit labor movement. The great steel strike of September was supported
by the Party, which hoped it would be the first step toward the revolution, but
its official organ, the Communist, immediately made its position clear: “trades
unionism is the arch-enemy of the militant proletariat; existing trades union
organization” must be destroyed. For left-leaning DFL unionists, this simply
confirmed their negative opinion of the Party.

For Sugar, the DFL’s position was important because its continuing dis­tance from the conservative AFL national leadership and its active fight for
workers' goals over the past year convinced him that it remained a crucial force on behalf of Detroit workers in and out of organized labor.

It had consistently supported and promoted overt militance. On May 1, 1919, twenty thousand Detroiters "took the day off" at the urging of their unions and some fifteen thousand showed up that night at the Arena Gardens to hear Wobbly heroes Arturo Giovannitti and James Fisher. Said the Labor News, "Where man oppresses man and some live by the sweat of others' brows, the host of labor turned out in mighty demonstration. A new world is in the making and Labor is to be the builder." Strikes by Detroit electrical workers, pile drivers, machinists, carpenters, painters, gas workers, ice-wagon drivers, journeyman tailors, and molders all started that day. Most were successful, and others followed. A new rash of injunctions was served and the war heated up. "The question then is, gentlemen of the employing class," wrote Deutelbaum in an editorial on July 18, "what will you have or what do you prefer? Political action or direct action? It is up to you." In other words, the threat of revolution hangs over every reform resisted. By the fall, the Detroit federation confronted the "red scare," and faced it squarely. "If Bolshevism means progress," remarked the Labor News on September 12, "let us have it, since the word is always used to defeat progressive proposals." William Bailey, the moderate president of the federation, echoed the same idea in a widely publicized speech in early October. "Bolshevism and socialism," he said, "are synonymous and interchangeable" and their goal is that "the means of production and distribution shall be cooperatively owned and democratically managed." "Our present social and industrial system," he said, "is insane." 9

Sugar was released on September 25, 1919. His liberation banquet brought together all his old friends, within the labor movement and without. His new politics became quickly apparent. While the Davidows, Paul Taylor, and other moderates were shocked (they had assumed that it was Jane who was radicalizing), his labor-movement allies welcomed him with open arms. The DFL officially extended him "a hearty hand clasp" and praised his "unquestionable loyalty to labor."

In particular, Sugar and the local labor movement shared a commitment to a new and exciting phenomenon: the development of the industry-wide organization of autoworkers under the auspices of the officially condemned independent, the Carriage, Wagon, and Automobile Workers union, now simply called the Auto Workers Union (AWU). While the AWU could not be a member of the federation, it had wide support in the Detroit AFL. It was hard to argue with success, for membership in the AWU passed from thirteen thousand in 1916 to forty-five thousand in Detroit, the Midwest, and New York in early 1920. Its members were largely skilled men—trimmers, painters, woodworkers, upholstiers, and metalworkers. It grew quickly with the boom conditions in the industry of 1919. Many of its leaders were veterans of the labor struggles in Great Britain and its form of organization, based on shop units under stewards, was modeled after the British example. The president of the union and editor of the Auto
Worker, William E. Logan, was English-born, hardworking, and a notorious wit. He saved his most withering prose for the Communist party. In the November 1919 issue of the paper, for example, there appeared his article entitled “M’ass Action of the R-R-R-Revolutionary Prowling Terriers,” he mocked their hyper-revolutionary stance (“Don’t change your underwear,” for you’ll be more “inclined to tolerate the present damnable system”) and blasted their apparent ignorance regarding the daily needs of working people and the ways one approaches them. He also feared that their shrill rhetoric would serve as an excuse for governmental repression of the entire labor movement. Logan had ties to the Socialist party, but was above all a trade unionist with decided syndicalist tendencies. Sugar thought he was a most interesting fellow and praised his organizing efforts.

The concept of independent-labor representation in a “national Labor party” also found considerable support in Detroit. Conceived by John Fitzpatrick, president of the Chicago Federation of Labor, the Labor party appealed to those seeking “labor power” but uninterested in ideological fine points. According to a West Coast labor paper, it would “fight the battles of labor, whether socialist or non-socialist, whether organized as craft unions or industrial unions” and “work for the solidarity of labor on both the political and industrial fields, with collectivism (Socialism under whatever name) as its chief objective.” It was thus to be a large, umbrella party that would bring together a “new majority.” On August 1, 1919, the Detroit federation voted to participate in a preconvention conference to be held in Chicago on August 18 and took a straw vote in favor of a Labor party. Over the next two months this “political party of hand and brain workers based upon political, industrial, and social democracy,” as the Labor News put it, spread its wings in Detroit.

If Sugar did not become involved, especially because “social patriot” Max Hayes headed the party, he welcomed the interest of AFL people in an anti-capitalist program and their abandonment of Gompers’s “friends-of-labor” politics. As historian Stanley Shapiro has shown in his studies of the Labor-party phenomenon, the idea of a socialistic party modelled upon the successful British prototype appealed to working people across the nation. Perhaps never before in U.S. history had there been such widespread disaffection with the capitalist system. But labor, however moderate its perspective, was increasingly submerged by the 1919 tidal wave of “Americanism.” The bombast of the Communists, the violence of the great strikes, and the prominence of “foreigners” in both radical and labor agitation stimulated the imaginations of many “native Americans,” spurred on by the capitalist press, to hideous proportions.

And so, the promise of 1919 gave way to the terror of 1920. Sugar had barely had time to think when the whirlwind of reaction struck. On the night of January 2, 1920 the House of the Masses, allegedly the headquarters of the Communist party of Detroit, was invaded by agents of the Justice Department sent there by Special Assistant J. Edgar Hoover. He had general orders from the White House and A. Mitchell Palmer, the attorney general. Everywhere across
the country, “reds” were rounded up, their books and papers sequestered, and their human dignity assaulted. The prize was to find a noncitizen or at least someone who was foreign born.

Large sections of U.S. public opinion supported the move, frightened by the lurid tales in the mass press not only about Socialists and strikes but about race riots as well. The Palmer raids were merely the culmination of a string of official and unofficial violence against the Red Menace. The Centralia massacre, where the killing of four legionnaires storming an IWW hall was followed by the lynching and mutilation of Wesley Everest, started things off. Thereafter, Wobblies everywhere were hounded and beaten by 100-percent patriots as the police stood idly by.

More impressive was the handiwork of the Department of Justice itself. On November 7, 1919, 250 members of the Union of Russian Workers were beaten, then arrested, by federal agents in New York and eleven other cities, including Detroit. On the following day seventy-three radical centers were raided. Whether or not “the nation” was “delighted with the raids,” as historian Robert Murray remarks without documentation, the conservative, business-backed press asserted that Palmer’s actions brought “thrills of joy to every American” and cartoons vilified beetle-browed, unkempt, and dark-complexioned “reds.” Then came the discovery that immigration officers were not properly deporting radicals convicted under the federal Alien Law or state “criminal-anarchy” or “criminal-syndicalist” laws. Frederick C. Howe, the Ellis Island commissioner, was forced to resign in disgrace. A few days later the New York Times informed the world, “RED BOMB LABORATORY FOUND”—again in the Russian People’s House. This brought a further roundup, and on December 21, 249 radicals, mostly anarchist noncitizens, were herded aboard the “Soviet ark,” the army transport Buford, and “shipped back where they belong.” Among them were the famous anarchists Emma Goldman and Alexander Berkman.

The Palmer raids were the icing on the cake. Prepared carefully in advance, the roundup of members of the Communist party (CP) and the Communist Labor party (CLP) was set for January 2, a Friday night: “your undercover informants [should arrange] meetings” of them. The agents were also instructed not to allow their prisoners to contact anyone until questioning had been completed. That neither the CP nor the CLP had been declared illegal did not seem to cross the attorney general’s mind.

The raid on the House of the Masses had the honor of being one of the nation’s leading examples of the respect accorded the Constitution by its chief upholder. Eight hundred persons were arrested and herded into an ancient section of the Federal Building. Denied food and adequate toilet facilities, the arrestees remained in dark and stench-filled corridors for anywhere from three to six days. Some three hundred were released “early.” These had no connections with Detroit radicalism, having been at the House of the Masses for a social event. Of the rest, some 140 were finally transferred to the Municipal Building and, unshaved and unbathed, seemed the very image of what Palmer thought
reds looked like. As he put it so splendidly a few days later, “Out of the sly and crafty eyes of many of them leap cupidity, cruelty, insanity, and crime; from their lop-sided faces, sloping brows, and misshaped [sic] features may be recognized the unmistakable criminal type.”

The illegality and immorality of the Palmer raids generally were overlooked by the nation’s press, although in Detroit the major newspapers tended to sympathize with the victims. The Justice Department had nevertheless done its work well—the Left in the city was in a state of disarray that matched its ruined headquarters. Sugar described the scene in a brochure written the following year:

The House of the Masses was raided repeatedly. Doors were smashed, desks broken, equipment destroyed, books confiscated. Persons and papers were indiscriminately loaded into wagons and hauled to jail. Men were picked up in the streets. Homes were invaded, and “suspects” torn from their families. . . . The Detroit movement was paralyzed. Not only were its most active members in jail, but those who were not had no means of knowing at what moment they might be compelled to join them. For many weeks an atmosphere of inquisition prevailed. And so quite suddenly—with the exception of some bolder ones in jail, who defiantly proclaimed their faith to the world—there were no “Communists” in Detroit.

There had been very few of them in any case. The “Communist” presence in this city was largely represented by the Proletarian party and nonsectarian leftists like Sugar and Nate Welch. They cooperated with Communist party members as best they could. The old Michigan left wing remained in contact, and all the groups used the House of the Masses. Al Renner, a Proletarian, was its manager, but Boleslav Gebert, a CP organizer, held meetings there.11

The Proletarians suffered most severely from the Palmer raids. They were, in the eyes of the Bureau of Investigation, as “Communist” as anyone they were looking for. They displayed the Manifesto and Program of the Communist International prominently for sale in the House of the Masses and proclaimed themselves loyal Bolsheviks. Renner, although native born, was a prize catch and was not released on bond until Friday afternoon, the 9th. At eleven the next morning, I. Paul Taylor, Larry Davidow, and one Alex Riebe came to see him at the House of the Masses. It was not a social call. Instead they delivered a document that would create between all elements of the old left wing and the new Socialist party in Detroit an ongoing bitterness matched in few cities in the country. It was a formal notice that, as 100-percent Socialists, the recently (yesterday) constituted board of directors of the “only legal” Workers Educational Association, the governing body of the House of the Masses, demanded to take possession of the building. Renner told them to get out, and on Monday they filed suit to effectuate the takeover.

What was going on? It was a sordid story. The Socialist party was short of funds and its home-office overseer and legal protector, Seymour Stedman, had
been casting about for several months for ways to recoup. Sometime in November, his eye fell upon the big building at the corner of Gratiot and St. Aubin in Detroit. Who owned the House of the Masses? Or, put another way, who owned this structure purchased for seventy thousand dollars whose value had doubled during the boom times of 1919? This was a good question. The hundreds of people who used it daily and the group who operated it were mostly the same people who had done so since it was originally occupied in July 1918. More to the point in a capitalist society, the people who had bought shares in the corporation that administered it, the Workers Educational Association (WEA), were overwhelmingly the same people who continued to be involved in its direction. They had a board of directors and a manager, Mr. Renner. However, the original set of bylaws, drawn up by Sugar, had said quite clearly that all members of the WEA had to be members of the Socialist Party of America. So who owned the house when all members of the Socialist Party of America in Michigan were expelled in May 1919? The Socialist party had been “reorganized” in June with Violet Blumenberg’s little clique in Grand Rapids and her husband, Ben, virtually alone in Detroit, leading the way. In the summer and fall, Detroit people actually belonging to the Socialist party were few and far between. Neither later stalwarts Paul Taylor nor Davidow, for example, had rejoined and Sugar was trying to convert them to his point of view all during that autumn.

Unfortunately, we have little exact information about relations between Sugar and his friends and family in late 1919. Immediately after his release, he and Jane went north for a camping trip and first scouted out Black Lake, where they would later obtain some property. Shortly after their return, tragedy struck. Mary Sugar died on November 16, 1919. Maurice’s mother had been a stabilizing influence in the family, particularly in her support of Maurice and Jane and the way they wanted to live. Her loss may have created a dynamic within the family whereby Jane became more isolated—and easier to blame for Maurice’s political transgressions. His propaganda with friends and family did not take. Davidow and Taylor rejoined the Socialist party sometime in December. So, at their urging, did Kalman Sugar. While Maurice was saddened by this turn of events, there was no reason to think that their decision was based on anything but their analysis of the current scene. After all, Kate O’Hare and Debs stayed with the party.

But by the end of the month, there was reason to wonder about the timing and stipulations of their rejoining. Another clause in the Sugar’s ironclad bylaws of the Workers Educational Association was that to be eligible for office, one had to have been a member of the Socialist party for three years. No one from Michigan, whatever their situation, could fill that bill, since everybody had been expelled on the previous May 25. Thus when Stedman informed all reborn members of the party that they had never been expelled, Sugar’s suspicions grew. But it took the Palmer raids and their ugly aftermath to confirm them. To be sure, he did not know that Ben Blumenberg had written Stedman at the very
moment a second round of raids on the House of the Masses was going on (January 5, 1920) that the time for the “repossession” had arrived. “Lazarus Davidow is our attorney,” he wrote, “but we are also informed that you have the matter in hand,” and added that he had heard “that the Communists were recently offered $140,000 for the property.” But Sugar was well aware that Taylor, this new “Paul, disciple of Stedman,” was out scouting for members who could qualify for the three-year rule. “He got them. On the ninth day of January they organized their board of directors and elected their officers. Of the board, only one had ever been a member of the corporation. They elected him [Alex Riebe] president.” They then proceeded to serve notice on weary Al Renner, poking about in the shambles that had been his office, the next morning. The irrevocable line of treachery had been drawn. The very idea that the Socialist party would grub for property in the midst of one of the grossest violations of civil rights in U.S. history was incredible. An irreparable breach in the Detroit Left—and in the very heart of the Sugar family—had been made.

The court battle that unfolded in June only made matters worse. The Socialists’ claim was straightforward: one had to be a member of the Socialist party to be in the corporation owning the House of the Masses, and they all were. Although Davidow did most of the research, Stedman himself acted as their lawyer. Before the case was concluded, he had become vice-presidential candidate for the party and, with Debs in prison, would carry the burden of the Socialist message to the nation. His opponent, suggested by Sugar, was James Pound, the fabled trial lawyer who had once worked on Sugar’s behalf. Pound decided to argue the matter strictly on a private property basis and would avoid politics altogether.

Stedman, on the other hand, built his case around the meaning of “Communist,” whether the people in the house were such and, if so, what claim they had to be in the house? In so doing, he asked all hostile witnesses whether they were “Communists,” which was now really illegal and a deportable offense for noncitizens. Dennis Batt found himself saying, “I am not now and never have been a member of the Communist Party,” a sentence as repulsive to have to utter then as it was to be thirty years later. Stedman grilled them on ideology, especially what they thought about “mass action.” If he meant violence, no, mass organizing, yes—and so on. Failing “incriminating” answers here, Stedman often tried to evoke fear of the dangerous alien. “Are you a citizen?” he asked. “I have first papers—” “ARE YOU A CITIZEN?” “No.” He also harped on relations with Russians, thus keeping clearly in the judge’s head the memories of Bolsheviks and bombs. It was a shameful performance for a member of the party of Eugene Debs.

Pound worked on embarrassing the Socialists. For example, he pointed out that the Manifesto of the Communist International, used to prove how “Communist” the occupiers of the house were, was in fact published by the Socialist party (SP). It also turned out that his cross-examination of Socialist witnesses revealed the true political complexion of the new little band of SP members in
Detroit. They were decidedly right wing, embarrassing so for Stedman, who was ideologically a good Debsian. (A few years later, when all of this was forgotten—in Chicago at any rate—Stedman would join the Communist party.) Alex Riebe, the only member of the new Socialist corporation who had been a member of the old one, had been in fact recalled in April 1919 by the members of the “Karl Liebknecht branch” of the party when it was discovered that he had pictures of the Kaiser and Victor Berger in his office and that he supported Schiedemann, Ebert, and Noske, the Social Democrats who had destroyed the Soviet movement in Germany. Essentially, then, only the mildest of Socialists were with the Detroit party in its new beginning. Moreover, they seemed to have no moral scruples.

It took a long time for the stigma to wear off in Detroit. A pamphlet, written by Sugar under the name of “George Hamilton,” sought to keep the memory burning. On its front were the words, “And the Socialist Party of the United States stuck a knife in the backs of the workers. It was just a little dig. Indeed, it turned out to be nothing but a scratch. But it left a scar, which is a good thing, because it is something by which the treachery may always be remembered.” It was a scratch because, despite Stedman’s adventures in red-baiting, the “Communists” won. They won, curiously, on grounds that had nothing at all to do with the merits of the case but which surely drew a wry smile from “Sharp Pencil” Sugar: the Socialists, in bringing the case into the Wayne County Circuit Court and presenting it as they did, were in the wrong court!

As much as he might have loved to do so, Sugar could not have been the lawyer in this case. He was banned from his profession and would remain so until late 1923. It is a measure of the conservative turn taken by U.S. society in the early twenties that he had to struggle so long to be reinstated. And even so, he was in the end only allowed to practice in state and local courts. A federal offender, he was forever barred from the federal courts, even after receiving a full pardon in 1933. The age of Harding, this era of “normalcy,” Prohibition, flappers, false prosperity, and massive corruption, was for Sugar a trying one but, like his prison year, most productive. He did legal research and wrote briefs for Beckenstein, who had a wide-ranging practice. This work increased his knowledge of the law “many times over” that which he “had acquired as a University student and in my few years as an active practitioner.”

In his fight for reinstatement, he learned something about legal politics, too. He was under the opinion that he had a guardian angel within the legal system, Circuit Judge Ira Jayne. Jayne had acknowledged that Sugar had been instrumental in his election to his judgeship in 1918. He had just missed election by a few votes two years before, campaigning without the support of the Detroit Federation of Labor. Although a Republican, he had the reputation of being a liberal on both labor and race and national-origin questions and in 1918 sought federation support. As was normally the case, federation officials asked Sugar what he thought; while hardly overly enthusiastic, Sugar said that he would rather appear in Jayne’s court than that of any other candidate. Jayne got the
endorsement and won his judgeship handily. Moreover, Jayne knew Jane Sugar personally from recreation-department days. They assumed that he was the judge to whom to direct the petition of reinstatement, which they did promptly on September 30, 1919. He took it “under advisement.”

It might as well have been under a rock. Month after month, nothing happened. Obviously, 1920 was not the most politically expedient year to move on the reinstatement of someone of Sugar’s background and outlook. Sugar understood Ira Jayne’s hesitancy. But they learned a little more when Jane Sugar went to see whether her past associate could help find her a job teaching in the public schools. Judge Jayne graciously took her to lunch, talked about his close friendship with Cody, the superintendent, and then advised that she approach each of the board members individually—she was impressive enough on her own. He did nothing. As it turned out, old friend Otto Marckwardt, now a journalist, knew Cody well. He wrote a glowing letter to him, and in a matter of hours, she got a job teaching grade-school English. More time went by. Ira Jayne was still doing nothing.

He was afraid. Harding had swept into office on a 100-percent “American” platform in which Marxists were labelled the primary threat to the nation. Dozens of patriotic organizations, led by the American Legion and an alarmingly potent Ku Klux Klan, dominated the attention of the media, while open-shop organizations, guided by the National Association of Manufacturers, linked the targets of the superpatriots—reds, blacks, the yellow peril, Jews, and immigrants from the wrong parts of Europe—to the threat of labor and rode with the tide. Civil liberties were trod upon daily. Unpunished lynchings of blacks reached new heights, and Indiana actually elected a known Klansman governor. The clamor for immigration restriction was met with “emergency” legislation in 1921 and with that monument to two centuries of “racial science,” the permanent quota system of 1924. To be in favor of much of anything that was not white, Anglo-Saxon, Protestant, draped in a flag, and dedicated to “free enterprise” was politically unintelligent. Judge Jayne, as nice a person as the Sugars continued to think he was, was not about to rush to the rescue of a man who was none of the above.

So Sugar languished. Finally, early in 1923, something happened. “One day,” Sugar wrote, “I was walking down Woodward Avenue when I ran into an old legal adversary, Frank Murphy.” One thing led to another and Murphy, shocked that a lawyer of Sugar’s caliber remained unable to practice, told him that he wanted to help. He got to Jayne and revived the Sugar question. Unfortunately, the judge, who simply needed to hold a hearing on the petition, still found himself torn between humanitarianism and politics. He chose the latter and ordered Sugar to appear before the executive committee of the Detroit Bar—the very body, little changed, that had disbarred him in the first place. Murphy said he would do what he could to “line up its members,” while Sugar was forced to reexamine the issues that brought about the original action and
then defend himself as he put it, before the “most conservative group of a conservative profession.”

As it turned out, the experience was important both for Sugar’s self-esteem and in cementing a close relationship with Murphy. The latter worked without a fee and, while preparing to represent Sugar in court, also won his first campaign for public office—recorder’s court—in April. This increased the prestige of the petitioner as well. Murphy, in fact, bent over backwards to do everything possible to get Sugar through the committee. But Sugar’s performance on the appointed day in May was superb. He did not attempt to justify his actions constitutionally, but argued that they were based on his moral views, augmented only later by constitutional interpretation. Moreover, he now felt that any country under attack would institute necessary measures to defend itself, including draft laws. Note carefully: would, not should. For Sugar had realized from a Marxist perspective—he certainly did not share this with the corporate and insurance-company lawyers sitting around the table—that the laws of historical development simply necessitated taking whatever action was required to defend the nation-state in the current world system of inherently antagonistic imperialist powers. Morality had nothing to do with it. What he did tell them was that “in the event of the enforcement of a draft law in the future his conduct will be one of obedience to the law.” By a vote of two opposed, five in favor, and three others in various states of abstention, Sugar’s reinstatement was recommended. Finally, on November 7, 1923, Jayne heard the petition and granted reinstatement. The radical lawyer had been returned to the fold by a group of reactionaries and a liberal judge. The catalyst, Frank Murphy let his thirst for justice outweigh his political fears and got away with it. It would not be the last time.13

These years had been ones of personal trial but considerable intellectual growth. While at first glance it might have seemed logical that he join the Communist party, Sugar did not do so. Politically, he could agree neither with its hyperradicalism nor, especially, with its positions on political involvement and on relationships with existing trade unionism. Just as clearly, Sugar could not rejoin the Socialist party, given its rightward turn and then the treachery of its few Michigan adherents. The Proletarian position was closer to his, but, unquestionably, old personal conflicts and Batt and Renner’s overintellectualizing of their role convinced him to remain aloof from them as well. Sugar thus became fixed in the political stance that he would retain for the rest of his life: an independent Marxist with a deep respect for the Soviet experience and an equally deep respect for the Debsian principles of broad unity of the Left, opposition to ideological nitpicking, full support for industrial unionism within or outside of the existing national organizations, and the building of a true workers’ party in the United States. The sectarian splintering that had occurred left him (and others, such as Scott Nearing) without a political home. As he put it when asked by Stedman about his politics at the House of the Masses trial, “I am an outsider.”