

production credits

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Design & Layout

Editorial El Coquí
1671 N. Claremont
Chicago, IL 60647

Printing

C & D Print Shop
2000 W. Fulton Street
Chicago, IL 60612

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USA On Trial:
The International Tribunal
on Indigenous Peoples and
Oppressed Nations in the
United States

Mission High School
October 2-4, 1992
San Francisco, CA

Testimony by representatives from the
Native American, African-American,
Mexican, Euro-American and
Puerto Rican Movements

Acknowledgements

The process of editing this book of testimonies began more than three years ago. Between stops, starts and fund-raising for the seed money, it has seen the light of day because several individuals and organizations have pushed this project forward, believing in its worth as an educational tool.

A heartfelt thanks to Francis A. Boyle, Professor of International Law at the University of Illinois at Urbana-Champaign, for his assistance, as well as his insistence, that the book be published.

Mahalo nui loa to the Pro-Kanaka Maoli Independence Working Group chaired by Kekuni Blaisdell, which immediately agreed to split the cost of this publication with the Movimiento de Liberación Nacional Puertorriqueño in Chicago.

And to José E. López, for the countless, but never fruitless, discussions and disagreements, as well as the victories and defeats we have shared over the years. José continues to impact new generations, who search for an answer to the immediate and eternal question that Ramón Emeterio Betances posed over a century ago: ¿Que hacen los puertorriqueños que no se rebelan?

Lastly, this book is dedicated to The 1998 Group, organizations and individuals from the six island-nations and their allies, acquired by the US as a result of the Spanish-American War of 1898. This network is preparing coordinated anti-colonial celebrations and activities for the upcoming centennial commemorating 100 years of repression and resistance.

Alejandro Luis Molina
January, 1996

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“Discover This Country!
That is What This Tribunal
is About...”

José E. López,

Movimiento de Liberación Nacional Puertorriqueño

This is, for us, a very special occasion because it is an occasion that many of us have worked for: to be able to reflect on the last 500 years so we can usher in a new era and a new period and a new half millennium. Maya Angelou wrote a poem entitled “America”.

“The goal of her promise has never been mined,
her borders of justice not clearly defined,
her crops of abundance, the fruit and the grain,
have not fed the hungry, nor erased the deep pain.
Her southern exposure black death did befriend.
Discover this country that centuries cry,
erect noble tablets where none can decay.
She kills her bright future and traps her children
with legends untrue.
I beg you discover this country.”

Discover this country! That is what this Tribunal is about—discover the seamy side of so-called American democ-

racy. Unravel the myths and the legends, that from the writings of Alexis de Tocqueville in the nineteenth century to the writings of Schlesingers and others today have been skillfully elaborated in hundreds of volumes replete with apparently sophisticated scholarship. For the most part, these legends have taken the form of a knowing or unknowing confusion between imperialism and colonialism. The invisibility of American imperialism when compared with the territorial colonialism of European countries has been internalized by its historians to such an extent that, with a clear conscience, they have denied its very existence.

The United States of America is the only country in the world that has no name. It is defined by a structure—federalism—that from its inception was a way of camouflaging its imperialist designs. When the so-called Founding Fathers gave birth to the Declaration of Independence, they premised it upon the need to expand: it was the land question and not the national question that set it into motion. Thus, it was not the quest for political freedom or some high moral ideals, it was the land question that drove the so-called Founding Fathers to declare their independence. It was obviously the Proclamation Act of 1763 and the Quebec Act of 1773, by which the British attempted to reserve for themselves the Native lands west of the Alleghenies and keep the colonists out, which was the straw that broke the camel's back. It was these laws that initiated the so-called movement for the declaration of independence. It was in search of a particular kind of liberty that Euro-American settlers fought—the liberty to gain these large tracts of land, and the liberty to move westward and expand.

They declared their independence and one of the key charges against King George is that he had left them at the mercy of the “savage Indian.” The passage reads, “the inhabitants of our frontiers have been left at the hands of the merciless Indian savage whose known rule of warfare is undistinguished destruction of all ages, sexes and conditions,”—without a doubt, that is one of the main charges against King George in the Declaration of Independence. It was the need for more land to expand their cotton and tobacco plantations, that drove the colonists to pursue their independence from Britain. And once they got their independence, they decided to construct a new paradigm for colonialism—the most sophisticated system of colonial domination which humanity has ever known. It was based on some good ideals. The genesis of the federal system is to be found in the democratic nations of the Iroquois and other Native peoples. And the men who are credited in history with having written the Federalist documents and the Federalist papers, people like Samuel Adams and others, sat with Iroquois elders to spin that new political conception. As a matter of fact, federalism has no connections with any European political models, yet that stolen legacy of the Native people was transformed into its opposite and became a political structure for justifying the incorporation of lands and the expulsion of the natives, unlike the European colonial model of territorial expansion. In order to fully grasp this, all one has to do is study the process of how fifty states have been incorporated into the union and the last one was Hawaii—we're honored to have a great delegation from that country here today which will testify tomorrow on their struggle for independence and sov-

ereignty. The people of Hawaii can attest to the fact that when Hawaii was brought into the union, it was not the Hawaiians who asked to become part of the union. It was the settlers who had been brought to Hawaii who asked to be incorporated into the union. One look at Hawaiian history would show us that it was the Dole pineapple company and Dole money that, in fact, ended the rule of the kingdom of Hawaii and created the movement which culminated in the incorporation of the Hawaiian Archipelago into the federalist structure. The same phenomenon happened to the Eskimos and the Aleut people of Alaska. This whole process is a process that has been repeated again and again throughout the history of the so-called 50 states.

But that was not enough. It was not enough to draw up a document that created a structure necessary to carry out the big lie, the lie of democracy and the absence of empire in the study of American culture. Right now, there are 13 Puerto Ricans in U.S. prisons who have taken the position of Prisoner of War. They were charged with seditious conspiracy, a highly political charge which states that whenever two or more people gather to conspire to overthrow the legitimate authority of the US government by force and violence, they have committed this crime. Obviously, these people met and conspired to overthrow the illegitimate authority of the US government on the island of Puerto Rico. By the way, that is exactly what we will do this weekend. We will gather information to provide for ourselves a framework to declare this system illegitimate. It is illegitimate by any standards. It is illegitimate because it proclaims that slavery was ended with the 13th Amendment.

You hear talk about the Orwellian double-speak of the 1980s. Well, my friends, we should talk about the Orwellian double-speak of the 13th Amendment which ended chattel slavery but instituted civil slavery in this country. Ask any of the 1.1 million people in prison in this country. Ask the people who are under the penal system, which is nearly 3 million people, 70 % of whom are people of color, (while we constitute less than 35% of the general population). Ask them what it means to be a slave, not to have any rights, because that's what prisoners are, slaves, and that's what the 13th Amendment states: Neither slavery nor involuntary servitude, except as a punishment for crimes whereby the party shall have been duly convicted, shall exist within the United States, or any place subject to its jurisdiction."

So it is this document, the Declaration of Independence and the United States Constitution, and that structure —federalism— which we hope to put on trial, because that structure, those documents, are the depositors, the quintessential depositors of the Columbian legacy of racism, genocide and colonialism. That was what Columbus brought upon this world 500 years ago and it is what the United States deposited in its system of the *novus ordo seclorum*. In order to insure that the Euro-American settlers transformed their country into the wealthiest and most powerful nation state defined only by structure. Sure you can be the wealthiest and most powerful nation if you have stolen and pillaged and plundered the riches of everyone else, and then most importantly, deny it.

But, we have come not only to declare the illegitimacy of the United States of America. We have also come to celebrate

—something very interesting for most of us who are involved in political protest. We tend to think of celebration as being in opposition to protest. But one thing we must realize is that in people who are oppressed, in their every deed there are elements of resistance, and even their celebrations are acts of resistance. If you want to understand the Mardi Gras in Louisiana, study its origin, and its origin lies in the conspiracies that Black people who were enslaved, and runaway slaves who built the maroon societies engaging each other in the midst of a celebration; camouflaging their resistance in music and dance. In our cultural experience in Puerto Rico we have the bomba and the plena. The bomba and the plena have their origin precisely in the conspiracy of Blacks and mulattoes on the island of Puerto Rico. There is a wonderful plena in Puerto Rico that says “Se fugo el Cimarron y nació la Plena”. The plena is our national dance. The cimarron, the runaway slave, fled to the mountains and our national dance and music was born. Because these people who protested, who struggled against slavery and colonialism, in their fleeting moments of celebration, also organized, also educated, also agitated, and also rebelled.

And if you study the history of Latin America and the origins of the Latin American national liberation struggles and particularly the most successful national liberation struggle of the 19th century in Latin America —the Haitian Revolution, a revolution made by Black slaves, a revolution that had hundreds of years of history in the making, dating from the maroon societies in Haiti’s mountains. It was not conceived, as we are told, in Toussaint L’Ouverture’s head after reading the writings of the French philosophes and learning about

freedom and democracy. It was the other way around. It was Voltaire and Rousseau who actively read and studied the Native Americans and got their egalitarian and libertarian notions about how you could build more just societies from them. They ushered in the Enlightenment precisely by studying Native cultures in the Americas.

It is the rich culture of resistance of the maroon societies, and the equally rich legacy of freedom and equality of our Native Americans that we have come to celebrate this weekend.

In that context, we have come to celebrate that moment in Puerto Rico’s history when Cacique Urayoan and his followers rose up in a massive rebellion against Spanish rule. The Spanish had attempted to portray themselves as gods, particularly since riding on horseback impressed the Native people. Urayoan wanted to destroy this myth. The Spaniards were afraid of water —they rarely bathed, since bathing was a Muslim practice. The Spanish forced the Indians to carry them across the rivers. And in 1511, while carrying the Spanish Captain Salcedo and his men across the river, the natives drowned him and his horse and his men. Immediately, an incredible massive resistance on the island of Puerto Rico was initiated by the island’s Taino people. And Cacique Urayoan —and this is something that has come down to us as a legend— is quoted as having said, “Matarais el dios del miedo, solo entonces sereis libre” — kill the god of fear, only then will you be free. By drowning them, he unraveled the myth that the Spanish possessed godlike qualities and were immortal. And it is that that we are celebrating. We have come to celebrate the continuity of the struggles of our peoples. It is a struggle of 500 years. It

is a struggle that has not stopped. It is a struggle of Urayoan, of Queen Anacaona, one of the great leaders of the Dominican Republic. This woman, when the Spanish Governor Nicolas Ovando demanded that her village and people become the slaves of the Spaniards, preferred to have them hang and burn her than turn herself or her people into slaves of the Spaniards. This was in 1493. Four hundred years later, in 1893, the great Queen of Hawaii, Queen Leliuokalani, humiliated by Dole and the other settlers, also tried to stave off the conquerors on her island. These women, their work and their commitment live on in those who continue to affirm their peoples' right to be free, to have their dignity respected, to be free men and women in a better world.

We have come to celebrate these heroic women who live on, if only sometimes through the dangerous memories of cultures of resistance passed from mother to child. Women who have carried on the traditions of resistance, women like Assata Shakur. Women like Lolita Lebron. Women like Blanca Canales. Women like Mercedes Barbudos, the first Puerto Rican woman to become a political prisoner in 1821. Women like Maria de la O, and the Jamaican Nanny, the legendary mulattas who led many of the cimarron societies in the Caribbean. We have come to celebrate the continuum of today's women in struggle, our Alejandrina Torres, Carmen Valentín, Dylcia Págan, Lucy and Alicia Rodríguez.

We have come to celebrate the spirit of Geronimo. It's interesting that 106 years and one month ago, on September 2, 1886, to be exact, Geronimo surrendered, to a man by the name of Nelson K. Miles. The man who massacred the Na-

tives at Wounded Knee, who attempted the annihilation of the Sioux Nation, this man who later described Geronimo as the worst Indian that ever lived—this man was also the invader of Puerto Rico. On July 25th, 1898, this man led a 16,000 strong U.S. force.

Today and during this weekend, we have come together to celebrate the resistance of the popular masses. Among the Hawaiians there is a saying, and I am not going to do justice to its pronunciation, but I am going to attempt it, "Nana e ka e lee", which I understand means "look for the skin." It was a warning among the elders of Hawaii to check out the foreign invaders, whom they called the haoles, these people who had come to settle their island, to take their wealth, to destroy them, for these people could not be trusted. In 1898, a few months prior to setting out to Puerto Rico, Geronimo confronted Nelson K. Miles at the Omaha World Exposition, where several prominent Apaches were on display, like trophies. Geronimo was brought there. Geronimo, old but still strong, confronted Nelson K. Miles and told him, "I have been away from Arizona 12 years. The acorns and the piñon nuts, the quail and the wild turkey, the giant cactus and the palo verdes, they all miss me. They wonder where I've gone. They want me to come back." Miles replied, "...a very beautiful thought, quite poetic, But the men and women (meaning the settlers) who live in Arizona, they do not miss you. The acorns and piñon nuts, the quail and the wild turkey, the giant cactus and the palo verdes trees, they will have to get along as best they can without you." This cynical answer by Miles was never accepted by our Native brothers and sisters. This is why Leonard Peltier sits in prison today—because he is part of the continuum of the Native

Peoples across this land — this prisonhouse of nations.

This Tribunal is charged with a very important task: the task of finding the United States of America guilty of being involved in a criminal conspiracy the likes of which humanity has never known. It is charged with the responsibility of destroying the myths. It is charged with the responsibility to bring to us at least a vision of what it would be if nations could get along with each other, with treaties that they would not violate. Whereas the ancient natives of this continent welcomed the Spaniards initially, for they saw the land as belonging to no one but belonging to all. They felt that we can share the earth —just as we do the air and water.

We are charging the Tribunal with a very special responsibility, to discover America and it's seamy side precisley at the end of the 20th century. In every religious writing, there is a certain apocalyptic feeling. And towards the end of any holy book, whether it be the **Bible**, the **Koran** or the **Popul Vuh**, there is a Book of Revelations. The Greek word for revelation is "apocalypses" and it means the taking off of the veil. It means the unveiling of the truth. If you read the **Popul Vuh** you will find the same message. There will come a point in time, there must come a point in time, when truth prevails. When the truth can no longer be hidden. There are people who will say, "Well truth is not absolute." That's true. But when you have told so many lies during the past quinentennial that they have been turned into truths, we have an ethical responsibility to unveil those lies, we have to unmask them, to be able to reveal the hidden truths. Among the Native people of mesoamerica, archaeologists and art historians have discovered a series of

sculptures, and they cannot explain these sculptures. Among the Olmecs there is a sculpture of a Black face, an African. Among the Toltecs, they have found a sculpture of an Indonesian. Among the Mayans they have found people that look like Polynesians. And in the **Popul Vuh**, there is the legend of Quetzacoatl, a white god. What you find in all of this is that in Mesoamerica, perhaps very different people came together— Polynesians, Africans, Natives and even whites. It is that hidden truth of a world in which all people, at one point, enjoyed life, lived together, cultivated the earth, and created new worlds.

But the above world can only reappear when true freedom and equality exist—when we, the oppressed nationalities, actualize ourselves through the exercise of self-determination. It is that vision that this Tribunal has to project. In order to realize this vision, it is clear that the United States of America as presently conceived by the sophisticated colonialist structure of federalism must be completely altered. But, any time we alter something, we have the responsibility to reconstruct it. And that Reconstruction has to be much better than anything we have ever known. We, who are about the replacement of the federalist system, have a commitment to exposing its lies, we must be about building a "brave new world." A world that is truly human. A world that is truly free. A world that is truly equal. From the ashes of federalism, like the phoenix of yesterday, we shall reconstruct this land, as Ho Chi Minh once said, "ten times more beautiful." Perhaps, we will reconstruct a true United States of the Americas that will extend from the Arctic Ocean to Tierra del Fuego, a confederation in which all the national questions have been resolved and settled, where all

people will be able to engage each other as human beings.

In order to achieve that however, there is an important task for us in the national liberation movements, that is that we also have to struggle against certain ideas, against certain concepts of the world that are oppressive and erroneous. We are called upon to struggle against homophobia. We are called upon to initiate a process that really, really is committed to women's liberation and doesn't pay lip service to it. The *Movimiento de Liberación Nacional Puertorriqueño* set into motion a major debate within the Puerto Rican Independence Movement around the issue of homophobia and the need to combat homophobia a few years ago. I can assure you that we are committed to that. Ideology is not what we preach and what we say. It is what we practice. You can say I believe in all these wonderful ideas. The United States of America says it every day. They talk about freedom and justice and equality. But they practice the opposite. We cannot be like that. When Spartacus led thousands of slaves against the Roman empire, once he got close to Rome, he decided not to take Rome. A big mistake? Perhaps, but he made that decision based on information suggesting that his followers were bent upon setting up another Rome, and this had to be prevented at all cost, even at the cost of not winning the war. My friends, my compañeras and compañeros, we charge this Tribunal to come up with the draft of a new covenant—a covenant that will ensure, once and for all, what human beings have struggled for the past 6,000 years of human civilization—the struggle for freedom, equality and community—becomes a reality.